

By Senator Hukill

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1                                   A bill to be entitled  
2       An act relating to postsecondary education; providing  
3       a short title; creating s. 1001.6001, F.S.; renaming  
4       the Florida College System as the Florida Community  
5       College System; creating the State Board of Community  
6       Colleges; requiring the Governor to appoint the  
7       membership of the state board; providing that the  
8       appointments are subject to confirmation by the  
9       Senate; requiring the Division of Florida Colleges to  
10      provide administrative support to the state board  
11      until a specified date; transferring the Florida  
12      College System and the Division of Florida Colleges to  
13      the state board on a specified date; requiring the  
14      state board 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      assigning the state board to, and administratively  
22      housing the state board within, the department;  
23      providing the personnel for and powers and duties of  
24      the state board; requiring the state board to conduct  
25      an organizational meeting by a specified date;  
26      amending s. 112.313, F.S.; prohibiting citizen members  
27      of the State Board of Community Colleges or Florida  
28      Community College System institution boards of  
29      trustees from having an employment or contractual

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

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59 duties; amending s. 1001.20, F.S.; revising duties of  
60 the Office of Inspector General within the department  
61 regarding the Florida College System; amending s.  
62 1001.28, F.S.; providing that the powers and duties of  
63 the State Board of Community Colleges are not  
64 abrogated, superseded, altered, or amended by certain  
65 provisions relating to the department's duties for  
66 distance learning; amending s. 1001.42, F.S.;

67 prohibiting a technical center governing board from  
68 approving certain courses and programs; amending s.  
69 1001.44, F.S.; providing the primary mission of a  
70 career center operated by a district school board;  
71 prohibiting specified career centers from offering  
72 certain courses and programs; amending s. 1001.60,  
73 F.S.; conforming provisions to changes made by the  
74 act; creating s. 1001.601, F.S.; establishing the  
75 State Board of Community Colleges; providing the  
76 membership of the board; creating s. 1001.602, F.S.;

77 providing the responsibilities and duties of the State  
78 Board of Community Colleges; requiring the state board  
79 to coordinate with the State Board of Education;  
80 requiring the state board, in collaboration with the  
81 State Board of Education, to adopt specified  
82 definitions by rule; amending ss. 1001.61, 1001.64,  
83 and 1001.65, F.S.; conforming provisions to changes  
84 made by the act; amending s. 1001.66, F.S.; revising  
85 requirements for the performance-based metrics used to  
86 award Florida Community College System institutions  
87 with performance-based incentives; amending s.

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88 1001.67, F.S.; revising the Distinguished Florida  
89 Community College System Institution Program  
90 excellence standards requirements; amending s.  
91 1001.706, F.S.; revising cooperation duties of the  
92 Board of Governors to include requirements for working  
93 with the State Board of Community Colleges; amending  
94 s. 1002.34, F.S.; providing the primary mission of a  
95 charter technical career center; prohibiting specified  
96 charter technical career centers from offering certain  
97 courses and programs; providing for rulemaking;  
98 amending s. 1003.491, F.S.; revising the Florida  
99 Career and Professional Education Act to require the  
100 State Board of Community Colleges to recommend,  
101 jointly with the Board of Governors and the  
102 Commissioner of Education, certain deadlines for new  
103 core courses; amending s. 1003.493, F.S.; revising  
104 department duties regarding articulation and the  
105 transfer of credits to postsecondary institutions to  
106 include consultation with the State Board of Community  
107 Colleges; amending s. 1004.015, F.S.; providing that  
108 the Higher Education Coordinating Council serves as an  
109 advisory board to, in addition to other bodies, the  
110 State Board of Community Colleges; revising council  
111 reporting requirements to include a report to the  
112 state board; requiring the state board to collaborate  
113 with the Office of K-20 Articulation to provide  
114 administrative support for the council; amending ss.  
115 1004.02 and 1004.03, F.S.; conforming provisions to  
116 changes made by the act; amending s. 1004.04, F.S.;

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117 revising department reporting requirements regarding  
118 teacher preparation programs to require a report to  
119 the State Board of Community Colleges; amending s.  
120 1004.07, F.S.; providing that the State Board of  
121 Community Colleges, instead of the State Board of  
122 Education, provide guidelines for Florida Community  
123 College System institution boards of trustees'  
124 policies; amending ss. 1004.084, 1004.085, 1004.096,  
125 1004.0961, 1004.35, and 1004.6495, F.S.; conforming  
126 provisions to changes made by the act; amending s.  
127 1004.65, F.S.; revising Florida Community College  
128 System institution governance, mission, and  
129 responsibilities, to provide authority and duties to  
130 the State Board of Community Colleges, instead of the  
131 State Board of Education; providing that offering  
132 upper-level instruction and awarding baccalaureate  
133 degrees are a secondary and not a primary role of a  
134 Florida Community College System institution; amending  
135 s. 1004.67, F.S.; conforming provisions to changes  
136 made by the act; amending s. 1004.70, F.S.; revising  
137 requirements for appointments to the board of  
138 directors; prohibiting a community college board of  
139 trustees from authorizing a Florida Community College  
140 System institution direct-support organization to use  
141 personal services and state funds for travel expenses  
142 after a specified date; deleting an exception to the  
143 prohibition on gifts to a political committee from a  
144 Florida Community College System institution direct-  
145 support organization; conforming provisions to changes

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146 made by the act; amending s. 1004.71, F.S.; conforming  
147 provisions to changes made by the act; amending s.  
148 1004.74, F.S.; requiring the Chancellor of the Florida  
149 Community College System, jointly with the  
150 Commissioner of Education, to appoint members of the  
151 Council for the Florida School for the Arts; amending  
152 ss. 1004.78 and 1004.80, F.S.; conforming provisions  
153 to changes made by the act; amending s. 1004.91, F.S.;  
154 requiring the State Board of Community Colleges to  
155 collaborate with the State Board of Education to  
156 provide certain rules for Florida Community College  
157 System institutions regarding requirements for career  
158 education program basic skills; amending s. 1004.92,  
159 F.S.; providing accountability for career education  
160 for the State Board of Community Colleges; revising  
161 the department's accountability for career education;  
162 requiring the department and the State Board of  
163 Community Colleges to collaborate to develop certain  
164 standards and benchmarks; requiring the State Board of  
165 Education and the State Board of Community Colleges to  
166 collaborate to adopt rules; amending s. 1004.925,  
167 F.S.; revising industry certification requirements for  
168 automotive service technology education programs to  
169 include rules adopted by the State Board of Community  
170 Colleges; amending s. 1004.93, F.S.; conforming  
171 provisions to changes made by the act; amending s.  
172 1006.60, F.S.; authorizing sanctions for violations of  
173 certain rules of the State Board of Community  
174 Colleges, instead of for violations of certain rules

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175 of the State Board of Education; amending ss. 1006.61,  
176 1006.62, and 1006.71, F.S.; conforming provisions to  
177 changes made by the act; amending s. 1007.01, F.S.;  
178 revising the role of the State Board of Education and  
179 the Board of Governors in the statewide articulation  
180 system to include the State Board of Community  
181 Colleges and the Chancellor of the Florida Community  
182 College System; amending s. 1007.23, F.S.; requiring  
183 each Florida Community College System institution and  
184 each state university to execute at least one "2+2"  
185 targeted pathway articulation agreement by a specified  
186 time; providing requirements and student eligibility  
187 for the agreements; requiring the State Board of  
188 Community Colleges and the Board of Governors to  
189 collaborate to eliminate barriers in executing the  
190 agreements; amending s. 1007.24, F.S.; revising the  
191 statewide course numbering system to include  
192 participation by and input from the State Board of  
193 Community Colleges and the Chancellor of the Florida  
194 Community College System; amending ss. 1007.25,  
195 1007.262, 1007.263, 1007.264, and 1007.265, F.S.;  
196 conforming provisions to changes made by the act;  
197 amending s. 1007.27, F.S.; requiring school districts  
198 to notify students about certain lists and  
199 equivalencies; amending s. 1007.271, F.S.; requiring  
200 the State Board of Education to collaborate with the  
201 State Board of Community Colleges regarding certain  
202 articulation agreements; amending s. 1007.273, F.S.;  
203 requiring the State Board of Community Colleges to

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204 enforce compliance with certain provisions relating to  
205 the collegiate high school program by a specified date  
206 each year; amending s. 1007.33, F.S.; prohibiting  
207 Florida Community College System institutions from  
208 offering bachelor of arts degree programs; deleting  
209 provisions relating to an authorization for the Board  
210 of Trustees of St. Petersburg College to establish  
211 certain baccalaureate degree programs; revising the  
212 approval process for baccalaureate degree programs  
213 proposed by Florida Community College System  
214 institutions; requiring a Florida Community College  
215 System institution to annually report certain  
216 information to the State Board of Community Colleges,  
217 the Chancellor of the State University System, and the  
218 Legislature; revising the circumstances under which a  
219 baccalaureate degree program may be required to be  
220 modified or terminated; requiring that a baccalaureate  
221 degree program be terminated under certain  
222 circumstances; restricting total upper-level,  
223 undergraduate full-time equivalent enrollment at  
224 Florida Community College System institutions and  
225 within the Florida Community College System; amending  
226 s. 1008.30, F.S.; requiring the State Board of  
227 Community Colleges, rather than the State Board of  
228 Education, to develop and implement a specified common  
229 placement test and approve a specified series of meta-  
230 majors and academic pathways with the Board of  
231 Governors; providing that certain state universities  
232 may continue to provide developmental education



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233 instruction; establishing the Supporting Students for  
234 Academic Success Program; providing the purpose,  
235 requirements, funding, and reporting requirements of  
236 the program; amending s. 1008.31, F.S.; revising the  
237 legislative intent of Florida's K-20 education  
238 performance and accountability system to include  
239 recommendations from and reports to the State Board of  
240 Community Colleges; amending s. 1008.32, F.S.;

241 removing the oversight enforcement authority of the  
242 State Board of Education relating to the Florida  
243 Community College System; amending s. 1008.345, F.S.;

244 revising department responsibilities associated with  
245 the system of educational accountability to include  
246 duties for the State Board of Community Colleges;

247 amending s. 1008.37, F.S.; revising certain student  
248 reporting requirements of the Commissioner of  
249 Education to also require a report to the State Board  
250 of Community Colleges; amending s. 1008.38, F.S.;

251 revising the articulation accountability process to  
252 include participation by the State Board of Community  
253 Colleges; amending s. 1008.405, F.S.; requiring the  
254 State Board of Community Colleges to adopt rules for  
255 the maintenance of specific information by Florida  
256 Community College System institutions; amending ss.  
257 1008.44, 1008.45, 1009.21, 1009.22, 1009.23, and  
258 1009.25, F.S.; conforming provisions to changes made  
259 by the act; amending s. 1009.26, F.S.; requiring that  
260 certain information regarding fee waivers be reported  
261 to the State Board of Community Colleges; requiring

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262 the State Board of Community Colleges to adopt rules;  
263 amending s. 1009.28, F.S.; conforming provisions to  
264 changes made by the act; amending ss. 1009.90 and  
265 1009.91, F.S.; revising the duties of the department  
266 to include reports to the State Board of Community  
267 Colleges; amending s. 1009.971, F.S.; conforming  
268 provisions to changes made by the act; amending s.  
269 1010.01, F.S.; requiring the financial records and  
270 accounts of Florida Community College System  
271 institutions to follow rules of the State Board of  
272 Community Colleges, instead of the State Board of  
273 Education; requiring each Florida Community College  
274 System institution to annually file specified  
275 financial statements with the State Board of Community  
276 Colleges; amending ss. 1010.02 and 1010.04, F.S.;  
277 requiring the funds accruing to and purchases and  
278 leases by Florida Community College System  
279 institutions to follow rules of the State Board of  
280 Community Colleges, instead of the State Board of  
281 Education; amending s. 1010.07, F.S.; requiring  
282 certain contractors to give bonds in an amount set by  
283 the State Board of Community Colleges; amending s.  
284 1010.08, F.S.; authorizing Florida Community College  
285 System boards of trustees to budget for promotion and  
286 public relations from certain funds; amending ss.  
287 1010.09, 1010.22, 1010.30, and 1010.58, F.S.;  
288 conforming provisions to changes made by the act;  
289 amending s. 1011.01, F.S.; requiring each Florida  
290 Community College System institution board of trustees

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291 to submit an annual operating budget according to  
292 rules of the State Board of Community Colleges;  
293 amending s. 1011.011, F.S.; requiring the State Board  
294 of Education to collaborate with the State Board of  
295 Community Colleges on legislative budget requests  
296 relating to Florida Community College System  
297 institutions; amending ss. 1011.30 and 1011.32, F.S.;  
298 conforming provisions to changes made by the act;  
299 amending s. 1011.80, F.S.; conforming provisions to  
300 changes made by the act; authorizing the State Board  
301 of Community Colleges to adopt rules; amending s.  
302 1011.801, F.S.; specifying duties of the State Board  
303 of Community Colleges regarding funds for the  
304 operation of workforce education programs and the  
305 Workforce Development Capitalization Incentive Grant  
306 Program; amending ss. 1011.81, 1011.82, 1011.83,  
307 1011.84, and 1011.85, F.S.; conforming provisions to  
308 changes made by the act; amending s. 1012.01, F.S.;  
309 redefining the term "school officers"; amending ss.  
310 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,  
311 F.S.; conforming provisions to changes made by the  
312 act; amending s. 1013.01, F.S.; providing that the  
313 term "board" does not include the State Board of  
314 Community Colleges when used in the context of certain  
315 educational facilities provisions; amending ss.  
316 1013.02 and 1013.03, F.S.; requiring the State Board  
317 of Community Colleges to adopt rules for and provide  
318 functions relating to educational facilities; amending  
319 s. 1013.28, F.S.; authorizing Florida Community

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320 College System institution boards of trustees to  
321 dispose of land or real property subject to rules of  
322 the State Board of Community Colleges; amending s.  
323 1013.31, F.S.; specifying the role of the State Board  
324 of Community Colleges in educational plant surveys for  
325 Florida Community College System institutions;  
326 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;  
327 conforming provisions to changes made by the act;  
328 amending s. 1013.47, F.S.; providing that certain  
329 contractors are subject to rules of the State Board of  
330 Community Colleges; amending s. 1013.52, F.S.;  
331 specifying duties of the State Board of Community  
332 Colleges with regard to the cooperative development  
333 and joint use of facilities; amending s. 1013.65,  
334 F.S.; requiring the State Board of Community Colleges  
335 to be provided with copies of authorized allocations  
336 or reallocations for the Public Education Capital  
337 Outlay and Debt Service Trust Fund; providing a  
338 directive to the Division of Law Revision and  
339 Information; providing effective dates.

340

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

342

343 Section 1. This act shall be cited as the "Community  
344 College Competiveness Act of 2018."

345 Section 2. Effective July 1, 2018, section 1001.6001,  
346 Florida Statutes, is created to read:

347 1001.6001 Florida Community College System governance.—

348 (1) The Florida College System, established in s. 1001.60,

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349 is renamed as the Florida Community College System.

350 (2) The State Board of Community Colleges is created  
351 pursuant to s. 20.156 to oversee and coordinate the Florida  
352 Community College System. The Governor shall appoint the  
353 membership of the State Board of Community Colleges, subject to  
354 confirmation by the Senate, in time for the members to convene  
355 for the board's organizational meeting pursuant to s. 20.156(5).

356 (3) The Division of Florida Colleges shall provide  
357 administrative support to the State Board of Community Colleges  
358 until September 30, 2018.

359 (4) On October 1, 2018, all powers, duties, functions,  
360 records, offices, personnel, property, pending issues and  
361 existing contracts, administrative authority, administrative  
362 rules, and unexpended balances of appropriations, allocations,  
363 and other funds related to the Florida College System and the  
364 Division of Florida Colleges are transferred by a type two  
365 transfer, as defined in s. 20.06(2), from the State Board of  
366 Education to the State Board of Community Colleges.

367 (5) The State Board of Community Colleges shall appoint a  
368 Chancellor of the Florida Community College System by November  
369 1, 2018, to aid the board in the implementation of its  
370 responsibilities.

371 (6) Any State Board of Education approval, policy,  
372 guidance, and appointment in effect on October 1, 2018, remains  
373 effective unless acted upon by the State Board of Community  
374 Colleges.

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

377 20.15 Department of Education.—There is created a

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378 Department of Education.

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

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

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

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

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

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

386 (e) ~~(f)~~ Division of Accountability, Research, and  
387 Measurement.

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

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

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

392 1. The Office of Early Learning, which shall be  
393 administered by an executive director who is fully accountable  
394 to the Commissioner of Education. The executive director shall,  
395 pursuant to s. 1001.213, administer the early learning programs,  
396 including the school readiness program and the Voluntary  
397 Prekindergarten Education Program at the state level.

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

401 (8) SUPPORT SERVICES.—The Department of Education shall  
402 continue to provide support to the Board of Governors of the  
403 State University System and to the State Board of Community  
404 Colleges of the Florida Community College System. At a minimum,  
405 support services provided to the Board of Governors and the  
406 State Board of Community Colleges shall include accounting,

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407 printing, computer and Internet support, personnel and human  
408 resources support, support for accountability initiatives, and  
409 administrative support as needed for trust funds under the  
410 jurisdiction of the Board of Governors and the State Board of  
411 Community Colleges.

412 Section 4. Effective July 1, 2018, section 20.156, Florida  
413 Statutes, is created to read:

414 20.156 State Board of Community Colleges.-

415 (1) GENERAL PROVISIONS.-The State Board of Community  
416 Colleges is created. For the purposes of s. 6, Art. IV of the  
417 State Constitution, the state board shall be assigned to and  
418 administratively housed within the Department of Education.  
419 However, the state board shall independently exercise the powers  
420 and duties in s. 1001.602; is a separate budget program; and is  
421 not subject to control, supervision, or direction by the  
422 department. For purposes of this section, the State Board of  
423 Community Colleges is referred to as the "state board."

424 (2) HEAD OF THE FLORIDA COMMUNITY COLLEGE SYSTEM.-The state  
425 board is the head of the Florida Community College System. The  
426 Governor shall appoint the board members, subject to  
427 confirmation by the Senate.

428 (3) PERSONNEL.-The state board shall appoint a Chancellor  
429 of the Florida Community College System by November 1, 2018, to  
430 aid in carrying out the state board's duties. The chancellor is  
431 the chief executive officer and secretary to the state board and  
432 directs the activities of the staff of the state board. The  
433 Chancellor of the Division of Florida Colleges shall serve as  
434 the Chancellor of the Florida Community College System until the  
435 state board selects a chancellor.

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436 (4) POWERS AND DUTIES.—Effective October 1, 2018, the state  
437 board shall regulate, control, and be responsible for the  
438 management of the Florida Community College System.

439 (5) ORGANIZATION.—The state board shall, by September 30,  
440 2018, conduct an organizational meeting to adopt bylaws, elect a  
441 chair and vice chair from the membership, and fix dates and  
442 places for regular meetings.

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

445 112.313 Standards of conduct for public officers, employees  
446 of agencies, and local government attorneys.—

447 (18) STATE BOARD OF COMMUNITY COLLEGES AND BOARDS OF  
448 TRUSTEES.—A citizen member of the State Board of Community  
449 Colleges or a citizen member of a Florida Community College  
450 System institution board of trustees may not have or hold an  
451 employment or contractual relationship as a legislative lobbyist  
452 requiring annual registration and reporting pursuant to s.  
453 11.045.

454 Section 6. Paragraph (c) of subsection (1) of section  
455 112.3145, Florida Statutes, is amended to read:

456 112.3145 Disclosure of financial interests and clients  
457 represented before agencies.—

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

460 (c) "State officer" means:

461 1. Any elected public officer, excluding those elected to  
462 the United States Senate and House of Representatives, not  
463 covered elsewhere in this part and any person who is appointed  
464 to fill a vacancy for an unexpired term in such an elective



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465 office.

466 2. An appointed member of each board, commission,  
467 authority, or council having statewide jurisdiction, excluding a  
468 member of an advisory body.

469 3. A member of the Board of Governors of the State  
470 University System or a state university board of trustees, the  
471 Chancellor and Vice Chancellors of the State University System,  
472 and the president of a state university; or a member of the  
473 State Board of Community Colleges and the Chancellor of the  
474 Florida Community College System.

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

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

479 1000.03 Function, mission, and goals of the Florida K-20  
480 education system.—

481 (2) (a) The Legislature shall establish education policy,  
482 enact education laws, and appropriate and allocate education  
483 resources.

484 (b) With the exception of matters relating to the State  
485 University System and the Florida Community College System, the  
486 State Board of Education shall oversee the enforcement of all  
487 laws and rules, and the timely provision of direction,  
488 resources, assistance, intervention when needed, and strong  
489 incentives and disincentives to force accountability for  
490 results.

491 (c) The Board of Governors shall oversee the enforcement of  
492 all state university laws and rules and regulations and the  
493 timely provision of direction, resources, assistance,

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494 intervention when needed, and strong incentives and  
495 disincentives to force accountability for results.

496 (d) The State Board of Community Colleges shall oversee the  
497 enforcement of all Florida Community College System laws and  
498 rules and the timely provision of direction, resources,  
499 assistance, intervention when needed, and strong incentives and  
500 disincentives to force accountability for results.

501 (4) The mission of Florida's K-20 education system is to  
502 allow its students to increase their proficiency by allowing  
503 them the opportunity to expand their knowledge and skills  
504 through rigorous and relevant learning opportunities, in  
505 accordance with the mission of the applicable career center or  
506 system ~~statement~~ and the accountability requirements of s.  
507 1008.31, and to avoid wasteful duplication of programs offered  
508 by state universities, Florida Community College System  
509 institutions, and career centers and charter technical career  
510 centers that are operated by a district school board or a  
511 Florida Community College System institution board of trustees.

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

515 1000.05 Discrimination against students and employees in  
516 the Florida K-20 public education system prohibited; equality of  
517 access required.—

518 (3)

519 (d) A public K-20 educational institution which operates or  
520 sponsors interscholastic, intercollegiate, club, or intramural  
521 athletics shall provide equal athletic opportunity for members  
522 of both genders.

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

525 2. The Commissioner of Education, for school districts, and  
526 the Chancellor of the Florida Community College System, for  
527 Florida Community College System institutions, shall determine  
528 whether equal opportunities are available in school districts  
529 and Florida Community College System institutions, respectively.

530 In determining whether equal opportunities are available in  
531 school districts and Florida Community College System  
532 institutions, the Commissioner of Education and the Chancellor  
533 of the Florida Community College System shall consider, among  
534 other factors:

535 a. Whether the selection of sports and levels of  
536 competition effectively accommodate the interests and abilities  
537 of members of both genders.

538 b. The provision of equipment and supplies.

539 c. Scheduling of games and practice times.

540 d. Travel and per diem allowances.

541 e. Opportunities to receive coaching and academic tutoring.

542 f. Assignment and compensation of coaches and tutors.

543 g. Provision of locker room, practice, and competitive  
544 facilities.

545 h. Provision of medical and training facilities and  
546 services.

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

548 j. Publicity.

549

550 Unequal aggregate expenditures for members of each gender or  
551 unequal expenditures for male and female teams if a public

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552 school or Florida Community College System institution operates  
553 or sponsors separate teams do not constitute nonimplementation  
554 of this subsection, but the Commissioner of Education shall  
555 consider the failure to provide necessary funds for teams for  
556 one gender in assessing equality of opportunity for members of  
557 each gender.

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

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

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

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

570 (a) Requiring all district school boards and Florida  
571 Community College System institution boards of trustees to  
572 develop and submit plans for the implementation of this section  
573 to the Department of Education.

574 (b) Conducting periodic reviews of school districts and  
575 Florida Community College System institutions to determine  
576 compliance with this section and, after a finding that a school  
577 district or a Florida Community College System institution is  
578 not in compliance with this section, notifying the entity of the  
579 steps that it must take to attain compliance and performing  
580 followup monitoring.

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581 (c) Providing technical assistance, including assisting  
582 school districts or Florida Community College System  
583 institutions in identifying unlawful discrimination and  
584 instructing them in remedies for correction and prevention of  
585 such discrimination and performing followup monitoring.

586 (d) Conducting studies of the effectiveness of methods and  
587 strategies designed to increase the participation of students in  
588 programs and courses in which students of a particular race,  
589 ethnicity, national origin, gender, disability, or marital  
590 status have been traditionally underrepresented and monitoring  
591 the success of students in such programs or courses, including  
592 performing followup monitoring.

593 (e) Requiring all district school boards and Florida  
594 Community College System institution boards of trustees to  
595 submit data and information necessary to determine compliance  
596 with this section. The Commissioner of Education, for school  
597 districts, and the Chancellor of the Florida Community College  
598 System, for Florida Community College System institutions, shall  
599 prescribe the format and the date for submission of such data  
600 and any other educational equity data. If any board does not  
601 submit the required compliance data or other required  
602 educational equity data by the prescribed date, the commissioner  
603 or the chancellor, as applicable, shall notify the board of this  
604 fact and, if the board does not take appropriate action to  
605 immediately submit the required report, the State Board of  
606 Education or the State Board of Community Colleges, as  
607 applicable, shall impose monetary sanctions.

608 (f) Based upon rules of the State Board of Education, for  
609 school districts, and the State Board of Community Colleges, for

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610 Florida Community College System institutions, developing and  
611 implementing enforcement mechanisms with appropriate penalties  
612 to ensure that public K-12 schools and Florida Community College  
613 System institutions comply with Title IX of the Education  
614 Amendments of 1972 and subsection (3) of this section. However,  
615 the State Board of Education may not force a public school and  
616 the State Board of Community colleges may not force a ~~or~~ Florida  
617 Community College System institution to conduct, nor penalize  
618 such entity for not conducting, a program of athletic activity  
619 or athletic scholarship for female athletes unless it is an  
620 athletic activity approved for women by a recognized association  
621 whose purpose is to promote athletics and a conference or league  
622 exists to promote interscholastic or intercollegiate competition  
623 for women in that athletic activity.

624 (g) Reporting to the Commissioner of Education, for school  
625 districts, or to the Chancellor of the Florida Community College  
626 System, for Florida Community College System institutions, any  
627 district school board or Florida Community College System  
628 institution board of trustees found to be out of compliance with  
629 rules of the State Board of Education or the State Board of  
630 Community Colleges adopted as required by paragraph (f) or  
631 paragraph (3) (d). To penalize the respective board, the State  
632 Board of Education or the State Board of Community Colleges, as  
633 applicable, shall:

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

636 2. Notwithstanding the provisions of s. 216.192, direct the  
637 Chief Financial Officer to withhold general revenue funds  
638 sufficient to obtain compliance from the school district or

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639 Florida Community College System institution.

640

641 The school district or Florida Community College System  
642 institution shall remain ineligible and the funds may ~~shall~~ not  
643 be paid until the institution comes into compliance or the State  
644 Board of Education or the State Board of Community Colleges, as  
645 applicable, approves a plan for compliance.

646 Section 9. Section 1001.02, Florida Statutes, is amended to  
647 read:

648 1001.02 General powers of State Board of Education.—

649 (1) The State Board of Education is the chief implementing  
650 and coordinating body of public education in Florida except for  
651 the State University System and the Florida Community College  
652 System, and it shall focus on high-level policy decisions. It  
653 has authority to adopt rules pursuant to ss. 120.536(1) and  
654 120.54 to implement the provisions of law conferring duties upon  
655 it for the improvement of the state system of K-20 public  
656 education except for the State University System and the Florida  
657 Community College System. Except as otherwise provided herein,  
658 it may, as it finds appropriate, delegate its general powers to  
659 the Commissioner of Education or the directors of the divisions  
660 of the department.

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

662 (a) To adopt comprehensive educational objectives for  
663 public education except for the State University System and the  
664 Florida Community College System.

665 (b) To adopt comprehensive long-range plans and short-range  
666 programs for the development of the state system of public  
667 education except for the State University System and the Florida

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668 Community College System.

669 (c) To exercise general supervision over the divisions of  
670 the Department of Education as necessary to ensure coordination  
671 of educational plans and programs and resolve controversies and  
672 to minimize problems of articulation and student transfers, to  
673 ensure that students moving from one level of education to the  
674 next have acquired competencies necessary for satisfactory  
675 performance at that level, and to ensure maximum utilization of  
676 facilities.

677 (d) To adopt, in consultation with the Board of Governors  
678 and the State Board of Community Colleges, and from time to time  
679 modify, minimum and uniform standards of college-level  
680 communication and computation skills generally associated with  
681 successful performance and progression through the baccalaureate  
682 level and to identify college-preparatory high school coursework  
683 and postsecondary-level coursework that prepares students with  
684 the academic skills necessary to succeed in postsecondary  
685 education.

686 (e) To adopt and submit to the Governor and Legislature, as  
687 provided in s. 216.023, a coordinated K-20 education budget that  
688 estimates the expenditure requirements for the Board of  
689 Governors, as provided in s. 1001.706, the State Board of  
690 Education, including the Department of Education and the  
691 Commissioner of Education, and all of the boards, institutions,  
692 agencies, and services under the general supervision of the  
693 Board of Governors, as provided in s. 1001.706, the State Board  
694 of Community Colleges, as provided in s. 1001.602, or the State  
695 Board of Education for the ensuing fiscal year. The State Board  
696 of Education may not amend the budget request submitted by the



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697 Board of Governors or the State Board of Community Colleges. Any  
698 program recommended by the Board of Governors, the State Board  
699 of Community Colleges, or the State Board of Education which  
700 will require increases in state funding for more than 1 year  
701 must be presented in a multiyear budget plan.

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

706 (g) To approve plans for cooperating with the Federal  
707 Government.

708 (h) To approve plans for cooperating with other public  
709 agencies in the development of rules and in the enforcement of  
710 laws for which the state board and such agencies are jointly  
711 responsible.

712 (i) To review plans for cooperating with appropriate  
713 nonpublic agencies for the improvement of conditions relating to  
714 the welfare of schools.

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

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

720 (l) To assist in the economic development of the state by  
721 developing a state-level planning process to identify future  
722 training needs for industry, especially high-technology  
723 industry.

724 (m) To assist in the planning and economic development of  
725 the state by establishing a clearinghouse for information on

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726 educational programs of value to economic development.

727 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and  
728 120.54, within statutory authority.

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

731 (p) To contract with independent institutions accredited by  
732 an agency whose standards are comparable to the minimum  
733 standards required to operate a postsecondary career center  
734 ~~educational institution at that level in the state.~~ The purpose  
735 of the contract is to provide those educational programs and  
736 facilities which will meet needs unfulfilled by the state system  
737 of public postsecondary education.

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

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

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

746 (t) To establish accountability standards for existing  
747 legislative performance goals, standards, and measures, and  
748 order the development of mechanisms to implement new legislative  
749 goals, standards, and measures.

750 (u) To adopt criteria and implementation plans for future  
751 growth issues, ~~such as new Florida College System institutions~~  
752 ~~and Florida College System institution campus mergers,~~ and to  
753 provide for cooperative agreements between and within public and  
754 private education sectors.

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755 (v) To develop, in conjunction with the Board of Governors  
756 and the State Board of Community Colleges, and periodically  
757 review for adjustment, a coordinated 5-year plan for  
758 postsecondary enrollment, identifying enrollment and graduation  
759 expectations by baccalaureate degree program, and annually  
760 submit the plan to the Legislature as part of its legislative  
761 budget request.

762 ~~(w) Beginning in the 2014-2015 academic year and annually~~  
763 ~~thereafter, to require each Florida College System institution~~  
764 ~~prior to registration to provide each enrolled student~~  
765 ~~electronic access to the economic security report of employment~~  
766 ~~and earning outcomes prepared by the Department of Economic~~  
767 ~~Opportunity pursuant to s. 445.07.~~

768 (3) (a) The State Board of Education shall adopt a strategic  
769 plan that specifies goals and objectives for the state's public  
770 schools ~~and Florida College System institutions~~. The plan shall  
771 be formulated in conjunction with plans of the Board of  
772 Governors and the State Board of Community Colleges in order to  
773 provide for the roles of the universities and Florida Community  
774 College System institutions to be coordinated to best meet state  
775 needs and reflect cost-effective use of state resources. The  
776 strategic plan must clarify the mission statements of each  
777 Florida Community College System institution and the system as a  
778 whole and identify degree programs, including baccalaureate  
779 degree programs, to be offered at each Florida Community College  
780 System institution in accordance with the objectives provided in  
781 this subsection and the coordinated 5-year plan pursuant to  
782 paragraph (2) (v). The strategic plan must cover a period of 5  
783 years, with modification of the program lists after 2 years.

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784 Development of each 5-year plan must be coordinated with and  
785 initiated after completion of the master plan. The strategic  
786 plans must specifically include programs and procedures for  
787 responding to the educational needs of teachers and students in  
788 the public schools of this state and consider reports and  
789 recommendations of the Higher Education Coordinating Council  
790 pursuant to s. 1004.015 and the Articulation Coordinating  
791 Committee pursuant to s. 1007.01. The state board shall submit a  
792 report to the President of the Senate and the Speaker of the  
793 House of Representatives upon modification of the plan and as  
794 part of its legislative budget request.

795 (b) The State Board of Education, ~~and~~ and the Board of  
796 Governors, and the State Board of Community Colleges shall  
797 jointly develop long-range plans and annual reports for  
798 financial aid in this state. The long-range plans shall  
799 establish goals and objectives for a comprehensive program of  
800 financial aid for Florida students and shall be updated every 5  
801 years. The annual report shall include programs administered by  
802 the department as well as awards made from financial aid fee  
803 revenues, any other funds appropriated by the Legislature for  
804 financial assistance, and the value of tuition and fees waived  
805 for students enrolled in a dual enrollment course at a public  
806 postsecondary educational institution. The annual report shall  
807 include an assessment of progress made in achieving goals and  
808 objectives established in the long-range plans and  
809 recommendations for repealing or modifying existing financial  
810 aid programs or establishing new programs. A long-range plan  
811 shall be submitted by January 1, 2004, and every 5 years  
812 thereafter. An annual report shall be submitted on January 1,

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813 2004, and in each successive year that a long-range plan is not  
814 submitted, to the President of the Senate and the Speaker of the  
815 House of Representatives.

816 (4) The State Board of Education shall:

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

820 ~~(b) Specify, by rule, procedures to be used by the Florida~~  
821 ~~College System institution boards of trustees in the annual~~  
822 ~~evaluations of presidents and review the evaluations of~~  
823 ~~presidents by the boards of trustees, including the extent to~~  
824 ~~which presidents serve both institutional and system goals.~~

825 ~~(c) Establish, in conjunction with the Board of Governors,~~  
826 ~~an effective information system that will provide composite data~~  
827 ~~concerning the Florida College System institutions and state~~  
828 ~~universities and ensure that special analyses and studies~~  
829 ~~concerning the institutions are conducted, as necessary, for~~  
830 ~~provision of accurate and cost-effective information concerning~~  
831 ~~the institutions.~~

832 ~~(d) Establish criteria for making recommendations for~~  
833 ~~modifying district boundary lines for Florida College System~~  
834 ~~institutions, including criteria for service delivery areas of~~  
835 ~~Florida College System institutions authorized to grant~~  
836 ~~baccalaureate degrees.~~

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

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

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

846       ~~(5) The State Board of Education is responsible for~~  
847 ~~reviewing and administering the state program of support for the~~  
848 ~~Florida College System institutions and, subject to existing~~  
849 ~~law, shall establish the tuition and out-of-state fees for~~  
850 ~~developmental education and for credit instruction that may be~~  
851 ~~counted toward an associate in arts degree, an associate in~~  
852 ~~applied science degree, or an associate in science degree.~~

853       ~~(6) The State Board of Education shall prescribe minimum~~  
854 ~~standards, definitions, and guidelines for Florida College~~  
855 ~~System institutions that will ensure the quality of education,~~  
856 ~~coordination among the Florida College System institutions and~~  
857 ~~state universities, and efficient progress toward accomplishing~~  
858 ~~the Florida College System institution mission. At a minimum,~~  
859 ~~these rules must address:~~

860           ~~(a) Personnel.~~

861           ~~(b) Contracting.~~

862           ~~(c) Program offerings and classification, including~~  
863 ~~college-level communication and computation skills associated~~  
864 ~~with successful performance in college and with tests and other~~  
865 ~~assessment procedures that measure student achievement of those~~  
866 ~~skills. The performance measures must provide that students~~  
867 ~~moving from one level of education to the next acquire the~~  
868 ~~necessary competencies for that level.~~

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

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

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

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

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

882

883 ~~The rules should encourage Florida College System institutions~~  
884 ~~to enter into agreements with state universities that allow~~  
885 ~~Florida College System institution students to complete upper-~~  
886 ~~division-level courses at a Florida College System institution.~~  
887 ~~An agreement may provide for concurrent enrollment at the~~  
888 ~~Florida College System institution and the state university and~~  
889 ~~may authorize the Florida College System institution to offer an~~  
890 ~~upper division-level course or distance learning.~~

891 ~~(e) Student admissions, conduct and discipline,~~  
892 ~~nonclassroom activities, and fees.~~

893 ~~(f) Budgeting.~~

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

895 ~~(h) Student services.~~

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

898 Section 10. Subsections (7) through (17) of section  
899 1001.03, Florida Statutes, are amended to read:

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900 1001.03 Specific powers of State Board of Education.—

901 (7) ARTICULATION ACCOUNTABILITY.—The State Board of  
 902 Education shall develop articulation accountability measures  
 903 that assess the status of systemwide articulation processes, in  
 904 conjunction with the Board of Governors regarding the State  
 905 University System and the State Board of Community Colleges  
 906 regarding the Florida Community College System, and shall  
 907 establish an articulation accountability process in accordance  
 908 with the provisions of chapter 1008, in conjunction with the  
 909 Board of Governors regarding the State University System and the  
 910 State Board of Community Colleges regarding the Florida  
 911 Community College System.

912 (8) SYSTEMWIDE ENFORCEMENT.—The State Board of Education  
 913 shall enforce compliance with law and state board rule by all  
 914 school districts and public postsecondary educational  
 915 institutions, except for institutions within the State  
 916 University System and the Florida Community College System, in  
 917 accordance with the provisions of s. 1008.32.

918 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of  
 919 Education, in conjunction with the Board of Governors regarding  
 920 the State University System and the State Board of Community  
 921 Colleges regarding the Florida Community College System, shall  
 922 continue to collect and maintain, at a minimum, the management  
 923 information databases for state universities, community  
 924 colleges, and all other components of the public K-20 education  
 925 system as such databases existed on June 30, 2002.

926 ~~(10) COMMON PLACEMENT TESTING FOR PUBLIC POSTSECONDARY~~  
 927 ~~EDUCATION.—The State Board of Education, in conjunction with the~~  
 928 ~~Board of Governors, shall develop and implement a common~~



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929 ~~placement test to assess the basic computation and communication~~  
930 ~~skills of students who intend to enter a degree program at any~~  
931 ~~Florida College System institution or state university.~~

932 (10) ~~(11)~~ MINIMUM STANDARDS FOR NONPUBLIC POSTSECONDARY  
933 EDUCATION.—The State Board of Education shall adopt minimum  
934 standards relating to nonpublic postsecondary education and  
935 institutions, in accordance with the provisions of chapter 1005.

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

939 ~~(13) CYCLIC REVIEW OF POSTSECONDARY ACADEMIC PROGRAMS. The~~  
940 ~~State Board of Education shall provide for the cyclic review of~~  
941 ~~all academic programs in Florida College System institutions at~~  
942 ~~least every 7 years. Program reviews shall document how~~  
943 ~~individual academic programs are achieving stated student~~  
944 ~~learning and program objectives within the context of the~~  
945 ~~institution's mission. The results of the program reviews shall~~  
946 ~~inform strategic planning, program development, and budgeting~~  
947 ~~decisions at the institutional level.~~

948 (11) ~~(14)~~ UNIFORM CLASSIFICATION SYSTEM FOR SCHOOL DISTRICT  
949 ADMINISTRATIVE AND MANAGEMENT PERSONNEL.—The State Board of  
950 Education shall maintain a uniform classification system for  
951 school district administrative and management personnel that  
952 will facilitate the uniform coding of administrative and  
953 management personnel to total district employees.

954 ~~(15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE~~  
955 ~~DEGREE PROGRAMS. The State Board of Education shall provide for~~  
956 ~~the review and approval of proposals by Florida College System~~  
957 ~~institutions to offer baccalaureate degree programs pursuant to~~

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958 ~~s. 1007.33. A Florida College System institution, as defined in~~  
959 ~~s. 1000.21, that is approved to offer baccalaureate degrees~~  
960 ~~pursuant to s. 1007.33 remains under the authority of the State~~  
961 ~~Board of Education and the Florida College System institution's~~  
962 ~~board of trustees. The State Board of Education may not approve~~  
963 ~~Florida College System institution baccalaureate degree program~~  
964 ~~proposals from March 31, 2014, through May 31, 2015.~~

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

970 ~~(a) Performance metrics and standards common for all~~  
971 ~~institutions and metrics and standards unique to institutions~~  
972 ~~depending on institutional core missions, including, but not~~  
973 ~~limited to, remediation success, retention, graduation,~~  
974 ~~employment, transfer rates, licensure passage, excess hours,~~  
975 ~~student loan burden and default rates, job placement, faculty~~  
976 ~~awards, and highly respected rankings for institution and~~  
977 ~~program achievements.~~

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

981 ~~(12)~~(17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,  
982 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of  
983 Education, in consultation with the Board of Governors, the  
984 State Board of Community Colleges, and the Department of  
985 Economic Opportunity, shall adopt a unified state plan to  
986 improve K-20 STEM education and prepare students for high-skill,

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987 high-wage, and high-demand employment in STEM and STEM-related  
988 fields.

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

992 1001.10 Commissioner of Education; general powers and  
993 duties.—

994 (1) The Commissioner of Education is the chief educational  
995 officer of the state and the sole custodian of the K-20 data  
996 warehouse, and is responsible for giving full assistance to the  
997 State Board of Education in enforcing compliance with the  
998 mission and goals of the K-20 education system except for the  
999 State University System and the Florida Community College  
1000 System.

1001 (6) Additionally, the commissioner has the following  
1002 general powers and duties:

1003 (g) To submit to the State Board of Education, on or before  
1004 October 1 of each year, recommendations for a coordinated K-20  
1005 education budget that estimates the expenditures for the Board  
1006 of Governors, the State Board of Community Colleges, the State  
1007 Board of Education, including the Department of Education and  
1008 the Commissioner of Education, and all of the boards,  
1009 institutions, agencies, and services under the general  
1010 supervision of the Board of Governors, the State Board of  
1011 Community Colleges, or the State Board of Education for the  
1012 ensuing fiscal year. Any program recommended to the State Board  
1013 of Education that will require increases in state funding for  
1014 more than 1 year must be presented in a multiyear budget plan.

1015 (j) To implement a program of school improvement and

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1016 education accountability designed to provide all students the  
1017 opportunity to make adequate learning gains in each year of  
1018 school as provided by statute and State Board of Education rule  
1019 based upon the achievement of the state education goals,  
1020 recognizing the following:

1021 1. The district school board is responsible for school and  
1022 student performance.

1023 2. The individual school is the unit for education  
1024 accountability.

1025 ~~3. The Florida College System institution board of trustees~~  
1026 ~~is responsible for Florida College System institution~~  
1027 ~~performance and student performance.~~

1028 ~~(7) The commissioner, or the commissioner's designee, may~~  
1029 ~~conduct a review or investigation of practices, procedures, or~~  
1030 ~~actions at any Florida College System institution which appear~~  
1031 ~~to be inconsistent with sound financial, management, or academic~~  
1032 ~~practice.~~

1033 Section 12. Paragraphs (c) through (f) of subsection (1)  
1034 and subsection (3) of section 1001.11, Florida Statutes, are  
1035 amended to read:

1036 1001.11 Commissioner of Education; other duties.-

1037 (1) The Commissioner of Education must independently  
1038 perform the following duties:

1039 (c) In cooperation with the Board of Governors and the  
1040 State Board of Community Colleges, develop and implement a  
1041 process for receiving and processing requests, in conjunction  
1042 with the Legislature, for the allocation of PECO funds for  
1043 qualified postsecondary education projects.

1044 ~~(d) Integrally work with the boards of trustees of the~~

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1045 ~~Florida College System institutions.~~

1046 (d)~~(e)~~ Monitor the activities of the State Board of  
1047 Education and provide information related to current and pending  
1048 policies to the members of the boards of trustees of the Florida  
1049 Community College System institutions and state universities.

1050 (e)~~(f)~~ Ensure the timely provision of information requested  
1051 by the Legislature from the State Board of Education, the  
1052 commissioner's office, and the Department of Education.

1053 (3) Notwithstanding any other provision of law to the  
1054 contrary, the Commissioner of Education, in conjunction with the  
1055 Legislature, ~~and~~ the Board of Governors regarding the State  
1056 University System, and the State Board of Community Colleges  
1057 regarding the Florida Community College System, must recommend  
1058 funding priorities for the distribution of capital outlay funds  
1059 for public postsecondary educational institutions, based on  
1060 priorities that include, but are not limited to, the following  
1061 criteria:

1062 (a) Growth at the institutions.

1063 (b) Need for specific skills statewide.

1064 (c) Need for maintaining and repairing existing facilities.

1065 Section 13. Paragraph (e) of subsection (4) of section  
1066 1001.20, Florida Statutes, is amended to read:

1067 1001.20 Department under direction of state board.—

1068 (4) The Department of Education shall establish the  
1069 following offices within the Office of the Commissioner of  
1070 Education which shall coordinate their activities with all other  
1071 divisions and offices:

1072 (e) *Office of Inspector General.*—Organized using existing  
1073 resources and funds and responsible for promoting

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1074 accountability, efficiency, and effectiveness and detecting  
1075 fraud and abuse within school districts and, the Florida School  
1076 for the Deaf and the Blind, ~~and Florida College System~~  
1077 ~~institutions in Florida~~. If the Commissioner of Education  
1078 determines that a district school board or, the Board of  
1079 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~  
1080 ~~Florida College System institution board of trustees~~ is  
1081 unwilling or unable to address substantiated allegations made by  
1082 any person relating to waste, fraud, or financial mismanagement  
1083 within the school district or, the Florida School for the Deaf  
1084 and the Blind, ~~or the Florida College System institution~~, the  
1085 office shall conduct, coordinate, or request investigations into  
1086 such substantiated allegations. The office shall have access to  
1087 all information and personnel necessary to perform its duties  
1088 and shall have all of its current powers, duties, and  
1089 responsibilities authorized in s. 20.055.

1090 Section 14. Section 1001.28, Florida Statutes, is amended  
1091 to read:

1092 1001.28 Distance learning duties.—The duties of the  
1093 Department of Education concerning distance learning include,  
1094 but are not limited to, the duty to:

1095 (1) Facilitate the implementation of a statewide  
1096 coordinated system and resource system for cost-efficient  
1097 advanced telecommunications services and distance education  
1098 which will increase overall student access to education.

1099 (2) Coordinate the use of existing resources, including,  
1100 but not limited to, the state's satellite transponders, the  
1101 Florida Information Resource Network (FIRN), and distance  
1102 learning initiatives.

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1103 (3) Assist in the coordination of the utilization of the  
1104 production and uplink capabilities available through Florida's  
1105 public television stations, eligible facilities, independent  
1106 colleges and universities, private firms, and others as needed.

1107 (4) Seek the assistance and cooperation of Florida's cable  
1108 television providers in the implementation of the statewide  
1109 advanced telecommunications services and distance learning  
1110 network.

1111 (5) Seek the assistance and cooperation of Florida's  
1112 telecommunications carriers to provide affordable student access  
1113 to advanced telecommunications services and to distance  
1114 learning.

1115 (6) Coordinate partnerships for development, acquisition,  
1116 use, and distribution of distance learning.

1117 (7) Secure and administer funding for programs and  
1118 activities for distance learning from federal, state, local, and  
1119 private sources and from fees derived from services and  
1120 materials.

1121 (8) Hire appropriate staff which may include a position  
1122 that shall be exempt from part II of chapter 110 and is included  
1123 in the Senior Management Service in accordance with s. 110.205.

1124  
1125 Nothing in this section shall be construed to abrogate,  
1126 supersede, alter, or amend the powers and duties of any state  
1127 agency, district school board, Florida Community College System  
1128 institution board of trustees, university board of trustees, the  
1129 Board of Governors, the State Board of Community Colleges, or  
1130 the State Board of Education.

1131 Section 15. Effective July 1, 2018, subsection (26) of

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1132 section 1001.42, Florida Statutes, is amended to read:

1133 1001.42 Powers and duties of district school board.—The  
1134 district school board, acting as a board, shall exercise all  
1135 powers and perform all duties listed below:

1136 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a  
1137 governing board for a school district technical center or a  
1138 system of technical centers for the purpose of aligning the  
1139 educational programs of the technical center with the needs of  
1140 local businesses and responding quickly to the needs of local  
1141 businesses for employees holding industry certifications. A  
1142 technical center governing board shall be comprised of seven  
1143 members, three of whom must be members of the district school  
1144 board or their designees and four of whom must be local business  
1145 leaders. The district school board shall delegate to the  
1146 technical center governing board decisions regarding entrance  
1147 requirements for students, curriculum, program development,  
1148 budget and funding allocations, and the development with local  
1149 businesses of partnership agreements and appropriate industry  
1150 certifications in order to meet local and regional economic  
1151 needs. A technical center governing board may approve only  
1152 courses and programs that contain industry certifications. A  
1153 course may be continued if at least 25 percent of the students  
1154 enrolled in the course attain an industry certification. If  
1155 fewer than 25 percent of the students enrolled in a course  
1156 attain an industry certification, the course must be  
1157 discontinued the following year. However, notwithstanding the  
1158 authority to approve courses and programs under this subsection,  
1159 a technical center governing board may not approve a college  
1160 credit course or college credit certificate or an associate



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1161 degree or baccalaureate degree program.

1162 Section 16. Effective July 1, 2018, section 1001.44,  
1163 Florida Statutes, is amended to read:

1164 1001.44 Career centers; governance, mission, and  
1165 responsibilities.—

1166 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER  
1167 CENTERS.—Any district school board, after first obtaining the  
1168 approval of the Department of Education, may, as a part of the  
1169 district school system, organize, establish and operate a career  
1170 center, or acquire and operate a career center previously  
1171 established.

1172 (a) The primary mission of a career center that is operated  
1173 by a district school board is to promote advances and  
1174 innovations in workforce preparation and economic development. A  
1175 career center may provide a learning environment that serves the  
1176 needs of a specific population group or group of occupations,  
1177 thus promoting diversity and choices within the public technical  
1178 education community in this state.

1179 (b) A career center that is operated by a district school  
1180 board may not offer a college credit course or college credit  
1181 certificate or an associate degree or baccalaureate degree  
1182 program.

1183 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY  
1184 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards  
1185 of any two or more contiguous districts may, upon first  
1186 obtaining the approval of the department, enter into an  
1187 agreement to organize, establish and operate, or acquire and  
1188 operate, a career center under this section.

1189 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED

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1190 BY A DIRECTOR.—

1191 (a) A career center established or acquired under  
1192 provisions of law and minimum standards prescribed by the  
1193 commissioner shall comprise a part of the district school system  
1194 and shall mean an educational institution offering terminal  
1195 courses of a technical nature which are not for college credit,  
1196 and courses for out-of-school youth and adults; shall be subject  
1197 to all applicable provisions of this code; shall be under the  
1198 control of the district school board of the school district in  
1199 which it is located; and shall be directed by a director  
1200 responsible through the district school superintendent to the  
1201 district school board of the school district in which the center  
1202 is located.

1203 (b) Each career center shall maintain an academic  
1204 transcript for each student enrolled in the center. Such  
1205 transcript shall delineate each course completed by the student.  
1206 Courses shall be delineated by the course prefix and title  
1207 assigned pursuant to s. 1007.24. The center shall make a copy of  
1208 a student's transcript available to any student who requests it.

1209 Section 17. Effective July 1, 2018, section 1001.60,  
1210 Florida Statutes, is amended to read:

1211 1001.60 Florida Community College System.—

1212 (1) PURPOSES.—In order to maximize open access for  
1213 students, respond to community needs for postsecondary academic  
1214 education and career degree education, and provide associate and  
1215 baccalaureate degrees that will best meet the state's employment  
1216 needs, the Legislature establishes a system of governance for  
1217 the Florida Community College System.

1218 (2) FLORIDA COMMUNITY COLLEGE SYSTEM.—There shall be a

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1219 single Florida Community College System comprised of the Florida  
1220 Community College System institutions identified in s.  
1221 1000.21(3). A Florida Community College System institution may  
1222 not offer graduate degree programs.

1223 (a) The programs and services offered by Florida Community  
1224 College System institutions in providing associate and  
1225 baccalaureate degrees shall be delivered in a cost-effective  
1226 manner that demonstrates substantial savings to the student and  
1227 to the state over the cost of providing the degree at a state  
1228 university.

1229 (b)1. With the approval of its district board of trustees,  
1230 a Florida Community College System institution may change the  
1231 institution's name set forth in s. 1000.21(3) and use the  
1232 designation "college" or "state college" if it has been  
1233 authorized to grant baccalaureate degrees pursuant to s. 1007.33  
1234 and has been accredited as a baccalaureate-degree-granting  
1235 institution by the Commission on Colleges of the Southern  
1236 Association of Colleges and Schools.

1237 2. With the approval of its district board of trustees, a  
1238 Florida Community College System institution that does not meet  
1239 the criteria in subparagraph 1. may request approval from the  
1240 State Board of Community Colleges ~~Education~~ to change the  
1241 institution's name set forth in s. 1000.21(3) and use the  
1242 designation "college." The State Board of Community Colleges  
1243 ~~Education~~ may approve the request if the Florida Community  
1244 College System institution enters into an agreement with the  
1245 State Board of Community Colleges ~~Education~~ to do the following:

1246 a. Maintain as its primary mission responsibility for  
1247 responding to community needs for postsecondary academic

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1248 education and career degree education as prescribed in s.  
1249 1004.65(5).

1250 b. Maintain an open-door admissions policy for associate-  
1251 level degree programs and workforce education programs.

1252 c. Continue to provide outreach to underserved populations.

1253 d. Continue to provide remedial education.

1254 e. Comply with all provisions of the statewide articulation  
1255 agreement that relate to 2-year and 4-year public degree-  
1256 granting institutions as adopted by the State Board of Community  
1257 Colleges Education pursuant to s. 1007.23.

1258 (c) A district board of trustees that approves a change to  
1259 the name of an institution under paragraph (b) must seek  
1260 statutory codification of such name change in s. 1000.21(3)  
1261 during the next regular legislative session.

1262 (d) A Florida Community College System institution may not  
1263 use the designation "university."

1264 (3) LOCAL BOARDS OF TRUSTEES.—Each institution within the  
1265 Florida Community College System shall be governed by a local  
1266 board of trustees as provided in s. 1001.64. The membership of  
1267 each local board of trustees shall be as provided in s. 1001.61.

1268 Section 18. Effective July 1, 2018, section 1001.601,  
1269 Florida Statutes, is created to read:

1270 1001.601 State Board of Community Colleges of the Florida  
1271 Community College System.—

1272 (1) The State Board of Community Colleges is established as  
1273 a body corporate consisting of 13 members, which shall consist  
1274 of the Commissioner of Education and 12 citizen members who are  
1275 appointed by the Governor in a manner that provides equitable  
1276 geographical representation.

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1277 (a) The 12 appointed citizen members must include a student  
1278 enrolled in a Florida Community College System institution and a  
1279 faculty member employed at a Florida Community College System  
1280 institution.

1281 (b) Each citizen member must reside and be registered to  
1282 vote in this state.

1283 (c) Except for the student member, who shall serve a 1-year  
1284 term, appointed citizen members shall serve staggered 4-year  
1285 terms. In order to achieve staggered terms, beginning September  
1286 1, 2018, of the initial appointments, 3 members shall serve 2-  
1287 year terms, 4 members shall serve 3-year terms, and 4 members  
1288 shall serve 4-year terms.

1289 (d) Except for the student member, each citizen member must  
1290 be confirmed by the Senate.

1291 (2) Members of the State Board of Community Colleges may  
1292 not receive compensation but may be reimbursed for per diem and  
1293 travel expenses as provided in s. 112.061.

1294 Section 19. Section 1001.602, Florida Statutes, is created  
1295 to read:

1296 1001.602 Powers and duties of the State Board of Community  
1297 Colleges.—

1298 (1) RESPONSIBILITIES.—The State Board of Community Colleges  
1299 is responsible for the efficient and effective operation and  
1300 maintenance of the Florida Community College System, as  
1301 established in s. 1001.60. The State Board of Community Colleges  
1302 may adopt rules pursuant to ss. 120.536(1) and 120.54 to  
1303 implement provisions of law for the Florida Community College  
1304 System. For the purposes of this section, the State Board of  
1305 Community Colleges is referred to as the "state board."

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

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

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

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

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

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

(f) Establish and review, in consultation with the State Board of Education and the Board of Governors, minimum and uniform standards of college-level communication and computation skills generally associated with successful performance and progression through the baccalaureate level, to identify college-preparatory high school coursework and postsecondary-level coursework that prepares students with the academic skills

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1335 necessary to succeed in postsecondary education.

1336 (g) Approve plans for cooperating with the Federal  
1337 Government.

1338 (h) Approve plans for cooperating with other public  
1339 agencies in the development of rules and in the enforcement of  
1340 laws for which the state board and the agencies are jointly  
1341 responsible.

1342 (i) Create subordinate advisory bodies if required by law  
1343 or as necessary for the improvement of the Florida Community  
1344 College System.

1345 (j) Coordinate with the State Board of Education and the  
1346 Board of Governors to collect and maintain data for the Florida  
1347 Community College System.

1348 (k) Establish, in conjunction with the State Board of  
1349 Education and the Board of Governors, an effective information  
1350 system that will provide composite data concerning the Florida  
1351 Community College System institutions and state universities and  
1352 that will ensure that special analyses and studies concerning  
1353 the institutions are conducted, as necessary, for provision of  
1354 accurate and cost-effective information concerning the  
1355 institutions.

1356 (l) Establish accountability standards for existing  
1357 legislative performance goals, standards, and measures, and  
1358 order the development of mechanisms to implement new legislative  
1359 goals, standards, and measures.

1360 (m) Require each Florida Community College System  
1361 institution, before registration, to provide each enrolled  
1362 student electronic access to the economic security report of  
1363 employment and earning outcomes prepared by the Department of

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1364 Economic Opportunity pursuant to s. 445.07.

1365 (n) Specify, by rule, procedures to be used by Florida  
1366 Community College System institution boards of trustees in the  
1367 annual evaluation of presidents, and review the evaluations of  
1368 presidents by the boards of trustees, including the extent to  
1369 which presidents serve both institutional and system goals.

1370 (o) Establish, subject to existing law, the tuition and  
1371 out-of-state fees for developmental education and for credit  
1372 instruction that may be counted toward an associate in arts  
1373 degree, an associate in applied science degree, or an associate  
1374 in science degree.

1375 (p) Develop, in conjunction with the State Board of  
1376 Education and the Board of Governors, and implement a common  
1377 placement test to assess the basic communication and computation  
1378 skills of students who intend to enter a degree program at a  
1379 Florida Community College System institution or state  
1380 university.

1381 (q) May direct the Chancellor of the Florida Community  
1382 College System to conduct investigations of practices,  
1383 procedures, or actions at a Florida Community College System  
1384 institution which appear to be inconsistent with sound  
1385 financial, management, or academic practice.

1386 (r) Examine the annual administrative review of each  
1387 Florida Community College System institution.

1388 (s) Through the Chancellor of the Florida Community College  
1389 System, integrally work with the Florida Community College  
1390 System institution boards of trustees.

1391 (t) Establish criteria for making recommendations  
1392 concerning all proposals to establish additional centers or



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1393 campuses for a Florida Community College System institution.

1394 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with  
1395 the requirements under subsection (4) and the performance  
1396 metrics and standards adopted under ss. 1001.66 and 1001.67, the  
1397 state board shall identify performance metrics for the Florida  
1398 Community College System and develop a plan that specifies goals  
1399 and objectives for each Florida Community College System  
1400 institution. The plan must include:

1401 (a) Performance metrics and standards common for all  
1402 institutions and metrics and standards unique to institutions  
1403 depending on institutional core missions, including, but not  
1404 limited to, remediation success, retention, graduation,  
1405 employment, transfer rates, licensure passage, excess hours,  
1406 student loan burden and default rates, job placement, faculty  
1407 awards, and highly respected rankings for institution and  
1408 program achievements.

1409 (b) Student enrollment and performance data delineated by  
1410 method of instruction, including, but not limited to,  
1411 traditional, online, and distance learning instruction.

1412 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1413 (a) The state board shall adopt a strategic plan that  
1414 specifies goals and objectives for the Florida Community College  
1415 System. The plan must be formulated in conjunction with plans of  
1416 the State Board of Education and the Board of Governors in order  
1417 to coordinate the roles of the school districts and state  
1418 universities to best meet state needs and reflect cost-effective  
1419 use of state resources. The strategic plan must clarify the  
1420 mission statements of the Florida Community College System and  
1421 each Florida Community College System institution and identify

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1422 degree programs, including baccalaureate degree programs, to be  
1423 offered at each Florida Community College System institution in  
1424 accordance with the objectives provided in this subsection and  
1425 the coordinated 5-year plan pursuant to s. 1001.02(2)(v). The  
1426 strategic plan must cover a period of 5 years, with modification  
1427 of the program lists after 2 years. Development of each 5-year  
1428 plan must be coordinated with and initiated after completion of  
1429 the master plan. The strategic plan must consider reports and  
1430 recommendations of the Higher Education Coordinating Council  
1431 pursuant to s. 1004.015 and the Articulation Coordinating  
1432 Committee pursuant to s. 1007.01. Upon modification of the plan,  
1433 the state board shall submit a report to the President of the  
1434 Senate and the Speaker of the House of Representatives as part  
1435 of its legislative budget request.

1436 (b) The state board, the State Board of Education, and the  
1437 Board of Governors shall jointly develop long-range plans and  
1438 annual reports for financial aid in this state. The long-range  
1439 plans must establish goals and objectives for a comprehensive  
1440 program of financial aid for students and shall be updated every  
1441 5 years. The annual report must include programs administered by  
1442 the department as well as awards made from financial aid fee  
1443 revenues, other funds appropriated by the Legislature for  
1444 financial assistance, and the value of tuition and fees waived  
1445 for students enrolled in a dual enrollment course at a public  
1446 postsecondary educational institution. The annual report must  
1447 include an assessment of the progress made in achieving goals  
1448 and objectives established in the long-range plans and must  
1449 include recommendations for repealing or modifying existing  
1450 financial aid programs or establishing new programs. The state

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1451 board, the State Board of Education, and the Board of Governors  
1452 shall submit their long-range plans by July 1, 2018, and every 5  
1453 years thereafter and shall submit their annual reports on July  
1454 1, 2018, and in each successive year that a long-range plan is  
1455 not submitted, to the President of the Senate and the Speaker of  
1456 the House of Representatives.

1457 (c) The state board shall also:

1458 1. Adopt comprehensive long-range plans and short-range  
1459 programs for the development of the Florida Community College  
1460 System.

1461 2. Assist in the economic development of the state by  
1462 developing a state-level planning process to identify future  
1463 training needs for industry, especially high-technology  
1464 industry.

1465 3. Adopt criteria and implementation plans for future  
1466 growth issues, such as new Florida Community College System  
1467 institutions and Florida Community College System institution  
1468 campus mergers, and provide for cooperative agreements between  
1469 and within public and private education sectors.

1470 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall  
1471 prescribe minimum standards, definitions, and guidelines for  
1472 Florida Community College System institutions which will ensure  
1473 the quality of education, coordination among the Florida  
1474 Community College System institutions and state universities,  
1475 and efficient progress toward accomplishing the Florida  
1476 Community College System institution's mission. At a minimum,  
1477 these rules must address all of the following:

1478 (a) Personnel.

1479 (b) Contracting.

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1480 (c) Program offerings and classification, including  
1481 college-level communication and computation skills associated  
1482 with successful performance in college and with tests and other  
1483 assessment procedures that measure student achievement of those  
1484 skills. The performance measures must provide that students  
1485 moving from one level of education to the next acquire the  
1486 necessary competencies for that level.

1487 (d) Provisions for curriculum development, graduation  
1488 requirements, college calendars, and program service areas.  
1489 These provisions must include rules that:

1490 1. Provide for the award of an associate in arts degree to  
1491 a student who successfully completes 60 semester credit hours at  
1492 the Florida Community College System institution.

1493 2. Require all of the credits accepted for the associate in  
1494 arts degree to be in the statewide course numbering system as  
1495 credits toward a baccalaureate degree offered by a state  
1496 university or a Florida Community College System institution.

1497 3. Require no more than 36 semester credit hours in general  
1498 education courses in the subject areas of communication,  
1499 mathematics, social sciences, humanities, and natural sciences.

1500  
1501 The rules under this paragraph should encourage Florida  
1502 Community College System institutions to enter into agreements  
1503 with state universities which allow a Florida Community College  
1504 System institution student to complete upper-division-level  
1505 courses at a Florida Community College System institution. An  
1506 agreement may provide for concurrent enrollment at the Florida  
1507 Community College System institution and the state university  
1508 and may authorize the Florida Community College System

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1509 institution to offer an upper-division-level course or distance  
1510 learning.

1511 (e) Student admissions, conduct, and discipline;  
1512 nonclassroom activities; and fees.

1513 (f) Budgeting.

1514 (g) Business and financial matters.

1515 (h) Student services.

1516 (i) Reports, surveys, and information systems, including  
1517 forms and dates of submission.

1518 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board  
1519 shall provide for the cyclic review of all academic programs in  
1520 Florida Community College System institutions at least every 7  
1521 years. Program reviews must document how individual academic  
1522 programs are achieving stated student learning and program  
1523 objectives within the context of the institution's mission. The  
1524 results of the program reviews must inform strategic planning,  
1525 program development, and budgeting decisions at the  
1526 institutional level.

1527 (7) FLORIDA COMMUNITY COLLEGE SYSTEM INSTITUTION  
1528 BACCALAUREATE DEGREE PROGRAMS.—The state board shall provide for  
1529 the review and approval of proposals by Florida Community  
1530 College System institutions to offer baccalaureate degree  
1531 programs pursuant to s. 1007.33. A Florida Community College  
1532 System institution, as defined in s. 1000.21, which is approved  
1533 to offer baccalaureate degrees pursuant to s. 1007.33 remains  
1534 under the authority of the state board and the Florida Community  
1535 College System institution's board of trustees.

1536 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall  
1537 establish criteria for making recommendations for modifying

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1538 district boundary lines for a Florida Community College System  
1539 institution, including criteria for service delivery areas of a  
1540 Florida Community College System institution authorized to grant  
1541 baccalaureate degrees.

1542 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee  
1543 the performance of Florida Community College System institution  
1544 boards of trustees in enforcement of all laws and rules. Florida  
1545 Community College System institution boards of trustees are  
1546 primarily responsible for compliance with law and state board  
1547 rule.

1548 (a) In order to ensure compliance with law or state board  
1549 rule, the state board has the authority to request and receive  
1550 information, data, and reports from Florida Community College  
1551 System institutions. The Florida Community College System  
1552 institution president is responsible for the accuracy of the  
1553 information and data reported to the state board.

1554 (b) The Chancellor of the Florida Community College System  
1555 may investigate allegations of noncompliance with law or state  
1556 board rule and determine probable cause. The chancellor shall  
1557 report determinations of probable cause to the State Board of  
1558 Community Colleges, which shall require the Florida Community  
1559 College System institution board of trustees to document  
1560 compliance with law or state board rule.

1561 (c) If the Florida Community College System institution  
1562 board of trustees cannot satisfactorily document compliance, the  
1563 state board may order compliance within a specified timeframe.

1564 (d) If the state board determines that a Florida Community  
1565 College System institution board of trustees is unwilling or  
1566 unable to comply with law or state board rule within the

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1567 specified time, the state board has the authority to initiate  
1568 any of the following actions:

1569 1. Report to the Legislature that the Florida Community  
1570 College System institution is unwilling or unable to comply with  
1571 law or state board rule and recommend that the Legislature take  
1572 action against the institution;

1573 2. Withhold the transfer of state funds, discretionary  
1574 grant funds, discretionary lottery funds, or any other funds  
1575 specified as eligible for this purpose by the Legislature until  
1576 the Florida Community College System institution complies with  
1577 the law or state board rule;

1578 3. Declare the Florida Community College System institution  
1579 ineligible for competitive grants; or

1580 4. Require monthly or periodic reporting on the situation  
1581 related to noncompliance until it is remedied.

1582 (e) This section may not be construed to create a private  
1583 cause of action or create any rights for individuals or entities  
1584 in addition to those provided elsewhere in law or rule.

1585 (10) INSPECTOR GENERAL.—The inspector general is  
1586 responsible for promoting accountability, efficiency, and  
1587 effectiveness and detecting fraud and abuse within Florida  
1588 Community College System institutions. If the Chancellor of the  
1589 Florida Community College System determines that a Florida  
1590 Community College System institution board of trustees is  
1591 unwilling or unable to address substantiated allegations made by  
1592 any person relating to waste, fraud, or financial mismanagement  
1593 within the Florida Community College System institution, the  
1594 inspector general shall conduct, coordinate, or request  
1595 investigations into such substantiated allegations. The

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1596 inspector general shall have access to all information and  
1597 personnel necessary to perform its duties and shall have all of  
1598 his or her current powers, duties, and responsibilities  
1599 authorized in s. 20.055.

1600 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The  
1601 state board shall coordinate with the State Board of Education:

1602 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20  
1603 education budget.

1604 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to  
1605 the Legislature a 3-year list of priorities for fixed capital  
1606 outlay projects.

1607 (12) COMMON POSTSECONDARY DEFINITIONS.—The state board  
1608 shall, in collaboration with the State Board of Education, adopt  
1609 by rule definitions for associate in science degrees and for  
1610 certificates offered by Florida Community College System  
1611 institutions.

1612 Section 20. Section 1001.61, Florida Statutes, is amended  
1613 to read:

1614 1001.61 Florida Community College System institution boards  
1615 of trustees; membership.—

1616 (1) Florida Community College System institution boards of  
1617 trustees shall be comprised of five members when a Florida  
1618 Community College System institution district is confined to one  
1619 school board district; seven members when a Florida Community  
1620 College System institution district is confined to one school  
1621 board district and the board of trustees so elects; and not more  
1622 than nine members when the district contains two or more school  
1623 board districts, as provided by rules of the State Board of  
1624 Community Colleges ~~Education~~. However, Florida State College at



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1625 Jacksonville shall have an odd number of trustees, and St. Johns  
1626 River State College shall have seven trustees from the three-  
1627 county area that the college serves.

1628 (2) Trustees shall be appointed by the Governor to  
1629 staggered 4-year terms, subject to confirmation by the Senate in  
1630 regular session.

1631 (3) Members of the board of trustees shall receive no  
1632 compensation but may receive reimbursement for expenses as  
1633 provided in s. 112.061.

1634 (4) At its first regular meeting after July 1 of each year,  
1635 each Florida Community College System institution board of  
1636 trustees shall organize by electing a chair, whose duty as such  
1637 is to preside at all meetings of the board, to call special  
1638 meetings thereof, and to attest to actions of the board, and a  
1639 vice chair, whose duty as such is to act as chair during the  
1640 absence or disability of the elected chair. It is the further  
1641 duty of the chair of each board of trustees to notify the  
1642 Governor, in writing, whenever a board member fails to attend  
1643 three consecutive regular board meetings in any one fiscal year,  
1644 which absences may be grounds for removal.

1645 (5) A Florida Community College System institution  
1646 president shall serve as the executive officer and corporate  
1647 secretary of the board of trustees and shall be responsible to  
1648 the board of trustees for setting the agenda for meetings of the  
1649 board of trustees in consultation with the chair. The president  
1650 also serves as the chief administrative officer of the Florida  
1651 Community College System institution, and all the components of  
1652 the institution and all aspects of its operation are responsible  
1653 to the board of trustees through the president.

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1654 Section 21. Subsections (1) through (4), paragraphs (a) and  
1655 (g) of subsection (8), and subsections (11), (12), (14), (18),  
1656 (19), and (42) of section 1001.64, Florida Statutes, are amended  
1657 to read:

1658 1001.64 Florida Community College System institution boards  
1659 of trustees; powers and duties.—

1660 (1) The boards of trustees shall be responsible for cost-  
1661 effective policy decisions appropriate to the Florida Community  
1662 College System institution's mission, the implementation and  
1663 maintenance of high-quality education programs within law and  
1664 rules of the State Board of Community Colleges ~~Education~~, the  
1665 measurement of performance, the reporting of information, and  
1666 the provision of input regarding state policy, budgeting, and  
1667 education standards.

1668 (2) Each board of trustees is vested with the  
1669 responsibility to govern its respective Florida Community  
1670 College System institution and with such necessary authority as  
1671 is needed for the proper operation and improvement thereof in  
1672 accordance with rules of the State Board of Community Colleges  
1673 ~~Education~~.

1674 (3) A board of trustees shall have the power to take action  
1675 without a recommendation from the president and shall have the  
1676 power to require the president to deliver to the board of  
1677 trustees all data and information required by the board of  
1678 trustees in the performance of its duties. A board of trustees  
1679 shall ask the Chancellor of the Florida Community College System  
1680 ~~Commissioner of Education~~ to authorize an investigation of the  
1681 president's actions by the State Board of Community Colleges'  
1682 ~~department's~~ inspector general if the board considers such

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1683 investigation necessary. The inspector general shall provide a  
1684 report detailing each issue under investigation and shall  
1685 recommend corrective action. If the inspector general identifies  
1686 potential legal violations, he or she shall refer the potential  
1687 legal violations to the Commission on Ethics, the Department of  
1688 Law Enforcement, the Attorney General, or another appropriate  
1689 authority.

1690 (4) (a) The board of trustees, after considering  
1691 recommendations submitted by the Florida Community College  
1692 System institution president, may adopt rules pursuant to ss.  
1693 120.536(1) and 120.54 to implement the provisions of law  
1694 conferring duties upon it. These rules may supplement those  
1695 prescribed by the State Board of Community Colleges ~~Education~~ if  
1696 they will contribute to the more orderly and efficient operation  
1697 of Florida Community College System institutions.

1698 (b) Each board of trustees is specifically authorized to  
1699 adopt rules, procedures, and policies, consistent with law and  
1700 rules of the State Board of Community Colleges ~~Education~~,  
1701 related to its mission and responsibilities as set forth in s.  
1702 1004.65, its governance, personnel, budget and finance,  
1703 administration, programs, curriculum and instruction, buildings  
1704 and grounds, travel and purchasing, technology, students,  
1705 contracts and grants, or college property.

1706 (8) Each board of trustees has authority for policies  
1707 related to students, enrollment of students, student records,  
1708 student activities, financial assistance, and other student  
1709 services.

1710 (a) Each board of trustees shall govern admission of  
1711 students pursuant to s. 1007.263 and rules of the State Board of

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1712 Community Colleges Education. A board of trustees may establish  
1713 additional admissions criteria, which shall be included in the  
1714 dual enrollment articulation agreement developed according to s.  
1715 1007.271(21), to ensure student readiness for postsecondary  
1716 instruction. Each board of trustees may consider the past  
1717 actions of any person applying for admission or enrollment and  
1718 may deny admission or enrollment to an applicant because of  
1719 misconduct if determined to be in the best interest of the  
1720 Florida Community College System institution.

1721 (g) Each board of trustees pursuant to s. 1006.53 shall  
1722 adopt a policy in accordance with rules of the State Board of  
1723 Community Colleges Education that reasonably accommodates the  
1724 religious observance, practice, and belief of individual  
1725 students in regard to admissions, class attendance, and the  
1726 scheduling of examinations and work assignments.

1727 (11) Each board of trustees shall submit an institutional  
1728 budget request, including a request for fixed capital outlay,  
1729 and an operating budget to the State Board of Community Colleges  
1730 Education for review in accordance with guidelines established  
1731 by the State Board of Community Colleges Education.

1732 (12) Each board of trustees shall account for expenditures  
1733 of all state, local, federal, and other funds in the manner  
1734 described by the State Board of Community Colleges Department of  
1735 Education.

1736 (14) Each board of trustees shall develop a strategic plan  
1737 specifying institutional goals and objectives for the Florida  
1738 Community College System institution for recommendation to the  
1739 State Board of Community Colleges Education.

1740 (18) Each board of trustees shall establish the personnel

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1741 program for all employees of the Florida Community College  
1742 System institution, including the president, pursuant to the  
1743 provisions of chapter 1012 and rules and guidelines of the State  
1744 Board of Community Colleges ~~Education~~, including: compensation  
1745 and other conditions of employment; recruitment and selection;  
1746 nonreappointment; standards for performance and conduct;  
1747 evaluation; benefits and hours of work; leave policies;  
1748 recognition; inventions and work products; travel; learning  
1749 opportunities; exchange programs; academic freedom and  
1750 responsibility; promotion; assignment; demotion; transfer;  
1751 ethical obligations and conflict of interest; restrictive  
1752 covenants; disciplinary actions; complaints; appeals and  
1753 grievance procedures; and separation and termination from  
1754 employment.

1755 (19) Each board of trustees shall appoint, suspend, or  
1756 remove the president of the Florida Community College System  
1757 institution. The board of trustees may appoint a search  
1758 committee. The board of trustees shall conduct annual  
1759 evaluations of the president in accordance with rules of the  
1760 State Board of Community Colleges ~~Education~~ and submit such  
1761 evaluations to the State Board of Community Colleges ~~Education~~  
1762 for review. The evaluation must address the achievement of the  
1763 performance goals established by the accountability process  
1764 implemented pursuant to s. 1008.45 and the performance of the  
1765 president in achieving the annual and long-term goals and  
1766 objectives established in the Florida Community College System  
1767 institution's employment accountability program implemented  
1768 pursuant to s. 1012.86.

1769 (42) Each board of trustees shall implement a plan, in

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1770 accordance with guidelines of the State Board of Community  
1771 Colleges Education, for working on a regular basis with the  
1772 other Florida Community College System institution boards of  
1773 trustees, representatives of the university boards of trustees,  
1774 and representatives of the district school boards to achieve the  
1775 goals of the seamless education system.

1776 Section 22. Section 1001.65, Florida Statutes, is amended  
1777 to read:

1778 1001.65 Florida Community College System institution  
1779 presidents; powers and duties.—The president is the chief  
1780 executive officer of the Florida Community College System  
1781 institution, shall be corporate secretary of the Florida  
1782 Community College System institution board of trustees, and is  
1783 responsible for the operation and administration of the Florida  
1784 Community College System institution. Each Florida Community  
1785 College System institution president shall:

1786 (1) Recommend the adoption of rules, as appropriate, to the  
1787 Florida Community College System institution board of trustees  
1788 to implement provisions of law governing the operation and  
1789 administration of the Florida Community College System  
1790 institution, which shall include the specific powers and duties  
1791 enumerated in this section. Such rules shall be consistent with  
1792 law, the mission of the Florida Community College System  
1793 institution, and the rules and policies of the State Board of  
1794 Community Colleges Education.

1795 (2) Prepare a budget request and an operating budget  
1796 pursuant to s. 1011.30 for approval by the Florida Community  
1797 College System institution board of trustees at such time and in  
1798 such format as the State Board of Community Colleges Education

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1799 may prescribe.

1800 (3) Establish and implement policies and procedures to  
1801 recruit, appoint, transfer, promote, compensate, evaluate,  
1802 reward, demote, discipline, and remove personnel, within law and  
1803 rules of the State Board of Community Colleges ~~Education~~ and in  
1804 accordance with rules or policies approved by the Florida  
1805 Community College System institution board of trustees.

1806 (4) Govern admissions, subject to law and rules or policies  
1807 of the Florida Community College System institution board of  
1808 trustees and the State Board of Community Colleges ~~Education~~.

1809 (5) Approve, execute, and administer contracts for and on  
1810 behalf of the Florida Community College System institution board  
1811 of trustees for licenses; the acquisition or provision of  
1812 commodities, goods, equipment, and services; leases of real and  
1813 personal property; and planning and construction to be rendered  
1814 to or by the Florida Community College System institution,  
1815 provided such contracts are within law and guidelines of the  
1816 State Board of Community Colleges ~~Education~~ and in conformance  
1817 with policies of the Florida Community College System  
1818 institution board of trustees, and are for the implementation of  
1819 approved programs of the Florida Community College System  
1820 institution.

1821 (6) Act for the Florida Community College System  
1822 institution board of trustees as custodian of all Florida  
1823 Community College System institution property and financial  
1824 resources. The authority vested in the Florida Community College  
1825 System institution president under this subsection includes the  
1826 authority to prioritize the use of Florida Community College  
1827 System institution space, property, equipment, and resources and

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1828 the authority to impose charges for the use of those items.

1829 (7) Establish the internal academic calendar of the Florida  
1830 Community College System institution within general guidelines  
1831 of the State Board of Community Colleges ~~Education~~.

1832 (8) Administer the Florida Community College System  
1833 institution's program of intercollegiate athletics.

1834 (9) Recommend to the board of trustees the establishment  
1835 and termination of programs within the approved role and scope  
1836 of the Florida Community College System institution.

1837 (10) Award degrees.

1838 (11) Recommend to the board of trustees a schedule of  
1839 tuition and fees to be charged by the Florida Community College  
1840 System institution, within law and rules of the State Board of  
1841 Community Colleges ~~Education~~.

1842 (12) Organize the Florida Community College System  
1843 institution to efficiently and effectively achieve the goals of  
1844 the Florida Community College System institution.

1845 (13) Review periodically the operations of the Florida  
1846 Community College System institution in order to determine how  
1847 effectively and efficiently the Florida Community College System  
1848 institution is being administered and whether it is meeting the  
1849 goals of its strategic plan adopted by the State Board of  
1850 Community Colleges ~~Education~~.

1851 (14) Enter into agreements for student exchange programs  
1852 that involve students at the Florida Community College System  
1853 institution and students in other institutions of higher  
1854 learning.

1855 (15) Approve the internal procedures of student government  
1856 organizations and provide purchasing, contracting, and budgetary



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1857 review processes for these organizations.

1858 (16) Ensure compliance with federal and state laws, rules,  
1859 regulations, and other requirements that are applicable to the  
1860 Florida Community College System institution.

1861 (17) Maintain all data and information pertaining to the  
1862 operation of the Florida Community College System institution,  
1863 and report on the attainment by the Florida Community College  
1864 System institution of institutional and statewide performance  
1865 accountability goals.

1866 (18) Certify to the department a project's compliance with  
1867 the requirements for expenditure of PECO funds prior to release  
1868 of funds pursuant to ~~the provisions of~~ chapter 1013.

1869 (19) Provide to the law enforcement agency and fire  
1870 department that has jurisdiction over the Florida Community  
1871 College System institution a copy of the floor plans and other  
1872 relevant documents for each educational facility as defined in  
1873 s. 1013.01(6). After the initial submission of the floor plans  
1874 and other relevant documents, the Florida Community College  
1875 System institution president shall submit, by October 1 of each  
1876 year, revised floor plans and other relevant documents for each  
1877 educational facility that was modified during the preceding  
1878 year.

1879 (20) Develop and implement jointly with school  
1880 superintendents a comprehensive dual enrollment articulation  
1881 agreement for the students enrolled in their respective school  
1882 districts and service areas pursuant to s. 1007.271(21).

1883 (21) Have authority, after notice to the student of the  
1884 charges and after a hearing thereon, to expel, suspend, or  
1885 otherwise discipline any student who is found to have violated

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1886 any law, ordinance, or rule or regulation of the State Board of  
 1887 Community Colleges ~~Education~~ or of the board of trustees of the  
 1888 Florida Community College System institution pursuant to the  
 1889 provisions of s. 1006.62.

1890 (22) Submit an annual employment accountability plan to the  
 1891 State Board of Community Colleges ~~Department of Education~~  
 1892 pursuant to the provisions of s. 1012.86.

1893 (23) Annually evaluate, or have a designee annually  
 1894 evaluate, each department chairperson, dean, provost, and vice  
 1895 president in achieving the annual and long-term goals and  
 1896 objectives of the Florida Community College System institution's  
 1897 employment accountability plan.

1898 (24) Have vested with the president or the president's  
 1899 designee the authority that is vested with the Florida Community  
 1900 College System institution.

1901 Section 23. Effective July 1, 2018, section 1001.66,  
 1902 Florida Statutes, is amended to read:

1903 1001.66 Florida Community College System Performance-Based  
 1904 Incentive.—

1905 (1) The State Board of Community Colleges shall adopt the  
 1906 following performance-based metrics for use in awarding a  
 1907 Florida Community College System Performance-Based Incentive  
 1908 ~~shall be awarded to a Florida Community College System~~  
 1909 institution: institutions using performance-based metrics

1910 (a) A student retention rate, as calculated by the State  
 1911 Board of Community Colleges;

1912 (b) A 100 percent-of-normal-time program completion and  
 1913 graduation rate for full-time, first-time-in-college students,  
 1914 as calculated by the State Board of Community Colleges using a

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1915 cohort definition of "full-time" based on a student's majority  
1916 enrollment in full-time terms. This paragraph does not apply to  
1917 nondegree-seeking students;

1918 (c) A continuing education or postgraduation job placement  
1919 rate for workforce education programs, including workforce  
1920 baccalaureate degree programs, as reported by the Florida  
1921 Education and Training Placement Information Program, with wage  
1922 thresholds that reflect the added value of the applicable  
1923 certificate or degree. This paragraph does not apply to  
1924 associate in arts degrees;

1925 (d) A graduation rate for full-time, first-time-in-college  
1926 students enrolled in an associate of arts degree program who  
1927 graduate with a baccalaureate degree in 4 years after initially  
1928 enrolling in an associates of arts degree program; and

1929 (e) One performance-based metric on college affordability  
1930 ~~adopted by the State Board of Education. The performance-based~~  
1931 ~~metrics must include retention rates; program completion and~~  
1932 ~~graduation rates; postgraduation employment, salaries, and~~  
1933 ~~continuing education for workforce education and baccalaureate~~  
1934 ~~programs, with wage thresholds that reflect the added value of~~  
1935 ~~the certificate or degree; and outcome measures appropriate for~~  
1936 ~~associate of arts degree recipients.~~

1937  
1938 The state board shall adopt benchmarks to evaluate each  
1939 institution's performance on the metrics to measure the  
1940 institution's achievement of institutional excellence or need  
1941 for improvement and ~~the~~ minimum requirements for eligibility to  
1942 receive performance funding.

1943 (2) Each fiscal year, the amount of funds available for

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1944 allocation to the Florida Community College System institutions  
1945 based on the performance-based funding model shall consist of  
1946 the state's investment in performance funding plus institutional  
1947 investments consisting of funds to be redistributed from the  
1948 base funding of the Florida Community College System Program  
1949 Fund as determined in the General Appropriations Act. The State  
1950 Board of Community Colleges ~~Education~~ shall establish minimum  
1951 performance funding eligibility thresholds for the state's  
1952 investment and the institutional investments. An institution  
1953 that meets the minimum institutional investment eligibility  
1954 threshold, but fails to meet the minimum state investment  
1955 eligibility threshold, shall have its institutional investment  
1956 restored but is ineligible for a share of the state's investment  
1957 in performance funding. The institutional investment shall be  
1958 restored for all institutions eligible for the state's  
1959 investment under the performance-based funding model.

1960 (3) (a) Each Florida Community College System institution's  
1961 share of the performance funding shall be calculated based on  
1962 its relative performance on the established metrics in  
1963 conjunction with the institutional size and scope.

1964 (b) A Florida Community College System institution that  
1965 fails to meet the State Board of Community Colleges' ~~Education's~~  
1966 minimum institutional investment performance funding eligibility  
1967 threshold shall have a portion of its institutional investment  
1968 withheld by the state board and must submit an improvement plan  
1969 to the state board which specifies the activities and strategies  
1970 for improving the institution's performance. The state board  
1971 must review and approve the improvement plan and, if the plan is  
1972 approved, must monitor the institution's progress in

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1973 implementing the activities and strategies specified in the  
 1974 improvement plan. The institution shall submit monitoring  
 1975 reports to the state board by December 31 and May 31 of each  
 1976 year in which an improvement plan is in place. Beginning in the  
 1977 2017-2018 fiscal year, the ability of an institution to submit  
 1978 an improvement plan to the state board is limited to 1 fiscal  
 1979 year.

1980 (c) The Chancellor of the Florida Community College System  
 1981 ~~Commissioner of Education~~ shall withhold disbursement of the  
 1982 institutional investment until the monitoring report is approved  
 1983 by the State Board of Community Colleges Education. A Florida  
 1984 Community College System institution determined by the state  
 1985 board to be making satisfactory progress on implementing the  
 1986 improvement plan shall receive no more than one-half of the  
 1987 withheld institutional investment in January and the balance of  
 1988 the withheld institutional investment in June. An institution  
 1989 that fails to make satisfactory progress may not have its full  
 1990 institutional investment restored. Any institutional investment  
 1991 funds that are not restored shall be redistributed in accordance  
 1992 with the state board's performance-based metrics.

1993 (4) Distributions of performance funding, as provided in  
 1994 this section, shall be made to each of the Florida Community  
 1995 College System institutions listed in the Florida Community  
 1996 Colleges category in the General Appropriations Act.

1997 (5) By October 1 of each year, the State Board of Community  
 1998 Colleges Education shall submit to the Governor, the President  
 1999 of the Senate, and the Speaker of the House of Representatives a  
 2000 report on the previous fiscal year's performance funding  
 2001 allocation, which must reflect the rankings and award

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2002 distributions.

2003 (6) The State Board of Community Colleges ~~Education~~ shall  
2004 adopt rules to administer this section.

2005 Section 24. Effective July 1, 2018, section 1001.67,  
2006 Florida Statutes, is amended to read:

2007 1001.67 Distinguished Florida Community College System  
2008 Institution Program.—A collaborative partnership is established  
2009 between the State Board of Community Colleges ~~Education~~ and the  
2010 Legislature to recognize the excellence of Florida's highest-  
2011 performing Florida Community College System institutions.

2012 (1) EXCELLENCE STANDARDS.—The following excellence  
2013 standards are established for the program:

2014 (a) A 100 ~~150~~ percent-of-normal-time completion rate for  
2015 full-time, first-time-in-college students of 50 percent or  
2016 higher, as calculated by the State Board of Community ~~Division~~  
2017 ~~of Florida~~ Colleges.

2018 (b) A 100 ~~150~~ percent-of-normal-time completion rate for  
2019 full-time, first-time-in-college Pell Grant recipients of 40  
2020 percent or higher, as calculated by the State Board of Community  
2021 ~~Division of Florida~~ Colleges.

2022 (c) A retention rate of 70 percent or higher, as calculated  
2023 by the State Board of Community ~~Division of Florida~~ Colleges.

2024 (d) A continuing education, or transfer, rate of 72 percent  
2025 or higher for students graduating with an associate of arts  
2026 degree, as reported by the Florida Education and Training  
2027 Placement Information Program (FETPIP).

2028 (e) A licensure passage rate on the National Council  
2029 Licensure Examination for Registered Nurses (NCLEX-RN) of 90  
2030 percent or higher for first-time exam takers, as reported by the

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2031 Board of Nursing.

2032 (f) A ~~job placement or~~ continuing education or job  
2033 placement rate of 88 percent or higher for workforce programs,  
2034 as reported by FETPIP, with wage thresholds that reflect the  
2035 added value of the applicable certificate or degree. This  
2036 paragraph does not apply to associate of arts degrees.

2037 (g) An excess hours rate of 40 percent or lower for ~~A time-~~  
2038 ~~to-degree for students graduating with an~~ associate of arts  
2039 degree recipients who graduate with 72 or more credit hours, as  
2040 calculated by the State Board of Community Colleges ~~of 2.25~~  
2041 ~~years or less for first-time-in-college students with~~  
2042 ~~accelerated college credits, as reported by the Southern~~  
2043 ~~Regional Education Board.~~

2044 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of  
2045 Community Colleges ~~Education~~ shall designate each Florida  
2046 Community College System institution that meets five of the  
2047 seven standards identified in subsection (1) as a distinguished  
2048 college.

2049 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida Community  
2050 College System institution designated as a distinguished college  
2051 by the State Board of Community Colleges ~~Education~~ is eligible  
2052 for funding as specified in the General Appropriations Act.

2053 Section 25. Effective July 1, 2018, subsection (9) of  
2054 section 1001.706, Florida Statutes, is amended to read:

2055 1001.706 Powers and duties of the Board of Governors.—

2056 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors  
2057 shall implement a plan for working on a regular basis with the  
2058 State Board of Education, the State Board of Community Colleges,  
2059 the Commission for Independent Education, the Higher Education

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2060 Coordinating Council, the Articulation Coordinating Committee,  
2061 the university boards of trustees, representatives of the  
2062 Florida Community College System institution boards of trustees,  
2063 representatives of the private colleges and universities, and  
2064 representatives of the district school boards to achieve a  
2065 seamless education system.

2066 Section 26. Section 1002.34, Florida Statutes, is amended  
2067 to read:

2068 1002.34 Charter technical career centers; governance,  
2069 mission, and responsibilities.—

2070 (1) MISSION AND AUTHORIZATION.—

2071 (a) The primary mission of a charter technical career  
2072 center is to promote ~~The Legislature finds that the~~  
2073 ~~establishment of charter technical career centers can assist in~~  
2074 ~~promoting~~ advances and innovations in workforce preparation and  
2075 economic development. A charter technical career center may  
2076 provide a learning environment that ~~better~~ serves the needs of a  
2077 specific population group or a group of occupations, thus  
2078 promoting diversity and choices within the public education and  
2079 public postsecondary technical education community in this  
2080 state. Therefore, the creation of such centers is authorized as  
2081 part of the state's program of public education. A charter  
2082 technical career center may be formed by creating a new school  
2083 or converting an existing school district or Florida Community  
2084 College System institution program to charter technical status.

2085 (b) A charter technical career center that is operated by a  
2086 district school board may not offer a college credit course or  
2087 college credit certificate or an associate degree or  
2088 baccalaureate degree program.



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2089 (2) PURPOSE.—The purpose of a charter technical career  
2090 center is to:

2091 (a) Develop a competitive workforce to support local  
2092 business and industry and economic development.

2093 (b) Create a training and education model that is  
2094 reflective of marketplace realities.

2095 (c) Offer a continuum of career educational opportunities  
2096 using a school-to-work, tech-prep, technical, academy, and  
2097 magnet school model.

2098 (d) Provide career pathways for lifelong learning and  
2099 career mobility.

2100 (e) Enhance career and technical training.

2101 (3) DEFINITIONS.—As used in this section, the term:

2102 (a) "Charter technical career center" or "center" means a  
2103 public school or a public technical center operated under a  
2104 charter granted by a district school board or Florida Community  
2105 College System institution board of trustees or a consortium,  
2106 including one or more district school boards and Florida  
2107 Community College System institution boards of trustees, that  
2108 includes the district in which the facility is located, that is  
2109 nonsectarian in its programs, admission policies, employment  
2110 practices, and operations, and is managed by a board of  
2111 directors.

2112 (b) "Sponsor" means a district school board, a Florida  
2113 Community College System institution board of trustees, or a  
2114 consortium of one or more of each.

2115 (4) CHARTER.—A sponsor may designate centers as provided in  
2116 this section. An application to establish a center may be  
2117 submitted by a sponsor or another organization that is

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2118 determined, by rule of the State Board of Education, to be  
2119 appropriate. However, an independent school is not eligible for  
2120 status as a center. The charter must be signed by the governing  
2121 body of the center and the sponsor and must be approved by the  
2122 district school board and Florida Community College System  
2123 institution board of trustees in whose geographic region the  
2124 facility is located. If a charter technical career center is  
2125 established by the conversion to charter status of a public  
2126 technical center formerly governed by a district school board,  
2127 the charter status of that center takes precedence in any  
2128 question of governance. The governance of the center or of any  
2129 program within the center remains with its board of directors  
2130 unless the board agrees to a change in governance or its charter  
2131 is revoked as provided in subsection (15). Such a conversion  
2132 charter technical career center is not affected by a change in  
2133 the governance of public technical centers or of programs within  
2134 other centers that are or have been governed by district school  
2135 boards. A charter technical career center, or any program within  
2136 such a center, that was governed by a district school board and  
2137 transferred to a Florida Community College System institution  
2138 prior to the effective date of this act is not affected by this  
2139 provision. An applicant who wishes to establish a center must  
2140 submit to the district school board or Florida Community College  
2141 System institution board of trustees, or a consortium of one or  
2142 more of each, an application on a form developed by the  
2143 Department of Education which includes:

2144 (a) The name of the proposed center.

2145 (b) The proposed structure of the center, including a list  
2146 of proposed members of the board of directors or a description

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2147 of the qualifications for and method of their appointment or  
2148 election.

2149 (c) The workforce development goals of the center, the  
2150 curriculum to be offered, and the outcomes and the methods of  
2151 assessing the extent to which the outcomes are met.

2152 (d) The admissions policy and criteria for evaluating the  
2153 admission of students.

2154 (e) A description of the staff responsibilities and the  
2155 proposed qualifications of the teaching staff.

2156 (f) A description of the procedures to be implemented to  
2157 ensure significant involvement of representatives of business  
2158 and industry in the operation of the center.

2159 (g) A method for determining whether a student has  
2160 satisfied the requirements for graduation specified in s.  
2161 1002.3105(5), s. 1003.4281, or s. 1003.4282 and for completion  
2162 of a postsecondary certificate or degree.

2163 (h) A method for granting secondary and postsecondary  
2164 diplomas, certificates, and degrees.

2165 (i) A description of and address for the physical facility  
2166 in which the center will be located.

2167 (j) A method for resolving conflicts between the governing  
2168 body of the center and the sponsor and between consortium  
2169 members, if applicable.

2170 (k) A method for reporting student data as required by law  
2171 and rule.

2172 (l) A statement that the applicant has participated in the  
2173 training provided by the Department of Education.

2174 (m) The identity of all relatives employed by the charter  
2175 technical career center who are related to the center owner,

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2176 president, chairperson of the governing board of directors,  
2177 superintendent, governing board member, principal, assistant  
2178 principal, or any other person employed by the center who has  
2179 equivalent decisionmaking authority. As used in this paragraph,  
2180 the term "relative" means father, mother, son, daughter,  
2181 brother, sister, uncle, aunt, first cousin, nephew, niece,  
2182 husband, wife, father-in-law, mother-in-law, son-in-law,  
2183 daughter-in-law, brother-in-law, sister-in-law, stepfather,  
2184 stepmother, stepson, stepdaughter, stepbrother, stepsister, half  
2185 brother, or half sister.

2186 (n) Other information required by the district school board  
2187 or Florida Community College System institution board of  
2188 trustees.

2189  
2190 Students at a center must meet the same testing and academic  
2191 performance standards as those established by law and rule for  
2192 students at public schools and public technical centers. The  
2193 students must also meet any additional assessment indicators  
2194 that are included within the charter approved by the district  
2195 school board or Florida Community College System institution  
2196 board of trustees.

2197 (5) APPLICATION.—An application to establish a center must  
2198 be submitted by February 1 of the year preceding the school year  
2199 in which the center will begin operation. The sponsor must  
2200 review the application using an evaluation instrument developed  
2201 by the Department of Education and make a final decision on  
2202 whether to approve the application and grant the charter by  
2203 March 1, and may condition the granting of a charter on the  
2204 center's taking certain actions or maintaining certain

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2205 conditions. Such actions and conditions must be provided to the  
2206 applicant in writing. The district school board or Florida  
2207 Community College System institution board of trustees is not  
2208 required to issue a charter to any person.

2209 (6) SPONSOR.—A district school board or Florida Community  
2210 College System institution board of trustees or a consortium of  
2211 one or more of each may sponsor a center in the county in which  
2212 the board has jurisdiction.

2213 (a) A sponsor must review all applications for centers  
2214 received through at least February 1 of each calendar year for  
2215 centers to be opened at the beginning of the sponsor's next  
2216 school year. A sponsor may receive applications later than this  
2217 date if it so chooses. To facilitate an accurate budget  
2218 projection process, a sponsor shall be held harmless for FTE  
2219 students who are not included in the FTE projection due to  
2220 approval of applications after the FTE projection deadline. A  
2221 sponsor must, by a majority vote, approve or deny an application  
2222 no later than 60 days after the application is received. If an  
2223 application is denied, the sponsor must, within 10 days, notify  
2224 the applicant in writing of the specific reasons for denial,  
2225 which must be based upon good cause. Upon approval of a charter  
2226 application, the initial startup must be consistent with the  
2227 beginning of the public school or Florida Community College  
2228 System institution calendar for the district in which the  
2229 charter is granted, unless the sponsor allows a waiver of this  
2230 provision for good cause.

2231 (b) An applicant may appeal any denial of its application  
2232 to the State Board of Education within 30 days after the  
2233 sponsor's denial and shall notify the sponsor of its appeal. Any

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2234 response of the sponsor must be submitted to the state board  
2235 within 30 days after notification of the appeal. The State Board  
2236 of Education must, by majority vote, accept or reject the  
2237 decision of the sponsor no later than 60 days after an appeal is  
2238 filed, pursuant to State Board of Education rule. The State  
2239 Board of Education may reject an appeal for failure to comply  
2240 with procedural rules governing the appeals process, and the  
2241 rejection must describe the submission errors. The appellant may  
2242 have up to 15 days after notice of rejection to resubmit an  
2243 appeal. An application for appeal submitted after a rejection is  
2244 timely if the original appeal was filed within 30 days after the  
2245 sponsor's denial. The State Board of Education shall remand the  
2246 application to the sponsor with a written recommendation that  
2247 the sponsor approve or deny the application, consistent with the  
2248 state board's decision. The decision of the State Board of  
2249 Education is not subject to the provisions of chapter 120.

2250 (c) The sponsor must act upon the recommendation of the  
2251 State Board of Education within 30 days after it is received,  
2252 unless the sponsor determines by competent substantial evidence  
2253 that approving the state board's recommendation would be  
2254 contrary to law or the best interests of the students or the  
2255 community. The sponsor must notify the applicant in writing  
2256 concerning the specific reasons for its failure to follow the  
2257 state board's recommendation. The sponsor's action on the state  
2258 board's recommendation is a final action, subject to judicial  
2259 review.

2260 (d)1. The Department of Education shall offer or arrange  
2261 for training and technical assistance to centers which must  
2262 include developing and amending business plans, estimating and

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2263 accounting for costs and income, complying with state and  
2264 federal grant and student performance accountability reporting  
2265 requirements, implementing good business practices, and  
2266 identifying state and federal financial aid the center may be  
2267 eligible to receive.

2268 2. An applicant must participate in the training provided  
2269 by the department after approval of its application but at least  
2270 30 days before the first day of classes at the center. The  
2271 department may provide technical assistance to an applicant upon  
2272 written request.

2273 (e) The terms and conditions for the operation of a center  
2274 must be agreed to by the sponsor and the applicant in a written  
2275 contract. The sponsor may not impose unreasonable requirements  
2276 that violate the intent of giving centers greater flexibility to  
2277 meet educational goals. The applicant and sponsor must reach an  
2278 agreement on the provisions of the contract or the application  
2279 is deemed denied.

2280 (f) The sponsor shall monitor and review the center's  
2281 progress toward charter goals and shall monitor the center's  
2282 revenues and expenditures. The sponsor shall perform the duties  
2283 provided in s. 1002.345.

2284 (7) LEGAL ENTITY.—A center must organize as a nonprofit  
2285 organization and adopt a name and corporate seal. A center is a  
2286 body corporate and politic, with all powers to implement its  
2287 charter program. The center may:

2288 (a) Be a private or a public employer.

2289 (b) Sue and be sued, but only to the same extent and upon  
2290 the same conditions that a public entity can be sued.

2291 (c) Acquire real property by purchase, lease, lease with an

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2292 option to purchase, or gift, to use as a center facility.  
2293 (d) Receive and disburse funds.  
2294 (e) Enter into contracts or leases for services, equipment,  
2295 or supplies.  
2296 (f) Incur temporary debts in anticipation of the receipt of  
2297 funds.  
2298 (g) Solicit and accept gifts or grants for career center  
2299 purposes.  
2300 (h) Take any other action that is not inconsistent with  
2301 this section and rules adopted under this section.  
2302 (8) ELIGIBLE STUDENTS.—A center must be open to all  
2303 students as space is available and may not discriminate in  
2304 admissions policies or practices on the basis of an individual's  
2305 physical disability or proficiency in English or on any other  
2306 basis that would be unlawful if practiced by a public school or  
2307 a Florida Community College System institution. A center may  
2308 establish reasonable criteria by which to evaluate prospective  
2309 students, which criteria must be outlined in the charter.  
2310 (9) FACILITIES.—A center may be located in any suitable  
2311 location, including part of an existing public school or Florida  
2312 Community College System institution building, space provided on  
2313 a public worksite, or a public building. A center's facilities  
2314 must comply with the State Uniform Building Code for Public  
2315 Educational Facilities Construction adopted pursuant to s.  
2316 1013.37, or with applicable state minimum building codes  
2317 pursuant to chapter 553, and state minimum fire protection codes  
2318 pursuant to s. 633.208, adopted by the authority in whose  
2319 jurisdiction the facility is located. If K-12 public school  
2320 funds are used for construction, the facility must remain on the



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2321 local school district's Florida Inventory of School Houses  
2322 (FISH) school building inventory of the district school board  
2323 and must revert to the district school board if the consortium  
2324 dissolves and the program is discontinued. If Florida Community  
2325 College System institution public school funds are used for  
2326 construction, the facility must remain on the local Florida  
2327 Community College System institution's facilities inventory and  
2328 must revert to the local Florida Community College System  
2329 institution board of trustees if the consortium dissolves and  
2330 the program is discontinued. The additional student capacity  
2331 created by the addition of the center to the local school  
2332 district's FISH may not be calculated in the permanent student  
2333 capacity for the purpose of determining need or eligibility for  
2334 state capital outlay funds while the facility is used as a  
2335 center. If the construction of the center is funded jointly by  
2336 K-12 public school funds and Florida Community College System  
2337 institution funds, the sponsoring entities must agree, before  
2338 granting the charter, on the appropriate owner and terms of  
2339 transfer of the facility if the charter is dissolved.

2340 (10) EXEMPTION FROM STATUTES.—

2341 (a) A center must operate pursuant to its charter and is  
2342 exempt from all statutes of the Florida School Code except  
2343 provisions pertaining to civil rights and to student health,  
2344 safety, and welfare, or as otherwise required by law.

2345 (b) A center must comply with the Florida K-20 Education  
2346 Code with respect to providing services to students with  
2347 disabilities.

2348 (c) A center must comply with the antidiscrimination  
2349 provisions in s. 1000.05 and the provisions in s. 1002.33(24)

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2350 which relate to the employment of relatives.

2351 (11) FUNDING.—

2352 (a) Notwithstanding any other provision of law, a charter  
2353 technical career center's student membership enrollment must be  
2354 calculated pursuant to this section.

2355 (b) Each district school board and Florida Community  
2356 College System institution that sponsors a charter technical  
2357 career center shall pay directly to the center an amount stated  
2358 in the charter. State funding shall be generated for the center  
2359 for its student enrollment and program outcomes as provided in  
2360 law. A center is eligible for funding from workforce education  
2361 funds, the Florida Education Finance Program, and the Florida  
2362 Community College System Program Fund, depending upon the  
2363 programs conducted by the center.

2364 (c) A center may receive other state and federal aid,  
2365 grants, and revenue through the district school board or Florida  
2366 Community College System institution board of trustees.

2367 (d) A center may receive gifts and grants from private  
2368 sources.

2369 (e) A center may not levy taxes or issue bonds, but it may  
2370 charge a student tuition fee consistent with authority granted  
2371 in its charter and permitted by law.

2372 (f) A center shall provide for an annual financial audit in  
2373 accordance with s. 218.39. A center shall provide a monthly  
2374 financial statement to the sponsor. The monthly financial  
2375 statement shall be in a form prescribed by the Department of  
2376 Education.

2377 (g) A center must define in the charter agreement the  
2378 delivery system in which the instructional offering of

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2379 educational services will be placed. The rules governing this  
2380 delivery system must be applied to all of the center's students  
2381 and must authorize all other sponsoring educational systems to  
2382 report required enrollment and student data based solely on the  
2383 rules of the offering institution. Each sponsor shall earn full-  
2384 time equivalent membership for each student for funding and  
2385 reporting purposes.

2386 (12) EMPLOYEES OF A CENTER.—

2387 (a) A center may select its own employees.

2388 (b) A center may contract for services with an individual,  
2389 partnership, or a cooperative. Such persons contracted with are  
2390 not public employees.

2391 (c) If a center contracts with a public educational agency  
2392 for services, the terms of employment must follow existing state  
2393 law and rule and local policies and procedures.

2394 (d) The employees of a center may bargain collectively, as  
2395 a separate unit or as part of the existing district collective  
2396 bargaining unit, as determined by the structure of the center.

2397 (e) As a public employer, a center may participate in:

2398 1. The Florida Retirement System upon application and  
2399 approval as a "covered group" under s. 121.021(34). If a center  
2400 participates in the Florida Retirement System, its employees are  
2401 compulsory members of the Florida Retirement System.

2402 2. The State Community College System Optional Retirement  
2403 Program pursuant to s. 1012.875(2), if the charter is granted by  
2404 a Florida Community College System institution that participates  
2405 in the optional retirement program and meets the eligibility  
2406 criteria of s. 121.051(2)(c).

2407 (f) Teachers who are considered qualified by the career

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2408 center are exempt from state certification requirements.

2409 (g) A public school or Florida Community College System  
2410 institution teacher or administrator may take a leave of absence  
2411 to accept employment in a charter technical career center upon  
2412 the approval of the school district or Florida Community College  
2413 System institution.

2414 (h) An employee who is on a leave of absence under this  
2415 section may retain seniority accrued in that school district or  
2416 Florida Community College System institution and may continue to  
2417 be covered by the benefit programs of that district or Florida  
2418 Community College System institution if the center and the  
2419 district school board or Florida Community College System  
2420 institution board of trustees agree to this arrangement and its  
2421 financing.

2422 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors  
2423 of a center may decide matters relating to the operation of the  
2424 school, including budgeting, curriculum, and operating  
2425 procedures, subject to the center's charter. The board of  
2426 directors is responsible for performing the duties provided in  
2427 s. 1002.345, including monitoring the corrective action plan.  
2428 The board of directors must comply with s. 1002.33(26).

2429 (14) ACCOUNTABILITY.—Each center must submit a report to  
2430 the participating district school board or Florida Community  
2431 College System institution board of trustees by August 1 of each  
2432 year. The report must be in such form as the sponsor prescribes  
2433 and must include:

2434 (a) A discussion of progress made toward the achievement of  
2435 the goals outlined in the center's charter.

2436 (b) A financial statement setting forth by appropriate

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2437 categories the revenue and expenditures for the previous school  
2438 year.

2439 (15) TERMS OF THE CHARTER.—The term of an initial charter  
2440 may not exceed 5 years. Thereafter, the sponsor may renew a  
2441 charter for a period up to 5 years. The sponsor may refuse to  
2442 renew a charter or may revoke a charter if the center has not  
2443 fulfilled a condition imposed under the charter or if the center  
2444 has violated any provision of the charter. The sponsor may place  
2445 the center on probationary status to allow the implementation of  
2446 a remedial plan, after which, if the plan is unsuccessful, the  
2447 charter may be summarily revoked. The sponsor shall develop  
2448 procedures and guidelines for the revocation and renewal of a  
2449 center's charter. The sponsor must give written notice of its  
2450 intent not to renew the charter at least 12 months before the  
2451 charter expires. If the sponsor revokes a charter before the  
2452 scheduled expiration date, the sponsor must provide written  
2453 notice to the governing board of the center at least 60 days  
2454 before the date of termination, stating the grounds for the  
2455 proposed revocation. The governing board of the center may  
2456 request in writing an informal hearing before the sponsor within  
2457 14 days after receiving the notice of revocation. A revocation  
2458 takes effect at the conclusion of a school year, unless the  
2459 sponsor determines that earlier revocation is necessary to  
2460 protect the health, safety, and welfare of students. The sponsor  
2461 shall monitor and review the center in its progress toward the  
2462 goals established in the charter and shall monitor the revenues  
2463 and expenditures of the center.

2464 (16) TRANSPORTATION.—The center may provide transportation,  
2465 pursuant to chapter 1006, through a contract with the district

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2466 school board or the Florida Community College System institution  
2467 board of trustees, a private provider, or parents of students.  
2468 The center must ensure that transportation is not a barrier to  
2469 equal access for all students in grades K-12 residing within a  
2470 reasonable distance of the facility.

2471 (17) IMMUNITY.—For the purposes of tort liability, the  
2472 governing body and employees of a center are governed by s.  
2473 768.28.

2474 (18) RULES.—The State Board of Education, for technical  
2475 centers operated by school districts, and the State Board of  
2476 Community Colleges, for technical centers operated by Florida  
2477 Community College System institutions, shall adopt rules,  
2478 pursuant to ss. 120.536(1) and 120.54, relating to the  
2479 implementation of charter technical career centers, including  
2480 rules to implement a charter model application form and an  
2481 evaluation instrument in accordance with this section.

2482 (19) EVALUATION; REPORT.—The Commissioner of Education  
2483 shall provide for an annual comparative evaluation of charter  
2484 technical career centers and public technical centers. The  
2485 evaluation may be conducted in cooperation with the sponsor,  
2486 through private contracts, or by department staff. At a minimum,  
2487 the comparative evaluation must address the demographic and  
2488 socioeconomic characteristics of the students served, the types  
2489 and costs of services provided, and the outcomes achieved. By  
2490 December 30 of each year, the Commissioner of Education shall  
2491 submit to the Governor, the President of the Senate, the Speaker  
2492 of the House of Representatives, and the Senate and House  
2493 committees that have responsibility for secondary and  
2494 postsecondary career and technical education a report of the

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2495 comparative evaluation completed for the previous school year.

2496 Section 27. Paragraph (b) of subsection (4) of section  
2497 1003.491, Florida Statutes, is amended to read:

2498 1003.491 Florida Career and Professional Education Act.—The  
2499 Florida Career and Professional Education Act is created to  
2500 provide a statewide planning partnership between the business  
2501 and education communities in order to attract, expand, and  
2502 retain targeted, high-value industry and to sustain a strong,  
2503 knowledge-based economy.

2504 (4) The State Board of Education shall establish a process  
2505 for the continual and uninterrupted review of newly proposed  
2506 core secondary courses and existing courses requested to be  
2507 considered as core courses to ensure that sufficient rigor and  
2508 relevance is provided for workforce skills and postsecondary  
2509 education and aligned to state curriculum standards.

2510 (b) The curriculum review committee shall review newly  
2511 proposed core courses electronically. Each proposed core course  
2512 shall be approved or denied within 30 days after submission by a  
2513 district school board or local workforce development board. All  
2514 courses approved as core courses for purposes of middle school  
2515 promotion and high school graduation shall be immediately added  
2516 to the Course Code Directory. Approved core courses shall also  
2517 be reviewed and considered for approval for dual enrollment  
2518 credit. The Board of Governors, the State Board of Community  
2519 Colleges, and the Commissioner of Education shall jointly  
2520 recommend an annual deadline for approval of new core courses to  
2521 be included for purposes of postsecondary admissions and dual  
2522 enrollment credit the following academic year. The State Board  
2523 of Education shall establish an appeals process in the event

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2524 that a proposed course is denied which shall require a consensus  
2525 ruling by the Department of Economic Opportunity and the  
2526 Commissioner of Education within 15 days.

2527 Section 28. Paragraph (b) of subsection (4) of section  
2528 1003.493, Florida Statutes, is amended to read:

2529 1003.493 Career and professional academies and career-  
2530 themed courses.—

2531 (4) Each career and professional academy and secondary  
2532 school providing a career-themed course must:

2533 (b) Include one or more partnerships with postsecondary  
2534 institutions, businesses, industry, employers, economic  
2535 development organizations, or other appropriate partners from  
2536 the local community. Such partnerships with postsecondary  
2537 institutions shall be delineated in articulation agreements and  
2538 include any career and professional academy courses or career-  
2539 themed courses that earn postsecondary credit. Such agreements  
2540 may include articulation between the secondary school and public  
2541 or private 2-year and 4-year postsecondary institutions and  
2542 technical centers. The Department of Education, in consultation  
2543 with the Board of Governors and the State Board of Community  
2544 Colleges, shall establish a mechanism to ensure articulation and  
2545 transfer of credits to postsecondary institutions in this state.  
2546 Such partnerships must provide opportunities for:

2547 1. Instruction from highly skilled professionals who  
2548 possess industry-certification credentials for courses they are  
2549 teaching.

2550 2. Internships, externships, and on-the-job training.

2551 3. A postsecondary degree, diploma, or certificate.

2552 4. The highest available level of industry certification.



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2553 5. Maximum articulation of credits pursuant to s. 1007.23  
2554 upon program completion.

2555 Section 29. Subsections (4), (5), and (6) of section  
2556 1004.015, Florida Statutes, are amended to read:

2557 1004.015 Higher Education Coordinating Council.—

2558 (4) The council shall serve as an advisory board to the  
2559 Legislature, the State Board of Education, ~~and~~ the Board of  
2560 Governors, and the State Board of Community Colleges.

2561 Recommendations of the council shall be consistent with the  
2562 following guiding principles:

2563 (a) To achieve within existing resources a seamless  
2564 academic educational system that fosters an integrated continuum  
2565 of kindergarten through graduate school education for Florida's  
2566 students.

2567 (b) To promote consistent education policy across all  
2568 educational delivery systems, focusing on students.

2569 (c) To promote substantially improved articulation across  
2570 all educational delivery systems.

2571 (d) To promote a system that maximizes educational access  
2572 and allows the opportunity for a high-quality education for all  
2573 Floridians.

2574 (e) To promote a system of coordinated and consistent  
2575 transfer of credit and data collection for improved  
2576 accountability purposes between the educational delivery  
2577 systems.

2578 (5) The council shall annually by December 31 submit to the  
2579 Governor, the President of the Senate, the Speaker of the House  
2580 of Representatives, the Board of Governors, the State Board of  
2581 Community Colleges, and the State Board of Education a report

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2582 outlining its recommendations relating to:

2583 (a) The primary core mission of public and nonpublic  
2584 postsecondary education institutions in the context of state  
2585 access demands and economic development goals.

2586 (b) Performance outputs and outcomes designed to meet  
2587 annual and long-term state goals, including, but not limited to,  
2588 increased student access, preparedness, retention, transfer, and  
2589 completion. Performance measures must be consistent across  
2590 sectors and allow for a comparison of the state's performance to  
2591 that of other states.

2592 (c) The state's articulation policies and practices to  
2593 ensure that cost benefits to the state are maximized without  
2594 jeopardizing quality. The recommendations shall consider return  
2595 on investment for both the state and students and propose  
2596 systems to facilitate and ensure institutional compliance with  
2597 state articulation policies.

2598 (d) Workforce development education, specifically  
2599 recommending improvements to the consistency of workforce  
2600 education data collected and reported by Florida Community  
2601 College System institutions and school districts, including the  
2602 establishment of common elements and definitions for any data  
2603 that is used for state and federal funding and program  
2604 accountability.

2605 (6) The Office of K-20 Articulation, in collaboration with  
2606 the Board of Governors and the State Board of Community Division  
2607 ~~of Florida~~ Colleges, shall provide administrative support for  
2608 the council.

2609 Section 30. Subsection (7) of section 1004.02, Florida  
2610 Statutes, is amended to read:

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2611 1004.02 Definitions.—As used in this chapter:

2612 (7) "Applied technology diploma program" means a course of  
2613 study that is part of a technical degree program, is less than  
2614 60 credit hours, and leads to employment in a specific  
2615 occupation. An applied technology diploma program may consist of  
2616 either technical credit or college credit. A public school  
2617 district may offer an applied technology diploma program only as  
2618 technical credit, with college credit awarded to a student upon  
2619 articulation to a Florida Community College System institution.  
2620 Statewide articulation among public schools and Florida  
2621 Community College System institutions is guaranteed by s.  
2622 1007.23, and is subject to guidelines and standards adopted by  
2623 the State Board of Community Colleges ~~Education~~ pursuant to ss.  
2624 1007.24 and 1007.25.

2625 Section 31. Subsection (2) of section 1004.03, Florida  
2626 Statutes, is amended to read:

2627 1004.03 Program approval.—

2628 (2) The State Board of Community Colleges ~~Education~~ shall  
2629 establish criteria for the approval of new programs at Florida  
2630 Community College System institutions, which criteria include,  
2631 but are not limited to, the following:

2632 (a) New programs may not be approved unless the same  
2633 objectives cannot be met through use of educational technology.

2634 (b) Unnecessary duplication of programs offered by  
2635 independent institutions shall be avoided.

2636 (c) Cooperative programs, particularly within regions,  
2637 should be encouraged.

2638 (d) New programs may be approved only if they are  
2639 consistent with the ~~state master~~ plan adopted by the State Board

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2640 of Community Colleges ~~Education~~.

2641 Section 32. Paragraph (f) of subsection (4) of section  
2642 1004.04, Florida Statutes, is amended to read:

2643 1004.04 Public accountability and state approval for  
2644 teacher preparation programs.—

2645 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
2646 teacher preparation program shall be based upon evidence that  
2647 the program continues to implement the requirements for initial  
2648 approval and upon significant, objective, and quantifiable  
2649 measures of the program and the performance of the program  
2650 completers.

2651 (f) By January 1 of each year, the Department of Education  
2652 shall report the results of each approved program's annual  
2653 progress on the performance measures in paragraph (a) as well as  
2654 the current approval status of each program to:

- 2655 1. The Governor.
- 2656 2. The President of the Senate.
- 2657 3. The Speaker of the House of Representatives.
- 2658 4. The State Board of Education.
- 2659 5. The Board of Governors.
- 2660 6. The State Board of Community Colleges.
- 2661 7. The Commissioner of Education.

2662 ~~8.7.~~ Each Florida postsecondary teacher preparation  
2663 program.

2664 ~~9.8.~~ Each district school superintendent.

2665 ~~10.9.~~ The public.

2666

2667 This report may include the results of other continued approval  
2668 requirements provided by State Board of Education rule and

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2669 recommendations for improving teacher preparation programs in  
2670 the state.

2671 Section 33. Section 1004.07, Florida Statutes, is amended  
2672 to read:

2673 1004.07 Student withdrawal from courses due to military  
2674 service; effect.—

2675 (1) Each district school board, Florida Community College  
2676 System institution board of trustees, and state university board  
2677 of trustees shall establish policies regarding currently  
2678 enrolled students who are called to, or enlist in, active  
2679 military service.

2680 (2) Such policies must ~~shall~~ provide that any student  
2681 enrolled in a postsecondary course or courses at a career  
2682 center, a Florida Community College System institution, or a  
2683 state university may ~~shall~~ not incur academic or financial  
2684 penalties by virtue of performing military service on behalf of  
2685 our country. Such student shall be permitted the option of  
2686 either completing the course or courses at a later date without  
2687 penalty or withdrawing from the course or courses with a full  
2688 refund of fees paid. If the student chooses to withdraw, the  
2689 student's record shall reflect that the withdrawal is due to  
2690 active military service.

2691 (3) Policies of district school boards must ~~and Florida~~  
2692 ~~College System institution boards of trustees shall~~ be  
2693 established by rule and pursuant to guidelines of the State  
2694 Board of Education.

2695 (4) Policies of state university boards of trustees must  
2696 ~~shall~~ be established by regulation and pursuant to guidelines of  
2697 the Board of Governors.

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2698           (5) Policies of Florida Community College System  
2699 institution boards of trustees must be established by rule and  
2700 pursuant to guidelines of the State Board of Community Colleges.

2701           Section 34. Section 1004.084, Florida Statutes, is amended  
2702 to read:

2703           1004.084 College affordability.—

2704           (1) The Board of Governors and the State Board of Community  
2705 Colleges ~~Education~~ shall annually identify strategies to promote  
2706 college affordability for all Floridians by evaluating, at a  
2707 minimum, the impact of:

2708           (a) Tuition and fees on undergraduate, graduate, and  
2709 professional students at public colleges and universities and  
2710 graduate assistants employed by public universities.

2711           (b) Federal, state, and institutional financial aid  
2712 policies on the actual cost of attendance for students and their  
2713 families.

2714           (c) The costs of textbooks and instructional materials.

2715           (2) By December 31 of each year, ~~beginning in 2016,~~ the  
2716 Board of Governors and the State Board of Community Colleges  
2717 ~~Education~~ shall submit a report on their respective college  
2718 affordability initiatives to the Governor, the President of the  
2719 Senate, and the Speaker of the House of Representatives.

2720           Section 35. Paragraph (d) of subsection (3) and subsections  
2721 (6), (7), and (8) of section 1004.085, Florida Statutes, are  
2722 amended to read:

2723           1004.085 Textbook and instructional materials  
2724 affordability.—

2725           (3) An employee may receive:

2726           (d) Fees associated with activities such as reviewing,

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2727 critiquing, or preparing support materials for textbooks or  
2728 instructional materials pursuant to guidelines adopted by the  
2729 State Board of Community Colleges Education or the Board of  
2730 Governors.

2731 (6) Each Florida Community College System institution and  
2732 state university shall post prominently in the course  
2733 registration system and on its website, as early as is feasible,  
2734 but at least 45 days before the first day of class for each  
2735 term, a hyperlink to lists of required and recommended textbooks  
2736 and instructional materials for at least 95 percent of all  
2737 courses and course sections offered at the institution during  
2738 the upcoming term. The lists must include the International  
2739 Standard Book Number (ISBN) for each required and recommended  
2740 textbook and instructional material or other identifying  
2741 information, which must include, at a minimum, all of the  
2742 following: the title, all authors listed, publishers, edition  
2743 number, copyright date, published date, and other relevant  
2744 information necessary to identify the specific textbooks or  
2745 instructional materials required and recommended for each  
2746 course. The State Board of Community Colleges Education and the  
2747 Board of Governors shall include in the policies, procedures,  
2748 and guidelines adopted under subsection (7) certain limited  
2749 exceptions to this notification requirement for classes added  
2750 after the notification deadline.

2751 (7) After receiving input from students, faculty,  
2752 bookstores, and publishers, the State Board of Community  
2753 Colleges Education and the Board of Governors each shall adopt  
2754 textbook and instructional materials affordability policies,  
2755 procedures, and guidelines for implementation by Florida

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2756 Community College System institutions and state universities,  
2757 respectively, that further efforts to minimize the cost of  
2758 textbooks and instructional materials for students attending  
2759 such institutions while maintaining the quality of education and  
2760 academic freedom. The policies, procedures, and guidelines shall  
2761 address:

2762 (a) The establishment of deadlines for an instructor or  
2763 department to notify the bookstore of required and recommended  
2764 textbooks and instructional materials so that the bookstore may  
2765 verify availability, source lower cost options when practicable,  
2766 explore alternatives with faculty when academically appropriate,  
2767 and maximize the availability of used textbooks and  
2768 instructional materials.

2769 (b) Confirmation by the course instructor or academic  
2770 department offering the course, before the textbook or  
2771 instructional materials adoption is finalized, of the intent to  
2772 use all items ordered, particularly each individual item sold as  
2773 part of a bundled package.

2774 (c) Determination by a course instructor or the academic  
2775 department offering the course, before a textbook or  
2776 instructional material is adopted, of the extent to which a new  
2777 edition differs significantly and substantively from earlier  
2778 versions and the value to the student of changing to a new  
2779 edition or the extent to which an open-access textbook or  
2780 instructional material is available.

2781 (d) The availability of required and recommended textbooks  
2782 and instructional materials to students otherwise unable to  
2783 afford the cost, including consideration of the extent to which  
2784 an open-access textbook or instructional material may be used.



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2785 (e) Participation by course instructors and academic  
2786 departments in the development, adaptation, and review of open-  
2787 access textbooks and instructional materials and, in particular,  
2788 open-access textbooks and instructional materials for high-  
2789 demand general education courses.

2790 (f) Consultation with school districts to identify  
2791 practices that impact the cost of dual enrollment textbooks and  
2792 instructional materials to school districts, including, but not  
2793 limited to, the length of time that textbooks and instructional  
2794 materials remain in use.

2795 (g) Selection of textbooks and instructional materials  
2796 through cost-benefit analyses that enable students to obtain the  
2797 highest-quality product at the lowest available price, by  
2798 considering:

2799 1. Purchasing digital textbooks in bulk.

2800 2. Expanding the use of open-access textbooks and  
2801 instructional materials.

2802 3. Providing rental options for textbooks and instructional  
2803 materials.

2804 4. Increasing the availability and use of affordable  
2805 digital textbooks and learning objects.

2806 5. Developing mechanisms to assist in buying, renting,  
2807 selling, and sharing textbooks and instructional materials.

2808 6. The length of time that textbooks and instructional  
2809 materials remain in use.

2810 7. An evaluation of cost savings for textbooks and  
2811 instructional materials which a student may realize if  
2812 individual students are able to exercise opt-in provisions for  
2813 the purchase of the materials.

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2814 (8) The board of trustees of each Florida Community College  
2815 System institution and state university shall report, by  
2816 September 30 of each year, beginning in 2016, to the Chancellor  
2817 of the Florida Community College System or the Chancellor of the  
2818 State University System, as applicable, the textbook and  
2819 instructional materials selection process for general education  
2820 courses with a wide cost variance identified pursuant to  
2821 subsection (4) and high-enrollment courses; specific initiatives  
2822 of the institution designed to reduce the costs of textbooks and  
2823 instructional materials; policies implemented in accordance with  
2824 subsection (6); the number of courses and course sections that  
2825 were not able to meet the textbook and instructional materials  
2826 posting deadline for the previous academic year; and any  
2827 additional information determined by the chancellors. By  
2828 November 1 of each year, ~~beginning in 2016,~~ each chancellor  
2829 shall provide a summary of the information provided by  
2830 institutions to the State Board of Community Colleges ~~Education~~  
2831 and the Board of Governors, as applicable.

2832 Section 36. Section 1004.096, Florida Statutes, is amended  
2833 to read:

2834 1004.096 College credit for military training and education  
2835 courses.—The Board of Governors shall adopt regulations and the  
2836 State Board of Community Colleges ~~Education~~ shall adopt rules  
2837 that enable eligible servicemembers or veterans of the United  
2838 States Armed Forces to earn academic college credit at public  
2839 postsecondary educational institutions for college-level  
2840 training and education acquired in the military. The regulations  
2841 and rules shall include procedures for credential evaluation and  
2842 the award of academic college credit, including, but not limited

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2843 to, equivalency and alignment of military coursework with  
2844 appropriate college courses, course descriptions, type and  
2845 amount of college credit that may be awarded, and transfer of  
2846 credit.

2847 Section 37. Section 1004.0961, Florida Statutes, is amended  
2848 to read:

2849 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~  
2850 ~~2016 school year,~~ The State Board of Community Colleges  
2851 ~~Education~~ shall adopt rules and the Board of Governors shall  
2852 adopt regulations that enable students to earn academic credit  
2853 for online courses, including massive open online courses,  
2854 before initial enrollment at a postsecondary institution. The  
2855 rules of the State Board of Community Colleges ~~Education~~ and  
2856 regulations of the Board of Governors must include procedures  
2857 for credential evaluation and the award of credit, including,  
2858 but not limited to, recommendations for credit by the American  
2859 Council on Education; equivalency and alignment of coursework  
2860 with appropriate courses; course descriptions; type and amount  
2861 of credit that may be awarded; and transfer of credit.

2862 Section 38. Section 1004.35, Florida Statutes, is amended  
2863 to read:

2864 1004.35 Broward County campuses of Florida Atlantic  
2865 University; coordination with other institutions.—The State  
2866 Board of Community Colleges ~~Education~~, the Board of Governors,  
2867 and Florida Atlantic University shall consult with Broward  
2868 College and Florida International University in coordinating  
2869 course offerings at the postsecondary level in Broward County.  
2870 Florida Atlantic University may contract with the Board of  
2871 Trustees of Broward College and with Florida International

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2872 University to provide instruction in courses offered at the  
2873 Southeast Campus. Florida Atlantic University shall increase  
2874 course offerings at the Southeast Campus as facilities become  
2875 available.

2876 Section 39. Paragraphs (c) and (d) of subsection (5) and  
2877 subsections (8) and (9) of section 1004.6495, Florida Statutes,  
2878 are amended to read:

2879 1004.6495 Florida Postsecondary Comprehensive Transition  
2880 Program and Florida Center for Students with Unique Abilities.—

2881 (5) CENTER RESPONSIBILITIES.—The Florida Center for  
2882 Students with Unique Abilities is established within the  
2883 University of Central Florida. At a minimum, the center shall:

2884 (c) Create the application for the initial approval and  
2885 renewal of approval as an FPCTP for use by an eligible  
2886 institution which, at a minimum, must align with the federal  
2887 comprehensive transition and postsecondary program application  
2888 requirements. Notwithstanding the program approval requirements  
2889 of s. 1004.03, the director shall review applications for the  
2890 initial approval of an application for, or renewal of approval  
2891 of, an FPCTP.

2892 1. Within 30 days after receipt of an application, the  
2893 director shall issue his or her recommendation regarding  
2894 approval to the Chancellor of the State University System, ~~or~~  
2895 the Chancellor of the Florida Community College System, or the  
2896 Commissioner of Education, as applicable, or shall give written  
2897 notice to the applicant of any deficiencies in the application,  
2898 which the eligible institution must be given an opportunity to  
2899 correct. Within 15 days after receipt of a notice of  
2900 deficiencies, an eligible institution that chooses to continue

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2901 to seek program approval shall correct the application  
2902 deficiencies and return the application to the center. Within 30  
2903 days after receipt of a revised application, the director shall  
2904 recommend approval or disapproval of the revised application to  
2905 the applicable chancellor ~~or the commissioner, as applicable~~.  
2906 Within 15 days after receipt of the director's recommendation,  
2907 the applicable chancellor ~~or the commissioner~~ shall approve or  
2908 disapprove the recommendation. If the applicable chancellor ~~or~~  
2909 ~~the commissioner~~ does not act on the director's recommendation  
2910 within 15 days after receipt of such recommendation, the  
2911 comprehensive transition program proposed by the institution  
2912 shall be considered approved.

2913 2. Initial approval of an application for an FPCTP that  
2914 meets the requirements of this section is valid for the 3  
2915 academic years immediately following the academic year during  
2916 which the approval is granted. An eligible institution may  
2917 submit an application to the center requesting that the initial  
2918 approval be renewed. If the approval is granted and the FPCTP  
2919 continues to meet the requirements of this section, including,  
2920 but not limited to, program and student performance outcomes,  
2921 and federal requirements, a renewal is valid for the 5 academic  
2922 years immediately following the academic year during which the  
2923 renewal is granted.

2924 3. An application must, at a minimum:

2925 a. Identify a credential associated with the proposed  
2926 program which will be awarded to eligible students upon  
2927 completion of the FPCTP.

2928 b. Outline the program length and design, including, at a  
2929 minimum, inclusive and successful experiential education

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2930 practices relating to curricular, assessment, and advising  
2931 structure and internship and employment opportunities, which  
2932 must support students with intellectual disabilities who are  
2933 seeking to continue academic, career and technical, and  
2934 independent living instruction at an eligible institution,  
2935 including, but not limited to, opportunities to earn industry  
2936 certifications, to prepare students for gainful employment. If  
2937 an eligible institution offers a credit-bearing degree program,  
2938 the institution is responsible for maintaining the rigor and  
2939 effectiveness of a comprehensive transition degree program at  
2940 the same level as other comparable degree programs offered by  
2941 the institution pursuant to applicable accreditation standards.

2942 c. Outline a plan for students with intellectual  
2943 disabilities to be integrated socially and academically with  
2944 nondisabled students, to the maximum extent possible, and to  
2945 participate on not less than a half-time basis, as determined by  
2946 the eligible institution, with such participation focusing on  
2947 academic components and occurring through one or more of the  
2948 following activities with nondisabled students:

2949 (I) Regular enrollment in credit-bearing courses offered by  
2950 the institution.

2951 (II) Auditing or participating in courses offered by the  
2952 institution for which the student does not receive academic  
2953 credit.

2954 (III) Enrollment in noncredit-bearing, nondegree courses.

2955 (IV) Participation in internships or work-based training.

2956 d. Outline a plan for partnerships with businesses to  
2957 promote experiential training and employment opportunities for  
2958 students with intellectual disabilities.

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2959 e. Identify performance indicators pursuant to subsection  
2960 (8) and other requirements identified by the center.

2961 f. Outline a 5-year plan incorporating enrollment and  
2962 operational expectations for the program.

2963 (d) Provide technical assistance regarding programs and  
2964 services for students with intellectual disabilities to  
2965 administrators, instructors, staff, and others, as applicable,  
2966 at eligible institutions by:

2967 1. Holding meetings and annual workshops to share  
2968 successful practices and to address issues or concerns.

2969 2. Facilitating collaboration between eligible institutions  
2970 and school districts, private schools operating pursuant to s.  
2971 1002.42, and parents of students enrolled in home education  
2972 programs operating pursuant to s. 1002.41 in assisting students  
2973 with intellectual disabilities and their parents to plan for the  
2974 transition of such students into an FPCTP or another program at  
2975 an eligible institution.

2976 3. Assisting eligible institutions with FPCTP and federal  
2977 comprehensive transition and postsecondary program applications.

2978 4. Assisting eligible institutions with the identification  
2979 of funding sources for an FPCTP and for student financial  
2980 assistance for students enrolled in an FPCTP.

2981 5. Monitoring federal and state law relating to the  
2982 comprehensive transition program and notifying the Legislature,  
2983 the Governor, the Board of Governors, the State Board of  
2984 Community Colleges, and the State Board of Education of any  
2985 change in law which may impact the implementation of this  
2986 section.

2987 (8) ACCOUNTABILITY.—

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2988 (a) The center, in collaboration with the Board of  
2989 Governors and the State Board of Community Colleges ~~Education~~,  
2990 shall identify indicators for the satisfactory progress of a  
2991 student in an FPCTP and for the performance of such programs.  
2992 Each eligible institution must address the indicators identified  
2993 by the center in its application for the approval of a proposed  
2994 program and for the renewal of an FPCTP and in the annual report  
2995 that the institution submits to the center.

2996 (b) By October 1 of each year, the center shall provide to  
2997 the Governor, the President of the Senate, the Speaker of the  
2998 House of Representatives, the Chancellor of the State University  
2999 System, and the Chancellor of the Florida Community College  
3000 System ~~Commissioner of Education~~ a report summarizing  
3001 information including, but not limited to:

3002 1. The status of the statewide coordination of FPCTPs and  
3003 the implementation of FPCTPs at eligible institutions including,  
3004 but not limited to:

3005 a. The number of applications approved and disapproved and  
3006 the reasons for each disapproval and no action taken by the  
3007 chancellor or the commissioner.

3008 b. The number and value of all scholarships awarded to  
3009 students and undisbursed advances remitted to the center  
3010 pursuant to subsection (7).

3011 2. Indicators identified by the center pursuant to  
3012 paragraph (a) and the performance of each eligible institution  
3013 based on the indicators identified in paragraph (6)(c).

3014 3. The projected number of students with intellectual  
3015 disabilities who may be eligible to enroll in the FPCTPs within  
3016 the next academic year.



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3017 4. Education programs and services for students with  
3018 intellectual disabilities which are available at eligible  
3019 institutions.

3020 (c) ~~Beginning in the 2016-2017 fiscal year,~~ The center, in  
3021 collaboration with the Board of Governors, State Board of  
3022 Community Colleges Education, Higher Education Coordinating  
3023 Council, and other stakeholders, by December 1 of each year,  
3024 shall submit to the Governor, the President of the Senate, and  
3025 the Speaker of the House of Representatives statutory and budget  
3026 recommendations for improving the implementation and delivery of  
3027 FPCTPs and other education programs and services for students  
3028 with disabilities.

3029 (9) RULES.—The Board of Governors and the State Board of  
3030 Community Colleges Education, in consultation with the center,  
3031 shall expeditiously adopt any necessary regulations and rules,  
3032 as applicable, to allow the center to perform its  
3033 responsibilities pursuant to this section ~~beginning in the 2016-~~  
3034 ~~2017 fiscal year.~~

3035 Section 40. Section 1004.65, Florida Statutes, is amended  
3036 to read:

3037 1004.65 Florida Community College System institutions;  
3038 governance, mission, and responsibilities.—

3039 (1) Each Florida Community College System institution shall  
3040 be governed by a district board of trustees under statutory  
3041 authority and rules of the State Board of Community Colleges  
3042 Education.

3043 (2) Each Florida Community College System institution  
3044 district shall:

3045 (a) Consist of the county or counties served by the Florida

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3046 Community College System institution pursuant to s. 1000.21(3).

3047 (b) Be an independent, separate, legal entity created for  
3048 the operation of a Florida Community College System institution.

3049 (3) Florida Community College System institutions are  
3050 locally based and governed entities with statutory and funding  
3051 ties to state government. As such, the mission for Florida  
3052 Community College System institutions reflects a commitment to  
3053 be responsive to local educational needs and challenges. In  
3054 achieving this mission, Florida Community College System  
3055 institutions strive to maintain sufficient local authority and  
3056 flexibility while preserving appropriate legal accountability to  
3057 the state.

3058 (4) As comprehensive institutions, Florida Community  
3059 College System institutions shall provide high-quality,  
3060 affordable education and training opportunities, shall foster a  
3061 climate of excellence, and shall provide opportunities to all  
3062 while combining high standards with an open-door admission  
3063 policy for lower-division programs. Florida Community College  
3064 System institutions shall, as open-access institutions, serve  
3065 all who can benefit, without regard to age, race, gender, creed,  
3066 or ethnic or economic background, while emphasizing the  
3067 achievement of social and educational equity so that all can be  
3068 prepared for full participation in society.

3069 (5) The primary mission and responsibility of Florida  
3070 Community College System institutions is responding to community  
3071 needs for postsecondary academic education and career degree  
3072 education. This mission and responsibility includes being  
3073 responsible for:

3074 (a) Providing lower-level ~~lower-level~~ undergraduate

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3075 instruction and awarding associate degrees.

3076 (b) Preparing students directly for careers requiring less  
3077 than baccalaureate degrees. This may include preparing for job  
3078 entry, supplementing of skills and knowledge, and responding to  
3079 needs in new areas of technology. Career education in a Florida  
3080 Community College System institution consists ~~shall consist~~ of  
3081 career certificates, nationally recognized industry  
3082 certifications, credit courses leading to associate in science  
3083 degrees and associate in applied science degrees, and other  
3084 programs in fields requiring substantial academic work,  
3085 background, or qualifications. A Florida Community College  
3086 System institution may offer career education programs in fields  
3087 having lesser academic or technical requirements.

3088 (c) Providing student development services, including  
3089 assessment, student tracking, support for disabled students,  
3090 advisement, counseling, financial aid, career development, and  
3091 remedial and tutorial services, to ensure student success.

3092 (d) Promoting economic development for the state within  
3093 each Florida Community College System institution district  
3094 through the provision of special programs, including, but not  
3095 limited to, the:

- 3096 1. Enterprise Florida-related programs.
- 3097 2. Technology transfer centers.
- 3098 3. Economic development centers.
- 3099 4. Workforce literacy programs.

3100 (e) Providing dual enrollment instruction.

3101 ~~(f) Providing upper level instruction and awarding~~  
3102 ~~baccalaureate degrees as specifically authorized by law.~~

3103 (6) A separate and secondary role for Florida Community

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3104 College System institutions includes ~~the offering of programs~~  
3105 ~~in~~:

3106 (a) Programs in community services that are not directly  
3107 related to academic or occupational advancement.

3108 (b) Programs in adult education services, including adult  
3109 basic education, adult general education, adult secondary  
3110 education, and high school equivalency examination instruction.

3111 (c) Programs in recreational and leisure services.

3112 (d) Upper-level instruction and awarding baccalaureate  
3113 degrees as specifically authorized by law.

3114 (7) Funding for Florida Community College System  
3115 institutions must ~~shall~~ reflect their mission as follows:

3116 (a) Postsecondary academic and career education programs  
3117 and adult general education programs must ~~shall~~ have first  
3118 priority in Florida Community College System institution  
3119 funding.

3120 (b) Community service programs shall be presented to the  
3121 Legislature with rationale for state funding. The Legislature  
3122 may identify priority areas for use of these funds.

3123 (c) The resources of a Florida Community College System  
3124 institution, including staff, faculty, land, and facilities, may  
3125 ~~shall~~ not be used to support the establishment of a new  
3126 independent nonpublic educational institution. If any  
3127 institution uses resources for such purpose, the State Board of  
3128 Community ~~Division of Florida~~ Colleges shall notify the  
3129 President of the Senate and the Speaker of the House of  
3130 Representatives.

3131 (8) Florida Community College System institutions are  
3132 authorized to:

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3133 (a) Offer such programs and courses as are necessary to  
3134 fulfill their mission.

3135 (b) Grant associate in arts degrees, associate in science  
3136 degrees, associate in applied science degrees, certificates,  
3137 awards, and diplomas.

3138 (c) Make provisions for the high school equivalency  
3139 examination.

3140 (d) Provide access to and award baccalaureate degrees in  
3141 accordance with law.

3142

3143 Authority to offer one or more baccalaureate degree programs  
3144 does not alter the governance relationship of the Florida  
3145 Community College System institution with its district board of  
3146 trustees or the State Board of Community Colleges Education.

3147 Section 41. Section 1004.67, Florida Statutes, is amended  
3148 to read:

3149 1004.67 Florida Community College System institutions;  
3150 legislative intent.—It is The legislative intent that Florida  
3151 Community College System institutions, constituted as political  
3152 subdivisions of the state, continue to be operated by Florida  
3153 Community College System institution boards of trustees as  
3154 provided in s. 1001.63 and that no department, bureau, division,  
3155 agency, or subdivision of the state exercise any responsibility  
3156 and authority to operate any Florida Community College System  
3157 institution of the state except as specifically provided by law  
3158 or rules of the State Board of Community Colleges Education.

3159 Section 42. Section 1004.70, Florida Statutes, is amended  
3160 to read:

3161 1004.70 Florida Community College System institution

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3162 direct-support organizations.—

3163 (1) DEFINITIONS.—For the purposes of this section:

3164 (a) “Florida Community College System institution direct-  
3165 support organization” means an organization that is:

3166 1. A Florida corporation not for profit, incorporated under  
3167 the provisions of chapter 617 and approved by the Department of  
3168 State.

3169 2. Organized and operated exclusively to receive, hold,  
3170 invest, and administer property and to make expenditures to, or  
3171 for the benefit of, a Florida Community College System  
3172 institution in this state.

3173 3. An organization that the Florida Community College  
3174 System institution board of trustees, after review, has  
3175 certified to be operating in a manner consistent with the goals  
3176 of the Florida Community College System institution and in the  
3177 best interest of the state. Any organization that is denied  
3178 certification by the board of trustees may not use the name of  
3179 the Florida Community College System institution that it serves.

3180 (b) “Personal services” includes full-time or part-time  
3181 personnel as well as payroll processing.

3182 (2) BOARD OF DIRECTORS.—The chair of the board of trustees  
3183 shall appoint at least one ~~a~~ representative to the board of  
3184 directors and the executive committee of each direct-support  
3185 organization established under this section, including those  
3186 established before July 1, 1998. The president of the Florida  
3187 Community College System institution for which the direct-  
3188 support organization is established, or the president’s  
3189 designee, shall also serve on the board of directors and the  
3190 executive committee of the direct-support organization,

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3191 including any direct-support organization established before  
3192 July 1, 1998.

3193 (3) USE OF PROPERTY.—

3194 (a) The board of trustees is authorized to permit the use  
3195 of property, facilities, and personal services at any Florida  
3196 Community College System institution by any Florida Community  
3197 College System institution direct-support organization, subject  
3198 to the provisions of this section. Beginning July 1, 2022, a  
3199 community college board of trustees may not permit any Florida  
3200 Community College System institution direct-support organization  
3201 to use personal services.

3202 (b) The board of trustees is authorized to prescribe by  
3203 rule any condition with which a Florida Community College System  
3204 institution direct-support organization must comply in order to  
3205 use property, facilities, or personal services at any Florida  
3206 Community College System institution.

3207 (c) The board of trustees may not permit the use of  
3208 property, facilities, or personal services at any Florida  
3209 Community College System institution by any Florida Community  
3210 College System institution direct-support organization that does  
3211 not provide equal employment opportunities to all persons  
3212 regardless of race, color, national origin, gender, age, or  
3213 religion.

3214 (d) The board of trustees may not permit the use of state  
3215 funds for travel expenses by any Florida Community College  
3216 System institution direct-support organization.

3217 (4) ACTIVITIES; RESTRICTIONS.—

3218 (a) A direct-support organization may, at the request of  
3219 the board of trustees, provide residency opportunities on or

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3220 near campus for students.

3221 (b) A direct-support organization that constructs  
3222 facilities for use by a Florida Community College System  
3223 institution or its students must comply with all requirements of  
3224 law relating to the construction of facilities by a Florida  
3225 Community College System institution, including requirements for  
3226 competitive bidding.

3227 (c) Any transaction or agreement between one direct-support  
3228 organization and another direct-support organization must be  
3229 approved by the board of trustees.

3230 (d) A Florida Community College System institution direct-  
3231 support organization is prohibited from giving, either directly  
3232 or indirectly, any gift to a political committee as defined in  
3233 s. 106.011 for any purpose ~~other than those certified by a~~  
3234 ~~majority roll call vote of the governing board of the direct-~~  
3235 ~~support organization at a regularly scheduled meeting as being~~  
3236 ~~directly related to the educational mission of the Florida~~  
3237 ~~College System institution.~~

3238 (e) A Florida Community College System institution board of  
3239 trustees must authorize all debt, including lease-purchase  
3240 agreements, incurred by a direct-support organization.  
3241 Authorization for approval of short-term loans and lease-  
3242 purchase agreements for a term of not more than 5 years,  
3243 including renewals, extensions, and refundings, for goods,  
3244 materials, equipment, and services may be delegated by the board  
3245 of trustees to the board of directors of the direct-support  
3246 organization. Trustees shall evaluate proposals for debt  
3247 according to guidelines issued by the State Board of Community  
3248 ~~Division of Florida~~ Colleges. Revenues of the Florida Community



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3249 College System institution may not be pledged to debt issued by  
3250 direct-support organizations.

3251 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
3252 organization shall submit to the board of trustees its federal  
3253 Internal Revenue Service Application for Recognition of  
3254 Exemption form (Form 1023) and its federal Internal Revenue  
3255 Service Return of Organization Exempt from Income Tax form (Form  
3256 990).

3257 (6) ANNUAL AUDIT.—Each direct-support organization shall  
3258 provide for an annual financial audit in accordance with rules  
3259 adopted by the Auditor General pursuant to s. 11.45(8). The  
3260 annual audit report must be submitted, within 9 months after the  
3261 end of the fiscal year, to the Auditor General, the State Board  
3262 of Community Colleges ~~Education~~, and the board of trustees for  
3263 review. The board of trustees, the Auditor General, and the  
3264 Office of Program Policy Analysis and Government Accountability  
3265 may require and receive from the organization or from its  
3266 independent auditor any detail or supplemental data relative to  
3267 the operation of the organization. The identity of donors who  
3268 desire to remain anonymous shall be protected, and that  
3269 anonymity shall be maintained in the auditor's report. All  
3270 records of the organization, other than the auditor's report,  
3271 any information necessary for the auditor's report, any  
3272 information related to the expenditure of funds, and any  
3273 supplemental data requested by the board of trustees, the  
3274 Auditor General, and the Office of Program Policy Analysis and  
3275 Government Accountability, shall be confidential and exempt from  
3276 the provisions of s. 119.07(1).

3277 Section 43. Section 1004.71, Florida Statutes, is amended

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3278 to read:

3279 1004.71 Statewide Florida Community College System  
3280 institution direct-support organizations.—

3281 (1) DEFINITIONS.—For the purposes of this section:

3282 (a) "Statewide Florida Community College System institution  
3283 direct-support organization" means an organization that is:

3284 1. A Florida corporation not for profit, incorporated under  
3285 the provisions of chapter 617 and approved by the Department of  
3286 State.

3287 2. Organized and operated exclusively to receive, hold,  
3288 invest, and administer property and to make expenditures to, or  
3289 for the benefit of, the Florida Community College System  
3290 institutions in this state.

3291 3. An organization that the State Board of Community  
3292 Colleges Education, after review, has certified to be operating  
3293 in a manner consistent with the goals of the Florida Community  
3294 College System institutions and in the best interest of the  
3295 state.

3296 (b) "Personal services" includes full-time or part-time  
3297 personnel as well as payroll processing.

3298 (2) BOARD OF DIRECTORS.—The chair of the State Board of  
3299 Community Colleges Education may appoint a representative to the  
3300 board of directors and the executive committee of any statewide,  
3301 direct-support organization established under this section or s.  
3302 1004.70. The chair of the State Board of Community Colleges  
3303 Education, or the chair's designee, shall also serve on the  
3304 board of directors and the executive committee of any direct-  
3305 support organization established to benefit Florida Community  
3306 College System institutions.

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3307 (3) USE OF PROPERTY.—

3308 (a) The State Board of Education may permit the use of  
3309 property, facilities, and personal services of the Department of  
3310 Education by any statewide Florida Community College System  
3311 institution direct-support organization, subject to the  
3312 provisions of this section.

3313 (b) The State Board of Education may prescribe by rule any  
3314 condition with which a statewide Florida Community College  
3315 System institution direct-support organization must comply in  
3316 order to use property, facilities, or personal services of the  
3317 Department of Education.

3318 (c) The State Board of Education may not permit the use of  
3319 property, facilities, or personal services of the Department of  
3320 Education by any statewide Florida Community College System  
3321 institution direct-support organization that does not provide  
3322 equal employment opportunities to all persons regardless of  
3323 race, color, national origin, gender, age, or religion.

3324 (4) RESTRICTIONS.—

3325 (a) A statewide, direct-support organization may not use  
3326 public funds to acquire, construct, maintain, or operate any  
3327 facilities.

3328 (b) Any transaction or agreement between a statewide,  
3329 direct-support organization and any other direct-support  
3330 organization must be approved by the State Board of Community  
3331 Colleges Education.

3332 (c) A statewide Florida Community College System  
3333 institution direct-support organization is prohibited from  
3334 giving, either directly or indirectly, any gift to a political  
3335 committee as defined in s. 106.011 for any purpose other than

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3336 those certified by a majority roll call vote of the governing  
3337 board of the direct-support organization at a regularly  
3338 scheduled meeting as being directly related to the educational  
3339 mission of the State Board of Community Colleges ~~Education~~.

3340 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support  
3341 organization shall submit to the State Board of Community  
3342 Colleges ~~Education~~ its federal Internal Revenue Service  
3343 Application for Recognition of Exemption form (Form 1023) and  
3344 its federal Internal Revenue Service Return of Organization  
3345 Exempt from Income Tax form (Form 990).

3346 (6) ANNUAL AUDIT.—A statewide Florida Community College  
3347 System institution direct-support organization shall provide for  
3348 an annual financial audit in accordance with s. 1004.70. The  
3349 identity of a donor or prospective donor who desires to remain  
3350 anonymous and all information identifying such donor or  
3351 prospective donor are confidential and exempt from the  
3352 provisions of s. 119.07(1) and s. 24(a), Art. I of the State  
3353 Constitution. Such anonymity shall be maintained in the  
3354 auditor's report.

3355 Section 44. Subsection (4) of section 1004.74, Florida  
3356 Statutes, is amended to read:

3357 1004.74 Florida School of the Arts.—

3358 (4) The Council for the Florida School of the Arts shall be  
3359 established to advise the Florida Community College System  
3360 institution district board of trustees on matters pertaining to  
3361 the operation of the school. The council shall consist of nine  
3362 members, appointed jointly by the Chancellor of the Florida  
3363 Community College System and the Commissioner of Education for  
3364 4-year terms. A member may serve three terms and may serve until

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3365 replaced.

3366 Section 45. Section 1004.78, Florida Statutes, is amended  
3367 to read:

3368 1004.78 Technology transfer centers at Florida Community  
3369 College System institutions.—

3370 (1) Each Florida Community College System institution may  
3371 establish a technology transfer center for the purpose of  
3372 providing institutional support to local business and industry  
3373 and governmental agencies in the application of new research in  
3374 technology. The primary responsibilities of such centers may  
3375 include: identifying technology research developed by  
3376 universities, research institutions, businesses, industries, the  
3377 United States Armed Forces, and other state or federal  
3378 governmental agencies; determining and demonstrating the  
3379 application of technologies; training workers to integrate  
3380 advanced equipment and production processes; and determining for  
3381 business and industry the feasibility and efficiency of  
3382 accommodating advanced technologies.

3383 (2) The Florida Community College System institution board  
3384 of trustees shall set such policies to regulate the activities  
3385 of the technology transfer center as it may consider necessary  
3386 to effectuate the purposes of this section and to administer the  
3387 programs of the center in a manner which assures efficiency and  
3388 effectiveness, producing the maximum benefit for the educational  
3389 programs and maximum service to the state. To this end,  
3390 materials that relate to methods of manufacture or production,  
3391 potential trade secrets, potentially patentable material, actual  
3392 trade secrets, business transactions, or proprietary information  
3393 received, generated, ascertained, or discovered during the

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3394 course of activities conducted within the Florida Community  
3395 College System institutions shall be confidential and exempt  
3396 from the provisions of s. 119.07(1), except that a Florida  
3397 Community College System institution shall make available upon  
3398 request the title and description of a project, the name of the  
3399 investigator, and the amount and source of funding provided for  
3400 such project.

3401 (3) A technology transfer center created under the  
3402 provisions of this section shall be under the supervision of the  
3403 board of trustees of that Florida Community College System  
3404 institution, which is authorized to appoint a director; to  
3405 employ full-time and part-time staff, research personnel, and  
3406 professional services; to employ on a part-time basis personnel  
3407 of the Florida Community College System institution; and to  
3408 employ temporary employees whose salaries are paid entirely from  
3409 the permanent technology transfer fund or from that fund in  
3410 combination with other nonstate sources, with such positions  
3411 being exempt from the requirements of the Florida Statutes  
3412 relating to salaries, except that no such appointment shall be  
3413 made for a total period of longer than 1 year.

3414 (4) The board of trustees of the Florida Community College  
3415 System institution in which a technology transfer center is  
3416 created, or its designee, may negotiate, enter into, and execute  
3417 contracts; solicit and accept grants and donations; and fix and  
3418 collect fees, other payments, and donations that may accrue by  
3419 reason thereof for technology transfer activities. The board of  
3420 trustees or its designee may negotiate, enter into, and execute  
3421 contracts on a cost-reimbursement basis and may provide  
3422 temporary financing of such costs prior to reimbursement from

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3423 moneys on deposit in the technology transfer fund, except as may  
3424 be prohibited elsewhere by law.

3425 (5) A technology transfer center shall be financed from the  
3426 Academic Improvement Program or from moneys of a Florida  
3427 Community College System institution which are on deposit or  
3428 received for use in the activities conducted in the center. Such  
3429 moneys shall be deposited by the Florida Community College  
3430 System institution in a permanent technology transfer fund in a  
3431 depository or depositories approved for the deposit of state  
3432 funds and shall be accounted for and disbursed subject to audit  
3433 by the Auditor General.

3434 (6) The fund balance in any existing research trust fund of  
3435 a Florida Community College System institution at the time a  
3436 technology transfer center is created shall be transferred to a  
3437 permanent technology transfer fund established for the Florida  
3438 Community College System institution, and thereafter the fund  
3439 balance of the technology transfer fund at the end of any fiscal  
3440 period may be used during any succeeding period pursuant to this  
3441 section.

3442 (7) Moneys deposited in the permanent technology transfer  
3443 fund of a Florida Community College System institution shall be  
3444 disbursed in accordance with the terms of the contract, grant,  
3445 or donation under which they are received. Moneys received for  
3446 overhead or indirect costs and other moneys not required for the  
3447 payment of direct costs shall be applied to the cost of  
3448 operating the technology transfer center.

3449 (8) All purchases of a technology transfer center shall be  
3450 made in accordance with the policies and procedures of the  
3451 Florida Community College System institution.

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3452           (9) The Florida Community College System institution board  
3453 of trustees may authorize the construction, alteration, or  
3454 remodeling of buildings when the funds used are derived entirely  
3455 from the technology transfer fund of a Florida Community College  
3456 System institution or from that fund in combination with other  
3457 nonstate sources, provided that such construction, alteration,  
3458 or remodeling is for use exclusively by the center. It also may  
3459 authorize the acquisition of real property when the cost is  
3460 entirely from said funds. Title to all real property shall vest  
3461 in the board of trustees.

3462           (10) The State Board of Community Colleges ~~Education~~ may  
3463 award grants to Florida Community College System institutions,  
3464 or consortia of public and private colleges and universities and  
3465 other public and private entities, for the purpose of supporting  
3466 the objectives of this section. Grants awarded pursuant to this  
3467 subsection shall be in accordance with rules of the State Board  
3468 of Community Colleges ~~Education~~. Such rules shall include the  
3469 following provisions:

3470           (a) The number of centers established with state funds  
3471 provided expressly for the purpose of technology transfer shall  
3472 be limited, but shall be geographically located to maximize  
3473 public access to center resources and services.

3474           (b) Grants to centers funded with state revenues  
3475 appropriated specifically for technology transfer activities  
3476 shall be reviewed and approved by the State Board of Community  
3477 Colleges ~~Education~~ using proposal solicitation, evaluation, and  
3478 selection procedures established by the state board in  
3479 consultation with Enterprise Florida, Inc. Such procedures may  
3480 include designation of specific areas or applications of



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3481 technology as priorities for the receipt of funding.

3482 (c) Priority for the receipt of state funds appropriated  
3483 specifically for the purpose of technology transfer shall be  
3484 given to grant proposals developed jointly by Florida Community  
3485 College System institutions and public and private colleges and  
3486 universities.

3487 (11) Each technology transfer center established under the  
3488 provisions of this section shall establish a technology transfer  
3489 center advisory committee. Each committee shall include  
3490 representatives of a university or universities conducting  
3491 research in the area of specialty of the center. Other members  
3492 shall be determined by the Florida Community College System  
3493 institution board of trustees.

3494 Section 46. Subsection (4) of section 1004.80, Florida  
3495 Statutes, is amended to read:

3496 1004.80 Economic development centers.—

3497 (4) The State Board of Community Colleges ~~Education~~ may  
3498 award grants to economic development centers for the purposes of  
3499 this section. Grants awarded pursuant to this subsection shall  
3500 be in accordance with rules established by the State Board of  
3501 Community Colleges ~~Education~~.

3502 Section 47. Section 1004.91, Florida Statutes, is amended  
3503 to read:

3504 1004.91 Requirements for career education program basic  
3505 skills.—

3506 (1) The State Board of Education, for career centers  
3507 operated by district school boards, and the State Board of  
3508 Community Colleges, for charter technical career centers  
3509 operated by Florida Community College System institutions, shall

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3510 collaborate to adopt, by rule, standards of basic skill mastery  
3511 for completion of certificate career education programs. Each  
3512 school district and Florida Community College System institution  
3513 that conducts programs that confer career and technical  
3514 certificates shall provide applied academics instruction through  
3515 which students receive the basic skills instruction required  
3516 pursuant to this section.

3517 (2) Students who enroll in a program offered for career  
3518 credit of 450 hours or more shall complete an entry-level  
3519 examination within the first 6 weeks after admission into the  
3520 program. The State Board of Education and the State Board of  
3521 Community Colleges shall collaborate to designate examinations  
3522 that are currently in existence, the results of which are  
3523 comparable across institutions, to assess student mastery of  
3524 basic skills. Any student found to lack the required level of  
3525 basic skills for such program shall be referred to applied  
3526 academics instruction or another adult general education program  
3527 for a structured program of basic skills instruction. Such  
3528 instruction may include English for speakers of other languages.  
3529 A student may not receive a career or technical certificate of  
3530 completion without first demonstrating the basic skills required  
3531 in the state curriculum frameworks for the career education  
3532 program.

3533 (3) (a) An adult student with a disability may be exempted  
3534 from this section.

3535 (b) The following students are exempt from this section:

3536 1. A student who possesses a college degree at the  
3537 associate in applied science level or higher.

3538 2. A student who demonstrates readiness for public

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3539 postsecondary education pursuant to s. 1008.30 and applicable  
3540 rules adopted by the State Board of Education and State Board of  
3541 Community Colleges.

3542 3. A student who passes a state or national industry  
3543 certification or licensure examination that is identified in  
3544 State Board of Education or State Board of Community Colleges  
3545 rules and aligned to the career education program in which the  
3546 student is enrolled.

3547 4. An adult student who is enrolled in an apprenticeship  
3548 program that is registered with the Department of Education in  
3549 accordance with chapter 446.

3550 Section 48. Paragraph (b) of subsection (2) of section  
3551 1004.92, Florida Statutes, is amended, and subsection (4) is  
3552 added to that section, to read:

3553 1004.92 Purpose and responsibilities for career education.-

3554 (2)

3555 (b) The Department of Education, for school districts, and  
3556 the State Board of Community Colleges, for Florida Community  
3557 College System institutions, have the following responsibilities  
3558 related to accountability for career education ~~includes, but is~~  
3559 ~~not limited to:~~

3560 1. The provision of timely, accurate technical assistance  
3561 to school districts and Florida Community College System  
3562 institutions.

3563 2. The provision of timely, accurate information to the  
3564 State Board of Education, the Legislature, and the public.

3565 3. The development of policies, rules, and procedures that  
3566 facilitate institutional attainment of the accountability  
3567 standards and coordinate the efforts of all divisions within the

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3568 department.

3569 4. The development of program standards and industry-driven  
3570 benchmarks for career, adult, and community education programs,  
3571 which must be updated every 3 years. The standards must include  
3572 career, academic, and workplace skills; viability of distance  
3573 learning for instruction; ~~and~~ work/learn cycles that are  
3574 responsive to business and industry; and provisions that reflect  
3575 the quality components of career and technical education  
3576 programs. The Department of Education and the State Board of  
3577 Community Colleges shall collaborate to develop a common set of  
3578 standards and benchmarks as specified under this subparagraph  
3579 for the programs that are offered by both the school districts  
3580 and Florida Community College System institutions.

3581 5. Overseeing school district and Florida Community College  
3582 System institution compliance with ~~the provisions of~~ this  
3583 chapter.

3584 6. Ensuring that the educational outcomes for the technical  
3585 component of career programs are uniform and designed to provide  
3586 a graduate who is capable of entering the workforce on an  
3587 equally competitive basis regardless of the institution of  
3588 choice.

3589 (4) The State Board of Education, for career education  
3590 provided by school districts, and the State Board of Community  
3591 Colleges, for career education provided by Florida Community  
3592 College System institutions, shall collaborate to adopt rules to  
3593 administer this section.

3594 Section 49. Subsection (1) of section 1004.925, Florida  
3595 Statutes, is amended to read:

3596 1004.925 Automotive service technology education programs;

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3597 certification.—

3598 (1) All automotive service technology education programs  
3599 shall be industry certified in accordance with rules adopted by  
3600 the State Board of Education and the State Board of Community  
3601 Colleges.

3602 Section 50. Paragraphs (c) and (d) of subsection (4) and  
3603 subsections (6) and (9) of section 1004.93, Florida Statutes,  
3604 are amended to read:

3605 1004.93 Adult general education.—

3606 (4)

3607 (c) The State Board of Community Colleges ~~Education~~ shall  
3608 define, by rule, the levels and courses of instruction to be  
3609 funded through the developmental education program. The State  
3610 Board of Community Colleges shall coordinate the establishment  
3611 of costs for developmental education courses, the establishment  
3612 of statewide standards that define required levels of  
3613 competence, acceptable rates of student progress, and the  
3614 maximum amount of time to be allowed for completion of  
3615 developmental education. Developmental education is part of an  
3616 associate in arts degree program and may not be funded as an  
3617 adult career education program.

3618 (d) Expenditures for developmental education and lifelong  
3619 learning students shall be reported separately. Allocations for  
3620 developmental education shall be based on proportional full-time  
3621 equivalent enrollment. Program review results shall be included  
3622 in the determination of subsequent allocations. A student shall  
3623 be funded to enroll in the same developmental education class  
3624 within a skill area only twice, after which time the student  
3625 shall pay 100 percent of the full cost of instruction to support

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3626 the continuous enrollment of that student in the same class;  
3627 however, students who withdraw or fail a class due to  
3628 extenuating circumstances may be granted an exception only once  
3629 for each class, provided approval is granted according to policy  
3630 established by the board of trustees. Each Florida Community  
3631 College System institution shall have the authority to review  
3632 and reduce payment for increased fees due to continued  
3633 enrollment in a developmental education class on an individual  
3634 basis contingent upon the student's financial hardship, pursuant  
3635 to definitions and fee levels established by the State Board of  
3636 Community Colleges Education. Developmental education and  
3637 lifelong learning courses do not generate credit toward an  
3638 associate or baccalaureate degree.

3639 (6) The commissioner, for school districts, and the  
3640 Chancellor of the Florida Community College System, for Florida  
3641 Community College System institutions, shall recommend the level  
3642 of funding for public school and Florida Community College  
3643 System institution adult education within the legislative budget  
3644 request and make other recommendations and reports considered  
3645 necessary or required by rules of the State Board of Education.

3646 (9) The State Board of Education and the State Board of  
3647 Community Colleges may adopt rules necessary for the  
3648 implementation of this section.

3649 Section 51. Subsection (3) of section 1006.60, Florida  
3650 Statutes, is amended to read:

3651 1006.60 Codes of conduct; disciplinary measures; authority  
3652 to adopt rules or regulations.—

3653 (3) Sanctions authorized by such codes of conduct may be  
3654 imposed only for acts or omissions in violation of rules or

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3655 regulations adopted by the institution, including rules or  
3656 regulations adopted under this section, rules of the State Board  
3657 of Community Colleges regarding the Florida Community College  
3658 System Education, rules or regulations of the Board of Governors  
3659 regarding the State University System, county and municipal  
3660 ordinances, and the laws of this state, the United States, or  
3661 any other state.

3662 Section 52. Subsection (1) of section 1006.61, Florida  
3663 Statutes, is amended to read:

3664 1006.61 Participation by students in disruptive activities  
3665 at public postsecondary educational institution; penalties.—

3666 (1) Any person who accepts the privilege extended by the  
3667 laws of this state of attendance at any public postsecondary  
3668 educational institution shall, by attending such institution, be  
3669 deemed to have given his or her consent to the policies of that  
3670 institution, the State Board of Community Colleges regarding the  
3671 Florida Community College System Education, and the Board of  
3672 Governors regarding the State University System, and the laws of  
3673 this state. Such policies shall include prohibition against  
3674 disruptive activities at public postsecondary educational  
3675 institutions.

3676 Section 53. Section 1006.62, Florida Statutes, is amended  
3677 to read:

3678 1006.62 Expulsion and discipline of students of Florida  
3679 Community College System institutions and state universities.—

3680 (1) Each student in a Florida Community College System  
3681 institution or state university is subject to federal and state  
3682 law, respective county and municipal ordinances, and all rules  
3683 and regulations of the State Board of Community Colleges

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3684 regarding the Florida Community College System ~~Education~~, the  
3685 Board of Governors regarding the State University System, or the  
3686 board of trustees of the institution.

3687 (2) Violation of these published laws, ordinances, or rules  
3688 and regulations may subject the violator to appropriate action  
3689 by the institution's authorities.

3690 (3) Each president of a Florida Community College System  
3691 institution or state university may, after notice to the student  
3692 of the charges and after a hearing thereon, expel, suspend, or  
3693 otherwise discipline any student who is found to have violated  
3694 any law, ordinance, or rule or regulation of the State Board of  
3695 Community Colleges regarding the Florida Community College  
3696 System ~~Education~~, the Board of Governors regarding the State  
3697 University System, or the board of trustees of the institution.  
3698 A student may be entitled to waiver of expulsion:

3699 (a) If the student provides substantial assistance in the  
3700 identification, arrest, or conviction of any of his or her  
3701 accomplices, accessories, coconspirators, or principals or of  
3702 any other person engaged in violations of chapter 893 within a  
3703 state university or Florida Community College System  
3704 institution;

3705 (b) If the student voluntarily discloses his or her  
3706 violations of chapter 893 prior to his or her arrest; or

3707 (c) If the student commits himself or herself, or is  
3708 referred by the court in lieu of sentence, to a state-licensed  
3709 drug abuse program and successfully completes the program.

3710 Section 54. Paragraphs (c) and (g) of subsection (1),  
3711 paragraph (b) of subsection (2), and subsection (3) of section  
3712 1006.71, Florida Statutes, are amended to read:



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3713 1006.71 Gender equity in intercollegiate athletics.-

3714 (1) GENDER EQUITY PLAN.-

3715 (c) The Chancellor of the Florida Community College System  
 3716 ~~Commissioner of Education~~ shall annually assess the progress of  
 3717 each Florida Community College System institution's plan and  
 3718 advise the State Board of Community Colleges Education and the  
 3719 Legislature regarding compliance.

3720 (g)1. If a Florida Community College System institution is  
 3721 not in compliance with Title IX of the Education Amendments of  
 3722 1972 and the Florida Educational Equity Act, the State Board of  
 3723 Community Colleges Education shall:

3724 a. Declare the Florida Community College System institution  
 3725 ineligible for competitive state grants.

3726 b. Withhold funds sufficient to obtain compliance.

3727

3728 The Florida Community College System institution shall remain  
 3729 ineligible and the funds may shall not be paid until the Florida  
 3730 Community College System institution comes into compliance or  
 3731 the Chancellor of the Florida Community College System  
 3732 ~~Commissioner of Education~~ approves a plan for compliance.

3733 2. If a state university is not in compliance with Title IX  
 3734 of the Education Amendments of 1972 and the Florida Educational  
 3735 Equity Act, the Board of Governors shall:

3736 a. Declare the state university ineligible for competitive  
 3737 state grants.

3738 b. Withhold funds sufficient to obtain compliance.

3739

3740 The state university shall remain ineligible and the funds may  
 3741 ~~shall~~ not be paid until the state university comes into

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3742 compliance or the Board of Governors approves a plan for  
3743 compliance.

3744 (2) FUNDING.—

3745 (b) The level of funding and percentage share of support  
3746 for women's intercollegiate athletics for Florida Community  
3747 College System institutions shall be determined by the State  
3748 Board of Community Colleges ~~Education~~. The level of funding and  
3749 percentage share of support for women's intercollegiate  
3750 athletics for state universities shall be determined by the  
3751 Board of Governors. The level of funding and percentage share  
3752 attained in the 1980-1981 fiscal year shall be the minimum level  
3753 and percentage maintained by each institution, except as the  
3754 State Board of Community Colleges ~~Education~~ or the Board of  
3755 Governors otherwise directs its respective institutions for the  
3756 purpose of assuring equity. Consideration shall be given by the  
3757 State Board of Community Colleges ~~Education~~ or the Board of  
3758 Governors to emerging athletic programs at institutions which  
3759 may not have the resources to secure external funds to provide  
3760 athletic opportunities for women. It is the intent that the  
3761 effect of any redistribution of funds among institutions may  
3762 ~~shall~~ not negate the requirements as set forth in this section.

3763 (3) STATE BOARD OF COMMUNITY COLLEGES ~~EDUCATION~~.—The State  
3764 Board of Community Colleges ~~Education~~ shall assure equal  
3765 opportunity for female athletes at Florida Community College  
3766 System institutions and establish:

3767 (a) In conjunction with the State Board of Education,  
3768 guidelines for reporting of intercollegiate athletics data  
3769 concerning financial, program, and facilities information for  
3770 review by the State Board of Community Colleges ~~Education~~

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3771 annually.

3772 (b) Systematic audits for the evaluation of such data.

3773 (c) Criteria for determining and assuring equity.

3774 Section 55. Section 1007.01, Florida Statutes, is amended  
3775 to read:

3776 1007.01 Articulation; legislative intent; purpose; role of  
3777 the State Board of Education, the State Board of Community  
3778 Colleges, and the Board of Governors; Articulation Coordinating  
3779 Committee.—

3780 (1) It is the intent of the Legislature to facilitate  
3781 articulation and seamless integration of the K-20 education  
3782 system by building, sustaining, and strengthening relationships  
3783 among K-20 public organizations, between public and private  
3784 organizations, and between the education system as a whole and  
3785 Florida's communities. The purpose of building, sustaining, and  
3786 strengthening these relationships is to provide for the  
3787 efficient and effective progression and transfer of students  
3788 within the education system and to allow students to proceed  
3789 toward their educational objectives as rapidly as their  
3790 circumstances permit. The Legislature further intends that  
3791 articulation policies and budget actions be implemented  
3792 consistently in the practices of the Department of Education and  
3793 postsecondary educational institutions and expressed in the  
3794 collaborative policy efforts of the State Board of Education,  
3795 ~~and~~ the Board of Governors, and the State Board of Community  
3796 Colleges.

3797 (2) To preserve Florida's "2+2" system of articulation and  
3798 improve and facilitate articulation systemwide, the State Board  
3799 of Education, ~~and~~ the Board of Governors, and the State Board of

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3800 Community Colleges shall collaboratively establish and adopt  
3801 policies with input from statewide K-20 advisory groups  
3802 established by the Commissioner of Education, the Chancellor of  
3803 the Florida Community College System, and the Chancellor of the  
3804 State University System and shall recommend the policies to the  
3805 Legislature. The policies shall relate to:

3806 (a) The alignment between the exit requirements of one  
3807 education system and the admissions requirements of another  
3808 education system into which students typically transfer.

3809 (b) The identification of common courses, the level of  
3810 courses, institutional participation in a statewide course  
3811 numbering system, and the transferability of credits among such  
3812 institutions.

3813 (c) Identification of courses that meet general education  
3814 or common degree program prerequisite requirements at public  
3815 postsecondary educational institutions.

3816 (d) Dual enrollment course equivalencies.

3817 (e) Articulation agreements.

3818 (3) The Commissioner of Education, in consultation with the  
3819 Chancellor of the Florida Community College System and the  
3820 Chancellor of the State University System, shall establish the  
3821 Articulation Coordinating Committee, which shall make  
3822 recommendations related to statewide articulation policies and  
3823 issues regarding access, quality, and reporting of data  
3824 maintained by the K-20 data warehouse, established pursuant to  
3825 ss. 1001.10 and 1008.31, to the Higher Education Coordination  
3826 Council, the State Board of Education, ~~and~~ the Board of  
3827 Governors, and the State Board of Community Colleges. The  
3828 committee shall consist of two members each representing the

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3829 State University System, the Florida Community College System,  
3830 public career and technical education, K-12 education, and  
3831 nonpublic postsecondary education and one member representing  
3832 students. The chair shall be elected from the membership. The  
3833 Office of K-20 Articulation shall provide administrative support  
3834 for the committee. The committee shall:

3835 (a) Monitor the alignment between the exit requirements of  
3836 one education system and the admissions requirements of another  
3837 education system into which students typically transfer and make  
3838 recommendations for improvement.

3839 (b) Propose guidelines for interinstitutional agreements  
3840 between and among public schools, career and technical education  
3841 centers, Florida Community College System institutions, state  
3842 universities, and nonpublic postsecondary institutions.

3843 (c) Annually recommend dual enrollment course and high  
3844 school subject area equivalencies for approval by the State  
3845 Board of Education, ~~and~~ the Board of Governors, and the State  
3846 Board of Community Colleges.

3847 (d) Annually review the statewide articulation agreement  
3848 pursuant to s. 1007.23 and make recommendations for revisions.

3849 (e) Annually review the statewide course numbering system,  
3850 the levels of courses, and the application of transfer credit  
3851 requirements among public and nonpublic institutions  
3852 participating in the statewide course numbering system and  
3853 identify instances of student transfer and admissions  
3854 difficulties.

3855 (f) Annually publish a list of courses that meet common  
3856 general education and common degree program prerequisite  
3857 requirements at public postsecondary institutions identified

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3858 pursuant to s. 1007.25.

3859 (g) Foster timely collection and reporting of statewide  
3860 education data to improve the K-20 education performance  
3861 accountability system pursuant to ss. 1001.10 and 1008.31,  
3862 including, but not limited to, data quality, accessibility, and  
3863 protection of student records.

3864 (h) Recommend roles and responsibilities of public  
3865 education entities in interfacing with the single, statewide  
3866 computer-assisted student advising system established pursuant  
3867 to s. 1006.735.

3868 (i) Make recommendations regarding the cost and  
3869 requirements to develop and implement an online system for  
3870 collecting and analyzing data regarding requests for transfer of  
3871 credit by postsecondary education students. The online system,  
3872 at a minimum, must collect information regarding the total  
3873 number of credit transfer requests denied and the reason for  
3874 each denial. Recommendations shall be reported to the President  
3875 of the Senate and the Speaker of the House of Representatives on  
3876 or before January 31, 2015.

3877 Section 56. Subsections (1) and (6) of section 1007.23,  
3878 Florida Statutes, are amended, and subsection (7) is added to  
3879 that section, to read:

3880 1007.23 Statewide articulation agreement.—

3881 (1) The State Board of Education, ~~and~~ and the Board of  
3882 Governors, and the State Board of Community Colleges shall enter  
3883 into a statewide articulation agreement which the State Board of  
3884 Education and the State Board of Community Colleges shall adopt  
3885 by rule. The agreement must preserve Florida's "2+2" system of  
3886 articulation, facilitate the seamless articulation of student

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3887 credit across and among Florida's educational entities, and  
3888 reinforce the provisions of this chapter by governing:

3889 (a) Articulation between secondary and postsecondary  
3890 education;

3891 (b) Admission of associate in arts degree graduates from  
3892 Florida Community College System institutions and state  
3893 universities;

3894 (c) Admission of applied technology diploma program  
3895 graduates from Florida Community College System institutions or  
3896 career centers;

3897 (d) Admission of associate in science degree and associate  
3898 in applied science degree graduates from Florida Community  
3899 College System institutions;

3900 (e) The use of acceleration mechanisms, including  
3901 nationally standardized examinations through which students may  
3902 earn credit;

3903 (f) General education requirements and statewide course  
3904 numbers as provided for in ss. 1007.24 and 1007.25; and

3905 (g) Articulation among programs in nursing.

3906 (6) The articulation agreement must guarantee the  
3907 articulation of 9 credit hours toward a postsecondary degree in  
3908 early childhood education for programs approved by the State  
3909 Board of Community Colleges Education ~~Education~~ and the Board of Governors  
3910 which:

3911 (a) Award a child development associate credential issued  
3912 by the National Credentialing Program of the Council for  
3913 Professional Recognition or award a credential approved under s.  
3914 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the  
3915 child development associate credential; and

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3916 (b) Include training in emergent literacy which meets or  
3917 exceeds the minimum standards for training courses for  
3918 prekindergarten instructors of the Voluntary Prekindergarten  
3919 Education Program in s. 1002.59.

3920 (7) To strengthen Florida's "2+2" system of articulation  
3921 and improve student retention and on-time graduation, by the  
3922 2018-2019 academic year, each Florida Community College System  
3923 institution shall execute at least one "2+2" targeted pathway  
3924 articulation agreement with one or more state universities and  
3925 each state university shall execute at least one such agreement  
3926 with one or more Florida Community College System institutions  
3927 to establish "2+2" targeted pathway programs. The agreement must  
3928 provide students who graduate with an associate in arts degree  
3929 and who meet specified requirements guaranteed access to the  
3930 state university and a degree program at that university, in  
3931 accordance with the terms of the "2+2" targeted pathway  
3932 articulation agreement.

3933 (a) To participate in a "2+2" targeted pathway program, a  
3934 student must:

3935 1. Enroll in the program before completing 30 credit hours,  
3936 including, but not limited to, college credits earned through  
3937 articulated acceleration mechanisms pursuant to s. 1007.27;

3938 2. Complete an associate in arts degree; and

3939 3. Meet the university's transfer requirements.

3940 (b) A state university that executes a "2+2" targeted  
3941 pathway articulation agreement must meet the following  
3942 requirements in order to implement a "2+2" targeted pathway  
3943 program in collaboration with its partner Florida Community  
3944 College System institution:



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3945 1. Establish a 4-year on-time graduation plan for a  
3946 baccalaureate degree program, including, but not limited to, a  
3947 plan for students to complete associate in arts degree programs,  
3948 general education courses, common prerequisite courses, and  
3949 elective courses;

3950 2. Advise students enrolled in the program about the  
3951 university's transfer and degree program requirements; and

3952 3. Provide students who meet the requirements under this  
3953 paragraph with access to academic advisors and campus events and  
3954 with guaranteed admittance to the state university and a degree  
3955 program of the state university, in accordance with the terms of  
3956 the agreement.

3957 (c) To assist the state universities and Florida Community  
3958 College System institutions with implementing the "2+2" targeted  
3959 pathway programs effectively, the State Board of Community  
3960 Colleges and the Board of Governors shall collaborate to  
3961 eliminate barriers in executing "2+2" targeted pathway  
3962 articulation agreements.

3963 Section 57. Subsections (1), (2), and (3) of section  
3964 1007.24, Florida Statutes, are amended to read:

3965 1007.24 Statewide course numbering system.—

3966 (1) The Department of Education, in conjunction with the  
3967 Board of Governors and the State Board of Community Colleges,  
3968 shall develop, coordinate, and maintain a statewide course  
3969 numbering system for postsecondary and dual enrollment education  
3970 in school districts, public postsecondary educational  
3971 institutions, and participating nonpublic postsecondary  
3972 educational institutions that will improve program planning,  
3973 increase communication among all delivery systems, and

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3974 facilitate student acceleration and the transfer of students and  
3975 credits between public school districts, public postsecondary  
3976 educational institutions, and participating nonpublic  
3977 educational institutions. The continuing maintenance of the  
3978 system shall be accomplished with the assistance of appropriate  
3979 faculty committees representing public and participating  
3980 nonpublic educational institutions.

3981 (2) The Commissioner of Education, in conjunction with the  
3982 Chancellor of the Florida Community College System and the  
3983 Chancellor of the State University System, shall appoint faculty  
3984 committees representing faculties of participating institutions  
3985 to recommend a single level for each course, including  
3986 postsecondary career education courses, included in the  
3987 statewide course numbering system.

3988 (a) Any course designated as an upper-division-level course  
3989 must be characterized by a need for advanced academic  
3990 preparation and skills that a student would be unlikely to  
3991 achieve without significant prior coursework.

3992 (b) A course that is offered as part of an associate in  
3993 science degree program and as an upper-division course for a  
3994 baccalaureate degree shall be designated for both the lower and  
3995 upper division.

3996 (c) A course designated as lower-division may be offered by  
3997 any Florida Community College System institution.

3998 (3) The Commissioner of Education shall recommend to the  
3999 State Board of Education the levels for the courses. The State  
4000 Board of Education, with input from the Board of Governors and  
4001 the State Board of Community Colleges, shall approve the levels  
4002 for the courses.

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4003 Section 58. Subsections (3), (6), and (9) through (12) of  
4004 section 1007.25, Florida Statutes, are amended to read:

4005 1007.25 General education courses; common prerequisites;  
4006 other degree requirements.-

4007 (3) The chair of the State Board of Community Colleges  
4008 ~~Education~~ and the chair of the Board of Governors, or their  
4009 designees, shall jointly appoint faculty committees to identify  
4010 statewide general education core course options. General  
4011 education core course options shall consist of a maximum of five  
4012 courses within each of the subject areas of communication,  
4013 mathematics, social sciences, humanities, and natural sciences.  
4014 The core courses may be revised, or the five-course maximum  
4015 within each subject area may be exceeded, if approved by the  
4016 State Board of Community Colleges ~~Education~~ and the Board of  
4017 Governors, as recommended by the subject area faculty committee  
4018 and approved by the Articulation Coordinating Committee as  
4019 necessary for a subject area. Each general education core course  
4020 option must contain high-level academic and critical thinking  
4021 skills and common competencies that students must demonstrate to  
4022 successfully complete the course. Beginning with students  
4023 initially entering a Florida Community College System  
4024 institution or state university in 2015-2016 and thereafter,  
4025 each student must complete at least one identified core course  
4026 in each subject area as part of the general education course  
4027 requirements. All public postsecondary educational institutions  
4028 shall accept these courses as meeting general education core  
4029 course requirements. The remaining general education course  
4030 requirements shall be identified by each institution and  
4031 reported to the department by their statewide course number. The

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4032 general education core course options shall be adopted in rule  
4033 by the State Board of Community Colleges ~~Education~~ and in  
4034 regulation by the Board of Governors.

4035 (6) The department shall identify common prerequisite  
4036 courses and course substitutions for degree programs across all  
4037 institutions. Common degree program prerequisites shall be  
4038 offered and accepted by all state universities and Florida  
4039 Community College System institutions, except in cases approved  
4040 by the State Board of Community Colleges, ~~Education~~ for Florida  
4041 Community College System institutions, and the Board of  
4042 Governors, for state universities. The department shall develop  
4043 a centralized database containing the list of courses and course  
4044 substitutions that meet the prerequisite requirements for each  
4045 baccalaureate degree program.

4046 (9) A baccalaureate degree program shall require no more  
4047 than 120 semester hours of college credit and include 36  
4048 semester hours of general education coursework, unless prior  
4049 approval has been granted by the Board of Governors for  
4050 baccalaureate degree programs offered by state universities and  
4051 by the State Board of Community Colleges ~~Education~~ for  
4052 baccalaureate degree programs offered by Florida Community  
4053 College System institutions.

4054 (10) A student who received an associate in arts degree for  
4055 successfully completing 60 semester credit hours may continue to  
4056 earn ~~additional~~ credits at a Florida Community College System  
4057 institution. The university must provide credit toward the  
4058 student's baccalaureate degree for a ~~an additional~~ Florida  
4059 Community College System institution course if, according to the  
4060 statewide course numbering, the Florida Community College System

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4061 institution course is a course listed in the university catalog  
4062 as required for the degree or as prerequisite to a course  
4063 required for the degree. Of the courses required for the degree,  
4064 at least half of the credit hours required for the degree shall  
4065 be achievable through courses designated as lower division,  
4066 except in degree programs approved by the State Board of  
4067 Community Colleges Education for programs offered by Florida  
4068 Community College System institutions and by the Board of  
4069 Governors for programs offered by state universities.

4070 (11) Students at state universities may request associate  
4071 in arts certificates if they have successfully completed the  
4072 minimum requirements for the degree of associate in arts (A.A.).  
4073 The university must grant the student an associate in arts  
4074 degree if the student has successfully completed minimum  
4075 requirements for college-level communication and computation  
4076 skills adopted by the State Board of Community Colleges  
4077 ~~Education~~ and 60 academic semester hours or the equivalent  
4078 within a degree program area, including 36 semester hours in  
4079 general education courses in the subject areas of communication,  
4080 mathematics, social sciences, humanities, and natural sciences,  
4081 consistent with the general education requirements specified in  
4082 the articulation agreement pursuant to s. 1007.23.

4083 (12) The Commissioner of Education and the Chancellor of  
4084 the Florida Community College System shall jointly appoint  
4085 faculty committees representing both Florida Community College  
4086 System institution and public school faculties to recommend to  
4087 the commissioner, or the Chancellor of the Florida Community  
4088 College System, as applicable, for approval by the State Board  
4089 of Education and the State Board of Community Colleges, as

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4090 applicable, a standard program length and appropriate  
4091 occupational completion points for each postsecondary career  
4092 certificate program, diploma, and degree offered by a school  
4093 district or a Florida Community College System institution.

4094 Section 59. Section 1007.262, Florida Statutes, is amended  
4095 to read:

4096 1007.262 Foreign language competence; equivalence  
4097 determinations.—The Department of Education shall identify the  
4098 competencies demonstrated by students upon the successful  
4099 completion of 2 credits of sequential high school foreign  
4100 language instruction. For the purpose of determining  
4101 postsecondary equivalence, the State Board of Community Colleges  
4102 ~~department~~ shall develop rules through which Florida Community  
4103 College System institutions correlate such competencies to the  
4104 competencies required of students in the colleges' respective  
4105 courses. Based on this correlation, each Florida Community  
4106 College System institution shall identify the minimum number of  
4107 postsecondary credits that students must earn in order to  
4108 demonstrate a level of competence in a foreign language at least  
4109 equivalent to that of students who have completed 2 credits of  
4110 such instruction in high school. The department may also specify  
4111 alternative means by which students can demonstrate equivalent  
4112 foreign language competence, including means by which a student  
4113 whose native language is not English may demonstrate proficiency  
4114 in the native language. A student who demonstrates proficiency  
4115 in a native language other than English is exempt from a  
4116 requirement of completing foreign language courses at the  
4117 secondary or Florida Community College System level.

4118 Section 60. Section 1007.263, Florida Statutes, is amended

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4119 to read:

4120 1007.263 Florida Community College System institutions;  
4121 admissions of students.—Each Florida Community College System  
4122 institution board of trustees is authorized to adopt rules  
4123 governing admissions of students subject to this section and  
4124 rules of the State Board of Community Colleges ~~Education~~. These  
4125 rules shall include the following:

4126 (1) Admissions counseling shall be provided to all students  
4127 entering college or career credit programs. For students who are  
4128 not otherwise exempt from testing under s. 1008.30, counseling  
4129 must use tests to measure achievement of college-level  
4130 communication and computation competencies by students entering  
4131 college credit programs or tests to measure achievement of basic  
4132 skills for career education programs as prescribed in s.  
4133 1004.91. Counseling includes providing developmental education  
4134 options for students whose assessment results, determined under  
4135 s. 1008.30, indicate that they need to improve communication or  
4136 computation skills that are essential to perform college-level  
4137 work.

4138 (2) Admission to associate degree programs is subject to  
4139 minimum standards adopted by the State Board of Community  
4140 Colleges ~~Education~~ and shall require:

4141 (a) A standard high school diploma, a high school  
4142 equivalency diploma as prescribed in s. 1003.435, previously  
4143 demonstrated competency in college credit postsecondary  
4144 coursework, or, in the case of a student who is home educated, a  
4145 signed affidavit submitted by the student's parent or legal  
4146 guardian attesting that the student has completed a home  
4147 education program pursuant to the requirements of s. 1002.41.

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4148 Students who are enrolled in a dual enrollment or early  
4149 admission program pursuant to s. 1007.271 are exempt from this  
4150 requirement.

4151 (b) A demonstrated level of achievement of college-level  
4152 communication and computation skills.

4153 (c) Any other requirements established by the board of  
4154 trustees.

4155 (3) Admission to other programs within the Florida  
4156 Community College System institution shall include education  
4157 requirements as established by the board of trustees.

4158 (4) A student who has been awarded a certificate of  
4159 completion under s. 1003.4282 is eligible to enroll in  
4160 certificate career education programs.

4161 (5) A student with a documented disability may be eligible  
4162 for reasonable substitutions, as prescribed in ss. 1007.264 and  
4163 1007.265.

4164

4165 Each board of trustees shall establish policies that notify  
4166 students about developmental education options for improving  
4167 their communication or computation skills that are essential to  
4168 performing college-level work, including tutoring, extended time  
4169 in gateway courses, free online courses, adult basic education,  
4170 adult secondary education, or private provider instruction.

4171 Section 61. Subsection (2) of section 1007.264, Florida  
4172 Statutes, is amended to read:

4173 1007.264 Persons with disabilities; admission to  
4174 postsecondary educational institutions; substitute requirements;  
4175 rules and regulations.—

4176 (2) The State Board of Community Colleges ~~Education~~, in



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4177 consultation with the Board of Governors, shall adopt rules to  
4178 implement this section for Florida Community College System  
4179 institutions and shall develop substitute admission requirements  
4180 where appropriate.

4181 Section 62. Subsections (2) and (3) of section 1007.265,  
4182 Florida Statutes, are amended to read:

4183 1007.265 Persons with disabilities; graduation, study  
4184 program admission, and upper-division entry; substitute  
4185 requirements; rules and regulations.—

4186 (2) The State Board of Community Colleges ~~Education~~, in  
4187 consultation with the Board of Governors, shall adopt rules to  
4188 implement this section for Florida Community College System  
4189 institutions and shall develop substitute requirements where  
4190 appropriate.

4191 (3) The Board of Governors, in consultation with the State  
4192 Board of Community Colleges ~~Education~~, shall adopt regulations  
4193 to implement this section for state universities and shall  
4194 develop substitute requirements where appropriate.

4195 Section 63. Effective July 1, 2018, subsections (2), (6),  
4196 (7), and (8) of section 1007.27, Florida Statutes, are amended  
4197 to read:

4198 1007.27 Articulated acceleration mechanisms.—

4199 (2) (a) The Department of Education shall annually identify  
4200 and publish the minimum scores, maximum credit, and course or  
4201 courses for which credit is to be awarded for each College Level  
4202 Examination Program (CLEP) subject examination, College Board  
4203 Advanced Placement Program examination, Advanced International  
4204 Certificate of Education examination, International  
4205 Baccalaureate examination, Excelsior College subject

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4206 examination, Defense Activity for Non-Traditional Education  
4207 Support (DANTES) subject standardized test, and Defense Language  
4208 Proficiency Test (DLPT). The department shall use student  
4209 performance data in subsequent postsecondary courses to  
4210 determine the appropriate examination scores and courses for  
4211 which credit is to be granted. Minimum scores may vary by  
4212 subject area based on available performance data. In addition,  
4213 the department shall identify such courses in the general  
4214 education core curriculum of each state university and Florida  
4215 Community College System institution.

4216 (b) Each district school board shall notify students who  
4217 enroll in articulated acceleration mechanism courses or take  
4218 examinations pursuant to this section of the credit-by-  
4219 examination equivalency list adopted by rule by the State Board  
4220 of Education and the dual enrollment course and high school  
4221 subject area equivalencies approved by the state board pursuant  
4222 to s. 1007.271(9).

4223 (6) Credit by examination shall be the program through  
4224 which secondary and postsecondary students generate  
4225 postsecondary credit based on the receipt of a specified minimum  
4226 score on nationally standardized general or subject-area  
4227 examinations. For the purpose of statewide application, such  
4228 examinations and the corresponding minimum scores required for  
4229 an award of credit shall be delineated by the State Board of  
4230 Education, ~~and~~ the Board of Governors, and the State Board of  
4231 Community Colleges in the statewide articulation agreement  
4232 required by s. 1007.23(1). The maximum credit generated by a  
4233 student pursuant to this subsection shall be mitigated by any  
4234 related postsecondary credit earned by the student prior to the

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4235 administration of the examination. This subsection shall not  
4236 preclude Florida Community College System institutions and  
4237 universities from awarding credit by examination based on  
4238 student performance on examinations developed within and  
4239 recognized by the individual postsecondary institutions.

4240 (7) The International Baccalaureate Program shall be the  
4241 curriculum in which eligible secondary students are enrolled in  
4242 a program of studies offered through the International  
4243 Baccalaureate Program administered by the International  
4244 Baccalaureate Office. The State Board of Community Colleges  
4245 ~~Education~~ and the Board of Governors shall specify in the  
4246 statewide articulation agreement required by s. 1007.23(1) the  
4247 cutoff scores and International Baccalaureate Examinations which  
4248 will be used to grant postsecondary credit at Florida Community  
4249 College System institutions and universities. Any changes to the  
4250 articulation agreement~~r~~ which have the effect of raising the  
4251 required cutoff score or of changing the International  
4252 Baccalaureate Examinations which will be used to grant  
4253 postsecondary credit~~r~~ shall only apply to students taking  
4254 International Baccalaureate Examinations after such changes are  
4255 adopted by the State Board of Community Colleges ~~Education~~ and  
4256 the Board of Governors. Students shall be awarded a maximum of  
4257 30 semester credit hours pursuant to this subsection. The  
4258 specific course for which a student may receive such credit  
4259 shall be specified in the statewide articulation agreement  
4260 required by s. 1007.23(1). Students enrolled pursuant to this  
4261 subsection shall be exempt from the payment of any fees for  
4262 administration of the examinations regardless of whether or not  
4263 the student achieves a passing score on the examination.

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4264 (8) The Advanced International Certificate of Education  
4265 Program and the International General Certificate of Secondary  
4266 Education (pre-AICE) Program shall be the curricula in which  
4267 eligible secondary students are enrolled in programs of study  
4268 offered through the Advanced International Certificate of  
4269 Education Program or the International General Certificate of  
4270 Secondary Education (pre-AICE) Program administered by the  
4271 University of Cambridge Local Examinations Syndicate. The State  
4272 Board of Community Colleges ~~Education~~ and the Board of Governors  
4273 shall specify in the statewide articulation agreement required  
4274 by s. 1007.23(1) the cutoff scores and Advanced International  
4275 Certificate of Education examinations which will be used to  
4276 grant postsecondary credit at Florida Community College System  
4277 institutions and universities. Any changes to the cutoff scores,  
4278 which changes have the effect of raising the required cutoff  
4279 score or of changing the Advanced International Certification of  
4280 Education examinations which will be used to grant postsecondary  
4281 credit, shall apply to students taking Advanced International  
4282 Certificate of Education examinations after such changes are  
4283 adopted by the State Board of Community Colleges ~~Education~~ and  
4284 the Board of Governors. Students shall be awarded a maximum of  
4285 30 semester credit hours pursuant to this subsection. The  
4286 specific course for which a student may receive such credit  
4287 shall be determined by the Florida Community College System  
4288 institution or university that accepts the student for  
4289 admission. Students enrolled in either program of study pursuant  
4290 to this subsection shall be exempt from the payment of any fees  
4291 for administration of the examinations regardless of whether the  
4292 student achieves a passing score on the examination.

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4293 Section 64. Subsections (3) and (22) of section 1007.271,  
4294 Florida Statutes, are amended to read:  
4295 1007.271 Dual enrollment programs.—  
4296 (3) Student eligibility requirements for initial enrollment  
4297 in college credit dual enrollment courses must include a 3.0  
4298 unweighted high school grade point average and the minimum score  
4299 on a common placement test adopted by the State Board of  
4300 Education which indicates that the student is ready for college-  
4301 level coursework. Student eligibility requirements for continued  
4302 enrollment in college credit dual enrollment courses must  
4303 include the maintenance of a 3.0 unweighted high school grade  
4304 point average and the minimum postsecondary grade point average  
4305 established by the postsecondary institution. Regardless of  
4306 meeting student eligibility requirements for continued  
4307 enrollment, a student may lose the opportunity to participate in  
4308 a dual enrollment course if the student is disruptive to the  
4309 learning process such that the progress of other students or the  
4310 efficient administration of the course is hindered. Student  
4311 eligibility requirements for initial and continued enrollment in  
4312 career certificate dual enrollment courses must include a 2.0  
4313 unweighted high school grade point average. Exceptions to the  
4314 required grade point averages may be granted on an individual  
4315 student basis if the educational entities agree and the terms of  
4316 the agreement are contained within the dual enrollment  
4317 articulation agreement established pursuant to subsection (21).  
4318 Florida Community College System institution boards of trustees  
4319 may establish additional initial student eligibility  
4320 requirements, which shall be included in the dual enrollment  
4321 articulation agreement, to ensure student readiness for

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4322 postsecondary instruction. Additional requirements included in  
4323 the agreement may not arbitrarily prohibit students who have  
4324 demonstrated the ability to master advanced courses from  
4325 participating in dual enrollment courses.

4326 (22) The Department of Education shall develop an  
4327 electronic submission system for dual enrollment articulation  
4328 agreements and shall review, for compliance, each dual  
4329 enrollment articulation agreement submitted pursuant to  
4330 subsections (13), (21), and (24). The Commissioner of Education  
4331 shall notify the district school superintendent and the Florida  
4332 Community College System institution president if the dual  
4333 enrollment articulation agreement does not comply with statutory  
4334 requirements and shall submit any dual enrollment articulation  
4335 agreement with unresolved issues of noncompliance to the State  
4336 Board of Education. The State Board of Education shall  
4337 collaborate with the State Board of Community Colleges to settle  
4338 unresolved issues of noncompliance.

4339 Section 65. Subsection (6) of section 1007.273, Florida  
4340 Statutes, is amended to read:

4341 1007.273 Collegiate high school program.—

4342 (6) The collegiate high school program shall be funded  
4343 pursuant to ss. 1007.271 and 1011.62. The State Board of  
4344 Education shall enforce compliance with this section by  
4345 withholding the transfer of funds for the school districts ~~and~~  
4346 ~~the Florida College System institutions~~ in accordance with s.  
4347 1008.32. Annually, by December 31, the State Board of Community  
4348 Colleges shall enforce compliance with this section by  
4349 withholding the transfer of funds for the Florida Community  
4350 College System institutions in accordance with s. 1001.602.

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4351 Section 66. Section 1007.33, Florida Statutes, is amended  
4352 to read:

4353 1007.33 Site-determined baccalaureate degree access.—

4354 (1) (a) The Legislature recognizes that public and private  
4355 postsecondary educational institutions play an essential role in  
4356 improving the quality of life and economic well-being of the  
4357 state and its residents. The Legislature also recognizes that  
4358 economic development needs and the educational needs of place-  
4359 bound, nontraditional students have increased the demand for  
4360 local access to baccalaureate degree programs. It is therefore  
4361 the intent of the Legislature to further expand access to  
4362 baccalaureate degree programs through the use of Florida  
4363 Community College System institutions.

4364 (b) For purposes of this section, the term "district"  
4365 refers to the county or counties served by a Florida Community  
4366 College System institution pursuant to s. 1000.21(3).

4367 (2) Any Florida Community College System institution that  
4368 offers one or more baccalaureate degree programs must:

4369 (a) Maintain as its primary mission:

4370 1. Responsibility for responding to community needs for  
4371 postsecondary academic education and career degree education as  
4372 prescribed in s. 1004.65(5).

4373 2. The provision of associate degrees that provide access  
4374 to a university.

4375 (b) Maintain an open-door admission policy for associate-  
4376 level degree programs and workforce education programs.

4377 (c) Continue to provide outreach to underserved  
4378 populations.

4379 (d) Continue to provide remedial education pursuant to s.

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4380 1008.30.

4381 (e) Comply with all provisions of the statewide  
4382 articulation agreement which relate to 2-year and 4-year public  
4383 degree-granting institutions as adopted by the State Board of  
4384 Education or the State Board of Community Colleges, as  
4385 applicable, pursuant to s. 1007.23.

4386 (f) Not award graduate credit.

4387 (g) Not participate in intercollegiate athletics beyond the  
4388 2-year level.

4389 (3) A Florida Community College System institution may not  
4390 terminate its associate in arts or associate in science degree  
4391 programs as a result of being authorized to offer one or more  
4392 baccalaureate degree programs. The Legislature intends that the  
4393 primary responsibility of a Florida Community College System  
4394 institution, including a Florida Community College System  
4395 institution that offers baccalaureate degree programs, continues  
4396 to be the provision of associate degrees that provide access to  
4397 a university.

4398 (4) A Florida Community College System institution may:

4399 (a) Offer specified baccalaureate degree programs through  
4400 formal agreements between the Florida Community College System  
4401 institution and other regionally accredited postsecondary  
4402 educational institutions pursuant to s. 1007.22.

4403 (b) Offer baccalaureate degree programs that are ~~were~~  
4404 authorized by law ~~prior to July 1, 2009.~~

4405 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~  
4406 ~~baccalaureate degree program~~ for purposes of meeting district,  
4407 regional, or statewide workforce needs if approved by the State  
4408 Board of Community Colleges ~~Education~~ under this section.



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4409 However, a Florida Community College System institution may not  
4410 offer a bachelor of arts degree program.

4411  
4412 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~  
4413 ~~College is authorized to establish one or more bachelor of~~  
4414 ~~applied science degree programs based on an analysis of~~  
4415 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~  
4416 ~~other counties approved by the Department of Education. For each~~  
4417 ~~program selected, St. Petersburg College must offer a related~~  
4418 ~~associate in science or associate in applied science degree~~  
4419 ~~program, and the baccalaureate degree level program must be~~  
4420 ~~designed to articulate fully with at least one associate in~~  
4421 ~~science degree program. The college is encouraged to develop~~  
4422 ~~articulation agreements for enrollment of graduates of related~~  
4423 ~~associate in applied science degree programs. The Board of~~  
4424 ~~Trustees of St. Petersburg College is authorized to establish~~  
4425 ~~additional baccalaureate degree programs if it determines a~~  
4426 ~~program is warranted and feasible based on each of the factors~~  
4427 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~  
4428 ~~Petersburg College may not establish any new baccalaureate~~  
4429 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~  
4430 ~~to developing or proposing a new baccalaureate degree program,~~  
4431 ~~St. Petersburg College shall engage in need, demand, and impact~~  
4432 ~~discussions with the state university in its service district~~  
4433 ~~and other local and regional, accredited postsecondary providers~~  
4434 ~~in its region. Documentation, data, and other information from~~  
4435 ~~inter-institutional discussions regarding program need, demand,~~  
4436 ~~and impact shall be provided to the college's board of trustees~~  
4437 ~~to inform the program approval process. Employment at St.~~

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~~Petersburg College is governed by the same laws that govern Florida College System institutions, except that upper division faculty are eligible for continuing contracts upon the completion of the fifth year of teaching. Employee records for all personnel shall be maintained as required by s. 1012.81.~~

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

(a) Each Florida Community College System institution to submit a notice of interest at least 180 days before submitting a notice of its ~~its~~ intent to propose a baccalaureate degree program ~~to the Division of Florida Colleges at least 100 days before the submission of its proposal under paragraph (d).~~ The notice of interest must be submitted into a shared postsecondary database that allows other postsecondary institutions to preview and provide feedback on the notice of interest. A written notice of intent must be submitted to the Chancellor of the Florida Community College System at least 100 days before the submission of a baccalaureate degree program proposal under paragraph (c). The notice of intent must include a brief description of the program, the workforce demand and unmet need for graduates of the program to include evidence from entities independent of the institution, the geographic region to be served, and an estimated timeframe for implementation. Notices of interest and ~~intent~~ may be submitted by a Florida Community College System institution at any time throughout the year. The notice of intent must also include evidence that the Florida Community College System institution engaged in need, demand, and impact discussions with the state university and other regionally accredited postsecondary education providers in its service

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4467 district.

4468 (b) The Chancellor of the Florida Community College System  
4469 ~~Division of Florida Colleges~~ to forward the notice of intent  
4470 submitted pursuant to paragraph (a) and the justification for  
4471 the proposed baccalaureate degree program required under  
4472 paragraph (c) within 10 business days after receiving such  
4473 notice and justification to the Chancellor of the State  
4474 University System, the president of the Independent Colleges and  
4475 Universities of Florida, and the Executive Director of the  
4476 Commission for Independent Education. State universities ~~shall~~  
4477 have 60 days following receipt of the notice of intent and  
4478 justification by the Chancellor of the State University System  
4479 to submit an objection and a reason for the objection to the  
4480 proposed baccalaureate degree program which may include  
4481 ~~objections to the proposed new program or submit~~ an alternative  
4482 proposal to offer the baccalaureate degree program. The  
4483 Chancellor of the State University System shall review the  
4484 objection raised by a state university and inform the Board of  
4485 Governors of the objection before a state university submits its  
4486 objection to the Chancellor of the Florida Community College  
4487 System. The Chancellor of the Florida Community College System  
4488 must consult with the Chancellor of the State University System  
4489 to consider the objection raised by the state university before  
4490 the State Board of Community Colleges approves or denies a  
4491 Florida Community College System institution's proposal  
4492 submitted pursuant to paragraph (c). ~~If a proposal from a state~~  
4493 ~~university is not received within the 60-day period,~~ The  
4494 Chancellor of the Florida Community College System State Board  
4495 ~~of Education~~ shall also provide regionally accredited private

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4496 colleges and universities 60 ~~30~~ days to submit an objection and  
4497 a reason for the objection to the proposed baccalaureate degree  
4498 program which may include an alternative proposal to offer a  
4499 baccalaureate degree program ~~objections to the proposed new~~  
4500 ~~program or submit an alternative proposal~~. Objections by a  
4501 regionally accredited private college or university ~~or~~  
4502 ~~alternative proposals~~ shall be submitted to the Chancellor of  
4503 the Florida Community College System, and the state board must  
4504 consider such objections before ~~Division of Florida Colleges and~~  
4505 ~~must be considered by the State Board of Education in making its~~  
4506 decision to approve or deny a Florida Community College System  
4507 institution's proposal submitted pursuant to paragraph (c).

4508 ~~(c) An alternative proposal submitted by a state university~~  
4509 ~~or private college or university to adequately address:~~

4510 ~~1. The extent to which the workforce demand and unmet need~~  
4511 ~~described in the notice of intent will be met.~~

4512 ~~2. The extent to which students will be able to complete~~  
4513 ~~the degree in the geographic region proposed to be served by the~~  
4514 ~~Florida College System institution.~~

4515 ~~3. The level of financial commitment of the college or~~  
4516 ~~university to the development, implementation, and maintenance~~  
4517 ~~of the specified degree program, including timelines.~~

4518 ~~4. The extent to which faculty at both the Florida College~~  
4519 ~~System institution and the college or university will~~  
4520 ~~collaborate in the development and offering of the curriculum.~~

4521 ~~5. The ability of the Florida College System institution~~  
4522 ~~and the college or university to develop and approve the~~  
4523 ~~curriculum for the specified degree program within 6 months~~  
4524 ~~after an agreement between the Florida College System~~

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4525 ~~institution and the college or university is signed.~~

4526 ~~6. The extent to which the student may incur additional~~  
4527 ~~costs above what the student would expect to incur if the~~  
4528 ~~program were offered by the Florida College System institution.~~

4529 (c) ~~(d)~~ Each Florida Community College System institution to  
4530 submit a baccalaureate degree program proposal at least 100 days  
4531 after submitting the notice of intent. Each proposal must  
4532 ~~submitted by a Florida College System institution to, at a~~  
4533 minimum, include:

4534 1. A description of the planning process and timeline for  
4535 implementation.

4536 2. A justification for the proposed baccalaureate degree  
4537 program, including, at a minimum, a data-driven An analysis of  
4538 workforce demand and unmet need for graduates of the program on  
4539 a district, regional, or statewide basis, as appropriate, and  
4540 the extent to which the proposed program will meet the workforce  
4541 demand and unmet need. The analysis must include workforce and  
4542 employment data for the most recent years and projections by the  
4543 Department of Economic Opportunity for future years, and a  
4544 summary of degree programs similar to the proposed degree  
4545 program which are currently offered by state universities or by  
4546 independent nonprofit colleges or universities that are eligible  
4547 to participate in a grant program pursuant to s. 1009.89 and  
4548 which are located in the Florida Community College System  
4549 institution's regional service area. The analysis and evidence  
4550 must be verified by the Chancellor of the Florida Community  
4551 College System including evidence from entities independent of  
4552 ~~the institution.~~

4553 3. Identification of the facilities, equipment, and library

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4554 and academic resources that will be used to deliver the program.

4555 4. The program cost analysis of creating a new  
4556 baccalaureate degree when compared to ~~alternative proposals and~~  
4557 other program delivery options.

4558 5. The program's admission requirements, academic content,  
4559 curriculum, faculty credentials, student-to-teacher ratios, and  
4560 accreditation plan.

4561 6. The program's student enrollment ~~projections~~ and funding  
4562 requirements, including:

4563 a. The impact of the program's enrollment projections on  
4564 compliance with the upper-level enrollment provisions under  
4565 subsection (6); and

4566 b. The institution's efforts to sustain the program at the  
4567 cost of tuition and fees for students who are classified as  
4568 residents for tuition purposes under s. 1009.21, not to exceed  
4569 \$10,000 for the entire degree program, including flexible  
4570 tuition and fee rates, and the use of waivers pursuant to s.  
4571 1009.26(11).

4572 7. A plan of action if the program is terminated.

4573 ~~(d)~~(e) The State Board of Community Division of Florida  
4574 Colleges to review the proposal, notify the Florida Community  
4575 College System institution of any deficiencies in writing within  
4576 30 days following receipt of the proposal, and provide the  
4577 Florida Community College System institution with an opportunity  
4578 to correct the deficiencies. Within 45 days following receipt of  
4579 a completed proposal by the State Board of Community Division of  
4580 Florida Colleges, the Chancellor of the Florida Community  
4581 College System ~~Commissioner of Education~~ shall recommend  
4582 approval or disapproval of the proposal to the State Board of

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4583 Community Colleges ~~Education~~. The State Board of Community  
4584 Colleges ~~Education~~ shall consider such recommendation, the  
4585 proposal, input from the Chancellor of the State University  
4586 System and the president of the Independent Colleges and  
4587 Universities of Florida, and any objections or alternative  
4588 proposals at its next meeting. If the State Board of Community  
4589 Colleges ~~Education~~ disapproves the Florida Community College  
4590 System institution's proposal, it shall provide the Florida  
4591 Community College System institution with written reasons for  
4592 that determination.

4593 ~~(e)-(f)~~ The Florida Community College System institution to  
4594 obtain from the Commission on Colleges of the Southern  
4595 Association of Colleges and Schools accreditation as a  
4596 baccalaureate-degree-granting institution if approved by the  
4597 State Board of Community Colleges ~~Education~~ to offer its first  
4598 baccalaureate degree program.

4599 ~~(f)-(g)~~ The Florida Community College System institution to  
4600 notify the Commission on Colleges of the Southern Association of  
4601 Colleges and Schools of subsequent degree programs that are  
4602 approved by the State Board of Community Colleges ~~Education~~ and  
4603 to comply with the association's required substantive change  
4604 protocols for accreditation purposes.

4605 ~~(g)-(h)~~ The Florida Community College System institution to  
4606 annually report to the State Board of Community Colleges, the  
4607 Chancellor of the State University System, and ~~upon request of~~  
4608 ~~the State Board of Education, the Commissioner of Education, the~~  
4609 ~~Chancellor of the Florida College System, or the Legislature,~~  
4610 ~~report~~ its status using the following performance and compliance  
4611 indicators:

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- 4612 1. Obtaining and maintaining appropriate Southern  
4613 Association of Colleges and Schools accreditation;
- 4614 2. Maintaining qualified faculty and institutional  
4615 resources;
- 4616 3. Maintaining student enrollment in previously approved  
4617 programs;
- 4618 4. Managing fiscal resources appropriately;
- 4619 5. Complying with the primary mission and responsibility  
4620 requirements in subsections (2) and (3); ~~and~~
- 4621 6. Incorporating other indicators of success, including  
4622 program completions, employment and earnings outcomes, student  
4623 acceptance into and performance in graduate programs placements,  
4624 and surveys of graduates and employers;
- 4625 7. Continuing to meet workforce demand, as provided in  
4626 subparagraph (c)2., as demonstrated through a data-driven needs  
4627 assessment by the Florida Community College System institution  
4628 which is verified by more than one third-party professional  
4629 entity that is independent of the institution; and
- 4630 8. Complying with the upper-level enrollment provisions  
4631 under subsection (6).

4632

4633 The State Board of Community Colleges Education, upon annual  
4634 review of the baccalaureate degree program performance and  
4635 compliance indicators and needs assessment, may require a  
4636 Florida Community College System institution's board of trustees  
4637 to modify or terminate a baccalaureate degree program authorized  
4638 under this section. If the annual review indicates negative  
4639 program performance and compliance results, and if the needs  
4640 assessment fails to demonstrate a need for the program, the



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4641 State Board of Community Colleges must require a Florida  
4642 Community College System institution's board of trustees to  
4643 terminate that baccalaureate degree program.

4644 (6) (a) The upper-level, undergraduate full-time equivalent  
4645 enrollment at a Florida Community College System institution may  
4646 not exceed 20 percent of the total full-time equivalent  
4647 enrollment at that institution.

4648 (b) The upper-level, undergraduate full-time equivalent  
4649 enrollment in the Florida Community College System may not  
4650 exceed 10 percent of the total full-time equivalent enrollment  
4651 of the Florida Community College System.

4652 (c) For any planned and purposeful expansion of existing  
4653 baccalaureate degree programs or creation of a new baccalaureate  
4654 program, a Florida Community College System institution must  
4655 demonstrate satisfactory performance in fulfilling its primary  
4656 mission pursuant to s. 1004.65, executing at least one "2+2"  
4657 targeted pathway articulation agreement pursuant to s. 1007.23,  
4658 and meeting or exceeding the performance standards related to  
4659 on-time completion and graduation rates under s. 1001.66 for  
4660 students earning associate in arts or baccalaureate degrees. The  
4661 State Board of Community Colleges may not approve a new  
4662 baccalaureate degree program proposal for a Florida Community  
4663 College System institution that does not meet the conditions  
4664 specified in this subsection in addition to the other  
4665 requirements for approval under this section. Each community  
4666 college that offers a baccalaureate degree must annually review  
4667 each baccalaureate degree program and annually report to the  
4668 State Board of Community Colleges, in a format prescribed by the  
4669 state board, current and projected student enrollment for such

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4670 program, justification for continuation of each baccalaureate  
4671 degree program, and a plan to comply with the upper-level  
4672 enrollment provisions of this subsection. A Florida Community  
4673 College System institution that does not comply with the  
4674 requirements of this section is subject to s. 1001.602(9) and  
4675 may not report for funding the upper-level, undergraduate full-  
4676 time equivalent enrollment that exceeds the upper-level  
4677 enrollment percent provision of this subsection.

4678 (7)~~(6)~~ The State Board of Community Colleges Education  
4679 shall adopt rules to prescribe format and content requirements  
4680 and submission procedures for notices of interest and intent,  
4681 baccalaureate degree program proposals, objections ~~alternative~~  
4682 ~~proposals,~~ and compliance reviews under subsection (5).

4683 Section 67. Effective July 1, 2018, subsections (1), (3),  
4684 (4), and (5) of section 1008.30, Florida Statutes, are amended  
4685 and subsection (7) is added to that section, to read:

4686 1008.30 Common placement testing for public postsecondary  
4687 education.—

4688 (1) The State Board of Community Colleges Education, in  
4689 conjunction with the Board of Governors and the State Board of  
4690 Education, shall develop and implement a common placement test  
4691 for the purpose of assessing the basic computation and  
4692 communication skills of students who intend to enter a degree  
4693 program at any public postsecondary educational institution.  
4694 Alternative assessments that may be accepted in lieu of the  
4695 common placement test shall also be identified in rule. Public  
4696 postsecondary educational institutions shall provide appropriate  
4697 modifications of the test instruments or test procedures for  
4698 students with disabilities.

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4699           (3) ~~By October 31, 2013,~~ The State Board of Community  
4700 Colleges, in conjunction with the Board of Governors and the  
4701 State Board of Education, Education shall establish by rule the  
4702 test scores a student must achieve to demonstrate readiness to  
4703 perform college-level work, and the rules must specify the  
4704 following:

4705           (a) A student who entered 9th grade in a Florida public  
4706 school in the 2003-2004 school year, or any year thereafter, and  
4707 earned a Florida standard high school diploma or a student who  
4708 is serving as an active duty member of any branch of the United  
4709 States Armed Services shall not be required to take the common  
4710 placement test and shall not be required to enroll in  
4711 developmental education instruction in a Florida Community  
4712 College System institution. However, a student who is not  
4713 required to take the common placement test and is not required  
4714 to enroll in developmental education under this paragraph may  
4715 opt to be assessed and to enroll in developmental education  
4716 instruction, and the college shall provide such assessment and  
4717 instruction upon the student's request.

4718           (b) A student who takes the common placement test and whose  
4719 score on the test indicates a need for developmental education  
4720 must be advised of all the developmental education options  
4721 offered at the institution and, after advisement, shall be  
4722 allowed to enroll in the developmental education option of his  
4723 or her choice.

4724           (c) A student who demonstrates readiness by achieving or  
4725 exceeding the test scores established by the state board and  
4726 enrolls in a Florida Community College System institution within  
4727 2 years after achieving such scores shall not be required to

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4728 retest or complete developmental education when admitted to any  
4729 Florida Community College System institution.

4730 (4) ~~By December 31, 2013,~~ The State Board of Community  
4731 Colleges Education, in consultation with the Board of Governors,  
4732 shall approve a series of meta-majors and the academic pathways  
4733 that identify the gateway courses associated with each meta-  
4734 major. Florida Community College System institutions shall use  
4735 placement test results to determine the extent to which each  
4736 student demonstrates sufficient communication and computation  
4737 skills to indicate readiness for his or her chosen meta-major.  
4738 Florida Community College System institutions shall counsel  
4739 students into college credit courses as quickly as possible,  
4740 with developmental education limited to that content needed for  
4741 success in the meta-major.

4742 (5) (a) Each Florida Community College System institution  
4743 board of trustees shall develop a plan to implement the  
4744 developmental education strategies defined in s. 1008.02 and  
4745 rules established by the State Board of Community Colleges  
4746 Education. The plan must be submitted to the Chancellor of the  
4747 Florida Community College System for approval no later than  
4748 March 1, 2014, for implementation no later than the fall  
4749 semester 2014. Each plan must include, at a minimum, local  
4750 policies that outline:

4751 1. Documented student achievements such as grade point  
4752 averages, work history, military experience, participation in  
4753 juried competitions, career interests, degree major declaration,  
4754 or any combination of such achievements that the institution may  
4755 consider, in addition to common placement test scores, for  
4756 advising students regarding enrollment options.

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4757 2. Developmental education strategies available to  
4758 students.

4759 3. A description of student costs and financial aid  
4760 opportunities associated with each option.

4761 4. Provisions for the collection of student success data.

4762 5. A comprehensive plan for advising students into  
4763 appropriate developmental education strategies based on student  
4764 success data.

4765 (b) Beginning October 31, 2015, each Florida Community  
4766 College System institution shall annually prepare an  
4767 accountability report that includes student success data  
4768 relating to each developmental education strategy implemented by  
4769 the institution. The report shall be submitted to the State  
4770 Board of Community ~~Division of Florida~~ Colleges by October 31 in  
4771 a format determined by the Chancellor of the Florida Community  
4772 College System. By December 31, the chancellor shall compile and  
4773 submit the institutional reports to the Governor, the President  
4774 of the Senate, the Speaker of the House of Representatives, and  
4775 the State Board of Community Colleges ~~and the State Board of~~  
4776 Education.

4777 (c) A university board of trustees may contract with a  
4778 Florida Community College System institution board of trustees  
4779 for the Florida Community College System institution to provide  
4780 developmental education on the state university campus. Any  
4781 state university in which the percentage of incoming students  
4782 requiring developmental education equals or exceeds the average  
4783 percentage of such students for the Florida Community College  
4784 System may offer developmental education without contracting  
4785 with a Florida Community College System institution; however,

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4786 any state university offering college-preparatory instruction as  
4787 of January 1, 1996, may continue to provide developmental  
4788 education instruction pursuant to s. 1008.02(1) ~~such services.~~

4789 (7) The Supporting Students for Academic Success Program is  
4790 established to fund the efforts of Florida Community College  
4791 System institutions in assisting students enrolled in an  
4792 associate in arts degree program with successfully completing  
4793 college credit courses, graduating with an associate in arts  
4794 degree, and transferring to a baccalaureate degree program. It  
4795 is the intent of the Legislature to boost student achievement  
4796 through investments in effective and purposeful outcome-based  
4797 strategies and efforts to increase student access to relevant  
4798 supports and services. Such investments shall be used to boost  
4799 the achievement of students, including, but not limited to,  
4800 nontraditional students and underprepared students participating  
4801 in developmental education.

4802 (a) A Florida Community College institution's efforts must  
4803 include the implementation of the developmental education  
4804 instructional strategies under s. 1008.02 and other effective  
4805 approaches to improve student completion and graduation  
4806 outcomes. Such approaches may relate to direct instruction,  
4807 academic support, and student services.

4808 (b) Funding for the Supporting Students for Academic  
4809 Success Program shall be as provided in the General  
4810 Appropriations Act. Each Florida Community College System  
4811 institution shall use the funds only for the purpose and  
4812 investments authorized under this subsection.

4813 (c) The Chancellor of the Florida Community College System  
4814 must include in the accountability report required under

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4815 subsection (5) a summary of information from each Florida  
4816 Community College System institution which includes, but is not  
4817 limited to, the number and percentage of students enrolled at  
4818 Florida Community College System institutions who:

4819 1. Successfully complete a gateway course in mathematics  
4820 within the first academic year after initial enrollment;

4821 2. Successfully complete at least 24 credit hours at a  
4822 Florida Community College System institution within the first  
4823 academic year after initial enrollment and who remain enrolled  
4824 at that institution in the academic year immediately following  
4825 the first academic year;

4826 3. Graduate with an associate in arts degree; and

4827 4. Transfer to a baccalaureate degree program offered by an  
4828 institution of higher education in Florida within one year after  
4829 earning an associate in arts degree.

4830 Section 68. Paragraphs (d) and (e) of subsection (1) and  
4831 paragraphs (a) and (c) of subsection (3) of section 1008.31,  
4832 Florida Statutes, are amended to read:

4833 1008.31 Florida's K-20 education performance accountability  
4834 system; legislative intent; mission, goals, and systemwide  
4835 measures; data quality improvements.-

4836 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature  
4837 that:

4838 (d) The State Board of Education, ~~and~~ the Board of  
4839 Governors of the State University System, and the State Board of  
4840 Community Colleges of the Florida Community College System  
4841 recommend to the Legislature systemwide performance standards;  
4842 the Legislature establish systemwide performance measures and  
4843 standards; and the systemwide measures and standards provide

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4844 Floridians with information on what the public is receiving in  
4845 return for the funds it invests in education and how well the K-  
4846 20 system educates its students.

4847 (e)1. The State Board of Education establish performance  
4848 measures and set performance standards for individual public  
4849 schools ~~and Florida College System institutions~~, with measures  
4850 and standards based primarily on student achievement.

4851 2. The Board of Governors of the State University System  
4852 establish performance measures and set performance standards for  
4853 individual state universities, including actual completion  
4854 rates.

4855 3. The State Board of Community Colleges establish  
4856 performance measures and set performance standards for  
4857 individual Florida Community College System institutions.

4858 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide  
4859 data required to implement education performance accountability  
4860 measures in state and federal law, the Commissioner of Education  
4861 shall initiate and maintain strategies to improve data quality  
4862 and timeliness. The Board of Governors shall make available to  
4863 the department all data within the State University Database  
4864 System to be integrated into the K-20 data warehouse. The  
4865 commissioner shall have unlimited access to such data for the  
4866 purposes of conducting studies, reporting annual and  
4867 longitudinal student outcomes, and improving college readiness  
4868 and articulation. All public educational institutions shall  
4869 annually provide data from the prior year to the K-20 data  
4870 warehouse in a format based on data elements identified by the  
4871 commissioner.

4872 (a) School districts and public postsecondary educational



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4873 institutions shall maintain information systems that will  
4874 provide the State Board of Education, the Board of Governors of  
4875 the State University System, the State Board of Community  
4876 Colleges of the Florida Community College System, and the  
4877 Legislature with information and reports necessary to address  
4878 the specifications of the accountability system. The level of  
4879 comprehensiveness and quality must be no less than that which  
4880 was available as of June 30, 2001.

4881 (c) The Commissioner of Education shall determine the  
4882 standards for the required data, monitor data quality, and  
4883 measure improvements. The commissioner shall report annually to  
4884 the State Board of Education, the Board of Governors of the  
4885 State University System, the State Board of Community Colleges  
4886 of the Florida Community College System, the President of the  
4887 Senate, and the Speaker of the House of Representatives data  
4888 quality indicators and ratings for all school districts and  
4889 public postsecondary educational institutions.

4890 Section 69. Section 1008.32, Florida Statutes, is amended  
4891 to read:

4892 1008.32 State Board of Education oversight enforcement  
4893 authority.—The State Board of Education shall oversee the  
4894 performance of district school boards ~~and Florida College System~~  
4895 ~~institution boards of trustees~~ in enforcement of all laws and  
4896 rules. District school boards ~~and Florida College System~~  
4897 ~~institution boards of trustees~~ shall be primarily responsible  
4898 for compliance with law and state board rule.

4899 (1) In order to ensure compliance with law or state board  
4900 rule, the State Board of Education shall have the authority to  
4901 request and receive information, data, and reports from school

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4902 ~~districts and Florida College System institutions.~~ District  
4903 school superintendents ~~and Florida College System institution~~  
4904 ~~presidents~~ are responsible for the accuracy of the information  
4905 and data reported to the state board.

4906 (2) The Commissioner of Education may investigate  
4907 allegations of noncompliance with law or state board rule and  
4908 determine probable cause. The commissioner shall report  
4909 determinations of probable cause to the State Board of Education  
4910 which shall require the district school board ~~or Florida College~~  
4911 ~~System institution board of trustees~~ to document compliance with  
4912 law or state board rule.

4913 (3) If the district school board ~~or Florida College System~~  
4914 ~~institution board of trustees~~ cannot satisfactorily document  
4915 compliance, the State Board of Education may order compliance  
4916 within a specified timeframe.

4917 (4) If the State Board of Education determines that a  
4918 district school board ~~or Florida College System institution~~  
4919 ~~board of trustees~~ is unwilling or unable to comply with law or  
4920 state board rule within the specified time, the state board  
4921 shall have the authority to initiate any of the following  
4922 actions:

4923 (a) Report to the Legislature that the school district ~~or~~  
4924 ~~Florida College System institution~~ is unwilling or unable to  
4925 comply with law or state board rule and recommend action to be  
4926 taken by the Legislature.

4927 (b) Withhold the transfer of state funds, discretionary  
4928 grant funds, discretionary lottery funds, or any other funds  
4929 specified as eligible for this purpose by the Legislature until  
4930 the school district ~~or Florida College System institution~~

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4931 complies with the law or state board rule.

4932 (c) Declare the school district ~~or Florida College System~~  
4933 ~~institution~~ ineligible for competitive grants.

4934 (d) Require monthly or periodic reporting on the situation  
4935 related to noncompliance until it is remedied.

4936 (5) Nothing in this section shall be construed to create a  
4937 private cause of action or create any rights for individuals or  
4938 entities in addition to those provided elsewhere in law or rule.

4939 Section 70. Paragraphs (e) and (f) of subsection (7) of  
4940 section 1008.345, Florida Statutes, are amended to read:

4941 1008.345 Implementation of state system of school  
4942 improvement and education accountability.—

4943 (7) As a part of the system of educational accountability,  
4944 the Department of Education shall:

4945 (e) Maintain a listing of college-level communication and  
4946 mathematics skills associated with successful student  
4947 performance through the baccalaureate level and submit it to the  
4948 State Board of Education, ~~and~~ the Board of Governors, and the  
4949 State Board of Community Colleges for approval.

4950 (f) Perform any other functions that may be involved in  
4951 educational planning, research, and evaluation or that may be  
4952 required by the commissioner, the State Board of Education, the  
4953 State Board of Community Colleges, the Board of Governors, or  
4954 law.

4955 Section 71. Subsections (1) and (2) of section 1008.37,  
4956 Florida Statutes, are amended to read:

4957 1008.37 Postsecondary feedback of information to high  
4958 schools.—

4959 (1) The Commissioner of Education shall report to the State

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4960 Board of Education, the Board of Governors, the State Board of  
4961 Community Colleges, the Legislature, and the district school  
4962 boards on the performance of each first-time-in-postsecondary  
4963 education student from each public high school in this state who  
4964 is enrolled in a public postsecondary institution or public  
4965 career center. Such reports must be based on information  
4966 databases maintained by the Department of Education. In  
4967 addition, the public postsecondary educational institutions and  
4968 career centers shall provide district school boards access to  
4969 information on student performance in regular and preparatory  
4970 courses and shall indicate students referred for remediation  
4971 pursuant to s. 1004.91 or s. 1008.30.

4972 (2) The Commissioner of Education shall report, by high  
4973 school, to the State Board of Education, the Board of Governors,  
4974 the State Board of Community Colleges, and the Legislature, no  
4975 later than November 30 of each year, on the number of prior year  
4976 Florida high school graduates who enrolled for the first time in  
4977 public postsecondary education in this state during the previous  
4978 summer, fall, or spring term, indicating the number of students  
4979 whose scores on the common placement test indicated the need for  
4980 developmental education under s. 1008.30 or for applied  
4981 academics for adult education under s. 1004.91.

4982 Section 72. Section 1008.38, Florida Statutes, is amended  
4983 to read:

4984 1008.38 Articulation accountability process.—The State  
4985 Board of Education, in conjunction with the Board of Governors  
4986 and the State Board of Community Colleges, shall develop  
4987 articulation accountability measures which assess the status of  
4988 systemwide articulation processes authorized under s. 1007.23

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4989 and establish an articulation accountability process which at a  
4990 minimum shall address:

4991 (1) The impact of articulation processes on ensuring  
4992 educational continuity and the orderly and unobstructed  
4993 transition of students between public secondary and  
4994 postsecondary education systems and facilitating the transition  
4995 of students between the public and private sectors.

4996 (2) The adequacy of preparation of public secondary  
4997 students to smoothly articulate to a public postsecondary  
4998 institution.

4999 (3) The effectiveness of articulated acceleration  
5000 mechanisms available to secondary students.

5001 (4) The smooth transfer of Florida Community College System  
5002 associate degree graduates to a Florida Community College System  
5003 institution or a state university.

5004 (5) An examination of degree requirements that exceed the  
5005 parameters of 60 credit hours for an associate degree and 120  
5006 hours for a baccalaureate degree in public postsecondary  
5007 programs.

5008 (6) The relationship between student attainment of college-  
5009 level academic skills and articulation to the upper division in  
5010 public postsecondary institutions.

5011 Section 73. Section 1008.405, Florida Statutes, is amended  
5012 to read:

5013 1008.405 Adult student information.—Each school district  
5014 and Florida Community College System institution shall maintain  
5015 sufficient information for each student enrolled in workforce  
5016 education to allow local and state administrators to locate such  
5017 student upon the termination of instruction and to determine the

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5018 appropriateness of student placement in specific instructional  
5019 programs. The State Board of Education and the State Board of  
5020 Community Colleges shall adopt, by rule, specific information  
5021 that must be maintained and acceptable means of maintaining that  
5022 information.

5023 Section 74. Subsection (2) of section 1008.44, Florida  
5024 Statutes, is amended to read:

5025 1008.44 CAPE Industry Certification Funding List and CAPE  
5026 Postsecondary Industry Certification Funding List.—

5027 (2) The State Board of Education, for school districts, and  
5028 the State Board of Community Colleges, for Florida Community  
5029 College System institutions, shall collaborate to approve, at  
5030 least annually, the CAPE Postsecondary Industry Certification  
5031 Funding List pursuant to this section. The Commissioner of  
5032 Education and the Chancellor of the Florida Community College  
5033 System shall recommend, at least annually, the CAPE  
5034 Postsecondary Industry Certification Funding List to the State  
5035 Board of Education and the State Board of Community Colleges,  
5036 respectively, and may at any time recommend adding  
5037 certifications. The Chancellor of the State University System,  
5038 the Chancellor of the Florida Community College System, and the  
5039 Chancellor of Career and Adult Education shall work with local  
5040 workforce boards, other postsecondary institutions, businesses,  
5041 and industry to identify, create, and recommend to the  
5042 Commissioner of Education industry certifications to be placed  
5043 on the funding list. The list shall be used to determine annual  
5044 performance funding distributions to school districts or Florida  
5045 Community College System institutions as specified in ss.  
5046 1011.80 and 1011.81, respectively. The chancellors shall review

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5047 results of the economic security report of employment and  
5048 earning outcomes produced annually pursuant to s. 445.07 when  
5049 determining recommended certifications for the list, as well as  
5050 other reports and indicators available regarding certification  
5051 needs.

5052 Section 75. Section 1008.45, Florida Statutes, is amended  
5053 to read:

5054 1008.45 Florida Community College System institution  
5055 accountability process.—

5056 (1) It is the intent of the Legislature that a management  
5057 and accountability process be implemented which provides for the  
5058 systematic, ongoing improvement and assessment of the  
5059 improvement of the quality and efficiency of the Florida  
5060 Community College System institutions. Accordingly, the State  
5061 Board of Community Colleges ~~Education~~ and the Florida Community  
5062 College System institution boards of trustees shall develop and  
5063 implement an accountability plan to improve and evaluate the  
5064 instructional and administrative efficiency and effectiveness of  
5065 the Florida Community College System. This plan shall be  
5066 designed in consultation with staff of the Governor and the  
5067 Legislature and must address the following issues:

5068 (a) Graduation rates of A.A. and A.S. degree-seeking  
5069 students compared to first-time-enrolled students seeking the  
5070 associate degree.

5071 (b) Minority student enrollment and retention rates.

5072 (c) Student performance, including student performance in  
5073 college-level academic skills, mean grade point averages for  
5074 Florida Community College System institution A.A. transfer  
5075 students, and Florida Community College System institution

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5076 student performance on state licensure examinations.

5077 (d) Job placement rates of Florida Community College System  
5078 institution career students.

5079 (e) Student progression by admission status and program.

5080 (f) Career accountability standards identified in s.  
5081 1008.42.

5082 (g) Institutional assessment efforts related to the  
5083 requirements of s. III in the Criteria for Accreditation of the  
5084 Commission on Colleges of the Southern Association of Colleges  
5085 and Schools.

5086 (h) Other measures approved by the State Board of Community  
5087 Colleges Education.

5088 (2) The State Board of Community Colleges Education shall  
5089 submit an annual report, to coincide with the submission of the  
5090 state board's agency strategic plan required by law, providing  
5091 the results of initiatives taken during the prior year and the  
5092 initiatives and related objective performance measures proposed  
5093 for the next year.

5094 (3) The State Board of Community Colleges Education shall  
5095 address within the annual evaluation of the performance of the  
5096 chancellor executive director, and the Florida Community College  
5097 System institution boards of trustees shall address within the  
5098 annual evaluation of the presidents, the achievement of the  
5099 performance goals established by the accountability process.

5100 Section 76. Subsection (13) of section 1009.21, Florida  
5101 Statutes, is amended to read:

5102 1009.21 Determination of resident status for tuition  
5103 purposes.—Students shall be classified as residents or  
5104 nonresidents for the purpose of assessing tuition in



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5105 postsecondary educational programs offered by charter technical  
5106 career centers or career centers operated by school districts,  
5107 in Florida Community College System institutions, and in state  
5108 universities.

5109 (13) The State Board of Education, ~~and~~ the Board of  
5110 Governors, and the State Board of Community Colleges shall adopt  
5111 rules to implement this section.

5112 Section 77. Effective July 1, 2018, paragraph (e) of  
5113 subsection (3) of section 1009.22, Florida Statutes, is amended  
5114 to read:

5115 1009.22 Workforce education postsecondary student fees.—

5116 (3)

5117 (e) The State Board of Education and the State Board of  
5118 Community Colleges may adopt, by rule, the definitions and  
5119 procedures that district school boards and Florida Community  
5120 College System institution boards of trustees shall use in the  
5121 calculation of cost borne by students.

5122 Section 78. Subsection (7), paragraph (b) of subsection  
5123 (12), subsection (13), paragraph (b) of subsection (16), and  
5124 subsection (19) of section 1009.23, Florida Statutes, are  
5125 amended to read:

5126 1009.23 Florida Community College System institution  
5127 student fees.—

5128 (7) Each Florida Community College System institution board  
5129 of trustees may establish a separate activity and service fee  
5130 not to exceed 10 percent of the tuition fee, according to rules  
5131 of the State Board of Community Colleges ~~Education~~. The student  
5132 activity and service fee shall be collected as a component part  
5133 of the tuition and fees. The student activity and service fees

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5134 shall be paid into a student activity and service fund at the  
5135 Florida Community College System institution and shall be  
5136 expended for lawful purposes to benefit the student body in  
5137 general. These purposes include, but are not limited to, student  
5138 publications and grants to duly recognized student  
5139 organizations, the membership of which is open to all students  
5140 at the Florida Community College System institution without  
5141 regard to race, sex, or religion. No Florida Community College  
5142 System institution shall be required to lower any activity and  
5143 service fee approved by the board of trustees of the Florida  
5144 Community College System institution and in effect prior to  
5145 October 26, 2007, in order to comply with the provisions of this  
5146 subsection.

5147 (12)

5148 (b) The State Board of Community Colleges ~~Education~~ may  
5149 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer  
5150 this subsection.

5151 (13) The State Board of Community Colleges ~~Education~~ shall  
5152 specify, as necessary, by rule, approved methods of student fee  
5153 payment. Such methods shall include, but not be limited to,  
5154 student fee payment; payment through federal, state, or  
5155 institutional financial aid; and employer fee payments.

5156 (16)

5157 (b) The amount of the distance learning course user fee may  
5158 not exceed the additional costs of the services provided which  
5159 are attributable to the development and delivery of the distance  
5160 learning course. If a Florida Community College System  
5161 institution assesses the distance learning course user fee, the  
5162 institution may not assess any other fees to cover the

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5163 additional costs. By September 1 of each year, each board of  
5164 trustees shall report to the State Board of Community Colleges  
5165 ~~Division of Florida Colleges~~ the total amount of revenue  
5166 generated by the distance learning course user fee for the prior  
5167 fiscal year and how the revenue was expended.

5168 (19) The State Board of Community Colleges ~~Education~~ shall  
5169 adopt a rule specifying the definitions and procedures to be  
5170 used in the calculation of the percentage of cost paid by  
5171 students. The rule must provide for the calculation of the full  
5172 cost of educational programs based on the allocation of all  
5173 funds provided through the general current fund to programs of  
5174 instruction, and other activities as provided in the annual  
5175 expenditure analysis. The rule shall be developed in  
5176 consultation with the Legislature.

5177 Section 79. Subsection (2) of section 1009.25, Florida  
5178 Statutes, is amended to read:

5179 1009.25 Fee exemptions.—

5180 (2) Each Florida Community College System institution is  
5181 authorized to grant student fee exemptions from all fees adopted  
5182 by the State Board of Community Colleges ~~Education~~ and the  
5183 Florida Community College System institution board of trustees  
5184 for up to 54 full-time equivalent students or 1 percent of the  
5185 institution's total full-time equivalent enrollment, whichever  
5186 is greater, at each institution.

5187 Section 80. Paragraph (b) of subsection (12), paragraphs  
5188 (c) and (d) of subsection (13), and paragraph (d) of subsection  
5189 (14) of section 1009.26, Florida Statutes, are amended to read:

5190 1009.26 Fee waivers.—

5191 (12)

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5192 (b) Tuition and fees charged to a student who qualifies for  
5193 the out-of-state fee waiver under this subsection may not exceed  
5194 the tuition and fees charged to a resident student. The waiver  
5195 is applicable for 110 percent of the required credit hours of  
5196 the degree or certificate program for which the student is  
5197 enrolled. Each state university, Florida Community College  
5198 System institution, career center operated by a school district  
5199 under s. 1001.44, and charter technical career center shall  
5200 report to the Board of Governors, the State Board of Community  
5201 Colleges, and the State Board of Education, respectively, the  
5202 number and value of all fee waivers granted annually under this  
5203 subsection. By October 1 of each year, the Board of Governors,  
5204 for the state universities; ~~and~~ the State Board of Community  
5205 Colleges, ~~Education~~ for Florida Community College System  
5206 institutions; ~~and~~ career centers operated by a school district  
5207 under s. 1001.44; ~~and~~ and charter technical career centers shall  
5208 annually report for the previous academic year the percentage of  
5209 resident and nonresident students enrolled systemwide.

5210 (13)

5211 (c) Each state university, Florida Community College System  
5212 institution, career center operated by a school district under  
5213 s. 1001.44, and charter technical career center shall report to  
5214 the Board of Governors, the State Board of Community Colleges,  
5215 and the State Board of Education, respectively, the number and  
5216 value of all fee waivers granted annually under this subsection.

5217 (d) The Board of Governors, the State Board of Community  
5218 Colleges, and the State Board of Education shall respectively  
5219 adopt regulations and rules to administer this subsection.

5220 (14)

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5221 (d) The Board of Governors, the State Board of Community  
5222 Colleges, and the State Board of Education shall respectively  
5223 adopt regulations and rules to administer this subsection.

5224 Section 81. Section 1009.28, Florida Statutes, is amended  
5225 to read:

5226 1009.28 Fees for repeated enrollment in developmental  
5227 education classes.—A student enrolled in the same developmental  
5228 education class more than twice shall pay 100 percent of the  
5229 full cost of instruction to support continuous enrollment of  
5230 that student in the same class, and the student shall not be  
5231 included in calculations of full-time equivalent enrollments for  
5232 state funding purposes; however, students who withdraw or fail a  
5233 class due to extenuating circumstances may be granted an  
5234 exception only once for each class, provided approval is granted  
5235 according to policy established by the board of trustees. Each  
5236 Florida Community College System institution may review and  
5237 reduce fees paid by students due to continued enrollment in a  
5238 developmental education class on an individual basis contingent  
5239 upon the student's financial hardship, pursuant to definitions  
5240 and fee levels established by the State Board of Community  
5241 Colleges ~~Education~~.

5242 Section 82. Subsections (9) and (12) of section 1009.90,  
5243 Florida Statutes, are amended to read:

5244 1009.90 Duties of the Department of Education.—The duties  
5245 of the department shall include:

5246 (9) Development and submission of a report, annually, to  
5247 the State Board of Education, the Board of Governors, the State  
5248 Board of Community Colleges, the President of the Senate, and  
5249 the Speaker of the House of Representatives, ~~7~~ which shall

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5250 include, but not be limited to, recommendations for the  
5251 distribution of state financial aid funds.

5252 (12) Calculation of the amount of need-based student  
5253 financial aid required to offset fee increases recommended by  
5254 the State Board of Education, ~~and~~ the Board of Governors, and  
5255 the State Board of Community Colleges, and inclusion of such  
5256 amount within the legislative budget request for student  
5257 assistance grant programs.

5258 Section 83. Subsection (4) of section 1009.91, Florida  
5259 Statutes, is amended to read:

5260 1009.91 Assistance programs and activities of the  
5261 department.—

5262 (4) The department shall maintain records on the student  
5263 loan default rate of each Florida postsecondary institution and  
5264 report that information annually to both the institution and the  
5265 State Board of Education. Information relating to state  
5266 universities shall also be reported annually to the Board of  
5267 Governors. Information relating to Florida Community College  
5268 System institutions shall be reported annually to the State  
5269 Board of Community Colleges.

5270 Section 84. Subsection (2) of section 1009.971, Florida  
5271 Statutes, is amended to read:

5272 1009.971 Florida Prepaid College Board.—

5273 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board  
5274 shall consist of seven members to be composed of the Attorney  
5275 General, the Chief Financial Officer, the Chancellor of the  
5276 State University System, the Chancellor of the Florida Community  
5277 College System ~~Division of Florida Colleges,~~ and three members  
5278 appointed by the Governor and subject to confirmation by the

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5279 Senate. Each member appointed by the Governor shall possess  
5280 knowledge, skill, and experience in the areas of accounting,  
5281 actuary, risk management, or investment management. Each member  
5282 of the board not appointed by the Governor may name a designee  
5283 to serve on the board on behalf of the member; however, any  
5284 designee so named shall meet the qualifications required of  
5285 gubernatorial appointees to the board. Members appointed by the  
5286 Governor shall serve terms of 3 years. Any person appointed to  
5287 fill a vacancy on the board shall be appointed in a like manner  
5288 and shall serve for only the unexpired term. Any member shall be  
5289 eligible for reappointment and shall serve until a successor  
5290 qualifies. Members of the board shall serve without compensation  
5291 but shall be reimbursed for per diem and travel in accordance  
5292 with s. 112.061. Each member of the board who is not otherwise  
5293 required to file a full and public disclosure of financial  
5294 interests pursuant to s. 8, Art. II of the State Constitution or  
5295 s. 112.3144 shall file a statement of financial interests  
5296 pursuant to s. 112.3145.

5297 Section 85. Section 1010.01, Florida Statutes, is amended  
5298 to read:

5299 1010.01 Uniform records and accounts.-

5300 (1) (a) The financial records and accounts of each school  
5301 district, ~~Florida College System institution,~~ and other  
5302 institution or agency under the supervision of the State Board  
5303 of Education shall be prepared and maintained as prescribed by  
5304 law and rules of the State Board of Education.

5305 (b) The financial records and accounts of each state  
5306 university under the supervision of the Board of Governors shall  
5307 be prepared and maintained as prescribed by law and rules of the

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5308 Board of Governors.

5309 (c) The financial records and accounts of each Florida  
5310 Community College System institution under the supervision of  
5311 the State Board of Community Colleges shall be prepared and  
5312 maintained as prescribed by law and by the rules of the State  
5313 Board of Community Colleges.

5314 (2) Rules of the State Board of Education, ~~and rules of the~~  
5315 Board of Governors, and the State Board of Community Colleges  
5316 shall incorporate the requirements of law and accounting  
5317 principles generally accepted in the United States. Such rules  
5318 shall include a uniform classification of accounts.

5319 (3) Each state university shall annually file with the  
5320 Board of Governors financial statements prepared in conformity  
5321 with accounting principles generally accepted by the United  
5322 States and the uniform classification of accounts prescribed by  
5323 the Board of Governors. The Board of Governors' rules shall  
5324 prescribe the filing deadline for the financial statements.

5325 (4) Required financial accounts and reports shall include  
5326 provisions that are unique to each of the following: K-12 school  
5327 districts, Florida Community College System institutions, and  
5328 state universities, and shall provide for the data to be  
5329 reported to the National Center of Educational Statistics and  
5330 other governmental and professional educational data information  
5331 services as appropriate.

5332 (5) Each Florida Community College System institution shall  
5333 annually file with the State Board of Community Colleges  
5334 financial statements prepared in conformity with accounting  
5335 principles generally accepted by the United States and the  
5336 uniform classification of accounts prescribed by the State Board



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5337 of Community Colleges. The State Board of Community Colleges'  
 5338 rules shall prescribe the filing deadline for the financial  
 5339 statements.

5340 Section 86. Subsection (1) of section 1010.02, Florida  
 5341 Statutes, is amended, and subsection (3) is added to that  
 5342 section, to read:

5343 1010.02 Financial accounting and expenditures.—

5344 (1) All funds accruing to a school district ~~or a Florida~~  
 5345 ~~College System institution~~ must be received, accounted for, and  
 5346 expended in accordance with law and rules of the State Board of  
 5347 Education.

5348 (3) All funds accruing to a Florida Community College  
 5349 System institution must be received, accounted for, and expended  
 5350 in accordance with law and rules of the State Board of Community  
 5351 Colleges.

5352 Section 87. Section 1010.04, Florida Statutes, is amended  
 5353 to read:

5354 1010.04 Purchasing.—

5355 (1) (a) Purchases and leases by school districts must ~~and~~  
 5356 ~~Florida College System institutions~~ shall comply with the  
 5357 requirements of law and rules of the State Board of Education.

5358 (b) Before purchasing nonacademic commodities and  
 5359 contractual services, each district school board and Florida  
 5360 Community College System institution board of trustees shall  
 5361 review the purchasing agreements and state term contracts  
 5362 available under s. 287.056 to determine whether it is in the  
 5363 school board's or the board of trustees' economic advantage to  
 5364 use the agreements and contracts. Each bid specification for  
 5365 nonacademic commodities and contractual services must include a

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5366 statement indicating that the purchasing agreements and state  
5367 term contracts available under s. 287.056 have been reviewed.  
5368 Each district school board may also use the cooperative state  
5369 purchasing programs managed through the regional consortium  
5370 service organizations pursuant to their authority under s.  
5371 1001.451(3). This paragraph does not apply to services that are  
5372 eligible for reimbursement under the federal E-rate program  
5373 administered by the Universal Service Administrative Company.

5374 (c) Purchases and leases by state universities must ~~shall~~  
5375 comply with the requirements of law and regulations of the Board  
5376 of Governors.

5377 (d) Purchases and leases by Florida Community College  
5378 System institutions must comply with the requirements of law and  
5379 rules of the State Board of Community Colleges.

5380 (2) Each district school board and Florida Community  
5381 College System institution board of trustees shall adopt rules,  
5382 and each university board of trustees shall adopt regulations,  
5383 to be followed in making purchases. Purchases may be made  
5384 through an online procurement system, an electronic auction  
5385 service, or other efficient procurement tool.

5386 (3) In districts in which the county purchasing agent is  
5387 authorized by law to make purchases for the benefit of other  
5388 governmental agencies within the county, the district school  
5389 board and Florida Community College System institution board of  
5390 trustees shall have the option to purchase from the current  
5391 county contracts at the unit price stated therein if such  
5392 purchase is to the economic advantage of the district school  
5393 board or the Florida Community College System institution board  
5394 of trustees; subject to confirmation of the items of purchase to

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5395 the standards and specifications prescribed by the school  
5396 district or Florida Community College System institution.

5397 (4) (a) The State Board of Education may, by rule, provide  
5398 for alternative procedures for school districts ~~and Florida~~  
5399 ~~College System institutions~~ for bidding or purchasing in cases  
5400 in which the character of the item requested renders competitive  
5401 bidding impractical.

5402 (b) The Board of Governors may, by regulation, provide for  
5403 alternative procedures for state universities for bidding or  
5404 purchasing in cases in which the character of the item requested  
5405 renders competitive bidding impractical.

5406 (c) The State Board of Community Colleges may provide by  
5407 rule for alternative procedures for Florida Community College  
5408 System institutions for bidding or purchasing in cases in which  
5409 the character of the item requested renders competitive bidding  
5410 impractical.

5411 Section 88. Section 1010.07, Florida Statutes, is amended  
5412 to read:

5413 1010.07 Bonds or insurance required.—

5414 (1) Each district school board, Florida Community College  
5415 System institution board of trustees, and university board of  
5416 trustees shall ensure that each official and employee  
5417 responsible for handling, expending, or authorizing the  
5418 expenditure of funds shall be appropriately bonded or insured to  
5419 protect the board and the funds involved.

5420 (2) (a) Contractors paid from school district ~~or Florida~~  
5421 ~~College System institution~~ funds shall give bond for the  
5422 faithful performance of their contracts in such amount and for  
5423 such purposes as prescribed by s. 255.05 or by rules of the

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5424 State Board of Education relating to the type of contract  
 5425 involved. It shall be the duty of the district school board ~~or~~  
 5426 ~~Florida College System institution board of trustees~~ to require  
 5427 from construction contractors a bond adequate to protect the  
 5428 board and the board's funds involved.

5429 (b) Contractors paid from university funds shall give bond  
 5430 for the faithful performance of their contracts in such amount  
 5431 and for such purposes as prescribed by s. 255.05 or by  
 5432 regulations of the Board of Governors relating to the type of  
 5433 contract involved. It shall be the duty of the university board  
 5434 of trustees to require from construction contractors a bond  
 5435 adequate to protect the board and the board's funds involved.

5436 (c) Contractors paid from Florida Community College System  
 5437 institution funds shall give bonds for the faithful performance  
 5438 of their contracts in such amount and for such purposes as  
 5439 prescribed by s. 255.05 or by rules of the State Board of  
 5440 Community Colleges relating to the type of contract involved. It  
 5441 is the duty of the Florida Community College System institution  
 5442 board of trustees to require construction contractors to provide  
 5443 a bond adequate to protect the board and the board's funds  
 5444 involved.

5445 Section 89. Section 1010.08, Florida Statutes, is amended  
 5446 to read:

5447 1010.08 Promotion and public relations; funding.—

5448 (1) Each district school board and Florida College System  
 5449 institution board of trustees may budget and use a portion of  
 5450 the funds accruing to it from auxiliary enterprises and  
 5451 undesignated gifts for promotion and public relations as  
 5452 prescribed by rules of the State Board of Education. Such funds

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5453 may be used to provide hospitality to business guests in the  
5454 district or elsewhere. However, such hospitality expenses may  
5455 not exceed the amount authorized for such contingency funds as  
5456 prescribed by rules of the State Board of Education.

5457 (2) Each Florida Community College System institution board  
5458 of trustees may budget and use a portion of the funds accruing  
5459 to it from auxiliary enterprises and undesignated gifts for  
5460 promotion and public relations as prescribed by rules of the  
5461 State Board of Community Colleges. Such funds may be used to  
5462 provide hospitality to business guests in the district or  
5463 elsewhere. However, such hospitality expenses may not exceed the  
5464 amount authorized for such contingency funds as prescribed by  
5465 rules of the State Board of Community Colleges.

5466 Section 90. Subsection (1) of section 1010.09, Florida  
5467 Statutes, is amended, and subsection (3) is added to that  
5468 section, to read:

5469 1010.09 Direct-support organizations.—

5470 (1) School district ~~and Florida College System institution~~  
5471 direct-support organizations shall be organized and conducted  
5472 under the provisions of ss. 1001.453 and 1004.70 and rules of  
5473 the State Board of Education, as applicable.

5474 (3) Florida Community College System institution direct-  
5475 support organizations shall be organized and conducted under s.  
5476 1004.70 and rules of the State Board of Community Colleges.

5477 Section 91. Section 1010.22, Florida Statutes, is amended  
5478 to read:

5479 1010.22 Cost accounting and reporting for workforce  
5480 education.—

5481 (1) (a) Each school district ~~and each Florida College System~~

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5482 ~~institution~~ shall account for expenditures of all state, local,  
5483 federal, and other funds in the manner prescribed by the State  
5484 Board of Education.

5485 (b) Each Florida Community College System institution shall  
5486 account for expenditures of all state, local, federal, and other  
5487 funds in the manner prescribed by the State Board of Community  
5488 Colleges.

5489 (2)(a) ~~Each school district and each Florida College System~~  
5490 ~~institution~~ shall report expenditures for workforce education in  
5491 accordance with requirements prescribed by the State Board of  
5492 Education.

5493 (b) Each Florida Community College System institution shall  
5494 report expenditures for workforce education in accordance with  
5495 requirements prescribed by the State Board of Community  
5496 Colleges.

5497 (3) The Department of Education, in cooperation with school  
5498 districts and Florida Community College System institutions,  
5499 shall develop and maintain a database of valid comparable  
5500 information on workforce education which will meet both state  
5501 and local needs.

5502 Section 92. Subsection (1) of section 1010.30, Florida  
5503 Statutes, is amended to read:

5504 1010.30 Audits required.—

5505 (1) School districts, ~~Florida College System institutions,~~  
5506 and other institutions and agencies under the supervision of the  
5507 State Board of Education, Florida Community College System  
5508 institutions under the supervision of the State Board of  
5509 Community Colleges, and state universities under the supervision  
5510 of the Board of Governors are subject to the audit provisions of

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5511 ss. 11.45 and 218.39.

5512 Section 93. Section 1010.58, Florida Statutes, is amended  
5513 to read:

5514 1010.58 Procedure for determining number of instruction  
5515 units for Florida Community College System institutions.—The  
5516 number of instruction units for Florida Community College System  
5517 institutions shall be determined from the full-time equivalent  
5518 students in the Florida Community College System institution,  
5519 provided that full-time equivalent students may not be counted  
5520 more than once in determining instruction units. Instruction  
5521 units for Florida Community College System institutions shall be  
5522 computed as follows:

5523 (1) One unit for each 12 full-time equivalent students at a  
5524 Florida Community College System institution for the first 420  
5525 students and one unit for each 15 full-time equivalent students  
5526 for all over 420 students, in other than career education  
5527 programs as defined by rules of the State Board of Community  
5528 Colleges Education, and one unit for each 10 full-time  
5529 equivalent students in career education programs and  
5530 compensatory education programs as defined by rules of the State  
5531 Board of Community Colleges Education. Full-time equivalent  
5532 students enrolled in a Florida Community College System  
5533 institution shall be defined by rules of the State Board of  
5534 Community Colleges Education.

5535 (2) For each 8 instruction units in a Florida Community  
5536 College System institution, 1 instruction unit or proportionate  
5537 fraction of a unit shall be allowed for administrative and  
5538 special instructional services, and for each 20 instruction  
5539 units, 1 instruction unit or proportionate fraction of a unit

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5540 shall be allowed for student personnel services.

5541 Section 94. Section 1011.01, Florida Statutes, is amended  
5542 to read:

5543 1011.01 Budget system established.—

5544 (1) The State Board of Education shall prepare and submit a  
5545 coordinated K-20 education annual legislative budget request to  
5546 the Governor and the Legislature on or before the date provided  
5547 by the Governor and the Legislature. The board's legislative  
5548 budget request must clearly define the needs of school  
5549 districts, Florida Community College System institutions,  
5550 universities, other institutions, organizations, programs, and  
5551 activities under the supervision of the board and that are  
5552 assigned by law or the General Appropriations Act to the  
5553 Department of Education.

5554 (2) (a) There is ~~shall be~~ established in each school  
5555 district ~~and Florida College System institution~~ a budget system  
5556 as prescribed by law and rules of the State Board of Education.

5557 (b) There is ~~shall be~~ established in each state university  
5558 a budget system as prescribed by law and rules of the Board of  
5559 Governors.

5560 (c) There is established in each Florida Community College  
5561 System institution a budget system as prescribed by law and  
5562 rules of the State Board of Community Colleges.

5563 (3) (a) Each district school board ~~and each Florida College~~  
5564 ~~System institution board of trustees~~ shall prepare, adopt, and  
5565 submit to the Commissioner of Education an annual operating  
5566 budget. Operating budgets must ~~shall~~ be prepared and submitted  
5567 in accordance with the provisions of law, rules of the State  
5568 Board of Education, the General Appropriations Act, and for



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5569 district school boards in accordance with the provisions of ss.  
5570 200.065 and 1011.64.

5571 (b) Each state university board of trustees shall prepare,  
5572 adopt, and submit to the Chancellor of the State University  
5573 System for review an annual operating budget in accordance with  
5574 provisions of law, rules of the Board of Governors, and the  
5575 General Appropriations Act.

5576 (c) Each Florida Community College System institution board  
5577 of trustees shall prepare, adopt, and submit to the State Board  
5578 of Community Colleges an annual operating budget in accordance  
5579 with provisions of law, rules of the State Board of Community  
5580 Colleges, and the General Appropriations Act.

5581 (4) The State Board of Education shall coordinate with the  
5582 Board of Governors and the State Board of Community Colleges to  
5583 facilitate the budget system requirements of this section. The  
5584 State Board of Community Colleges exclusively retains the review  
5585 and approval powers of this section for Florida Community  
5586 College System institutions. The Board of Governors exclusively  
5587 retains the review and approval powers of this section for state  
5588 universities.

5589 Section 95. Section 1011.011, Florida Statutes, is amended  
5590 to read:

5591 1011.011 Legislative capital outlay budget request.—The  
5592 State Board of Education shall submit an integrated,  
5593 comprehensive budget request for educational facilities  
5594 construction and fixed capital outlay needs for school  
5595 districts, and, in conjunction with the State Board of Community  
5596 Colleges for Florida Community College System institutions, ~~and,~~  
5597 ~~in conjunction~~ with the Board of Governors for state,

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5598 universities, pursuant to this section and s. 1013.46 and  
5599 applicable provisions of chapter 216.

5600 Section 96. Section 1011.30, Florida Statutes, is amended  
5601 to read:

5602 1011.30 Budgets for Florida Community College System  
5603 institutions.—Each Florida Community College System institution  
5604 president shall recommend to the Florida Community College  
5605 System institution board of trustees a budget of income and  
5606 expenditures at such time and in such form as the State Board of  
5607 Community Colleges ~~Education~~ may prescribe. Upon approval of a  
5608 budget by the Florida Community College System institution board  
5609 of trustees, such budget must ~~shall~~ be transmitted to the State  
5610 Board of Community Colleges ~~Department of Education~~ for review.  
5611 Rules of the State Board of Community Colleges must ~~Education~~  
5612 ~~shall~~ prescribe procedures for effecting budget amendments  
5613 subsequent to the final approval of a budget for a given year.

5614 Section 97. Section 1011.32, Florida Statutes, is amended  
5615 to read:

5616 1011.32 Florida Community College System Institution  
5617 Facility Enhancement Challenge Grant Program.—

5618 (1) The Legislature recognizes that ~~the~~ Florida Community  
5619 College System institutions do not have sufficient physical  
5620 facilities to meet the current demands of their instructional  
5621 and community programs. It further recognizes that, to  
5622 strengthen and enhance Florida Community College System  
5623 institutions, it is necessary to provide facilities in addition  
5624 to those currently available from existing revenue sources. It  
5625 further recognizes that there are sources of private support  
5626 that, if matched with state support, can assist in constructing

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5627 much needed facilities and strengthen the commitment of citizens  
5628 and organizations in promoting excellence at each Florida  
5629 Community College System institution. Therefore, it is the  
5630 intent of the Legislature to establish a program to provide the  
5631 opportunity for each Florida Community College System  
5632 institution through its direct-support organization to receive  
5633 and match challenge grants for instructional and community-  
5634 related capital facilities within the Florida Community College  
5635 System institution.

5636 (2) There is established the Florida Community College  
5637 System Institution Facility Enhancement Challenge Grant Program  
5638 for the purpose of assisting the Florida Community College  
5639 System institutions in building high priority instructional and  
5640 community-related capital facilities consistent with s. 1004.65,  
5641 including common areas connecting such facilities. The direct-  
5642 support organizations that serve the Florida Community College  
5643 System institutions shall solicit gifts from private sources to  
5644 provide matching funds for capital facilities. For the purposes  
5645 of this section, private sources of funds shall not include any  
5646 federal or state government funds that a Florida Community  
5647 College System institution may receive.

5648 (3) The Florida Community College System Institution  
5649 Capital Facilities Matching Program shall provide funds to match  
5650 private contributions for the development of high priority  
5651 instructional and community-related capital facilities,  
5652 including common areas connecting such facilities, within the  
5653 Florida Community College System institutions.

5654 (4) Within the direct-support organization of each Florida  
5655 Community College System institution there must be established a

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5656 separate capital facilities matching account for the purpose of  
5657 providing matching funds from the direct-support organization's  
5658 unrestricted donations or other private contributions for the  
5659 development of high priority instructional and community-related  
5660 capital facilities, including common areas connecting such  
5661 facilities. The Legislature shall appropriate funds for  
5662 distribution to a Florida Community College System institution  
5663 after matching funds are certified by the direct-support  
5664 organization and Florida Community College System institution.  
5665 The Public Education Capital Outlay and Debt Service Trust Fund  
5666 shall not be used as the source of the state match for private  
5667 contributions.

5668 (5) A project may not be initiated unless all private funds  
5669 for planning, construction, and equipping the facility have been  
5670 received and deposited in the direct-support organization's  
5671 matching account for this purpose. However, this requirement  
5672 does not preclude the Florida Community College System  
5673 institution or direct-support organization from expending  
5674 available funds from private sources to develop a prospectus,  
5675 including preliminary architectural schematics or models, for  
5676 use in its efforts to raise private funds for a facility and for  
5677 site preparation, planning, and construction. The Legislature  
5678 may appropriate the state's matching funds in one or more fiscal  
5679 years for the planning, construction, and equipping of an  
5680 eligible facility. Each Florida Community College System  
5681 institution shall notify all donors of private funds of a  
5682 substantial delay in the availability of state matching funds  
5683 for this program.

5684 (6) To be eligible to participate in the Florida Community

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5685 College System Institution Facility Enhancement Challenge Grant  
5686 Program, a Florida Community College System institution, through  
5687 its direct-support organization, shall raise a contribution  
5688 equal to one-half of the total cost of a facilities construction  
5689 project from private sources which shall be matched by a state  
5690 appropriation equal to the amount raised for a facilities  
5691 construction project, subject to the General Appropriations Act.

5692 (7) If the state's share of the required match is  
5693 insufficient to meet the requirements of subsection (6), the  
5694 Florida Community College System institution shall renegotiate  
5695 the terms of the contribution with the donors. If the project is  
5696 terminated, each private donation, plus accrued interest,  
5697 reverts to the direct-support organization for remittance to the  
5698 donor.

5699 (8) By October 15 of each year, the State Board of  
5700 Community Colleges Education shall transmit to the Governor and  
5701 the Legislature a list of projects that meet all eligibility  
5702 requirements to participate in the Florida Community College  
5703 System Institution Facility Enhancement Challenge Grant Program  
5704 and a budget request that includes the recommended schedule  
5705 necessary to complete each project.

5706 (9) In order for a project to be eligible under this  
5707 program, it must be survey recommended under the provisions of  
5708 s. 1013.31 and included in the Florida Community College System  
5709 institution's 5-year capital improvement plan, and it must  
5710 receive approval from the State Board of Community Colleges  
5711 ~~Education~~ or the Legislature.

5712 (10) A Florida Community College System institution project  
5713 may not be removed from the approved 3-year PECO priority list

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5714 because of its successful participation in this program until  
5715 approved by the Legislature and provided for in the General  
5716 Appropriations Act. When such a project is completed and removed  
5717 from the list, all other projects shall move up on the 3-year  
5718 PECO priority list.

5719 (11) Any private matching funds for a project which are  
5720 unexpended after the project is completed shall revert to the  
5721 Florida Community College System institution's direct-support  
5722 organization capital facilities matching account. The balance of  
5723 any unexpended state matching funds shall be returned to the  
5724 fund from which those funds were appropriated.

5725 (12) The surveys, architectural plans, facility, and  
5726 equipment shall be the property of the participating Florida  
5727 Community College System institution. A facility constructed  
5728 under this section may be named in honor of a donor at the  
5729 option of the Florida Community College System institution  
5730 district board of trustees. A facility may not be named after a  
5731 living person without prior approval by the State Board of  
5732 Community Colleges Education.

5733 (13) Effective July 1, 2011, state matching funds are  
5734 temporarily suspended for donations received for the program on  
5735 or after June 30, 2011. Existing eligible donations remain  
5736 eligible for future matching funds. The program may be restarted  
5737 after \$200 million of the backlog for programs under this  
5738 section and ss. 1011.85, 1011.94, and 1013.79 have been matched.

5739 Section 98. Subsection (2), paragraph (b) of subsection  
5740 (5), and subsections (8), (9), and (11) of section 1011.80,  
5741 Florida Statutes, are amended to read:

5742 1011.80 Funds for operation of workforce education

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5743 programs.—

5744 (2) Any workforce education program may be conducted by a  
5745 Florida Community College System institution or a school  
5746 district, except that college credit in an associate in applied  
5747 science or an associate in science degree may be awarded only by  
5748 a Florida Community College System institution. However, if an  
5749 associate in applied science or an associate in science degree  
5750 program contains within it an occupational completion point that  
5751 confers a certificate or an applied technology diploma, that  
5752 portion of the program may be conducted by a school district  
5753 career center. Any instruction designed to articulate to a  
5754 degree program is subject to guidelines and standards adopted by  
5755 the State Board of Community Colleges ~~Education~~ pursuant to s.  
5756 1007.25.

5757 (5) State funding and student fees for workforce education  
5758 instruction shall be established as follows:

5759 (b) For all other workforce education programs, state  
5760 funding shall equal 75 percent of the average cost of  
5761 instruction with the remaining 25 percent made up from student  
5762 fees. Fees for courses within a program shall not vary according  
5763 to the cost of the individual program, but instead shall be  
5764 based on a uniform fee calculated and set at the state level, as  
5765 adopted by the State Board of Education, for school districts,  
5766 and the State Board of Community Colleges, for Florida Community  
5767 College System institutions, unless otherwise specified in the  
5768 General Appropriations Act.

5769 (8) The State Board of Education, the State Board of  
5770 Community Colleges, and CareerSource Florida, Inc., shall  
5771 provide the Legislature with recommended formulas, criteria,

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5772 timeframes, and mechanisms for distributing performance funds.  
5773 The commissioner shall consolidate the recommendations and  
5774 develop a consensus proposal for funding. The Legislature shall  
5775 adopt a formula and distribute the performance funds to the  
5776 State Board of Community Colleges Education for Florida  
5777 Community College System institutions and to the State Board of  
5778 Education for school districts through the General  
5779 Appropriations Act. These recommendations shall be based on  
5780 formulas that would discourage low-performing or low-demand  
5781 programs and encourage through performance-funding awards:

5782 (a) Programs that prepare people to enter high-wage  
5783 occupations identified by the Workforce Estimating Conference  
5784 created by s. 216.136 and other programs as approved by  
5785 CareerSource Florida, Inc. At a minimum, performance incentives  
5786 shall be calculated for adults who reach completion points or  
5787 complete programs that lead to specified high-wage employment  
5788 and to their placement in that employment.

5789 (b) Programs that successfully prepare adults who are  
5790 eligible for public assistance, economically disadvantaged,  
5791 disabled, not proficient in English, or dislocated workers for  
5792 high-wage occupations. At a minimum, performance incentives  
5793 shall be calculated at an enhanced value for the completion of  
5794 adults identified in this paragraph and job placement of such  
5795 adults upon completion. In addition, adjustments may be made in  
5796 payments for job placements for areas of high unemployment.

5797 (c) Programs that are specifically designed to be  
5798 consistent with the workforce needs of private enterprise and  
5799 regional economic development strategies, as defined in  
5800 guidelines set by CareerSource Florida, Inc. CareerSource



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5801 Florida, Inc., shall develop guidelines to identify such needs  
5802 and strategies based on localized research of private employers  
5803 and economic development practitioners.

5804 (d) Programs identified by CareerSource Florida, Inc., as  
5805 increasing the effectiveness and cost efficiency of education.

5806 (9) School districts shall report full-time equivalent  
5807 students by discipline category for the programs specified in  
5808 subsection (1). There shall be an annual cost analysis for the  
5809 school district workforce education programs that reports cost  
5810 by discipline category consistent with the reporting for full-  
5811 time equivalent students. The annual financial reports submitted  
5812 by the school districts must accurately report on the student  
5813 fee revenues by fee type according to the programs specified in  
5814 subsection (1). The Department of Education and the State Board  
5815 of Community Colleges shall develop a plan for comparable  
5816 reporting of program, student, facility, personnel, and  
5817 financial data between the Florida Community College System  
5818 institutions and the school district workforce education  
5819 programs.

5820 (11) The State Board of Education and the State Board of  
5821 Community Colleges may adopt rules to administer this section.

5822 Section 99. Section 1011.801, Florida Statutes, is amended  
5823 to read:

5824 1011.801 Workforce Development Capitalization Incentive  
5825 Grant Program.—The Legislature recognizes that the need for  
5826 school districts and Florida Community College System  
5827 institutions to be able to respond to emerging local or  
5828 statewide economic development needs is critical to the  
5829 workforce development system. The Workforce Development

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5830 Capitalization Incentive Grant Program is created to provide  
5831 grants to school districts and Florida Community College System  
5832 institutions on a competitive basis to fund some or all of the  
5833 costs associated with the creation or expansion of workforce  
5834 development programs that serve specific employment workforce  
5835 needs.

5836 (1) Funds awarded for a workforce development  
5837 capitalization incentive grant may be used for instructional  
5838 equipment, laboratory equipment, supplies, personnel, student  
5839 services, or other expenses associated with the creation or  
5840 expansion of a workforce development program. Expansion of a  
5841 program may include either the expansion of enrollments in a  
5842 program or expansion into new areas of specialization within a  
5843 program. No grant funds may be used for recurring instructional  
5844 costs or for institutions' indirect costs.

5845 (2) The State Board of Education shall accept applications  
5846 from school districts, and the State Board of Community Colleges  
5847 shall accept applications from ~~or~~ Florida Community College  
5848 System institutions, for workforce development capitalization  
5849 incentive grants. Applications from school districts or Florida  
5850 Community College System institutions must ~~shall~~ contain  
5851 projected enrollments and projected costs for the new or  
5852 expanded workforce development program. The State Board of  
5853 Education or the State Board of Community Colleges, as  
5854 appropriate, in consultation with CareerSource Florida, Inc.,  
5855 shall review and rank each application for a grant according to  
5856 subsection (3) and shall submit to the Legislature a list in  
5857 priority order of applications recommended for a grant award.

5858 (3) The State Board of Education or the State Board of

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5859 Community Colleges, as appropriate, shall give highest priority  
5860 to programs that train people to enter high-skill, high-wage  
5861 occupations identified by the Workforce Estimating Conference  
5862 and other programs approved by CareerSource Florida, Inc. ;  
5863 programs that train people to enter occupations under the  
5864 welfare transition program; or programs that train for the  
5865 workforce adults who are eligible for public assistance,  
5866 economically disadvantaged, disabled, not proficient in English,  
5867 or dislocated workers. The State Board of Education or the State  
5868 Board of Community Colleges, as appropriate, shall consider the  
5869 statewide geographic dispersion of grant funds in ranking the  
5870 applications and shall give priority to applications from  
5871 education agencies that are making maximum use of their  
5872 workforce development funding by offering high-performing, high-  
5873 demand programs.

5874 Section 100. Section 1011.81, Florida Statutes, is amended  
5875 to read:

5876 1011.81 Florida Community College System Program Fund.—

5877 (1) There is established a Florida Community College System  
5878 Program Fund. This fund shall comprise all appropriations made  
5879 by the Legislature for the support of the current operating  
5880 program and shall be apportioned and distributed to the Florida  
5881 Community College System institution districts of the state on  
5882 the basis of procedures established by law and rules of the  
5883 State Board of Education. The annual apportionment for each  
5884 Florida Community College System institution district shall be  
5885 distributed monthly in payments as nearly equal as possible.

5886 (2) Performance funding for industry certifications for  
5887 Florida Community College System institutions is contingent upon

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5888 specific appropriation in the General Appropriations Act and  
5889 shall be determined as follows:

5890 (a) Occupational areas for which industry certifications  
5891 may be earned, as established in the General Appropriations Act,  
5892 are eligible for performance funding. Priority shall be given to  
5893 the occupational areas emphasized in state, national, or  
5894 corporate grants provided to Florida educational institutions.

5895 (b) The Chancellor of the Florida Community College System,  
5896 for the Florida Community College System institutions, shall  
5897 identify the industry certifications eligible for funding on the  
5898 CAPE Postsecondary Industry Certification Funding List approved  
5899 by the State Board of Community Colleges ~~Education~~ pursuant to  
5900 s. 1008.44, based on the occupational areas specified in the  
5901 General Appropriations Act.

5902 (c) Each Florida Community College System institution shall  
5903 be provided \$1,000 for each industry certification earned by a  
5904 student. The maximum amount of funding appropriated for  
5905 performance funding pursuant to this subsection shall be limited  
5906 to \$15 million annually. If funds are insufficient to fully fund  
5907 the calculated total award, such funds shall be prorated.

5908 (3) None of the funds made available in the Florida  
5909 Community College System Program Fund, or funds made available  
5910 to Florida Community College System institutions outside the  
5911 Florida Community College System Program Fund, may be used to  
5912 implement, organize, direct, coordinate, or administer, or to  
5913 support the implementation, organization, direction,  
5914 coordination, or administration of, activities related to, or  
5915 involving, travel to a terrorist state. For purposes of this  
5916 section, "terrorist state" is defined as any state, country, or

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5917 nation designated by the United States Department of State as a  
5918 state sponsor of terrorism.

5919 (4) State funds provided for the Florida Community College  
5920 System Program Fund may not be expended for the education of  
5921 state or federal inmates.

5922 Section 101. Section 1011.82, Florida Statutes, is amended  
5923 to read:

5924 1011.82 Requirements for participation in Florida Community  
5925 College System Program Fund.—Each Florida Community College  
5926 System institution district which participates in the state  
5927 appropriations for the Florida Community College System Program  
5928 Fund shall provide evidence of its effort to maintain an  
5929 adequate Florida Community College System institution program  
5930 which shall:

5931 (1) Meet the minimum standards prescribed by the State  
5932 Board of Community Colleges ~~Education~~ in accordance with s.  
5933 1001.602(5) ~~s. 1001.02(6)~~.

5934 (2) Effectively fulfill the mission of the Florida  
5935 Community College System institutions in accordance with s.  
5936 1004.65.

5937 Section 102. Section 1011.83, Florida Statutes, is amended  
5938 to read:

5939 1011.83 Financial support of Florida Community College  
5940 System institutions.—

5941 (1) Each Florida Community College System institution that  
5942 ~~has been approved by the Department of Education and~~ meets the  
5943 requirements of law and rules of the State Board of Community  
5944 Colleges ~~Education~~ shall participate in the Florida Community  
5945 College System Program Fund. However, funds to support workforce

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5946 education programs conducted by Florida Community College System  
5947 institutions shall be provided pursuant to s. 1011.80.

5948 (2) A student in a baccalaureate degree program approved  
5949 pursuant to s. 1007.33 who is not classified as a resident for  
5950 tuition purposes pursuant to s. 1009.21 may not be included in  
5951 calculations of full-time equivalent enrollments for state  
5952 funding purposes.

5953 Section 103. Section 1011.84, Florida Statutes, is amended  
5954 to read:

5955 1011.84 Procedure for determining state financial support  
5956 and annual apportionment of state funds to each Florida  
5957 Community College System institution district.—The procedure for  
5958 determining state financial support and the annual apportionment  
5959 to each Florida Community College System institution district  
5960 authorized to operate a Florida Community College System  
5961 institution under the provisions of s. 1001.61 shall be as  
5962 follows:

5963 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
5964 COMMUNITY COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING  
5965 PROGRAM.—

5966 (a) The State Board of Community Colleges ~~Department of~~  
5967 ~~Education~~ shall determine annually, from an analysis of  
5968 operating costs, ~~prepared in the manner prescribed by rules of~~  
5969 ~~the State Board of Education,~~ the costs per full-time equivalent  
5970 student served in courses and fields of study offered in Florida  
5971 Community College System institutions. This information and  
5972 current college operating budgets shall be submitted to the  
5973 Executive Office of the Governor with the legislative budget  
5974 request prior to each regular session of the Legislature.

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5975 (b) The allocation of funds for Florida Community College  
5976 System institutions must ~~shall~~ be based on advanced and  
5977 professional disciplines, developmental education, and other  
5978 programs for adults funded pursuant to s. 1011.80.

5979 (c) The category of lifelong learning is for students  
5980 enrolled pursuant to s. 1004.93. A student shall also be  
5981 reported as a lifelong learning student for his or her  
5982 enrollment in any course that he or she has previously taken,  
5983 unless it is a credit course in which the student earned a grade  
5984 of D or F.

5985 (d) If an adult student has been determined to be a  
5986 disabled student eligible for an approved educational program  
5987 for disabled adults provided pursuant to s. 1004.93 and rules of  
5988 the State Board of Community Colleges ~~Education~~ and is enrolled  
5989 in a class with curriculum frameworks developed for the program,  
5990 state funding for that student shall be provided at a level  
5991 double that of a student enrolled in a special adult general  
5992 education program provided by a Florida Community College System  
5993 institution.

5994 (e) All state inmate education provided by Florida  
5995 Community College System institutions shall be reported by  
5996 program, FTE expenditure, and revenue source. These enrollments,  
5997 expenditures, and revenues shall be reported and projected  
5998 separately. Instruction of state inmates may ~~shall~~ not be  
5999 included in the full-time equivalent student enrollment for  
6000 funding through the Florida Community College System Program  
6001 Fund.

6002 (f) When a public educational institution has been fully  
6003 funded by an external agency for direct instructional costs of

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6004 any course or program, the FTE generated may ~~shall~~ not be  
6005 reported for state funding.

6006 (g) The State Board of Education shall adopt rules to  
6007 implement s. 9(d)(8)f., Art. XII of the State Constitution.  
6008 These rules shall provide for the use of the funds available  
6009 under s. 9(d)(8)f., Art. XII by an individual Florida Community  
6010 College System institution for operating expense in any fiscal  
6011 year during which the State Board of Education has determined  
6012 that all major capital outlay needs have been met. Highest  
6013 priority for the use of these funds for purposes other than  
6014 financing approved capital outlay projects shall be for the  
6015 proper maintenance and repair of existing facilities for  
6016 projects approved by the State Board of Education. However, in  
6017 any fiscal year in which funds from this source are authorized  
6018 for operating expense other than approved maintenance and repair  
6019 projects, the allocation of Florida Community College System  
6020 institution program funds shall be reduced by an amount equal to  
6021 the sum used for such operating expense for that Florida  
6022 Community College System institution that year, and that amount  
6023 shall not be released or allocated among the other Florida  
6024 Community College System institutions that year.

6025 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL  
6026 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay  
6027 and debt service shall be as determined and provided in s. 18,  
6028 Art. XII of the State Constitution of 1885, as adopted by s.  
6029 9(d), Art. XII of the 1968 revised State Constitution and State  
6030 Board of Education rules.

6031 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

6032 (a) By December 15 of each year, the State Board of



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6033 Community Colleges ~~Department of Education~~ shall estimate the  
6034 annual enrollment of each Florida Community College System  
6035 institution for the current fiscal year and for the 3 subsequent  
6036 fiscal years. These estimates shall be based upon prior years'  
6037 enrollments, upon the initial fall term enrollments for the  
6038 current fiscal year for each college, and upon each college's  
6039 estimated current enrollment and demographic changes in the  
6040 respective Florida Community College System institution  
6041 districts. Upper-division enrollment shall be estimated  
6042 separately from lower-division enrollment.

6043 (b) The apportionment to each Florida Community College  
6044 System institution from the Florida Community College System  
6045 Program Fund shall be determined annually in the General  
6046 Appropriations Act. In determining each college's apportionment,  
6047 the Legislature shall consider the following components:

6048 1. Base budget, which includes the state appropriation to  
6049 the Florida Community College System Program Fund in the current  
6050 year plus the related student tuition and out-of-state fees  
6051 assigned in the current General Appropriations Act.

6052 2. The cost-to-continue allocation, which consists of  
6053 incremental changes to the base budget, including salaries,  
6054 price levels, and other related costs allocated through a  
6055 funding model approved by the Legislature which may recognize  
6056 differing economic factors arising from the individual  
6057 educational approaches of the various Florida Community College  
6058 System institutions, including, but not limited to:

6059 a. Direct Instructional Funding, including class size,  
6060 faculty productivity factors, average faculty salary, ratio of  
6061 full-time to part-time faculty, costs of programs, and

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6062 enrollment factors.

6063       b. Academic Support, including small colleges factor,  
6064 multicampus factor, and enrollment factor.

6065       c. Student Services Support, including headcount of  
6066 students as well as FTE count and enrollment factors.

6067       d. Library Support, including volume and other  
6068 materials/audiovisual requirements.

6069       e. Special Projects.

6070       f. Operations and Maintenance of Plant, including square  
6071 footage and utilization factors.

6072       g. District Cost Differential.

6073       3. Students enrolled in a recreation and leisure program  
6074 and students enrolled in a lifelong learning program who may not  
6075 be counted as full-time equivalent enrollments for purposes of  
6076 enrollment workload adjustments.

6077       4. Operating costs of new facilities adjustments, which  
6078 shall be provided, from funds available, for each new facility  
6079 that is owned by the college and is recommended in accordance  
6080 with s. 1013.31.

6081       5. New and improved program enhancements, which shall be  
6082 determined by the Legislature.

6083

6084 Student fees in the base budget plus student fee revenues  
6085 generated by increases in fee rates shall be deducted from the  
6086 sum of the components determined in subparagraphs 1.-5. The  
6087 amount remaining shall be the net annual state apportionment to  
6088 each college.

6089       (c) A ~~No~~ Florida Community College System institution may  
6090 not shall commit funds for the employment of personnel or

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6091 resources in excess of those required to continue the same level  
6092 of support for either the previously approved enrollment or the  
6093 revised enrollment, whichever is lower.

6094 (d) The apportionment to each Florida Community College  
6095 System institution district for capital outlay and debt service  
6096 shall be the amount determined in accordance with subsection  
6097 (2). This amount, less any amount determined as necessary for  
6098 administrative expense by the State Board of Education and any  
6099 amount necessary for debt service on bonds issued by the State  
6100 Board of Education, shall be transmitted to the Florida  
6101 Community College System institution board of trustees to be  
6102 expended in a manner prescribed by rules of the State Board of  
6103 Education.

6104 (e) If at any time the unencumbered balance in the general  
6105 fund of the Florida Community College System institution board  
6106 of trustees approved operating budget goes below 5 percent, the  
6107 president shall provide written notification to the State Board  
6108 of Education.

6109 (f) Expenditures for apprenticeship programs must ~~shall~~ be  
6110 reported separately.

6111 (g) Expenditures for upper-division enrollment in a Florida  
6112 Community College System institution that grants baccalaureate  
6113 degrees must ~~shall~~ be reported separately from expenditures for  
6114 lower-division enrollment, in accordance with law and State  
6115 Board of Education rule.

6116 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated  
6117 herein to any Florida Community College System institution must  
6118 ~~shall~~ be expended only for the purpose of supporting that  
6119 Florida Community College System institution.

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6120 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida  
6121 Community College System institution board of trustees shall  
6122 report, as a separate item in its annual cost accounting system,  
6123 the volume and cost of developmental education options provided  
6124 to help students attain the communication and computation skills  
6125 that are essential for college-level work pursuant to s.  
6126 1008.30.

6127 Section 104. Section 1011.85, Florida Statutes, is amended  
6128 to read:

6129 1011.85 Dr. Philip Benjamin Matching Grant Program for  
6130 Florida Community College System Institutions.—

6131 (1) There is created the Dr. Philip Benjamin Matching Grant  
6132 Program for Florida Community College System Institutions as a  
6133 single matching gifts program that encompasses the goals  
6134 originally set out in the Academic Improvement Program, the  
6135 Scholarship Matching Program, and the Health Care Education  
6136 Quality Enhancement Challenge Grant. The program shall be  
6137 administered according to rules of the State Board of Community  
6138 Colleges Education and used to encourage private support in  
6139 enhancing Florida Community College System institutions by  
6140 providing the Florida Community College System with the  
6141 opportunity to receive and match challenge grants. Funds  
6142 received prior to the effective date of this act for each of the  
6143 three programs shall be retained in the separate account for  
6144 which it was designated.

6145 (2) Each Florida Community College System institution board  
6146 of trustees receiving state appropriations under this program  
6147 shall approve each gift to ensure alignment with the unique  
6148 mission of the Florida Community College System institution. The

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6149 board of trustees must link all requests for a state match to  
6150 the goals and mission statement. The Florida Community College  
6151 System Institution Foundation Board receiving state  
6152 appropriations under this program shall approve each gift to  
6153 ensure alignment with its goals and mission statement. Funds  
6154 received from community events and festivals are not eligible  
6155 for state matching funds under this program.

6156 (3) Upon approval by the Florida Community College System  
6157 institution board of trustees and the State Board of Community  
6158 Colleges Education, the ordering of donations for priority  
6159 listing of unmatched gifts should be determined by the  
6160 submitting Florida Community College System institution.

6161 (4) Each year, eligible contributions received by a Florida  
6162 Community College System institution's foundation or the State  
6163 Board of Community Colleges Education by February 1 shall be  
6164 eligible for state matching funds.

6165 (a) Each Florida Community College System institution board  
6166 of trustees and, when applicable, the Florida Community College  
6167 System Institution Foundation Board, receiving state  
6168 appropriations under this program shall also certify in an  
6169 annual report to the State Board of Community Colleges Education  
6170 the receipt of eligible cash contributions that were previously  
6171 unmatched by the state. The State Board of Education shall adopt  
6172 rules providing all Florida Community College System  
6173 institutions with an opportunity to apply for excess funds  
6174 before the awarding of such funds.

6175 (b) Florida Community College System institutions must  
6176 submit to the State Board of Community Colleges Education an  
6177 annual expenditure report tracking the use of all matching

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6178 funds.

6179 (c) The audit of each foundation receiving state funds from  
6180 this program must include a certification of accuracy in the  
6181 amount reported for matching funds.

6182 (5) The matching ratio for donations that are specifically  
6183 designated to support scholarships, including scholarships for  
6184 first-generation-in-college students, student loans, or need-  
6185 based grants shall be \$1 of state funds to \$1 of local private  
6186 funds.

6187 (6) Otherwise, funds must ~~shall~~ be proportionately  
6188 allocated to the Florida Community College System institutions  
6189 on the basis of matching each \$6 of local or private funds with  
6190 \$4 of state funds. To be eligible, a minimum of \$4,500 must be  
6191 raised from private sources.

6192 (7) The Florida Community College System institution board  
6193 of trustees, in conjunction with the donor, shall determine ~~make~~  
6194 ~~the determination of~~ whether scholarships established pursuant  
6195 to this program are endowed.

6196 (8) (a) Funds sufficient to provide the match shall be  
6197 transferred from the state appropriations to the local Florida  
6198 Community College System institution foundation or the statewide  
6199 Florida Community College System institution foundation upon  
6200 notification that a proportionate amount has been received and  
6201 deposited by a Florida Community College System institution in  
6202 its own trust fund.

6203 (b) If state funds appropriated for the program are  
6204 insufficient to match contributions, the amount allocated must  
6205 ~~shall~~ be reduced in proportion to its share of the total  
6206 eligible contributions. However, in making proportional

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6207 reductions, every Florida Community College System institution  
6208 shall receive a minimum of \$75,000 in state matching funds if  
6209 its eligible contributions would have generated an amount at  
6210 least equal to \$75,000. All unmet contributions must ~~shall~~ be  
6211 eligible for state matching funds in subsequent fiscal years.

6212 (9) Each Florida Community College System institution  
6213 entity shall establish its own matching grant program fund as a  
6214 depository for the private contributions and matching state  
6215 funds provided under this section. Florida Community College  
6216 System institution foundations are responsible for the  
6217 maintenance, investment, and administration of their matching  
6218 grant program funds.

6219 (10) The State Board of Community Colleges ~~Education~~ may  
6220 receive submissions of requests for matching funds and  
6221 documentation relating to those requests, may approve requests  
6222 for matching funds, and may allocate such funds to the Florida  
6223 Community College System institutions.

6224 (11) The board of trustees of the Florida Community College  
6225 System institution and the State Board of Community Colleges  
6226 ~~Education~~ are responsible for determining the uses for the  
6227 proceeds of their respective trust funds. Such use of the  
6228 proceeds shall include, but not be limited to, expenditure of  
6229 the funds for:

6230 (a) Scientific and technical equipment.

6231 (b) Scholarships, loans, or need-based grants.

6232 (c) Other activities that will benefit future students as  
6233 well as students currently enrolled at the Florida Community  
6234 College System institution, will improve the quality of  
6235 education at the Florida Community College System institution,

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6236 or will enhance economic development in the community.

6237 (12) Each Florida Community College System institution  
6238 shall notify all donors of private funds of a substantial delay  
6239 in the availability of state matching funds for this program.

6240 (13) Effective July 1, 2011, state matching funds are  
6241 temporarily suspended for donations received for this program on  
6242 or after June 30, 2011. Existing eligible donations remain  
6243 eligible for future matching funds. The program may be restarted  
6244 after \$200 million of the backlog for programs under this  
6245 section and ss. 1011.32, 1011.94, and 1013.79 have been matched.

6246 Section 105. Subsection (1) of section 1012.01, Florida  
6247 Statutes, is amended to read:

6248 1012.01 Definitions.—As used in this chapter, the following  
6249 terms have the following meanings:

6250 (1) SCHOOL OFFICERS.—The officers of the state system of  
6251 public K-12 ~~and Florida College System institution~~ education  
6252 shall be the Commissioner of Education and the members of the  
6253 State Board of Education; for the Florida Community College  
6254 System, the officers shall be the Chancellor of the Florida  
6255 Community College System and the members of the State Board of  
6256 Community Colleges; for each district school system, the  
6257 officers shall be the district school superintendent and members  
6258 of the district school board; and for each Florida Community  
6259 College System institution, the officers shall be the Florida  
6260 Community College System institution president and members of  
6261 the Florida Community College System institution board of  
6262 trustees.

6263 Section 106. Paragraph (a) of subsection (1) of section  
6264 1012.80, Florida Statutes, is amended to read:



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6265 1012.80 Participation by employees in disruptive activities  
6266 at public postsecondary educational institutions; penalties.—

6267 (1) (a) Any person who accepts the privilege extended by the  
6268 laws of this state of employment at any Florida Community  
6269 College System institution shall, by working at such  
6270 institution, be deemed to have given his or her consent to the  
6271 policies of that institution, the policies of the State Board of  
6272 Community Colleges Education, and the laws of this state. Such  
6273 policies shall include prohibition against disruptive activities  
6274 at Florida Community College System institutions.

6275 Section 107. Subsection (1) of section 1012.81, Florida  
6276 Statutes, is amended to read:

6277 1012.81 Personnel records.—

6278 (1) The State Board of Community Colleges ~~Education~~ shall  
6279 adopt rules prescribing the content and custody of limited-  
6280 access records that a Florida Community College System  
6281 institution may maintain on its employees. Limited-access  
6282 employee records are confidential and exempt from ~~the provisions~~  
6283 ~~of~~ s. 119.07(1). Limited-access records include only the  
6284 following:

6285 (a) Records containing information reflecting academic  
6286 evaluations of employee performance; however, the employee and  
6287 officials of the institution responsible for supervision of the  
6288 employee shall have access to such records.

6289 (b) Records maintained for the purposes of any  
6290 investigation of employee misconduct, including, but not limited  
6291 to, a complaint against an employee and all information obtained  
6292 pursuant to the investigation of such complaint; however, these  
6293 records become public after the investigation ceases to be

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6294 active or when the institution provides written notice to the  
6295 employee who is the subject of the complaint that the  
6296 institution has either:

- 6297 1. Concluded the investigation with a finding not to  
6298 proceed with disciplinary action;
- 6299 2. Concluded the investigation with a finding to proceed  
6300 with disciplinary action; or
- 6301 3. Issued a letter of discipline.

6302

6303 For the purpose of this paragraph, an investigation shall be  
6304 considered active as long as it is continuing with a reasonable,  
6305 good faith anticipation that a finding will be made in the  
6306 foreseeable future. An investigation shall be presumed to be  
6307 inactive if no finding is made within 90 days after the  
6308 complaint is filed.

6309 (c) Records maintained for the purposes of any disciplinary  
6310 proceeding brought against an employee; however, these records  
6311 shall be open to inspection by the employee and shall become  
6312 public after a final decision is made in the proceeding.

6313 (d) Records maintained for the purposes of any grievance  
6314 proceeding brought by an employee for enforcement of a  
6315 collective bargaining agreement or contract; however, these  
6316 records shall be open to inspection by the employee and by  
6317 officials of the institution conducting the grievance proceeding  
6318 and shall become public after a final decision is made in the  
6319 proceeding.

6320 Section 108. Subsection (1) of section 1012.83, Florida  
6321 Statutes, is amended to read:

6322 1012.83 Contracts with administrative and instructional

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6323 staff.-

6324 (1) Each person employed in an administrative or  
6325 instructional capacity in a Florida Community College System  
6326 institution shall be entitled to a contract as provided by rules  
6327 of the State Board of Community Colleges ~~Education~~.

6328 Section 109. Section 1012.855, Florida Statutes, is amended  
6329 to read:

6330 1012.855 Employment of Florida Community College System  
6331 institution personnel; discrimination in granting salary  
6332 prohibited.-

6333 (1) (a) Employment of all personnel in each Florida  
6334 Community College System institution shall be upon  
6335 recommendation of the president, subject to rejection for cause  
6336 by the Florida Community College System institution board of  
6337 trustees; to the rules of the State Board of Community Colleges  
6338 ~~Education~~ relative to certification, tenure, leaves of absence  
6339 of all types, including sabbaticals, remuneration, and such  
6340 other conditions of employment as the State Board of Community  
6341 Colleges ~~Education~~ deems necessary and proper; and to policies  
6342 of the Florida Community College System institution board of  
6343 trustees not inconsistent with law.

6344 (b) Any internal auditor employed by a Florida Community  
6345 College System institution shall be hired by the Florida  
6346 Community College System institution board of trustees and shall  
6347 report directly to the board.

6348 (2) Each Florida Community College System institution board  
6349 of trustees shall undertake a program to eradicate any  
6350 discrimination on the basis of gender, race, or physical  
6351 handicap in the granting of salaries to employees.

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6352 Section 110. Section 1012.86, Florida Statutes, is amended  
6353 to read:

6354 1012.86 Florida Community College System institution  
6355 employment equity accountability program.—

6356 (1) Each Florida Community College System institution shall  
6357 include in its annual equity update a plan for increasing the  
6358 representation of women and minorities in senior-level  
6359 administrative positions and in full-time faculty positions, and  
6360 for increasing the representation of women and minorities who  
6361 have attained continuing-contract status. Positions shall be  
6362 defined in the personnel data element directory of the  
6363 Department of Education. The plan must include specific  
6364 measurable goals and objectives, specific strategies and  
6365 timelines for accomplishing these goals and objectives, and  
6366 comparable national standards as provided by the Department of  
6367 Education. The goals and objectives shall be based on meeting or  
6368 exceeding comparable national standards and shall be reviewed  
6369 and recommended by the State Board of Community Colleges  
6370 ~~Education~~ as appropriate. Such plans shall be maintained until  
6371 appropriate representation has been achieved and maintained for  
6372 at least 3 consecutive reporting years.

6373 (2) (a) On or before May 1 of each year, each Florida  
6374 Community College System institution president shall submit an  
6375 annual employment accountability plan to the Chancellor of the  
6376 Florida Community College System and the State Board of  
6377 Community Colleges ~~Commissioner of Education and the State Board~~  
6378 ~~of Education~~. The accountability plan must show faculty and  
6379 administrator employment data according to requirements  
6380 specified on the federal Equal Employment Opportunity (EE0-6)

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6381 report.

6382 (b) The plan must show the following information for those  
6383 positions including, but not limited to:

6384 1. Job classification title.

6385 2. Gender.

6386 3. Ethnicity.

6387 4. Appointment status.

6388 5. Salary information. At each Florida Community College  
6389 System institution, salary information shall also include the  
6390 salary ranges in which new hires were employed compared to the  
6391 salary ranges for employees with comparable experience and  
6392 qualifications.

6393 6. Other comparative information including, but not limited  
6394 to, composite information regarding the total number of  
6395 positions within the particular job title classification for the  
6396 Florida Community College System institution by race, gender,  
6397 and salary range compared to the number of new hires.

6398 7. A statement certifying diversity and balance in the  
6399 gender and ethnic composition of the selection committee for  
6400 each vacancy, including a brief description of guidelines used  
6401 for ensuring balanced and diverse membership on selection and  
6402 review committees.

6403 (c) The annual employment accountability plan shall also  
6404 include an analysis and an assessment of the Florida Community  
6405 College System institution's attainment of annual goals and of  
6406 long-range goals for increasing the number of women and  
6407 minorities in faculty and senior-level administrative positions,  
6408 and a corrective action plan for addressing underrepresentation.

6409 (d) Each Florida Community College System institution's

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6410 employment accountability plan must also include:

6411 1. The requirements for receiving a continuing contract.

6412 2. A brief description of the process used to grant  
6413 continuing-contract status.

6414 3. A brief description of the process used to annually  
6415 apprise each eligible faculty member of progress toward  
6416 attainment of continuing-contract status.

6417 (3) Florida Community College System institution presidents  
6418 and the heads of each major administrative division shall be  
6419 evaluated annually on the progress made toward meeting the goals  
6420 and objectives of the Florida Community College System  
6421 institution's employment accountability plan.

6422 (a) The Florida Community College System institution  
6423 presidents, or the presidents' designees, shall annually  
6424 evaluate each department chairperson, dean, provost, and vice  
6425 president in achieving the annual and long-term goals and  
6426 objectives. A summary of the results of such evaluations shall  
6427 be reported annually by the Florida Community College System  
6428 institution president to the Florida Community College System  
6429 institution board of trustees. Annual budget allocations by the  
6430 Florida Community College System institution board of trustees  
6431 for positions and funding must take into consideration these  
6432 evaluations.

6433 (b) Florida Community College System institution boards of  
6434 trustees shall annually evaluate the performance of the Florida  
6435 Community College System institution presidents in achieving the  
6436 annual and long-term goals and objectives. A summary of the  
6437 results of such evaluations shall be reported to the State Board  
6438 of Community Colleges ~~Commissioner of Education and the State~~

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6439 ~~Board of Education~~ as part of the Florida Community College  
6440 System institution's annual employment accountability plan, and  
6441 to the Legislature as part of the annual equity progress report  
6442 submitted by the State Board of Community Colleges ~~Education~~.

6443 (4) The State Board of Community Colleges ~~Education~~ shall  
6444 submit an annual equity progress report to the President of the  
6445 Senate and the Speaker of the House of Representatives on or  
6446 before January 1 of each year.

6447 (5) Each Florida Community College System institution shall  
6448 develop a budgetary incentive plan to support and ensure  
6449 attainment of the goals developed pursuant to this section. The  
6450 plan shall specify, at a minimum, how resources shall be  
6451 allocated to support the achievement of goals and the  
6452 implementation of strategies in a timely manner. After prior  
6453 review and approval by the Florida Community College System  
6454 institution president and the Florida Community College System  
6455 institution board of trustees, the plan shall be submitted as  
6456 part of the annual employment accountability plan submitted by  
6457 each Florida Community College System institution to the State  
6458 Board of Community Colleges ~~Education~~.

6459 (6) Subject to available funding, the Legislature shall  
6460 provide an annual appropriation to the State Board of Community  
6461 Colleges ~~Education~~ to be allocated to Florida Community College  
6462 System institution presidents, faculty, and administrative  
6463 personnel to further enhance equity initiatives and related  
6464 priorities that support the mission of colleges and departments  
6465 in recognition of the attainment of the equity goals and  
6466 objectives.

6467 Section 111. Subsection (3) of section 1013.01, Florida

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6468 Statutes, is amended to read:

6469 1013.01 Definitions.—The following terms shall be defined  
6470 as follows for the purpose of this chapter:

6471 (3) "Board," unless otherwise specified, means a district  
6472 school board, a Florida Community College System institution  
6473 board of trustees, a university board of trustees, and the Board  
6474 of Trustees for the Florida School for the Deaf and the Blind.  
6475 The term "board" does not include the State Board of Education,  
6476 ~~or the Board of Governors,~~ or the State Board of Community  
6477 Colleges.

6478 Section 112. Subsection (2) of section 1013.02, Florida  
6479 Statutes, is amended to read:

6480 1013.02 Purpose; rules and regulations.—

6481 (2) (a) The State Board of Education shall adopt rules  
6482 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
6483 ~~provisions of this chapter for school districts and Florida~~  
6484 ~~College System institutions.~~

6485 (b) The Board of Governors shall adopt regulations pursuant  
6486 to its regulation development procedure to implement ~~the~~  
6487 ~~provisions of this chapter for state universities.~~

6488 (c) The State Board of Community Colleges shall adopt rules  
6489 pursuant to ss. 120.536(1) and 120.54 to implement this chapter  
6490 for Florida Community College System institutions.

6491 Section 113. Section 1013.03, Florida Statutes, is amended  
6492 to read:

6493 1013.03 Functions of the department, the State Board of  
6494 Community Colleges, and the Board of Governors.—The functions of  
6495 the Department of Education as it pertains to educational  
6496 facilities of school districts, of the State Board of Community



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6497 Colleges as it pertains to educational facilities of ~~and~~ Florida  
6498 Community College System institutions, and of the Board of  
6499 Governors as it pertains to educational facilities of state  
6500 universities shall include, but not be limited to, the  
6501 following:

6502 (1) Establish recommended minimum and maximum square  
6503 footage standards for different functions and areas and  
6504 procedures for determining the gross square footage for each  
6505 educational facility to be funded in whole or in part by the  
6506 state, including public broadcasting stations but excluding  
6507 postsecondary special purpose laboratory space. The gross square  
6508 footage determination standards may be exceeded when the core  
6509 facility space of an educational facility is constructed or  
6510 renovated to accommodate the future addition of classrooms to  
6511 meet projected increases in student enrollment. The department,  
6512 the State Board of Community Colleges, and the Board of  
6513 Governors shall encourage multiple use of facilities and spaces  
6514 in educational plants.

6515 (2) Establish, for the purpose of determining need,  
6516 equitably uniform utilization standards for all types of like  
6517 space, regardless of the level of education. These standards  
6518 shall also establish, for postsecondary education classrooms, a  
6519 minimum room utilization rate of 40 hours per week and a minimum  
6520 station utilization rate of 60 percent. These rates shall be  
6521 subject to increase based on national norms for utilization of  
6522 postsecondary education classrooms.

6523 (3) Require boards to submit other educational plant  
6524 inventories data and statistical data or information relevant to  
6525 construction, capital improvements, and related costs.

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6526 (4) Require each board and other appropriate agencies to  
6527 submit complete and accurate financial data as to the amounts of  
6528 funds from all sources that are available and spent for  
6529 construction and capital improvements. The commissioner shall  
6530 prescribe the format and the date for the submission of this  
6531 data and any other educational facilities data. If any district  
6532 does not submit the required educational facilities fiscal data  
6533 by the prescribed date, the Commissioner of Education shall  
6534 notify the district school board of this fact and, if  
6535 appropriate action is not taken to immediately submit the  
6536 required report, the district school board shall be directed to  
6537 proceed pursuant to s. 1001.42(13)(b). If any Florida Community  
6538 College System institution or university does not submit the  
6539 required educational facilities fiscal data by the prescribed  
6540 date, the same policy prescribed in this subsection for school  
6541 districts shall be implemented.

6542 (5) Administer, under the supervision of the Commissioner  
6543 of Education, the Public Education Capital Outlay and Debt  
6544 Service Trust Fund and the School District and Community College  
6545 District Capital Outlay and Debt Service Trust Fund.

6546 (6) Develop, review, update, revise, and recommend a  
6547 mandatory portion of the Florida Building Code for educational  
6548 facilities construction and capital improvement by Florida  
6549 Community College System institution boards and district school  
6550 boards.

6551 (7) Provide training, technical assistance, and building  
6552 code interpretation for requirements of the mandatory Florida  
6553 Building Code for the educational facilities construction and  
6554 capital improvement programs of ~~the Florida College System~~

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6555 ~~institution boards and~~ district school boards and, upon request,  
6556 approve phase III construction documents for remodeling,  
6557 renovation, or new construction of educational plants or  
6558 ancillary facilities, except that Florida Community College  
6559 System institutions and university boards of trustees shall  
6560 approve specifications and construction documents for their  
6561 respective institutions pursuant to guidelines of the Board of  
6562 Governors or State Board of Community Colleges, as applicable.  
6563 The Department of Management Services may, upon request, provide  
6564 similar services for the Florida School for the Deaf and the  
6565 Blind and shall use the Florida Building Code and the Florida  
6566 Fire Prevention Code.

6567 (8) Provide minimum criteria, procedures, and training to  
6568 boards to conduct educational plant surveys and document the  
6569 determination of future needs.

6570 (9) Make available to boards technical assistance,  
6571 awareness training, and research and technical publications  
6572 relating to lifesafety, casualty, sanitation, environmental,  
6573 maintenance, and custodial issues; and, as needed, technical  
6574 assistance for survey, planning, design, construction,  
6575 operation, and evaluation of educational and ancillary  
6576 facilities and plants, facilities administrative procedures  
6577 review, and training for new administrators.

6578 (10) (a) Review and validate surveys proposed or amended by  
6579 the boards and recommend to the Commissioner of Education, the  
6580 Chancellor of the Florida Community College System, or the  
6581 Chancellor of the State University System, as appropriate, for  
6582 approval, surveys that meet the requirements of this chapter.

6583 1. The term "validate" as applied to surveys by school

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6584 districts means to review inventory data as submitted to the  
6585 department by district school boards; provide for review and  
6586 inspection, where required, of student stations and aggregate  
6587 square feet of inventory changed from satisfactory to  
6588 unsatisfactory or changed from unsatisfactory to satisfactory;  
6589 compare new school inventory to allocation limits provided by  
6590 this chapter; review cost projections for conformity with cost  
6591 limits set by s. 1013.64(6); compare total capital outlay full-  
6592 time equivalent enrollment projections in the survey with the  
6593 department's projections; review facilities lists to verify that  
6594 student station and auxiliary facility space allocations do not  
6595 exceed the limits provided by this chapter and related rules;  
6596 review and confirm the application of uniform facility  
6597 utilization factors, where provided by this chapter or related  
6598 rules; use ~~utilize~~ the documentation of programs offered per  
6599 site, as submitted by the board, to analyze facility needs;  
6600 confirm that need projections for career and adult educational  
6601 programs comply with needs documented by the Department of  
6602 Education; and confirm the assignment of full-time student  
6603 stations to all space except auxiliary facilities, which, for  
6604 purposes of exemption from student station assignment, include  
6605 the following:

- 6606 a. Cafeterias.
- 6607 b. Multipurpose dining areas.
- 6608 c. Media centers.
- 6609 d. Auditoriums.
- 6610 e. Administration.
- 6611 f. Elementary, middle, and high school resource rooms, up  
6612 to the number of such rooms recommended for the applicable

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6613 occupant and space design capacity of the educational plant in  
6614 the State Requirements for Educational Facilities, beyond which  
6615 student stations must be assigned.

6616 g. Elementary school skills labs, up to the number of such  
6617 rooms recommended for the applicable occupant and space design  
6618 capacity of the educational plant in the State Requirements for  
6619 Educational Facilities, beyond which student stations must be  
6620 assigned.

6621 h. Elementary school art and music rooms.

6622

6623 The Commissioner of Education may grant a waiver from the  
6624 requirements of this subparagraph if a district school board  
6625 determines that such waiver will make possible a substantial  
6626 savings of funds or will be advantageous to the welfare of the  
6627 educational system. The district school board shall present a  
6628 full statement to the commissioner which sets forth the facts  
6629 that warrant the waiver. If the commissioner denies a request  
6630 for a waiver, the district school board may appeal such decision  
6631 to the State Board of Education.

6632 2. The term "validate" as applied to surveys by Florida  
6633 Community College System institutions and universities means to  
6634 review and document the approval of each new site and official  
6635 designation, where applicable; review the inventory database as  
6636 submitted by each board to the department, including noncareer,  
6637 and total capital outlay full-time equivalent enrollment  
6638 projections per site and per college; provide for the review and  
6639 inspection, where required, of student stations and aggregate  
6640 square feet of space changed from satisfactory to  
6641 unsatisfactory; use ~~utilize~~ and review the documentation of

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6642 programs offered per site submitted by the boards as accurate  
6643 for analysis of space requirements and needs; confirm that needs  
6644 projected for career and adult educational programs comply with  
6645 needs documented by the Department of Education; compare new  
6646 facility inventory to allocations limits as provided in this  
6647 chapter; review cost projections for conformity with state  
6648 averages or limits designated by this chapter; compare student  
6649 enrollment projections in the survey to the department's  
6650 projections; review facilities lists to verify that area  
6651 allocations and space factors for generating space needs do not  
6652 exceed the limits as provided by this chapter and related rules;  
6653 confirm the application of facility utilization factors as  
6654 provided by this chapter and related rules; and review, as  
6655 submitted, documentation of how survey recommendations will  
6656 implement the detail of current campus master plans and  
6657 integrate with local comprehensive plans and development  
6658 regulations.

6659 (b) Recommend priority of projects to be funded.

6660 (11) Prepare the commissioner's comprehensive fixed capital  
6661 outlay legislative budget request and provide annually an  
6662 estimate of the funds available for developing required 3-year  
6663 priority lists. This amount shall be based upon the average  
6664 percentage for the 5 prior years of funds appropriated by the  
6665 Legislature for fixed capital outlay to each level of public  
6666 education: public schools, Florida Community College System  
6667 institutions, and universities.

6668 (12) Perform any other functions that may be involved in  
6669 educational facilities construction and capital improvement  
6670 which shall ensure that the intent of the Legislature is

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6671 implemented.

6672 Section 114. Section 1013.28, Florida Statutes, is amended  
6673 to read:

6674 1013.28 Disposal of property.—

6675 (1) REAL PROPERTY.—

6676 (a) Subject to rules of the State Board of Education, a  
6677 district school board or the Board of Trustees for the Florida  
6678 School for the Deaf and the Blind, ~~or a Florida College System~~  
6679 ~~institution board of trustees~~ may dispose of any land or real  
6680 property to which the board holds title which is, by resolution  
6681 of the board, determined to be unnecessary for educational  
6682 purposes as recommended in an educational plant survey. A  
6683 district school board or the Board of Trustees for the Florida  
6684 School for the Deaf and the Blind, ~~or a Florida College System~~  
6685 ~~institution board of trustees~~ shall take diligent measures to  
6686 dispose of educational property only in the best interests of  
6687 the public. However, appraisals may be obtained by the district  
6688 school board or the Board of Trustees for the Florida School  
6689 for the Deaf and the Blind before, ~~or the Florida College System~~  
6690 ~~institution board of trustees~~ prior to or simultaneously with  
6691 the receipt of bids.

6692 (b) Subject to regulations of the Board of Governors, a  
6693 state university board of trustees may dispose of any land or  
6694 real property to which it holds valid title which is, by  
6695 resolution of the state university board of trustees, determined  
6696 to be unnecessary for educational purposes as recommended in an  
6697 educational plant survey. A state university board of trustees  
6698 shall take diligent measures to dispose of educational property  
6699 only in the best interests of the public. However, appraisals

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6700 may be obtained by the state university board of trustees prior  
6701 to or simultaneously with the receipt of bids.

6702 (c) Subject to rules of the State Board of Community  
6703 Colleges, a Florida Community College System institution board  
6704 of trustees may dispose of any land or real property to which it  
6705 holds valid title which is, by resolution of the Florida  
6706 Community College System institution board of trustees,  
6707 determined to be unnecessary for educational purposes as  
6708 recommended in an educational plant survey. A Florida Community  
6709 College System institution board of trustees shall take diligent  
6710 measures to dispose of educational property only in the best  
6711 interests of the public. However, appraisals may be obtained by  
6712 the Florida Community College System institution board of  
6713 trustees prior to or simultaneously with the receipt of bids.

6714 (2) TANGIBLE PERSONAL PROPERTY.—

6715 (a) Tangible personal property that has been properly  
6716 classified as surplus by a district school board ~~or Florida~~  
6717 ~~College System institution board of trustees~~ shall be disposed  
6718 of in accordance with the procedure established by chapter 274.  
6719 However, the provisions of chapter 274 shall not be applicable  
6720 to a motor vehicle used in driver education to which title is  
6721 obtained for a token amount from an automobile dealer or  
6722 manufacturer. In such cases, the disposal of the vehicle shall  
6723 be as prescribed in the contractual agreement between the  
6724 automotive agency or manufacturer and the board.

6725 (b) Tangible personal property that has been properly  
6726 classified as surplus by a state university board of trustees  
6727 shall be disposed of in accordance with the procedure  
6728 established by chapter 273.



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6729       (c) Tangible personal property that has been properly  
6730 classified as surplus by a Florida Community College System  
6731 institution board of trustees shall be disposed of in accordance  
6732 with the procedure established by chapter 274.

6733       Section 115. Subsection (1) of section 1013.31, Florida  
6734 Statutes, is amended to read:

6735       1013.31 Educational plant survey; localized need  
6736 assessment; PECO project funding.—

6737       (1) At least every 5 years, each board shall arrange for an  
6738 educational plant survey, to aid in formulating plans for  
6739 housing the educational program and student population, faculty,  
6740 administrators, staff, and auxiliary and ancillary services of  
6741 the district or campus, including consideration of the local  
6742 comprehensive plan. The Department of Education, for school  
6743 districts, and the State Board of Community Colleges, for the  
6744 Florida Community College System, shall document the need for  
6745 additional career and adult education programs and the  
6746 continuation of existing programs before facility construction  
6747 or renovation related to career or adult education may be  
6748 included in the educational plant survey of a school district or  
6749 Florida Community College System institution that delivers  
6750 career or adult education programs. Information used by the  
6751 Department of Education or State Board of Community Colleges to  
6752 establish facility needs must include, but need not be limited  
6753 to, labor market data, needs analysis, and information submitted  
6754 by the school district or Florida Community College System  
6755 institution.

6756       (a) *Survey preparation and required data.*—Each survey shall  
6757 be conducted by the board or an agency employed by the board.

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6758 Surveys shall be reviewed and approved by the board, and a file  
6759 copy shall be submitted to the Department of Education, the  
6760 Chancellor of the Florida Community College System, or the  
6761 Chancellor of the State University System, as appropriate. The  
6762 survey report shall include at least an inventory of existing  
6763 educational and ancillary plants, including safe access  
6764 facilities; recommendations for existing educational and  
6765 ancillary plants; recommendations for new educational or  
6766 ancillary plants, including the general location of each in  
6767 coordination with the land use plan and safe access facilities;  
6768 campus master plan update and detail for Florida Community  
6769 College System institutions; the use ~~utilization~~ of school  
6770 plants based on an extended school day or year-round operation;  
6771 and such other information as may be required by the Department  
6772 of Education. This report may be amended, if conditions warrant,  
6773 at the request of the department or commissioner.

6774 (b) *Required need assessment criteria for district, Florida*  
6775 *Community College System institution, state university, and*  
6776 *Florida School for the Deaf and the Blind plant surveys.*—  
6777 Educational plant surveys must use uniform data sources and  
6778 criteria specified in this paragraph. Each revised educational  
6779 plant survey and each new educational plant survey supersedes  
6780 previous surveys.

6781 1. The school district's survey must be submitted as a part  
6782 of the district educational facilities plan defined in s.  
6783 1013.35. To ensure that the data reported to the Department of  
6784 Education as required by this section is correct, the department  
6785 shall annually conduct an onsite review of 5 percent of the  
6786 facilities reported for each school district completing a new

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6787 survey that year. If the department's review finds the data  
6788 reported by a district is less than 95 percent accurate, within  
6789 1 year from the time of notification by the department the  
6790 district must submit revised reports correcting its data. If a  
6791 district fails to correct its reports, the commissioner may  
6792 direct that future fixed capital outlay funds be withheld until  
6793 such time as the district has corrected its reports so that they  
6794 are not less than 95 percent accurate.

6795 2. Each survey of a special facility, joint-use facility,  
6796 or cooperative career education facility must be based on  
6797 capital outlay full-time equivalent student enrollment data  
6798 prepared by the department for school districts and Florida  
6799 Community College System institutions and by the Chancellor of  
6800 the State University System for universities. A survey of space  
6801 needs of a joint-use facility shall be based upon the respective  
6802 space needs of the school districts, Florida Community College  
6803 System institutions, and universities, as appropriate.  
6804 Projections of a school district's facility space needs may not  
6805 exceed the norm space and occupant design criteria established  
6806 by the State Requirements for Educational Facilities.

6807 3. Each Florida Community College System institution's  
6808 survey must reflect the capacity of existing facilities as  
6809 specified in the inventory maintained and validated by the  
6810 Chancellor of the Florida Community College System ~~by the~~  
6811 ~~Department of Education~~. Projections of facility space needs  
6812 must comply with standards for determining space needs as  
6813 specified by rule of the State Board of Community Colleges  
6814 ~~Education~~. The 5-year projection of capital outlay student  
6815 enrollment must be consistent with the annual report of capital

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6816 outlay full-time student enrollment prepared by the Department  
6817 of Education.

6818 4. Each state university's survey must reflect the capacity  
6819 of existing facilities as specified in the inventory maintained  
6820 and validated by the Chancellor of the State University System.  
6821 Projections of facility space needs must be consistent with  
6822 standards for determining space needs as specified by regulation  
6823 of the Board of Governors. The projected capital outlay full-  
6824 time equivalent student enrollment must be consistent with the  
6825 5-year planned enrollment cycle for the State University System  
6826 approved by the Board of Governors.

6827 5. The district educational facilities plan of a school  
6828 district and the educational plant survey of a Florida Community  
6829 College System institution, state university, or the Florida  
6830 School for the Deaf and the Blind may include space needs that  
6831 deviate from approved standards for determining space needs if  
6832 the deviation is justified by the district or institution and  
6833 approved by the department, the State Board of Community  
6834 Colleges, or the Board of Governors, as appropriate, as  
6835 necessary for the delivery of an approved educational program.

6836 (c) *Review and validation.*—The Department of Education  
6837 shall review and validate the surveys of school districts, the  
6838 Chancellor of the Florida Community College System shall review  
6839 and validate the surveys of ~~and~~ Florida Community College System  
6840 institutions, and the Chancellor of the State University System  
6841 shall review and validate the surveys of universities, and any  
6842 amendments thereto for compliance with the requirements of this  
6843 chapter and shall recommend those in compliance for approval by  
6844 the State Board of Education, the State Board of Community

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6845 Colleges, or the Board of Governors, as appropriate. Annually,  
6846 the department shall perform an in-depth analysis of a  
6847 representative sample of each survey of recommended needs for  
6848 five districts selected by the commissioner from among districts  
6849 with the largest need-to-revenue ratio. For the purpose of this  
6850 subsection, the need-to-revenue ratio is determined by dividing  
6851 the total 5-year cost of projects listed on the district survey  
6852 by the total 5-year fixed capital outlay revenue projections  
6853 from state and local sources as determined by the department.  
6854 The commissioner may direct fixed capital outlay funds to be  
6855 withheld from districts until such time as the survey accurately  
6856 projects facilities needs.

6857 (d) *Periodic update of Florida Inventory of School Houses.*—  
6858 School districts shall periodically update their inventory of  
6859 educational facilities as new capacity becomes available and as  
6860 unsatisfactory space is eliminated. The State Board of Education  
6861 shall adopt rules to determine the timeframe in which districts  
6862 must provide a periodic update.

6863 Section 116. Subsections (1) and (3) of section 1013.36,  
6864 Florida Statutes, are amended to read:

6865 1013.36 Site planning and selection.—

6866 (1) Before acquiring property for sites, each district  
6867 school board and Florida Community College System institution  
6868 board of trustees shall determine the location of proposed  
6869 educational centers or campuses. In making this determination,  
6870 the board shall consider existing and anticipated site needs and  
6871 the most economical and practicable locations of sites. The  
6872 board shall coordinate with the long-range or comprehensive  
6873 plans of local, regional, and state governmental agencies to

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6874 assure the consistency of such plans. Boards are encouraged to  
6875 locate district educational facilities proximate to urban  
6876 residential areas to the extent possible, and shall seek to  
6877 collocate district educational facilities with other public  
6878 facilities, such as parks, libraries, and community centers, to  
6879 the extent possible and to encourage using elementary schools as  
6880 focal points for neighborhoods.

6881 (3) Sites recommended for purchase or purchased must meet  
6882 standards prescribed in law and such supplementary standards as  
6883 the State Board of Education or State Board of Community  
6884 Colleges, as appropriate, prescribes to promote the educational  
6885 interests of the students. Each site must be well drained and  
6886 suitable for outdoor educational purposes as appropriate for the  
6887 educational program or collocated with facilities to serve this  
6888 purpose. As provided in s. 333.03, the site must not be located  
6889 within any path of flight approach of any airport. Insofar as is  
6890 practicable, the site must not adjoin a right-of-way of any  
6891 railroad or through highway and must not be adjacent to any  
6892 factory or other property from which noise, odors, or other  
6893 disturbances, or at which conditions, would be likely to  
6894 interfere with the educational program. To the extent  
6895 practicable, sites must be chosen which will provide safe access  
6896 from neighborhoods to schools.

6897 Section 117. Subsections (3) and (4) of section 1013.37,  
6898 Florida Statutes, are amended to read:

6899 1013.37 State uniform building code for public educational  
6900 facilities construction.—

6901 (3) REVIEW PROCEDURE.—The Commissioner of Education and the  
6902 Chancellor of the Florida Community College System, as

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6903 appropriate, shall cooperate with the Florida Building  
6904 Commission in addressing all questions, disputes, or  
6905 interpretations involving the provisions of the Florida Building  
6906 Code which govern the construction of public educational and  
6907 ancillary facilities, and any objections to decisions made by  
6908 the inspectors or the department must be submitted in writing.

6909 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The  
6910 department, for school districts, and the State Board of  
6911 Community Colleges, for Florida Community College System  
6912 institutions, shall biennially review and recommend to the  
6913 Florida Building Commission updates and revisions to the  
6914 provisions of the Florida Building Code which govern the  
6915 construction of public educational and ancillary facilities. The  
6916 department, for school districts, and the State Board of  
6917 Community Colleges, for Florida Community College System  
6918 institutions, shall publish and make available to each board at  
6919 no cost copies of the State Requirements for Educational  
6920 Facilities and each amendment and revision thereto. The  
6921 department and state board shall make additional copies  
6922 available to all interested persons at a price sufficient to  
6923 recover costs.

6924 Section 118. Section 1013.40, Florida Statutes, is amended  
6925 to read:

6926 1013.40 Planning and construction of Florida Community  
6927 College System institution facilities; property acquisition.—

6928 (1) The need for Florida Community College System  
6929 institution facilities shall be established by a survey  
6930 conducted pursuant to this chapter. The facilities recommended  
6931 by such survey must be approved by the State Board of Community

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6932 Colleges Education, and the projects must be constructed  
6933 according to the provisions of this chapter and State Board of  
6934 Community Colleges Education rules.

6935 (2) A ~~Ne~~ Florida Community College System institution may  
6936 not expend public funds for the acquisition of additional  
6937 property without the specific approval of the Legislature.

6938 (3) A ~~Ne~~ facility may not be acquired or constructed by a  
6939 Florida Community College System institution or its direct-  
6940 support organization if such facility requires general revenue  
6941 funds for operation or maintenance upon project completion or in  
6942 subsequent years of operation, unless prior approval is received  
6943 from the Legislature.

6944 (4) The campus of a Florida Community College System  
6945 institution within a municipality designated as an area of  
6946 critical state concern, as defined in s. 380.05, and having a  
6947 comprehensive plan and land development regulations containing a  
6948 building permit allocation system that limits annual growth, may  
6949 construct dormitories for up to 300 beds for Florida Community  
6950 College System institution students. Such dormitories are exempt  
6951 from the building permit allocation system and may be  
6952 constructed up to 45 feet in height if the dormitories are  
6953 otherwise consistent with the comprehensive plan, the Florida  
6954 Community College System institution has a hurricane evacuation  
6955 plan that requires all dormitory occupants to be evacuated 48  
6956 hours in advance of tropical force winds, and transportation is  
6957 provided for dormitory occupants during an evacuation. State  
6958 funds and tuition and fee revenues may not be used for  
6959 construction, debt service payments, maintenance, or operation  
6960 of such dormitories. Additional dormitory beds constructed after



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6961 July 1, 2016, may not be financed through the issuance of bonds.

6962 Section 119. Section 1013.47, Florida Statutes, is amended  
6963 to read:

6964 1013.47 Substance of contract; contractors to give bond;  
6965 penalties.—Each board shall develop contracts consistent with  
6966 this chapter and statutes governing public facilities. Such a  
6967 contract must contain the drawings and specifications of the  
6968 work to be done and the material to be furnished, the time limit  
6969 in which the construction is to be completed, the time and  
6970 method by which payments are to be made upon the contract, and  
6971 the penalty to be paid by the contractor for a failure to comply  
6972 with the terms of the contract. The board may require the  
6973 contractor to pay a penalty for any failure to comply with the  
6974 terms of the contract and may provide an incentive for early  
6975 completion. Upon accepting a satisfactory bid, the board shall  
6976 enter into a contract with the party or parties whose bid has  
6977 been accepted. The contractor shall furnish the board with a  
6978 performance and payment bond as set forth in s. 255.05. A board  
6979 or other public entity may not require a contractor to secure a  
6980 surety bond under s. 255.05 from a specific agent or bonding  
6981 company. A person, firm, or corporation that constructs any part  
6982 of any educational plant, or addition thereto, on the basis of  
6983 any unapproved plans or in violation of any plans approved in  
6984 accordance with the provisions of this chapter and rules of the  
6985 State Board of Education or State Board of Community Colleges or  
6986 regulations of the Board of Governors relating to building  
6987 standards or specifications is subject to forfeiture of the  
6988 surety bond and unpaid compensation in an amount sufficient to  
6989 reimburse the board for any costs that will need to be incurred

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6990 in making any changes necessary to assure that all requirements  
6991 are met and is also guilty of a misdemeanor of the second  
6992 degree, punishable as provided in s. 775.082 or s. 775.083, for  
6993 each separate violation.

6994 Section 120. Section 1013.52, Florida Statutes, is amended  
6995 to read:

6996 1013.52 Cooperative development and joint use of facilities  
6997 by two or more boards.—

6998 (1) Two or more boards, including district school boards,  
6999 Florida Community College System institution boards of trustees,  
7000 the Board of Trustees for the Florida School for the Deaf and  
7001 the Blind, and university boards of trustees, desiring to  
7002 cooperatively establish a common educational facility to  
7003 accommodate students shall:

7004 (a) Jointly request a formal assessment by the Commissioner  
7005 of Education, ~~or~~ the Chancellor of the State University System,  
7006 or the Chancellor of the State Board of Community Colleges, as  
7007 appropriate, of the academic program need and the need to build  
7008 new joint-use facilities to house approved programs. Completion  
7009 of the assessment and approval of the project by the State Board  
7010 of Education, the State Board of Community Colleges, the  
7011 Chancellor of the Florida Community College System, the Board of  
7012 Governors, the Chancellor of the State University System, or the  
7013 Commissioner of Education, as appropriate, should be done prior  
7014 to conducting an educational facilities survey.

7015 (b) Demonstrate the need for construction of new joint-use  
7016 facilities involving postsecondary institutions by those  
7017 institutions presenting evidence of the presence of sufficient  
7018 actual full-time equivalent enrollments in the locale in leased,

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7019 rented, or borrowed spaces to justify the requested facility for  
7020 the programs identified in the formal assessment rather than  
7021 using projected or anticipated future full-time equivalent  
7022 enrollments as justification. If the decision is made to  
7023 construct new facilities to meet this demonstrated need, then  
7024 building plans should consider full-time equivalent enrollment  
7025 growth facilitated by this new construction and subsequent new  
7026 program offerings made possible by the existence of the new  
7027 facilities.

7028 (c) Adopt and submit to the Commissioner of Education, the  
7029 Chancellor of the Florida Community College System, or and the  
7030 Chancellor of the State University System, as appropriate, if  
7031 the joint request involves a state university, a joint  
7032 resolution of the participating boards indicating their  
7033 commitment to the utilization of the requested facility and  
7034 designating the locale of the proposed facility. The joint  
7035 resolution shall contain a statement of determination by the  
7036 participating boards that alternate options, including the use  
7037 of leased, rented, or borrowed space, were considered and found  
7038 less appropriate than construction of the proposed facility. The  
7039 joint resolution shall contain assurance that the development of  
7040 the proposed facility has been examined in conjunction with the  
7041 programs offered by neighboring public educational facilities  
7042 offering instruction at the same level. The joint resolution  
7043 also shall contain assurance that each participating board shall  
7044 provide for continuity of educational progression. All joint  
7045 resolutions shall be submitted by August 1 for consideration of  
7046 funding by the subsequent Legislature.

7047 (d) Submit requests for funding of joint-use facilities

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7048 projects involving state universities and Florida Community  
7049 College System institutions for approval by the Chancellor of  
7050 the Florida Community College System ~~Commissioner of Education~~  
7051 and the Chancellor of the State University System. The  
7052 Chancellor of the Florida Community College System ~~Commissioner~~  
7053 ~~of Education~~ and the Chancellor of the State University System  
7054 shall jointly determine the priority for funding these projects  
7055 in relation to the priority of all other capital outlay projects  
7056 under their consideration. To be eligible for funding from the  
7057 Public Education Capital Outlay and Debt Service Trust Fund  
7058 under the provisions of this section, projects involving both  
7059 state universities and Florida Community College System  
7060 institutions shall appear on the 3-year capital outlay priority  
7061 lists of Florida Community College System institutions and of  
7062 universities required by s. 1013.64. Projects involving a state  
7063 university, a Florida Community College System institution, and  
7064 a public school, and in which the larger share of the proposed  
7065 facility is for the use of the state university or the Florida  
7066 Community College System institution, shall appear on the 3-year  
7067 capital outlay priority lists of the Florida Community College  
7068 System institutions or of the universities, as applicable.

7069 (e) Include in their joint resolution for the joint-use  
7070 facilities, comprehensive plans for the operation and management  
7071 of the facility upon completion. Institutional responsibilities  
7072 for specific functions shall be identified, including  
7073 designation of one participating board as sole owner of the  
7074 facility. Operational funding arrangements shall be clearly  
7075 defined.

7076 (2) An educational plant survey must be conducted within 90

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7077 days after submission of the joint resolution and substantiating  
7078 data describing the benefits to be obtained, the programs to be  
7079 offered, and the estimated cost of the proposed project. Upon  
7080 completion of the educational plant survey, the participating  
7081 boards may include the recommended projects in their plan as  
7082 provided in s. 1013.31. Upon approval of the project by the  
7083 commissioner, the Chancellor of the Florida Community College  
7084 System, or the Chancellor of the State University System, as  
7085 appropriate, 25 percent of the total cost of the project, or the  
7086 pro rata share based on space utilization of 25 percent of the  
7087 cost, must be included in the department's legislative capital  
7088 outlay budget request as provided in s. 1013.60 for educational  
7089 plants. The participating boards must include in their joint  
7090 resolution a commitment to finance the remaining funds necessary  
7091 to complete the planning, construction, and equipping of the  
7092 facility. Funds from the Public Education Capital Outlay and  
7093 Debt Service Trust Fund may not be expended on any project  
7094 unless specifically authorized by the Legislature.

7095 (3) Included in all proposals for joint-use facilities must  
7096 be documentation that the proposed new campus or new joint-use  
7097 facility has been reviewed by the State Board of Education, the  
7098 State Board of Community Colleges, or the Board of Governors, as  
7099 appropriate, and has been formally requested for authorization  
7100 by the Legislature.

7101 (4) A ~~No~~ district school board, Florida Community College  
7102 System institution, or state university may not ~~shall~~ receive  
7103 funding for more than one approved joint-use facility per campus  
7104 in any 3-year period.

7105 Section 121. Subsection (1) of section 1013.65, Florida

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7106 Statutes, is amended to read:

7107       1013.65 Educational and ancillary plant construction funds;  
7108 Public Education Capital Outlay and Debt Service Trust Fund;  
7109 allocation of funds.—

7110       (1) The commissioner, through the department, shall  
7111 administer the Public Education Capital Outlay and Debt Service  
7112 Trust Fund. The commissioner shall allocate or reallocate funds  
7113 as authorized by the Legislature. Copies of each allocation or  
7114 reallocation shall be provided to members of the State Board of  
7115 Education, the State Board of Community Colleges, and the Board  
7116 of Governors and to the chairs of the House of Representatives  
7117 and Senate appropriations committees. The commissioner shall  
7118 provide for timely encumbrances of funds for duly authorized  
7119 projects. Encumbrances may include proceeds to be received under  
7120 a resolution approved by the State Board of Education  
7121 authorizing the issuance of public education capital outlay  
7122 bonds pursuant to s. 9(a)(2), Art. XII of the State  
7123 Constitution, s. 215.61, and other applicable law. The  
7124 commissioner shall provide for the timely disbursement of moneys  
7125 necessary to meet the encumbrance authorizations of the boards.  
7126 Records shall be maintained by the department to identify  
7127 legislative appropriations, allocations, encumbrance  
7128 authorizations, disbursements, transfers, investments, sinking  
7129 funds, and revenue receipts by source. The Department of  
7130 Education shall pay the administrative costs of the Public  
7131 Education Capital Outlay and Debt Service Trust Fund from the  
7132 funds which comprise the trust fund.

7133       Section 122. The Division of Law Revision and Information  
7134 is directed to prepare a reviser's bill for the 2018 Regular

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7135 Session to substitute the term "Florida Community College  
7136 System" for "Florida College System" and the term "Florida  
7137 Community College System institution" for "Florida College  
7138 System institution" wherever those terms appear in the Florida  
7139 Statutes.

7140       Section 123. Except as otherwise expressly provided in this  
7141 act and except for this section, which shall take effect upon  
7142 becoming a law, this act shall take effect October 1, 2018.