

By the Committees on Appropriations; and Education; and 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.; creating
4 the State Board of Colleges; requiring the Governor to
5 appoint the membership of the state board; providing
6 that the appointments are subject to confirmation by
7 the Senate; requiring the Division of Florida Colleges
8 to provide administrative support to the state board
9 until a specified date; transferring the Florida
10 College System and the Division of Florida Colleges to
11 the state board on a specified date; requiring the
12 state board to appoint a Chancellor of the Florida
13 College System by a specified date; amending s. 20.15,
14 F.S.; removing the Division of Florida Colleges from
15 within the Department of Education; requiring the
16 department to provide support to the State Board of
17 Colleges; creating s. 20.156, F.S.; creating the State
18 Board of Colleges; assigning the state board to, and
19 administratively housing the state board within, the
20 department; providing the personnel for and powers and
21 duties of the state board; requiring the state board
22 to conduct an organizational meeting by a specified
23 date; amending s. 112.313, F.S.; prohibiting citizen
24 members of the State Board of Colleges or Florida
25 College System institution boards of trustees from
26 having an employment or contractual relationship as
27 specified lobbyists; amending s. 112.3145, F.S.;
28 revising the term "state officer" to include certain
29 Florida College System personnel; amending s. 1000.03,

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30 F.S.; revising the function and mission of the Florida
31 K-20 education system; requiring the State Board of
32 Colleges to oversee enforcement of Florida College
33 System laws and rules; amending s. 1000.05, F.S.;
34 requiring the Chancellor of the Florida College
35 System, instead of the Commissioner of Education, to
36 make certain determinations regarding equal
37 opportunities at Florida College System institutions;
38 requiring the State Board of Colleges to adopt rules;
39 amending s. 1001.02, F.S.; revising the general powers
40 of the State Board of Education to exempt the Florida
41 College System from certain provisions; deleting
42 duties of the State Board of Education regarding the
43 Florida College System; amending s. 1001.03, F.S.;
44 revising certain articulation accountability and
45 enforcement measures; requiring the State Board of
46 Education to collect information in conjunction with
47 the Board of Governors and the State Board of
48 Colleges; deleting duties of the State Board of
49 Education regarding the Florida College System;
50 amending ss. 1001.10 and 1001.11, F.S.; revising the
51 general powers and duties of the Commissioner of
52 Education to exempt the Florida College System from
53 certain powers and duties; amending s. 1001.20, F.S.;
54 revising duties of the Office of Inspector General
55 within the department regarding the Florida College
56 System; amending s. 1001.28, F.S.; providing that the
57 powers and duties of the State Board of Colleges are
58 not abrogated, superseded, altered, or amended by

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59 certain provisions relating to the department's duties
60 for distance learning; amending s. 1001.42, F.S.;
61 prohibiting a technical center governing board from
62 approving certain courses and programs; amending s.
63 1001.44, F.S.; providing the primary mission of a
64 career center operated by a district school board;
65 prohibiting specified career centers from offering
66 certain courses and programs; amending s. 1001.60,
67 F.S.; conforming provisions to changes made by the
68 act; creating s. 1001.601, F.S.; establishing the
69 State Board of Colleges; providing the membership of
70 the board; creating s. 1001.602, F.S.; providing the
71 responsibilities and duties of the State Board of
72 Colleges; requiring the state board to coordinate with
73 the State Board of Education; requiring the state
74 board, in collaboration with the State Board of
75 Education, to adopt specified definitions by rule;
76 amending ss. 1001.61, 1001.64, and 1001.65, F.S.;
77 conforming provisions to changes made by the act;
78 amending s. 1001.66, F.S.; revising requirements for
79 the performance-based metrics used to award Florida
80 College System institutions with performance-based
81 incentives; amending s. 1001.67, F.S.; revising the
82 Distinguished Florida College System Institution
83 Program excellence standards requirements; amending s.
84 1001.706, F.S.; revising cooperation duties of the
85 Board of Governors to include requirements for working
86 with the State Board of Colleges; amending s. 1002.34,
87 F.S.; providing the primary mission of a charter

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88 technical career center; prohibiting specified charter
89 technical career centers from offering certain courses
90 and programs; providing for rulemaking; amending s.
91 1003.491, F.S.; revising the Florida Career and
92 Professional Education Act to require the State Board
93 of Colleges to recommend, jointly with the Board of
94 Governors and the Commissioner of Education, certain
95 deadlines for new core courses; amending s. 1003.493,
96 F.S.; revising department duties regarding
97 articulation and the transfer of credits to
98 postsecondary institutions to include consultation
99 with the State Board of Colleges; amending s.
100 1004.015, F.S.; providing that the Higher Education
101 Coordinating Council serves as an advisory board to,
102 in addition to other bodies, the State Board of
103 Colleges; revising council reporting requirements to
104 include a report to the state board; requiring the
105 state board to collaborate with the Office of K-20
106 Articulation to provide administrative support for the
107 council; amending ss. 1004.02 and 1004.03, F.S.;
108 conforming provisions to changes made by the act;
109 amending s. 1004.04, F.S.; revising department
110 reporting requirements regarding teacher preparation
111 programs to require a report to the State Board of
112 Colleges; amending s. 1004.07, F.S.; providing that
113 the State Board of Colleges, instead of the State
114 Board of Education, provide guidelines for Florida
115 College System institution boards of trustees'
116 policies; amending ss. 1004.084, 1004.085, 1004.096,

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117 1004.0961, 1004.35, and 1004.6495, F.S.; conforming
118 provisions to changes made by the act; amending s.
119 1004.65, F.S.; revising Florida College System
120 institution governance, mission, and responsibilities,
121 to provide authority and duties to the State Board of
122 Colleges, instead of the State Board of Education;
123 providing that offering upper-level instruction and
124 awarding baccalaureate degrees are a secondary and not
125 a primary role of a Florida College System
126 institution; amending s. 1004.67, F.S.; conforming
127 provisions to changes made by the act; amending s.
128 1004.70, F.S.; revising requirements for appointments
129 to the board of directors; prohibiting a Florida
130 College System institution board of trustees from
131 authorizing a Florida College System institution
132 direct-support organization to use personal services
133 and state funds for travel expenses after a specified
134 date; deleting an exception to the prohibition on
135 gifts to a political committee from a Florida College
136 System institution direct-support organization;
137 conforming provisions to changes made by the act;
138 amending s. 1004.71, F.S.; conforming provisions to
139 changes made by the act; amending s. 1004.74, F.S.;
140 requiring the Chancellor of the Florida College
141 System, jointly with the Commissioner of Education, to
142 appoint members of the Council for the Florida School
143 for the Arts; amending ss. 1004.78 and 1004.80, F.S.;
144 conforming provisions to changes made by the act;
145 amending s. 1004.91, F.S.; requiring the State Board

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146 of Colleges to collaborate with the State Board of
147 Education to provide certain rules for Florida College
148 System institutions regarding requirements for career
149 education program basic skills; amending s. 1004.92,
150 F.S.; providing accountability for career education
151 for the State Board of Colleges; revising the
152 department's accountability for career education;
153 requiring the department and the State Board of
154 Colleges to collaborate to develop certain standards
155 and benchmarks; requiring the State Board of Education
156 and the State Board of Colleges to collaborate to
157 adopt rules; amending s. 1004.925, F.S.; revising
158 industry certification requirements for automotive
159 service technology education programs to include rules
160 adopted by the State Board of Colleges; amending s.
161 1004.93, F.S.; conforming provisions to changes made
162 by the act; amending s. 1006.60, F.S.; authorizing
163 sanctions for violations of certain rules of the State
164 Board of Colleges, instead of for violations of
165 certain rules of the State Board of Education;
166 amending ss. 1006.61, 1006.62, and 1006.71, F.S.;
167 conforming provisions to changes made by the act;
168 amending s. 1007.01, F.S.; revising the role of the
169 State Board of Education and the Board of Governors in
170 the statewide articulation system to include the State
171 Board of Colleges and the Chancellor of the Florida
172 College System; amending s. 1007.23, F.S.; requiring
173 each Florida College System institution and each state
174 university to execute at least one "2+2" targeted

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175 pathway articulation agreement by a specified time;
176 providing requirements and student eligibility for the
177 agreements; requiring the State Board of Colleges and
178 the Board of Governors to collaborate to eliminate
179 barriers in executing the agreements; amending s.
180 1007.24, F.S.; revising the statewide course numbering
181 system to include participation by and input from the
182 State Board of Colleges and the Chancellor of the
183 Florida College System; amending ss. 1007.25,
184 1007.262, 1007.263, 1007.264, and 1007.265, F.S.;
185 conforming provisions to changes made by the act;
186 amending s. 1007.27, F.S.; requiring school districts
187 to notify students about certain lists and
188 equivalencies; amending s. 1007.271, F.S.; requiring
189 the State Board of Education to collaborate with the
190 State Board of Colleges regarding certain articulation
191 agreements; amending s. 1007.273, F.S.; requiring the
192 State Board of Colleges to enforce compliance with
193 certain provisions relating to the collegiate high
194 school program by a specified date each year; amending
195 s. 1007.33, F.S.; prohibiting Florida College System
196 institutions from offering bachelor of arts degree
197 programs; deleting provisions relating to an
198 authorization for the Board of Trustees of St.
199 Petersburg College to establish certain baccalaureate
200 degree programs; revising the approval process for
201 baccalaureate degree programs proposed by Florida
202 College System institutions; requiring a Florida
203 College System institution to annually report certain

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204 information to the State Board of Colleges, the
205 Chancellor of the State University System, and the
206 Legislature; revising the circumstances under which a
207 baccalaureate degree program may be required to be
208 modified or terminated; requiring that a baccalaureate
209 degree program be terminated under certain
210 circumstances; restricting total upper-level,
211 undergraduate full-time equivalent enrollment at
212 Florida College System institutions and within the
213 Florida College System; amending s. 1008.30, F.S.;
214 requiring the State Board of Colleges, rather than the
215 State Board of Education, to develop and implement a
216 specified common placement test and approve a
217 specified series of meta-majors and academic pathways
218 with the Board of Governors; providing that certain
219 state universities may continue to provide
220 developmental education instruction; establishing the
221 Supporting Students for Academic Success Program;
222 providing the purpose, requirements, funding, and
223 reporting requirements of the program; amending s.
224 1008.31, F.S.; revising the legislative intent of
225 Florida's K-20 education performance and
226 accountability system to include recommendations from
227 and reports to the State Board of Colleges; amending
228 s. 1008.32, F.S.; removing the oversight enforcement
229 authority of the State Board of Education relating to
230 the Florida College System; amending s. 1008.345,
231 F.S.; revising department responsibilities associated
232 with the system of educational accountability to

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233 include duties for the State Board of Colleges;
234 amending s. 1008.37, F.S.; revising certain student
235 reporting requirements of the Commissioner of
236 Education to also require a report to the State Board
237 of Colleges; amending s. 1008.38, F.S.; revising the
238 articulation accountability process to include
239 participation by the State Board of Colleges; amending
240 s. 1008.405, F.S.; requiring the State Board of
241 Colleges to adopt rules for the maintenance of
242 specific information by Florida College System
243 institutions; amending ss. 1008.44, 1008.45, 1009.21,
244 1009.22, 1009.23, and 1009.25, F.S.; conforming
245 provisions to changes made by the act; amending s.
246 1009.26, F.S.; requiring that certain information
247 regarding fee waivers be reported to the State Board
248 of Colleges; requiring the State Board of Colleges to
249 adopt rules; amending s. 1009.28, F.S.; conforming
250 provisions to changes made by the act; amending ss.
251 1009.90 and 1009.91, F.S.; revising the duties of the
252 department to include reports to the State Board of
253 Colleges; amending s. 1009.971, F.S.; conforming
254 provisions to changes made by the act; amending s.
255 1010.01, F.S.; requiring the financial records and
256 accounts of Florida College System institutions to
257 follow rules of the State Board of Colleges, instead
258 of the State Board of Education; requiring each
259 Florida College System institution to annually file
260 specified financial statements with the State Board of
261 Colleges; amending ss. 1010.02 and 1010.04, F.S.;

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262 requiring the funds accruing to and purchases and
263 leases by Florida College System institutions to
264 follow rules of the State Board of Colleges, instead
265 of the State Board of Education; amending s. 1010.07,
266 F.S.; requiring certain contractors to give bonds in
267 an amount set by the State Board of Colleges; amending
268 s. 1010.08, F.S.; authorizing Florida College System
269 boards of trustees to budget for promotion and public
270 relations from certain funds; amending ss. 1010.09,
271 1010.22, 1010.30, and 1010.58, F.S.; conforming
272 provisions to changes made by the act; amending s.
273 1011.01, F.S.; requiring each Florida College System
274 institution board of trustees to submit an annual
275 operating budget according to rules of the State Board
276 of Colleges; amending s. 1011.011, F.S.; requiring the
277 State Board of Education to collaborate with the State
278 Board of Colleges on legislative budget requests
279 relating to Florida College System institutions;
280 amending ss. 1011.30 and 1011.32, F.S.; conforming
281 provisions to changes made by the act; amending s.
282 1011.80, F.S.; conforming provisions to changes made
283 by the act; authorizing the State Board of Colleges to
284 adopt rules; amending s. 1011.801, F.S.; specifying
285 duties of the State Board of Colleges regarding funds
286 for the operation of workforce education programs and
287 the Workforce Development Capitalization Incentive
288 Grant Program; amending ss. 1011.81, 1011.82, 1011.83,
289 1011.84, and 1011.85, F.S.; conforming provisions to
290 changes made by the act; amending s. 1012.01, F.S.;

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291 redefining the term "school officers"; amending ss.
292 1012.80, 1012.81, 1012.83, 1012.855, and 1012.86,
293 F.S.; conforming provisions to changes made by the
294 act; amending s. 1013.01, F.S.; providing that the
295 term "board" does not include the State Board of
296 Colleges when used in the context of certain
297 educational facilities provisions; amending ss.
298 1013.02 and 1013.03, F.S.; requiring the State Board
299 of Colleges to adopt rules for and provide functions
300 relating to educational facilities; amending s.
301 1013.28, F.S.; authorizing Florida College System
302 institution boards of trustees to dispose of land or
303 real property subject to rules of the State Board of
304 Colleges; amending s. 1013.31, F.S.; specifying the
305 role of the State Board of Colleges in educational
306 plant surveys for Florida College System institutions;
307 amending ss. 1013.36, 1013.37, and 1013.40, F.S.;
308 conforming provisions to changes made by the act;
309 amending s. 1013.47, F.S.; providing that certain
310 contractors are subject to rules of the State Board of
311 Colleges; amending s. 1013.52, F.S.; specifying duties
312 of the State Board of Colleges with regard to the
313 cooperative development and joint use of facilities;
314 amending s. 1013.65, F.S.; requiring the State Board
315 of Colleges to be provided with copies of authorized
316 allocations or reallocations for the Public Education
317 Capital Outlay and Debt Service Trust Fund; providing
318 appropriations effective on specified dates; requiring
319 the State Board of Colleges to distribute certain

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320 funds and establish certain procedures and timelines
321 for colleges by a specified date; requiring the
322 Chancellor of the Florida College System to prepare
323 certain reports by a specified date; specifying that
324 certain industry certifications may be reported and
325 included in the allocation of funds for the 2018-2019
326 fiscal year; requiring colleges to maintain certain
327 documentation for industry certifications; requiring
328 the Auditor General to verify compliance with
329 specified requirements; transferring certain funds
330 relating to the Florida College System currently
331 assigned to and administered by the State Board of
332 Education to the State Board of Colleges; providing
333 effective dates.

334

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

336

337 Section 1. Section 1. This act shall be cited as the
338 "College Competitiveness Act of 2018."

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

341 1001.6001 Florida College System governance.—

342 (1) The State Board of Colleges is created pursuant to s.
343 20.156 to oversee and coordinate the Florida College System. The
344 Governor shall appoint the membership of the State Board of
345 Colleges, subject to confirmation by the Senate, in time for the
346 members to convene for the board's organizational meeting
347 pursuant to s. 20.156(5).

348 (2) The Division of Florida Colleges shall provide

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349 administrative support to the State Board of Colleges until
 350 September 30, 2018.

351 (3) On October 1, 2018, all powers, duties, functions,
 352 records, offices, personnel, property, pending issues and
 353 existing contracts, administrative authority, administrative
 354 rules, and unexpended balances of appropriations, allocations,
 355 and other funds related to the Florida College System and the
 356 Division of Florida Colleges are transferred by a type two
 357 transfer, as defined in s. 20.06(2), from the State Board of
 358 Education to the State Board of Colleges.

359 (4) The State Board of Colleges shall appoint a Chancellor
 360 of the Florida College System by November 1, 2018, to aid the
 361 board in the implementation of its responsibilities.

362 (5) Any State Board of Education approval, policy,
 363 guidance, and appointment in effect on October 1, 2018, remains
 364 effective unless acted upon by the State Board of Colleges.

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

367 20.15 Department of Education.—There is created a
 368 Department of Education.

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

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

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

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

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

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

376 (e)~~(f)~~ Division of Accountability, Research, and
 377 Measurement.

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

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

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

382 1. The Office of Early Learning, which shall be
383 administered by an executive director who is fully accountable
384 to the Commissioner of Education. The executive director shall,
385 pursuant to s. 1001.213, administer the early learning programs,
386 including the school readiness program and the Voluntary
387 Prekindergarten Education Program at the state level.

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

391 (8) SUPPORT SERVICES.—The Department of Education shall
392 continue to provide support to the Board of Governors of the
393 State University System and to the State Board of Colleges of
394 the Florida College System. At a minimum, support services
395 provided to the Board of Governors and the State Board of
396 Colleges shall include accounting, printing, computer and
397 Internet support, personnel and human resources support, support
398 for accountability initiatives, and administrative support as
399 needed for trust funds under the jurisdiction of the Board of
400 Governors and the State Board of Colleges.

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

403 20.156 State Board of Colleges.—

404 (1) GENERAL PROVISIONS.—The State Board of Colleges is
405 created. For the purposes of s. 6, Art. IV of the State
406 Constitution, the state board shall be assigned to and

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407 administratively housed within the Department of Education.
408 However, the state board shall independently exercise the powers
409 and duties in s. 1001.602; is a separate budget program; and is
410 not subject to control, supervision, or direction by the
411 department. For purposes of this section, the State Board of
412 Colleges is referred to as the "state board."

413 (2) HEAD OF THE FLORIDA COLLEGE SYSTEM.—The state board is
414 the head of the Florida College System. The Governor shall
415 appoint the board members, subject to confirmation by the
416 Senate.

417 (3) PERSONNEL.—The state board shall appoint a Chancellor
418 of the Florida College System by November 1, 2018, to aid in
419 carrying out the state board's duties. The chancellor is the
420 chief executive officer and secretary to the state board and
421 directs the activities of the staff of the state board. The
422 Chancellor of the Division of Florida Colleges shall serve as
423 the Chancellor of the Florida College System until the state
424 board selects a chancellor.

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

428 (5) ORGANIZATION.—The state board shall, by September 30,
429 2018, conduct an organizational meeting to adopt bylaws, elect a
430 chair and vice chair from the membership, and fix dates and
431 places for regular meetings.

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

434 112.313 Standards of conduct for public officers, employees
435 of agencies, and local government attorneys.—

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436 (18) STATE BOARD OF COLLEGES AND BOARDS OF TRUSTEES.—A
437 citizen member of the State Board of Colleges or a citizen
438 member of a Florida College System institution board of trustees
439 may not have or hold an employment or contractual relationship
440 as a legislative lobbyist requiring annual registration and
441 reporting pursuant to s. 11.045.

442 Section 6. Paragraph (c) of subsection (1) of section
443 112.3145, Florida Statutes, is amended to read:

444 112.3145 Disclosure of financial interests and clients
445 represented before agencies.—

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

448 (c) "State officer" means:

449 1. Any elected public officer, excluding those elected to
450 the United States Senate and House of Representatives, not
451 covered elsewhere in this part and any person who is appointed
452 to fill a vacancy for an unexpired term in such an elective
453 office.

454 2. An appointed member of each board, commission,
455 authority, or council having statewide jurisdiction, excluding a
456 member of an advisory body.

457 3. A member of the Board of Governors of the State
458 University System or a state university board of trustees, the
459 Chancellor and Vice Chancellors of the State University System,
460 and the president of a state university; or a member of the
461 State Board of Colleges and the Chancellor of the Florida
462 College System.

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

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

467 1000.03 Function, mission, and goals of the Florida K-20
468 education system.—

469 (2) (a) The Legislature shall establish education policy,
470 enact education laws, and appropriate and allocate education
471 resources.

472 (b) With the exception of matters relating to the State
473 University System and the Florida College System, the State
474 Board of Education shall oversee the enforcement of all laws and
475 rules, and the timely provision of direction, resources,
476 assistance, intervention when needed, and strong incentives and
477 disincentives to force accountability for results.

478 (c) The Board of Governors shall oversee the enforcement of
479 all state university laws and rules and regulations and the
480 timely provision of direction, resources, assistance,
481 intervention when needed, and strong incentives and
482 disincentives to force accountability for results.

483 (d) The State Board of Colleges shall oversee the
484 enforcement of all Florida College System laws and rules and the
485 timely provision of direction, resources, assistance,
486 intervention when needed, and strong incentives and
487 disincentives to force accountability for results.

488 (4) The mission of Florida's K-20 education system is to
489 allow its students to increase their proficiency by allowing
490 them the opportunity to expand their knowledge and skills
491 through rigorous and relevant learning opportunities, in
492 accordance with the mission of the applicable career center or
493 system statement and the accountability requirements of s.

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494 1008.31, and to avoid wasteful duplication of programs offered
495 by state universities, Florida College System institutions, and
496 career centers and charter technical career centers that are
497 operated by a district school board or a Florida College System
498 institution board of trustees.

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

502 1000.05 Discrimination against students and employees in
503 the Florida K-20 public education system prohibited; equality of
504 access required.—

505 (3)

506 (d) A public K-20 educational institution which operates or
507 sponsors interscholastic, intercollegiate, club, or intramural
508 athletics shall provide equal athletic opportunity for members
509 of both genders.

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

512 2. The Commissioner of Education, for school districts, and
513 the Chancellor of the Florida College System, for Florida
514 College System institutions, shall determine whether equal
515 opportunities are available in school districts and Florida
516 College System institutions, respectively. In determining
517 whether equal opportunities are available in school districts
518 and Florida College System institutions, the Commissioner of
519 Education and the Chancellor of the Florida College System shall
520 consider, among other factors:

521 a. Whether the selection of sports and levels of
522 competition effectively accommodate the interests and abilities

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- 523 of members of both genders.
- 524 b. The provision of equipment and supplies.
- 525 c. Scheduling of games and practice times.
- 526 d. Travel and per diem allowances.
- 527 e. Opportunities to receive coaching and academic tutoring.
- 528 f. Assignment and compensation of coaches and tutors.
- 529 g. Provision of locker room, practice, and competitive
- 530 facilities.
- 531 h. Provision of medical and training facilities and
- 532 services.
- 533 i. Provision of housing and dining facilities and services.
- 534 j. Publicity.

535

536 Unequal aggregate expenditures for members of each gender or

537 unequal expenditures for male and female teams if a public

538 school or Florida College System institution operates or

539 sponsors separate teams do not constitute nonimplementation of

540 this subsection, but the Commissioner of Education shall

541 consider the failure to provide necessary funds for teams for

542 one gender in assessing equality of opportunity for members of

543 each gender.

544 (5) (a) The State Board of Education shall adopt rules to

545 implement this section as it relates to school districts ~~and~~

546 ~~Florida College System institutions.~~

547 (b) The Board of Governors shall adopt regulations to

548 implement this section as it relates to state universities.

549 (c) The State Board of Colleges shall adopt rules to

550 implement this section as it relates to Florida College System

551 institutions.

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552 (6) The functions of the State Board of Colleges for
553 Florida College System institutions and the Office of Equal
554 Educational Opportunity of the Department of Education shall
555 include, but are not limited to:

556 (a) Requiring all district school boards and Florida
557 College System institution boards of trustees to develop and
558 submit plans for the implementation of this section to the
559 Department of Education.

560 (b) Conducting periodic reviews of school districts and
561 Florida College System institutions to determine compliance with
562 this section and, after a finding that a school district or a
563 Florida College System institution is not in compliance with
564 this section, notifying the entity of the steps that it must
565 take to attain compliance and performing followup monitoring.

566 (c) Providing technical assistance, including assisting
567 school districts or Florida College System institutions in
568 identifying unlawful discrimination and instructing them in
569 remedies for correction and prevention of such discrimination
570 and performing followup monitoring.

571 (d) Conducting studies of the effectiveness of methods and
572 strategies designed to increase the participation of students in
573 programs and courses in which students of a particular race,
574 ethnicity, national origin, gender, disability, or marital
575 status have been traditionally underrepresented and monitoring
576 the success of students in such programs or courses, including
577 performing followup monitoring.

578 (e) Requiring all district school boards and Florida
579 College System institution boards of trustees to submit data and
580 information necessary to determine compliance with this section.

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581 The Commissioner of Education, for school districts, and the
582 Chancellor of the Florida College System, for Florida College
583 System institutions, shall prescribe the format and the date for
584 submission of such data and any other educational equity data.
585 If any board does not submit the required compliance data or
586 other required educational equity data by the prescribed date,
587 the commissioner or the chancellor, as applicable, shall notify
588 the board of this fact and, if the board does not take
589 appropriate action to immediately submit the required report,
590 the State Board of Education or the State Board of Colleges, as
591 applicable, shall impose monetary sanctions.

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

607 (g) Reporting to the Commissioner of Education, for school
608 districts, or to the Chancellor of the Florida College System,
609 for Florida College System institutions, any district school

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610 board or Florida College System institution board of trustees
 611 found to be out of compliance with rules of the State Board of
 612 Education or the State Board of Colleges adopted as required by
 613 paragraph (f) or paragraph (3)(d). To penalize the respective
 614 board, the State Board of Education or the State Board of
 615 Colleges, as applicable, shall:

616 1. Declare the school district or Florida College System
 617 institution ineligible for competitive state grants.

618 2. Notwithstanding the provisions of s. 216.192, direct the
 619 Chief Financial Officer to withhold general revenue funds
 620 sufficient to obtain compliance from the school district or
 621 Florida College System institution.

622
 623 The school district or Florida College System institution shall
 624 remain ineligible and the funds may ~~shall~~ not be paid until the
 625 institution comes into compliance or the State Board of
 626 Education or the State Board of Colleges, as applicable,
 627 approves a plan for compliance.

628 Section 9. Section 1001.02, Florida Statutes, is amended to
 629 read:

630 1001.02 General powers of State Board of Education.—

631 (1) The State Board of Education is the chief implementing
 632 and coordinating body of public education in Florida except for
 633 the State University System and the Florida College System, and
 634 it shall focus on high-level policy decisions. It has authority
 635 to adopt rules pursuant to ss. 120.536(1) and 120.54 to
 636 implement the provisions of law conferring duties upon it for
 637 the improvement of the state system of K-20 public education
 638 except for the State University System and the Florida College

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639 System. Except as otherwise provided herein, it may, as it finds
640 appropriate, delegate its general powers to the Commissioner of
641 Education or the directors of the divisions of the department.

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

643 (a) To adopt comprehensive educational objectives for
644 public education except for the State University System and the
645 Florida College System.

646 (b) To adopt comprehensive long-range plans and short-range
647 programs for the development of the state system of public
648 education except for the State University System and the Florida
649 College System.

650 (c) To exercise general supervision over the divisions of
651 the Department of Education as necessary to ensure coordination
652 of educational plans and programs and resolve controversies and
653 to minimize problems of articulation and student transfers, to
654 ensure that students moving from one level of education to the
655 next have acquired competencies necessary for satisfactory
656 performance at that level, and to ensure maximum utilization of
657 facilities.

658 (d) To adopt, in consultation with the Board of Governors
659 and the State Board of Colleges, and from time to time modify,
660 minimum and uniform standards of college-level communication and
661 computation skills generally associated with successful
662 performance and progression through the baccalaureate level and
663 to identify college-preparatory high school coursework and
664 postsecondary-level coursework that prepares students with the
665 academic skills necessary to succeed in postsecondary education.

666 (e) To adopt and submit to the Governor and Legislature, as
667 provided in s. 216.023, a coordinated K-20 education budget that

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668 estimates the expenditure requirements for the Board of
669 Governors, as provided in s. 1001.706, the State Board of
670 Education, including the Department of Education and the
671 Commissioner of Education, and all of the boards, institutions,
672 agencies, and services under the general supervision of the
673 Board of Governors, as provided in s. 1001.706, the State Board
674 of Colleges, as provided in s. 1001.602, or the State Board of
675 Education for the ensuing fiscal year. The State Board of
676 Education may not amend the budget request submitted by the
677 Board of Governors or the State Board of Colleges. Any program
678 recommended by the Board of Governors, the State Board of
679 Colleges, or the State Board of Education which will require
680 increases in state funding for more than 1 year must be
681 presented in a multiyear budget plan.

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

686 (g) To approve plans for cooperating with the Federal
687 Government.

688 (h) To approve plans for cooperating with other public
689 agencies in the development of rules and in the enforcement of
690 laws for which the state board and such agencies are jointly
691 responsible.

692 (i) To review plans for cooperating with appropriate
693 nonpublic agencies for the improvement of conditions relating to
694 the welfare of schools.

695 (j) To create such subordinate advisory bodies as are
696 required by law or as it finds necessary for the improvement of

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697 education.

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

700 (l) To assist in the economic development of the state by
701 developing a state-level planning process to identify future
702 training needs for industry, especially high-technology
703 industry.

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

707 (n) To adopt cohesive rules pursuant to ss. 120.536(1) and
708 120.54, within statutory authority.

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

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

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

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

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

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726 (t) To establish accountability standards for existing
727 legislative performance goals, standards, and measures, and
728 order the development of mechanisms to implement new legislative
729 goals, standards, and measures.

730 (u) To adopt criteria and implementation plans for future
731 growth issues, ~~such as new Florida College System institutions~~
732 ~~and Florida College System institution campus mergers,~~ and to
733 provide for cooperative agreements between and within public and
734 private education sectors.

735 (v) To develop, in conjunction with the Board of Governors
736 and the State Board of Colleges, and periodically review for
737 adjustment, a coordinated 5-year plan for postsecondary
738 enrollment, identifying enrollment and graduation expectations
739 by baccalaureate degree program, and annually submit the plan to
740 the Legislature as part of its legislative budget request.

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

747 (3) (a) The State Board of Education shall adopt a strategic
748 plan that specifies goals and objectives for the state's public
749 schools ~~and Florida College System institutions.~~ The plan shall
750 be formulated in conjunction with plans of the Board of
751 Governors and the State Board of Colleges in order to provide
752 for the roles of the universities and Florida College System
753 institutions to be coordinated to best meet state needs and
754 reflect cost-effective use of state resources. The strategic

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

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

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784 institution. The annual report shall include an assessment of
785 progress made in achieving goals and objectives established in
786 the long-range plans and recommendations for repealing or
787 modifying existing financial aid programs or establishing new
788 programs. A long-range plan shall be submitted by January 1,
789 2004, and every 5 years thereafter. An annual report shall be
790 submitted on January 1, 2004, and in each successive year that a
791 long-range plan is not submitted, to the President of the Senate
792 and the Speaker of the House of Representatives.

793 (4) The State Board of Education shall:

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

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

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

809 ~~(d) Establish criteria for making recommendations for~~
810 ~~modifying district boundary lines for Florida College System~~
811 ~~institutions, including criteria for service delivery areas of~~
812 ~~Florida College System institutions authorized to grant~~

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813 ~~baccalaureate degrees.~~

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

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

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

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

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

837 ~~(a) Personnel.~~

838 ~~(b) Contracting.~~

839 ~~(c) Program offerings and classification, including~~
840 ~~college-level communication and computation skills associated~~
841 ~~with successful performance in college and with tests and other~~

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842 ~~assessment procedures that measure student achievement of those~~
843 ~~skills. The performance measures must provide that students~~
844 ~~moving from one level of education to the next acquire the~~
845 ~~necessary competencies for that level.~~

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

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

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

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

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

868 ~~(e) Student admissions, conduct and discipline,~~
869 ~~nonclassroom activities, and fees.~~

870 ~~(f) Budgeting.~~

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

872 ~~(h) Student services.~~

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

875 Section 10. Subsections (7) through (17) of section
876 1001.03, Florida Statutes, are amended to read:

877 1001.03 Specific powers of State Board of Education.—

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

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

894 (9) MANAGEMENT INFORMATION DATABASES.—The State Board of
895 Education, in conjunction with the Board of Governors regarding
896 the State University System and the State Board of Colleges
897 regarding the Florida College System, shall continue to collect
898 and maintain, at a minimum, the management information databases
899 for state universities, Florida College System institutions, and

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900 all other components of the public K-20 education system as such
901 databases existed on June 30, 2002.

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

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

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

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

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

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929 management personnel to total district employees.

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

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

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

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

957 (12) ~~(17)~~ UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,

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958 ENGINEERING, AND MATHEMATICS (STEM).—The State Board of
959 Education, in consultation with the Board of Governors, the
960 State Board of Colleges, and the Department of Economic
961 Opportunity, shall adopt a unified state plan to improve K-20
962 STEM education and prepare students for high-skill, high-wage,
963 and high-demand employment in STEM and STEM-related fields.

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

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

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

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

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

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987 increases in state funding for more than 1 year must be
988 presented in a multiyear budget plan.

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

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

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

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

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

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

1010 1001.11 Commissioner of Education; other duties.—

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

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

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

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

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

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

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

1035 (a) Growth at the institutions.

1036 (b) Need for specific skills statewide.

1037 (c) Need for maintaining and repairing existing facilities.

1038 Section 13. Paragraph (e) of subsection (4) of section
1039 1001.20, Florida Statutes, is amended to read:

1040 1001.20 Department under direction of state board.—

1041 (4) The Department of Education shall establish the
1042 following offices within the Office of the Commissioner of
1043 Education which shall coordinate their activities with all other
1044 divisions and offices:

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1045 (e) *Office of Inspector General.*—Organized using existing
1046 resources and funds and responsible for promoting
1047 accountability, efficiency, and effectiveness and detecting
1048 fraud and abuse within school districts and, the Florida School
1049 for the Deaf and the Blind, ~~and Florida College System~~
1050 ~~institutions in Florida~~. If the Commissioner of Education
1051 determines that a district school board or, the Board of
1052 Trustees for the Florida School for the Deaf and the Blind, ~~or a~~
1053 ~~Florida College System institution board of trustees~~ is
1054 unwilling or unable to address substantiated allegations made by
1055 any person relating to waste, fraud, or financial mismanagement
1056 within the school district or, the Florida School for the Deaf
1057 and the Blind, ~~or the Florida College System institution~~, the
1058 office shall conduct, coordinate, or request investigations into
1059 such substantiated allegations. The office shall have access to
1060 all information and personnel necessary to perform its duties
1061 and shall have all of its current powers, duties, and
1062 responsibilities authorized in s. 20.055.

1063 Section 14. Section 1001.28, Florida Statutes, is amended
1064 to read:

1065 1001.28 Distance learning duties.—The duties of the
1066 Department of Education concerning distance learning include,
1067 but are not limited to, the duty to:

1068 (1) Facilitate the implementation of a statewide
1069 coordinated system and resource system for cost-efficient
1070 advanced telecommunications services and distance education
1071 which will increase overall student access to education.

1072 (2) Coordinate the use of existing resources, including,
1073 but not limited to, the state's satellite transponders, the

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1074 Florida Information Resource Network (FIRN), and distance
1075 learning initiatives.

1076 (3) Assist in the coordination of the utilization of the
1077 production and uplink capabilities available through Florida's
1078 public television stations, eligible facilities, independent
1079 colleges and universities, private firms, and others as needed.

1080 (4) Seek the assistance and cooperation of Florida's cable
1081 television providers in the implementation of the statewide
1082 advanced telecommunications services and distance learning
1083 network.

1084 (5) Seek the assistance and cooperation of Florida's
1085 telecommunications carriers to provide affordable student access
1086 to advanced telecommunications services and to distance
1087 learning.

1088 (6) Coordinate partnerships for development, acquisition,
1089 use, and distribution of distance learning.

1090 (7) Secure and administer funding for programs and
1091 activities for distance learning from federal, state, local, and
1092 private sources and from fees derived from services and
1093 materials.

1094 (8) Hire appropriate staff which may include a position
1095 that shall be exempt from part II of chapter 110 and is included
1096 in the Senior Management Service in accordance with s. 110.205.

1097
1098 Nothing in this section shall be construed to abrogate,
1099 supersede, alter, or amend the powers and duties of any state
1100 agency, district school board, Florida College System
1101 institution board of trustees, university board of trustees, the
1102 Board of Governors, the State Board of Colleges, or the State

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1103 Board of Education.

1104 Section 15. Effective July 1, 2018, subsection (26) of
1105 section 1001.42, Florida Statutes, is amended to read:

1106 1001.42 Powers and duties of district school board.—The
1107 district school board, acting as a board, shall exercise all
1108 powers and perform all duties listed below:

1109 (26) TECHNICAL CENTER GOVERNING BOARD.—May appoint a
1110 governing board for a school district technical center or a
1111 system of technical centers for the purpose of aligning the
1112 educational programs of the technical center with the needs of
1113 local businesses and responding quickly to the needs of local
1114 businesses for employees holding industry certifications. A
1115 technical center governing board shall be comprised of seven
1116 members, three of whom must be members of the district school
1117 board or their designees and four of whom must be local business
1118 leaders. The district school board shall delegate to the
1119 technical center governing board decisions regarding entrance
1120 requirements for students, curriculum, program development,
1121 budget and funding allocations, and the development with local
1122 businesses of partnership agreements and appropriate industry
1123 certifications in order to meet local and regional economic
1124 needs. A technical center governing board may approve only
1125 courses and programs that contain industry certifications. A
1126 course may be continued if at least 25 percent of the students
1127 enrolled in the course attain an industry certification. If
1128 fewer than 25 percent of the students enrolled in a course
1129 attain an industry certification, the course must be
1130 discontinued the following year. However, notwithstanding the
1131 authority to approve courses and programs under this subsection,

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1132 a technical center governing board may not approve a college
1133 credit course or college credit certificate or an associate
1134 degree or baccalaureate degree program.

1135 Section 16. Effective July 1, 2018, section 1001.44,
1136 Florida Statutes, is amended to read:

1137 1001.44 Career centers; governance, mission, and
1138 responsibilities.—

1139 (1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER
1140 CENTERS.—Any district school board, after first obtaining the
1141 approval of the Department of Education, may, as a part of the
1142 district school system, organize, establish and operate a career
1143 center, or acquire and operate a career center previously
1144 established.

1145 (a) The primary mission of a career center that is operated
1146 by a district school board is to promote advances and
1147 innovations in workforce preparation and economic development. A
1148 career center may provide a learning environment that serves the
1149 needs of a specific population group or group of occupations,
1150 thus promoting diversity and choices within the public technical
1151 education community in this state.

1152 (b) A career center that is operated by a district school
1153 board may not offer a college credit course or college credit
1154 certificate or an associate degree or baccalaureate degree
1155 program.

1156 (2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY
1157 ESTABLISH OR ACQUIRE CAREER CENTERS.—The district school boards
1158 of any two or more contiguous districts may, upon first
1159 obtaining the approval of the department, enter into an
1160 agreement to organize, establish and operate, or acquire and

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1161 operate, a career center under this section.

1162 (3) CAREER CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED
1163 BY A DIRECTOR.—

1164 (a) A career center established or acquired under
1165 provisions of law and minimum standards prescribed by the
1166 commissioner shall comprise a part of the district school system
1167 and shall mean an educational institution offering terminal
1168 courses of a technical nature which are not for college credit,
1169 and courses for out-of-school youth and adults; shall be subject
1170 to all applicable provisions of this code; shall be under the
1171 control of the district school board of the school district in
1172 which it is located; and shall be directed by a director
1173 responsible through the district school superintendent to the
1174 district school board of the school district in which the center
1175 is located.

1176 (b) Each career center shall maintain an academic
1177 transcript for each student enrolled in the center. Such
1178 transcript shall delineate each course completed by the student.
1179 Courses shall be delineated by the course prefix and title
1180 assigned pursuant to s. 1007.24. The center shall make a copy of
1181 a student's transcript available to any student who requests it.

1182 Section 17. Effective July 1, 2018, paragraph (b) of
1183 subsection (2) of section 1001.60, Florida Statutes, is amended
1184 to read:

1185 1001.60 Florida College System.—

1186 (2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida
1187 College System comprised of the Florida College System
1188 institutions identified in s. 1000.21(3). A Florida College
1189 System institution may not offer graduate degree programs.

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1190 (b)1. With the approval of its district board of trustees,
1191 a Florida College System institution may change the
1192 institution's name set forth in s. 1000.21(3) and use the
1193 designation "college" or "state college" if it has been
1194 authorized to grant baccalaureate degrees pursuant to s. 1007.33
1195 and has been accredited as a baccalaureate-degree-granting
1196 institution by the Commission on Colleges of the Southern
1197 Association of Colleges and Schools.

1198 2. With the approval of its district board of trustees, a
1199 Florida College System institution that does not meet the
1200 criteria in subparagraph 1. may request approval from the State
1201 Board of Colleges Education to change the institution's name set
1202 forth in s. 1000.21(3) and use the designation "college." The
1203 State Board of Colleges Education may approve the request if the
1204 Florida College System institution enters into an agreement with
1205 the State Board of Colleges Education to do the following:

1206 a. Maintain as its primary mission responsibility for
1207 responding to community needs for postsecondary academic
1208 education and career degree education as prescribed in s.
1209 1004.65(5).

1210 b. Maintain an open-door admissions policy for associate-
1211 level degree programs and workforce education programs.

1212 c. Continue to provide outreach to underserved populations.

1213 d. Continue to provide remedial education.

1214 e. Comply with all provisions of the statewide articulation
1215 agreement that relate to 2-year and 4-year public degree-
1216 granting institutions as adopted by the State Board of Colleges
1217 ~~Education~~ pursuant to s. 1007.23.

1218 Section 18. Effective July 1, 2018, section 1001.601,

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1219 Florida Statutes, is created to read:

1220 1001.601 State Board of Colleges of the Florida College
1221 System.-

1222 (1) The State Board of Colleges is established as a body
1223 corporate consisting of 13 members, which shall consist of the
1224 Commissioner of Education and 12 citizen members who are
1225 appointed by the Governor in a manner that provides equitable
1226 geographical representation.

1227 (a) The 12 appointed citizen members must include a student
1228 enrolled in a Florida College System institution and a faculty
1229 member employed at a Florida College System institution.

1230 (b) Each citizen member must reside and be registered to
1231 vote in this state.

1232 (c) Except for the student member, who shall serve a 1-year
1233 term, appointed citizen members shall serve staggered 4-year
1234 terms. In order to achieve staggered terms, beginning September
1235 1, 2018, of the initial appointments, 3 members shall serve 2-
1236 year terms, 4 members shall serve 3-year terms, and 4 members
1237 shall serve 4-year terms.

1238 (d) Except for the student member, each citizen member must
1239 be confirmed by the Senate.

1240 (2) Members of the State Board of Colleges may not receive
1241 compensation but may be reimbursed for per diem and travel
1242 expenses as provided in s. 112.061.

1243 Section 19. Section 1001.602, Florida Statutes, is created
1244 to read:

1245 1001.602 Powers and duties of the State Board of Colleges.-

1246 (1) RESPONSIBILITIES.-The State Board of Colleges is
1247 responsible for the efficient and effective operation and

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1248 maintenance of the Florida College System, as established in s.
1249 1001.60. The State Board of Colleges may adopt rules pursuant to
1250 ss. 120.536(1) and 120.54 to implement provisions of law for the
1251 Florida College System. For the purposes of this section, the
1252 State Board of Colleges is referred to as the "state board."

1253 (2) DUTIES.—The state board has the following duties:

1254 (a) Ensure that Florida College System institutions operate
1255 consistent with the mission of the system, pursuant to s.
1256 1004.65.

1257 (b) Oversee the Florida College System and coordinate with
1258 the State Board of Education and the Board of Governors to avoid
1259 wasteful duplication of facilities or programs.

1260 (c) Provide for each Florida College System institution to
1261 offer educational training and service programs designed to meet
1262 the needs of both students and the communities served.

1263 (d) Hold meetings, transact business, keep records, and,
1264 except as otherwise provided by law, perform such other duties
1265 as may be necessary for the enforcement of laws and rules
1266 relating to the Florida College System.

1267 (e) Provide for the coordination of educational plans and
1268 programs to resolve controversies, minimize problems of
1269 articulation and student transfers, ensure that students moving
1270 from one level of education to the next have acquired
1271 competencies necessary for satisfactory performance at that
1272 level, and ensure maximum utilization of facilities.

1273 (f) Establish and review, in consultation with the State
1274 Board of Education and the Board of Governors, minimum and
1275 uniform standards of college-level communication and computation
1276 skills generally associated with successful performance and

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1277 progression through the baccalaureate level, to identify
1278 college-preparatory high school coursework and postsecondary-
1279 level coursework that prepares students with the academic skills
1280 necessary to succeed in postsecondary education.

1281 (g) Approve plans for cooperating with the Federal
1282 Government.

1283 (h) Approve plans for cooperating with other public
1284 agencies in the development of rules and in the enforcement of
1285 laws for which the state board and the agencies are jointly
1286 responsible.

1287 (i) Create subordinate advisory bodies if required by law
1288 or as necessary for the improvement of the Florida College
1289 System.

1290 (j) Coordinate with the State Board of Education and the
1291 Board of Governors to collect and maintain data for the Florida
1292 College System.

1293 (k) Establish, in conjunction with the State Board of
1294 Education and the Board of Governors, an effective information
1295 system that will provide composite data concerning the Florida
1296 College System institutions and state universities and that will
1297 ensure that special analyses and studies concerning the
1298 institutions are conducted, as necessary, for provision of
1299 accurate and cost-effective information concerning the
1300 institutions.

1301 (l) Establish accountability standards for existing
1302 legislative performance goals, standards, and measures, and
1303 order the development of mechanisms to implement new legislative
1304 goals, standards, and measures.

1305 (m) Require each Florida College System institution, before

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1306 registration, to provide each enrolled student electronic access
1307 to the economic security report of employment and earning
1308 outcomes prepared by the Department of Economic Opportunity
1309 pursuant to s. 445.07.

1310 (n) Specify, by rule, procedures to be used by Florida
1311 College System institution boards of trustees in the annual
1312 evaluation of presidents, and review the evaluations of
1313 presidents by the boards of trustees, including the extent to
1314 which presidents serve both institutional and system goals.

1315 (o) Establish, subject to existing law, the tuition and
1316 out-of-state fees for developmental education and for credit
1317 instruction that may be counted toward an associate in arts
1318 degree, an associate in applied science degree, or an associate
1319 in science degree.

1320 (p) Develop, in conjunction with the State Board of
1321 Education and the Board of Governors, and implement a common
1322 placement test to assess the basic communication and computation
1323 skills of students who intend to enter a degree program at a
1324 Florida College System institution or state university.

1325 (q) May direct the Chancellor of the Florida College System
1326 to conduct investigations of practices, procedures, or actions
1327 at a Florida College System institution which appear to be
1328 inconsistent with sound financial, management, or academic
1329 practice.

1330 (r) Examine the annual administrative review of each
1331 Florida College System institution.

1332 (s) Through the Chancellor of the Florida College System,
1333 integrally work with the Florida College System institution
1334 boards of trustees.

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1335 (t) Establish criteria for making recommendations
1336 concerning all proposals to establish additional centers or
1337 campuses for a Florida College System institution.

1338 (3) PLAN SPECIFYING GOALS AND OBJECTIVES.—To comply with
1339 the requirements under subsection (4) and the performance
1340 metrics and standards adopted under ss. 1001.66 and 1001.67, the
1341 state board shall identify performance metrics for the Florida
1342 College System and develop a plan that specifies goals and
1343 objectives for each Florida College System institution. The plan
1344 must include:

1345 (a) Performance metrics and standards common for all
1346 institutions and metrics and standards unique to institutions
1347 depending on institutional core missions, including, but not
1348 limited to, remediation success, retention, graduation,
1349 employment, transfer rates, licensure passage, excess hours,
1350 student loan burden and default rates, job placement, faculty
1351 awards, and highly respected rankings for institution and
1352 program achievements.

1353 (b) Student enrollment and performance data delineated by
1354 method of instruction, including, but not limited to,
1355 traditional, online, and distance learning instruction.

1356 (4) STRATEGIC PLAN, LONG-RANGE PLANS, AND OTHER PLANS.—

1357 (a) The state board shall adopt a strategic plan that
1358 specifies goals and objectives for the Florida College System.
1359 The plan must be formulated in conjunction with plans of the
1360 State Board of Education and the Board of Governors in order to
1361 coordinate the roles of the school districts and state
1362 universities to best meet state needs and reflect cost-effective
1363 use of state resources. The strategic plan must clarify the

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1364 mission statements of the Florida College System and each
1365 Florida College System institution and identify degree programs,
1366 including baccalaureate degree programs, to be offered at each
1367 Florida College System institution in accordance with the
1368 objectives provided in this subsection and the coordinated 5-
1369 year plan pursuant to s. 1001.02(2)(v). The strategic plan must
1370 cover a period of 5 years, with modification of the program
1371 lists after 2 years. Development of each 5-year plan must be
1372 coordinated with and initiated after completion of the master
1373 plan. The strategic plan must consider reports and
1374 recommendations of the Higher Education Coordinating Council
1375 pursuant to s. 1004.015 and the Articulation Coordinating
1376 Committee pursuant to s. 1007.01. Upon modification of the plan,
1377 the state board shall submit a report to the President of the
1378 Senate and the Speaker of the House of Representatives as part
1379 of its legislative budget request.

1380 (b) The state board, the State Board of Education, and the
1381 Board of Governors shall jointly develop long-range plans and
1382 annual reports for financial aid in this state. The long-range
1383 plans must establish goals and objectives for a comprehensive
1384 program of financial aid for students and shall be updated every
1385 5 years. The annual report must include programs administered by
1386 the department as well as awards made from financial aid fee
1387 revenues, other funds appropriated by the Legislature for
1388 financial assistance, and the value of tuition and fees waived
1389 for students enrolled in a dual enrollment course at a public
1390 postsecondary educational institution. The annual report must
1391 include an assessment of the progress made in achieving goals
1392 and objectives established in the long-range plans and must

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1393 include recommendations for repealing or modifying existing
1394 financial aid programs or establishing new programs. The state
1395 board, the State Board of Education, and the Board of Governors
1396 shall submit their long-range plans by July 1, 2018, and every 5
1397 years thereafter and shall submit their annual reports on July
1398 1, 2018, and in each successive year that a long-range plan is
1399 not submitted, to the President of the Senate and the Speaker of
1400 the House of Representatives.

1401 (c) The state board shall also:

1402 1. Adopt comprehensive long-range plans and short-range
1403 programs for the development of the Florida College System.

1404 2. Assist in the economic development of the state by
1405 developing a state-level planning process to identify future
1406 training needs for industry, especially high-technology
1407 industry.

1408 3. Adopt criteria and implementation plans for future
1409 growth issues, such as new Florida College System institutions
1410 and Florida College System institution campus mergers, and
1411 provide for cooperative agreements between and within public and
1412 private education sectors.

1413 (5) MINIMUM STANDARDS AND GUIDELINES.—The state board shall
1414 prescribe minimum standards, definitions, and guidelines for
1415 Florida College System institutions which will ensure the
1416 quality of education, coordination among the Florida College
1417 System institutions and state universities, and efficient
1418 progress toward accomplishing the Florida College System
1419 institution's mission. At a minimum, these rules must address
1420 all of the following:

1421 (a) Personnel.

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1422 (b) Contracting.

1423 (c) Program offerings and classification, including
1424 college-level communication and computation skills associated
1425 with successful performance in college and with tests and other
1426 assessment procedures that measure student achievement of those
1427 skills. The performance measures must provide that students
1428 moving from one level of education to the next acquire the
1429 necessary competencies for that level.

1430 (d) Provisions for curriculum development, graduation
1431 requirements, college calendars, and program service areas.

1432 These provisions must include rules that:

1433 1. Provide for the award of an associate in arts degree to
1434 a student who successfully completes 60 semester credit hours at
1435 the Florida College System institution.

1436 2. Require all of the credits accepted for the associate in
1437 arts degree to be in the statewide course numbering system as
1438 credits toward a baccalaureate degree offered by a state
1439 university or a Florida College System institution.

1440 3. Require no more than 36 semester credit hours in general
1441 education courses in the subject areas of communication,
1442 mathematics, social sciences, humanities, and natural sciences.

1443
1444 The rules under this paragraph should encourage Florida College
1445 System institutions to enter into agreements with state
1446 universities which allow a Florida College System institution
1447 student to complete upper-division-level courses at a Florida
1448 College System institution. An agreement may provide for
1449 concurrent enrollment at the Florida College System institution
1450 and the state university and may authorize the Florida College

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1451 System institution to offer an upper-division-level course or
1452 distance learning.

1453 (e) Student admissions, conduct, and discipline;
1454 nonclassroom activities; and fees.

1455 (f) Budgeting.

1456 (g) Business and financial matters.

1457 (h) Student services.

1458 (i) Reports, surveys, and information systems, including
1459 forms and dates of submission.

1460 (6) CYCLIC REVIEW OF ACADEMIC PROGRAMS.—The state board
1461 shall provide for the cyclic review of all academic programs in
1462 Florida College System institutions at least every 7 years.
1463 Program reviews must document how individual academic programs
1464 are achieving stated student learning and program objectives
1465 within the context of the institution's mission. The results of
1466 the program reviews must inform strategic planning, program
1467 development, and budgeting decisions at the institutional level.

1468 (7) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE DEGREE
1469 PROGRAMS.—The state board shall provide for the review and
1470 approval of proposals by Florida College System institutions to
1471 offer baccalaureate degree programs pursuant to s. 1007.33. A
1472 Florida College System institution, as defined in s. 1000.21,
1473 which is approved to offer baccalaureate degrees pursuant to s.
1474 1007.33 remains under the authority of the state board and the
1475 Florida College System institution's board of trustees.

1476 (8) MODIFICATIONS TO SERVICE AREA.—The state board shall
1477 establish criteria for making recommendations for modifying
1478 district boundary lines for a Florida College System
1479 institution, including criteria for service delivery areas of a

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1480 Florida College System institution authorized to grant
1481 baccalaureate degrees.

1482 (9) PERFORMANCE OVERSIGHT.—The state board shall oversee
1483 the performance of Florida College System institution boards of
1484 trustees in enforcement of all laws and rules. Florida College
1485 System institution boards of trustees are primarily responsible
1486 for compliance with law and state board rule.

1487 (a) In order to ensure compliance with law or state board
1488 rule, the state board has the authority to request and receive
1489 information, data, and reports from Florida College System
1490 institutions. The Florida College System institution president
1491 is responsible for the accuracy of the information and data
1492 reported to the state board.

1493 (b) The Chancellor of the Florida College System may
1494 investigate allegations of noncompliance with law or state board
1495 rule and determine probable cause. The chancellor shall report
1496 determinations of probable cause to the State Board of Colleges,
1497 which shall require the Florida College System institution board
1498 of trustees to document compliance with law or state board rule.

1499 (c) If the Florida College System institution board of
1500 trustees cannot satisfactorily document compliance, the state
1501 board may order compliance within a specified timeframe.

1502 (d) If the state board determines that a Florida College
1503 System institution board of trustees is unwilling or unable to
1504 comply with law or state board rule within the specified time,
1505 the state board has the authority to initiate any of the
1506 following actions:

1507 1. Report to the Legislature that the Florida College
1508 System institution is unwilling or unable to comply with law or

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1509 state board rule and recommend that the Legislature take action
1510 against the institution;

1511 2. Withhold the transfer of state funds, discretionary
1512 grant funds, discretionary lottery funds, or any other funds
1513 specified as eligible for this purpose by the Legislature until
1514 the Florida College System institution complies with the law or
1515 state board rule;

1516 3. Declare the Florida College System institution
1517 ineligible for competitive grants; or

1518 4. Require monthly or periodic reporting on the situation
1519 related to noncompliance until it is remedied.

1520 (e) This section may not be construed to create a private
1521 cause of action or create any rights for individuals or entities
1522 in addition to those provided elsewhere in law or rule.

1523 (10) INSPECTOR GENERAL.—The inspector general is
1524 responsible for promoting accountability, efficiency, and
1525 effectiveness and detecting fraud and abuse within Florida
1526 College System institutions. If the Chancellor of the Florida
1527 College System determines that a Florida College System
1528 institution board of trustees is unwilling or unable to address
1529 substantiated allegations made by any person relating to waste,
1530 fraud, or financial mismanagement within the Florida College
1531 System institution, the inspector general shall conduct,
1532 coordinate, or request investigations into such substantiated
1533 allegations. The inspector general shall have access to all
1534 information and personnel necessary to perform its duties and
1535 shall have all of his or her current powers, duties, and
1536 responsibilities authorized in s. 20.055.

1537 (11) COORDINATION WITH THE STATE BOARD OF EDUCATION.—The

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1538 state board shall coordinate with the State Board of Education:

1539 (a) Pursuant to s. 1001.02(2)(e), in the adoption of a K-20
 1540 education budget.

1541 (b) Pursuant to s. 1001.02(4)(g), to adopt and submit to
 1542 the Legislature a 3-year list of priorities for fixed capital
 1543 outlay projects.

1544 (12) COMMON POSTSECONDARY DEFINITIONS.—The state board
 1545 shall, in collaboration with the State Board of Education, adopt
 1546 by rule definitions for associate in science degrees and for
 1547 certificates offered by Florida College System institutions.

1548 Section 20. Subsection (1) of section 1001.61, Florida
 1549 Statutes, is amended to read:

1550 1001.61 Florida College System institution boards of
 1551 trustees; membership.—

1552 (1) Florida College System institution boards of trustees
 1553 shall be comprised of five members when a Florida College System
 1554 institution district is confined to one school board district;
 1555 seven members when a Florida College System institution district
 1556 is confined to one school board district and the board of
 1557 trustees so elects; and not more than nine members when the
 1558 district contains two or more school board districts, as
 1559 provided by rules of the State Board of ~~Colleges~~ Education.

1560 However, Florida State College at Jacksonville shall have an odd
 1561 number of trustees, and St. Johns River State College shall have
 1562 seven trustees from the three-county area that the college
 1563 serves.

1564 Section 21. Subsections (1) through (4), paragraphs (a) and
 1565 (g) of subsection (8), and subsections (11), (12), (14), (18),
 1566 (19), and (42) of section 1001.64, Florida Statutes, are amended

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1567 to read:

1568 1001.64 Florida College System institution boards of
1569 trustees; powers and duties.—

1570 (1) The boards of trustees shall be responsible for cost-
1571 effective policy decisions appropriate to the Florida College
1572 System institution's mission, the implementation and maintenance
1573 of high-quality education programs within law and rules of the
1574 State Board of Colleges Education, the measurement of
1575 performance, the reporting of information, and the provision of
1576 input regarding state policy, budgeting, and education
1577 standards.

1578 (2) Each board of trustees is vested with the
1579 responsibility to govern its respective Florida College System
1580 institution and with such necessary authority as is needed for
1581 the proper operation and improvement thereof in accordance with
1582 rules of the State Board of Colleges Education.

1583 (3) A board of trustees shall have the power to take action
1584 without a recommendation from the president and shall have the
1585 power to require the president to deliver to the board of
1586 trustees all data and information required by the board of
1587 trustees in the performance of its duties. A board of trustees
1588 shall ask the Chancellor of the Florida College System
1589 ~~Commissioner of Education~~ to authorize an investigation of the
1590 president's actions by the State Board of Colleges' department's
1591 inspector general if the board considers such investigation
1592 necessary. The inspector general shall provide a report
1593 detailing each issue under investigation and shall recommend
1594 corrective action. If the inspector general identifies potential
1595 legal violations, he or she shall refer the potential legal

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1596 violations to the Commission on Ethics, the Department of Law
1597 Enforcement, the Attorney General, or another appropriate
1598 authority.

1599 (4) (a) The board of trustees, after considering
1600 recommendations submitted by the Florida College System
1601 institution president, may adopt rules pursuant to ss.
1602 120.536(1) and 120.54 to implement the provisions of law
1603 conferring duties upon it. These rules may supplement those
1604 prescribed by the State Board of Colleges ~~Education~~ if they will
1605 contribute to the more orderly and efficient operation of
1606 Florida College System institutions.

1607 (b) Each board of trustees is specifically authorized to
1608 adopt rules, procedures, and policies, consistent with law and
1609 rules of the State Board of Colleges ~~Education~~, related to its
1610 mission and responsibilities as set forth in s. 1004.65, its
1611 governance, personnel, budget and finance, administration,
1612 programs, curriculum and instruction, buildings and grounds,
1613 travel and purchasing, technology, students, contracts and
1614 grants, or college property.

1615 (8) Each board of trustees has authority for policies
1616 related to students, enrollment of students, student records,
1617 student activities, financial assistance, and other student
1618 services.

1619 (a) Each board of trustees shall govern admission of
1620 students pursuant to s. 1007.263 and rules of the State Board of
1621 Colleges ~~Education~~. A board of trustees may establish additional
1622 admissions criteria, which shall be included in the dual
1623 enrollment articulation agreement developed according to s.
1624 1007.271(21), to ensure student readiness for postsecondary

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1625 instruction. Each board of trustees may consider the past
1626 actions of any person applying for admission or enrollment and
1627 may deny admission or enrollment to an applicant because of
1628 misconduct if determined to be in the best interest of the
1629 Florida College System institution.

1630 (g) Each board of trustees pursuant to s. 1006.53 shall
1631 adopt a policy in accordance with rules of the State Board of
1632 Colleges Education that reasonably accommodates the religious
1633 observance, practice, and belief of individual students in
1634 regard to admissions, class attendance, and the scheduling of
1635 examinations and work assignments.

1636 (11) Each board of trustees shall submit an institutional
1637 budget request, including a request for fixed capital outlay,
1638 and an operating budget to the State Board of Colleges Education
1639 for review in accordance with guidelines established by the
1640 State Board of Colleges Education.

1641 (12) Each board of trustees shall account for expenditures
1642 of all state, local, federal, and other funds in the manner
1643 described by the State Board of Colleges Department of
1644 Education.

1645 (14) Each board of trustees shall develop a strategic plan
1646 specifying institutional goals and objectives for the Florida
1647 College System institution for recommendation to the State Board
1648 of Colleges Education.

1649 (18) Each board of trustees shall establish the personnel
1650 program for all employees of the Florida College System
1651 institution, including the president, pursuant to the provisions
1652 of chapter 1012 and rules and guidelines of the State Board of
1653 Colleges Education, including: compensation and other conditions

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1654 of employment; recruitment and selection; nonreappointment;
1655 standards for performance and conduct; evaluation; benefits and
1656 hours of work; leave policies; recognition; inventions and work
1657 products; travel; learning opportunities; exchange programs;
1658 academic freedom and responsibility; promotion; assignment;
1659 demotion; transfer; ethical obligations and conflict of
1660 interest; restrictive covenants; disciplinary actions;
1661 complaints; appeals and grievance procedures; and separation and
1662 termination from employment.

1663 (19) Each board of trustees shall appoint, suspend, or
1664 remove the president of the Florida College System institution.
1665 The board of trustees may appoint a search committee. The board
1666 of trustees shall conduct annual evaluations of the president in
1667 accordance with rules of the State Board of Colleges ~~Education~~
1668 and submit such evaluations to the State Board of Colleges
1669 ~~Education~~ for review. The evaluation must address the
1670 achievement of the performance goals established by the
1671 accountability process implemented pursuant to s. 1008.45 and
1672 the performance of the president in achieving the annual and
1673 long-term goals and objectives established in the Florida
1674 College System institution's employment accountability program
1675 implemented pursuant to s. 1012.86.

1676 (42) Each board of trustees shall implement a plan, in
1677 accordance with guidelines of the State Board of Colleges
1678 ~~Education~~, for working on a regular basis with the other Florida
1679 College System institution boards of trustees, representatives
1680 of the university boards of trustees, and representatives of the
1681 district school boards to achieve the goals of the seamless
1682 education system.

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1683 Section 22. Subsections (1) through (5), (7), (11), (13),
1684 (18), (21), and (22) of section 1001.65, Florida Statutes, are
1685 amended to read:

1686 1001.65 Florida College System institution presidents;
1687 powers and duties.—The president is the chief executive officer
1688 of the Florida College System institution, shall be corporate
1689 secretary of the Florida College System institution board of
1690 trustees, and is responsible for the operation and
1691 administration of the Florida College System institution. Each
1692 Florida College System institution president shall:

1693 (1) Recommend the adoption of rules, as appropriate, to the
1694 Florida College System institution board of trustees to
1695 implement provisions of law governing the operation and
1696 administration of the Florida College System institution, which
1697 shall include the specific powers and duties enumerated in this
1698 section. Such rules shall be consistent with law, the mission of
1699 the Florida College System institution, and the rules and
1700 policies of the State Board of Colleges ~~Education~~.

1701 (2) Prepare a budget request and an operating budget
1702 pursuant to s. 1011.30 for approval by the Florida College
1703 System institution board of trustees at such time and in such
1704 format as the State Board of Colleges ~~Education~~ may prescribe.

1705 (3) Establish and implement policies and procedures to
1706 recruit, appoint, transfer, promote, compensate, evaluate,
1707 reward, demote, discipline, and remove personnel, within law and
1708 rules of the State Board of Colleges ~~Education~~ and in accordance
1709 with rules or policies approved by the Florida College System
1710 institution board of trustees.

1711 (4) Govern admissions, subject to law and rules or policies

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1712 of the Florida College System institution board of trustees and
1713 the State Board of Colleges ~~Education~~.

1714 (5) Approve, execute, and administer contracts for and on
1715 behalf of the Florida College System institution board of
1716 trustees for licenses; the acquisition or provision of
1717 commodities, goods, equipment, and services; leases of real and
1718 personal property; and planning and construction to be rendered
1719 to or by the Florida College System institution, provided such
1720 contracts are within law and guidelines of the State Board of
1721 Colleges ~~Education~~ and in conformance with policies of the
1722 Florida College System institution board of trustees, and are
1723 for the implementation of approved programs of the Florida
1724 College System institution.

1725 (7) Establish the internal academic calendar of the Florida
1726 College System institution within general guidelines of the
1727 State Board of Colleges ~~Education~~.

1728 (11) Recommend to the board of trustees a schedule of
1729 tuition and fees to be charged by the Florida College System
1730 institution, within law and rules of the State Board of Colleges
1731 ~~Education~~.

1732 (13) Review periodically the operations of the Florida
1733 College System institution in order to determine how effectively
1734 and efficiently the Florida College System institution is being
1735 administered and whether it is meeting the goals of its
1736 strategic plan adopted by the State Board of Colleges ~~Education~~.

1737 (18) Certify to the department a project's compliance with
1738 the requirements for expenditure of PECO funds prior to release
1739 of funds pursuant to ~~the provisions of~~ chapter 1013.

1740 (21) Have authority, after notice to the student of the

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1741 charges and after a hearing thereon, to expel, suspend, or
1742 otherwise discipline any student who is found to have violated
1743 any law, ordinance, or rule or regulation of the State Board of
1744 Colleges Education or of the board of trustees of the Florida
1745 College System institution pursuant to the provisions of s.
1746 1006.62.

1747 (22) Submit an annual employment accountability plan to the
1748 State Board of Colleges Department of Education pursuant to the
1749 provisions of s. 1012.86.

1750 Section 23. Effective July 1, 2018, section 1001.66,
1751 Florida Statutes, is amended to read:

1752 1001.66 Florida College System Performance-Based
1753 Incentive.—

1754 (1) The State Board of Colleges shall adopt the following
1755 performance-based metrics for use in awarding a Florida College
1756 System Performance-Based Incentive shall be awarded to a Florida
1757 College System institution: institutions using performance-based
1758 metrics

1759 (a) A student retention rate, as calculated by the State
1760 Board of Colleges;

1761 (b) A 100 percent-of-normal-time program completion and
1762 graduation rate for full-time, first-time-in-college students,
1763 as calculated by the State Board of Colleges using a cohort
1764 definition of "full-time" based on a student's majority
1765 enrollment in full-time terms. This paragraph does not apply to
1766 nondegree-seeking students;

1767 (c) A continuing education or postgraduation job placement
1768 rate for workforce education programs, including workforce
1769 baccalaureate degree programs, as reported by the Florida

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1770 Education and Training Placement Information Program, with wage
1771 thresholds that reflect the added value of the applicable
1772 certificate or degree. This paragraph does not apply to
1773 associate in arts degrees;

1774 (d) A graduation rate for full-time, first-time-in-college
1775 students enrolled in an associate of arts degree program who
1776 graduate with a baccalaureate degree in 4 years after initially
1777 enrolling in an associates of arts degree program; and

1778 (e) One performance-based metric on college affordability
1779 adopted by the State Board of Education. The performance-based
1780 metrics must include retention rates; program completion and
1781 graduation rates; postgraduation employment, salaries, and
1782 continuing education for workforce education and baccalaureate
1783 programs, with wage thresholds that reflect the added value of
1784 the certificate or degree; and outcome measures appropriate for
1785 associate of arts degree recipients.

1786
1787 The state board shall adopt benchmarks to evaluate each
1788 institution's performance on the metrics to measure the
1789 institution's achievement of institutional excellence or need
1790 for improvement and ~~the~~ minimum requirements for eligibility to
1791 receive performance funding.

1792 (2) Each fiscal year, the amount of funds available for
1793 allocation to the Florida College System institutions based on
1794 the performance-based funding model shall consist of the state's
1795 investment in performance funding plus institutional investments
1796 consisting of funds to be redistributed from the base funding of
1797 the Florida College System Program Fund as determined in the
1798 General Appropriations Act. The State Board of Colleges

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1799 ~~Education~~ shall establish minimum performance funding
1800 eligibility thresholds for the state's investment and the
1801 institutional investments. An institution that meets the minimum
1802 institutional investment eligibility threshold, but fails to
1803 meet the minimum state investment eligibility threshold, shall
1804 have its institutional investment restored but is ineligible for
1805 a share of the state's investment in performance funding. The
1806 institutional investment shall be restored for all institutions
1807 eligible for the state's investment under the performance-based
1808 funding model.

1809 (3) (a) Each Florida College System institution's share of
1810 the performance funding shall be calculated based on its
1811 relative performance on the established metrics in conjunction
1812 with the institutional size and scope.

1813 (b) A Florida College System institution that fails to meet
1814 the State Board of Colleges' ~~Education's~~ minimum institutional
1815 investment performance funding eligibility threshold shall have
1816 a portion of its institutional investment withheld by the state
1817 board and must submit an improvement plan to the state board
1818 which specifies the activities and strategies for improving the
1819 institution's performance. The state board must review and
1820 approve the improvement plan and, if the plan is approved, must
1821 monitor the institution's progress in implementing the
1822 activities and strategies specified in the improvement plan. The
1823 institution shall submit monitoring reports to the state board
1824 by December 31 and May 31 of each year in which an improvement
1825 plan is in place. Beginning in the 2017-2018 fiscal year, the
1826 ability of an institution to submit an improvement plan to the
1827 state board is limited to 1 fiscal year.

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1828 (c) The Chancellor of the Florida College System
1829 ~~Commissioner of Education~~ shall withhold disbursement of the
1830 institutional investment until the monitoring report is approved
1831 by the State Board of Colleges Education. A Florida College
1832 System institution determined by the state board to be making
1833 satisfactory progress on implementing the improvement plan shall
1834 receive no more than one-half of the withheld institutional
1835 investment in January and the balance of the withheld
1836 institutional investment in June. An institution that fails to
1837 make satisfactory progress may not have its full institutional
1838 investment restored. Any institutional investment funds that are
1839 not restored shall be redistributed in accordance with the state
1840 board's performance-based metrics.

1841 (4) Distributions of performance funding, as provided in
1842 this section, shall be made to each of the Florida College
1843 System institutions listed in the Florida Colleges category in
1844 the General Appropriations Act.

1845 (5) By October 1 of each year, the State Board of Colleges
1846 ~~Education~~ shall submit to the Governor, the President of the
1847 Senate, and the Speaker of the House of Representatives a report
1848 on the previous fiscal year's performance funding allocation,
1849 which must reflect the rankings and award distributions.

1850 (6) The State Board of Colleges Education shall adopt rules
1851 to administer this section.

1852 Section 24. Effective July 1, 2018, section 1001.67,
1853 Florida Statutes, is amended to read:

1854 1001.67 Distinguished Florida College System Institution
1855 Program.—A collaborative partnership is established between the
1856 State Board of Colleges Education and the Legislature to

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1857 recognize the excellence of Florida's highest-performing Florida
1858 College System institutions.

1859 (1) EXCELLENCE STANDARDS.—The following excellence
1860 standards are established for the program:

1861 (a) A 100 ~~150~~ percent-of-normal-time completion rate for
1862 full-time, first-time-in-college students of 50 percent or
1863 higher, as calculated by the State Board of ~~Division of Florida~~
1864 Colleges.

1865 (b) A 100 ~~150~~ percent-of-normal-time completion rate for
1866 full-time, first-time-in-college Pell Grant recipients of 40
1867 percent or higher, as calculated by the State Board of ~~Division~~
1868 ~~of Florida~~ Colleges.

1869 (c) A retention rate of 70 percent or higher, as calculated
1870 by the State Board of ~~Division of Florida~~ Colleges.

1871 (d) A continuing education, or transfer, rate of 72 percent
1872 or higher for students graduating with an associate of arts
1873 degree, as reported by the Florida Education and Training
1874 Placement Information Program (FETPIP).

1875 (e) A licensure passage rate on the National Council
1876 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
1877 percent or higher for first-time exam takers, as reported by the
1878 Board of Nursing.

1879 (f) A ~~job placement or~~ continuing education or job
1880 placement rate of 88 percent or higher for workforce programs,
1881 as reported by FETPIP, with wage thresholds that reflect the
1882 added value of the applicable certificate or degree. This
1883 paragraph does not apply to associate of arts degrees.

1884 (g) An excess hours rate of 40 percent or lower for ~~A time-~~
1885 ~~to-degree for students graduating with an~~ associate of arts

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1886 degree recipients who graduate with 72 or more credit hours, as
1887 calculated by the State Board of Colleges ~~of 2.25 years or less~~
1888 ~~for first-time-in-college students with accelerated college~~
1889 ~~credits, as reported by the Southern Regional Education Board.~~

1890 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
1891 Colleges ~~Education~~ shall designate each Florida College System
1892 institution that meets five of the seven standards identified in
1893 subsection (1) as a distinguished college.

1894 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College System
1895 institution designated as a distinguished college by the State
1896 Board of Colleges ~~Education~~ is eligible for funding as specified
1897 in the General Appropriations Act.

1898 Section 25. Effective July 1, 2018, subsection (9) of
1899 section 1001.706, Florida Statutes, is amended to read:

1900 1001.706 Powers and duties of the Board of Governors.—

1901 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors
1902 shall implement a plan for working on a regular basis with the
1903 State Board of Education, the State Board of Colleges, the
1904 Commission for Independent Education, the Higher Education
1905 Coordinating Council, the Articulation Coordinating Committee,
1906 the university boards of trustees, representatives of the
1907 Florida College System institution boards of trustees,
1908 representatives of the private colleges and universities, and
1909 representatives of the district school boards to achieve a
1910 seamless education system.

1911 Section 26. Section 1002.34, Florida Statutes, is amended
1912 to read:

1913 1002.34 Charter technical career centers; governance,
1914 mission, and responsibilities.—

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1915 (1) MISSION AND AUTHORIZATION.—

1916 (a) The primary mission of a charter technical career
1917 center is to promote ~~The Legislature finds that the~~
1918 ~~establishment of charter technical career centers can assist in~~
1919 ~~promoting~~ advances and innovations in workforce preparation and
1920 economic development. A charter technical career center may
1921 provide a learning environment that ~~better~~ serves the needs of a
1922 specific population group or a group of occupations, thus
1923 promoting diversity and choices within the public education and
1924 public postsecondary technical education community in this
1925 state. Therefore, the creation of such centers is authorized as
1926 part of the state's program of public education. A charter
1927 technical career center may be formed by creating a new school
1928 or converting an existing school district or Florida College
1929 System institution program to charter technical status.

1930 (b) A charter technical career center that is operated by a
1931 district school board may not offer a college credit course or
1932 college credit certificate or an associate degree or
1933 baccalaureate degree program.

1934 (2) PURPOSE.—The purpose of a charter technical career
1935 center is to:

1936 (a) Develop a competitive workforce to support local
1937 business and industry and economic development.

1938 (b) Create a training and education model that is
1939 reflective of marketplace realities.

1940 (c) Offer a continuum of career educational opportunities
1941 using a school-to-work, tech-prep, technical, academy, and
1942 magnet school model.

1943 (d) Provide career pathways for lifelong learning and

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1944 career mobility.

1945 (e) Enhance career and technical training.

1946 (3) DEFINITIONS.—As used in this section, the term:

1947 (a) "Charter technical career center" or "center" means a
1948 public school or a public technical center operated under a
1949 charter granted by a district school board or Florida College
1950 System institution board of trustees or a consortium, including
1951 one or more district school boards and Florida College System
1952 institution boards of trustees, that includes the district in
1953 which the facility is located, that is nonsectarian in its
1954 programs, admission policies, employment practices, and
1955 operations, and is managed by a board of directors.

1956 (b) "Sponsor" means a district school board, a Florida
1957 College System institution board of trustees, or a consortium of
1958 one or more of each.

1959 (4) CHARTER.—A sponsor may designate centers as provided in
1960 this section. An application to establish a center may be
1961 submitted by a sponsor or another organization that is
1962 determined, by rule of the State Board of Education, to be
1963 appropriate. However, an independent school is not eligible for
1964 status as a center. The charter must be signed by the governing
1965 body of the center and the sponsor and must be approved by the
1966 district school board and Florida College System institution
1967 board of trustees in whose geographic region the facility is
1968 located. If a charter technical career center is established by
1969 the conversion to charter status of a public technical center
1970 formerly governed by a district school board, the charter status
1971 of that center takes precedence in any question of governance.
1972 The governance of the center or of any program within the center

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1973 remains with its board of directors unless the board agrees to a
1974 change in governance or its charter is revoked as provided in
1975 subsection (15). Such a conversion charter technical career
1976 center is not affected by a change in the governance of public
1977 technical centers or of programs within other centers that are
1978 or have been governed by district school boards. A charter
1979 technical career center, or any program within such a center,
1980 that was governed by a district school board and transferred to
1981 a Florida College System institution prior to the effective date
1982 of this act is not affected by this provision. An applicant who
1983 wishes to establish a center must submit to the district school
1984 board or Florida College System institution board of trustees,
1985 or a consortium of one or more of each, an application on a form
1986 developed by the Department of Education which includes:

1987 (a) The name of the proposed center.

1988 (b) The proposed structure of the center, including a list
1989 of proposed members of the board of directors or a description
1990 of the qualifications for and method of their appointment or
1991 election.

1992 (c) The workforce development goals of the center, the
1993 curriculum to be offered, and the outcomes and the methods of
1994 assessing the extent to which the outcomes are met.

1995 (d) The admissions policy and criteria for evaluating the
1996 admission of students.

1997 (e) A description of the staff responsibilities and the
1998 proposed qualifications of the teaching staff.

1999 (f) A description of the procedures to be implemented to
2000 ensure significant involvement of representatives of business
2001 and industry in the operation of the center.

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2002 (g) A method for determining whether a student has
2003 satisfied the requirements for graduation specified in s.
2004 1002.3105(5), s. 1003.4281, or s. 1003.4282 and for completion
2005 of a postsecondary certificate or degree.

2006 (h) A method for granting secondary and postsecondary
2007 diplomas, certificates, and degrees.

2008 (i) A description of and address for the physical facility
2009 in which the center will be located.

2010 (j) A method for resolving conflicts between the governing
2011 body of the center and the sponsor and between consortium
2012 members, if applicable.

2013 (k) A method for reporting student data as required by law
2014 and rule.

2015 (l) A statement that the applicant has participated in the
2016 training provided by the Department of Education.

2017 (m) The identity of all relatives employed by the charter
2018 technical career center who are related to the center owner,
2019 president, chairperson of the governing board of directors,
2020 superintendent, governing board member, principal, assistant
2021 principal, or any other person employed by the center who has
2022 equivalent decisionmaking authority. As used in this paragraph,
2023 the term "relative" means father, mother, son, daughter,
2024 brother, sister, uncle, aunt, first cousin, nephew, niece,
2025 husband, wife, father-in-law, mother-in-law, son-in-law,
2026 daughter-in-law, brother-in-law, sister-in-law, stepfather,
2027 stepmother, stepson, stepdaughter, stepbrother, stepsister, half
2028 brother, or half sister.

2029 (n) Other information required by the district school board
2030 or Florida College System institution board of trustees.

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2031
2032 Students at a center must meet the same testing and academic
2033 performance standards as those established by law and rule for
2034 students at public schools and public technical centers. The
2035 students must also meet any additional assessment indicators
2036 that are included within the charter approved by the district
2037 school board or Florida College System institution board of
2038 trustees.

2039 (5) APPLICATION.—An application to establish a center must
2040 be submitted by February 1 of the year preceding the school year
2041 in which the center will begin operation. The sponsor must
2042 review the application using an evaluation instrument developed
2043 by the Department of Education and make a final decision on
2044 whether to approve the application and grant the charter by
2045 March 1, and may condition the granting of a charter on the
2046 center's taking certain actions or maintaining certain
2047 conditions. Such actions and conditions must be provided to the
2048 applicant in writing. The district school board or Florida
2049 College System institution board of trustees is not required to
2050 issue a charter to any person.

2051 (6) SPONSOR.—A district school board or Florida College
2052 System institution board of trustees or a consortium of one or
2053 more of each may sponsor a center in the county in which the
2054 board has jurisdiction.

2055 (a) A sponsor must review all applications for centers
2056 received through at least February 1 of each calendar year for
2057 centers to be opened at the beginning of the sponsor's next
2058 school year. A sponsor may receive applications later than this
2059 date if it so chooses. To facilitate an accurate budget

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2060 projection process, a sponsor shall be held harmless for FTE
2061 students who are not included in the FTE projection due to
2062 approval of applications after the FTE projection deadline. A
2063 sponsor must, by a majority vote, approve or deny an application
2064 no later than 60 days after the application is received. If an
2065 application is denied, the sponsor must, within 10 days, notify
2066 the applicant in writing of the specific reasons for denial,
2067 which must be based upon good cause. Upon approval of a charter
2068 application, the initial startup must be consistent with the
2069 beginning of the public school or Florida College System
2070 institution calendar for the district in which the charter is
2071 granted, unless the sponsor allows a waiver of this provision
2072 for good cause.

2073 (b) An applicant may appeal any denial of its application
2074 to the State Board of Education within 30 days after the
2075 sponsor's denial and shall notify the sponsor of its appeal. Any
2076 response of the sponsor must be submitted to the state board
2077 within 30 days after notification of the appeal. The State Board
2078 of Education must, by majority vote, accept or reject the
2079 decision of the sponsor no later than 60 days after an appeal is
2080 filed, pursuant to State Board of Education rule. The State
2081 Board of Education may reject an appeal for failure to comply
2082 with procedural rules governing the appeals process, and the
2083 rejection must describe the submission errors. The appellant may
2084 have up to 15 days after notice of rejection to resubmit an
2085 appeal. An application for appeal submitted after a rejection is
2086 timely if the original appeal was filed within 30 days after the
2087 sponsor's denial. The State Board of Education shall remand the
2088 application to the sponsor with a written recommendation that

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2089 the sponsor approve or deny the application, consistent with the
2090 state board's decision. The decision of the State Board of
2091 Education is not subject to the provisions of chapter 120.

2092 (c) The sponsor must act upon the recommendation of the
2093 State Board of Education within 30 days after it is received,
2094 unless the sponsor determines by competent substantial evidence
2095 that approving the state board's recommendation would be
2096 contrary to law or the best interests of the students or the
2097 community. The sponsor must notify the applicant in writing
2098 concerning the specific reasons for its failure to follow the
2099 state board's recommendation. The sponsor's action on the state
2100 board's recommendation is a final action, subject to judicial
2101 review.

2102 (d)1. The Department of Education shall offer or arrange
2103 for training and technical assistance to centers which must
2104 include developing and amending business plans, estimating and
2105 accounting for costs and income, complying with state and
2106 federal grant and student performance accountability reporting
2107 requirements, implementing good business practices, and
2108 identifying state and federal financial aid the center may be
2109 eligible to receive.

2110 2. An applicant must participate in the training provided
2111 by the department after approval of its application but at least
2112 30 days before the first day of classes at the center. The
2113 department may provide technical assistance to an applicant upon
2114 written request.

2115 (e) The terms and conditions for the operation of a center
2116 must be agreed to by the sponsor and the applicant in a written
2117 contract. The sponsor may not impose unreasonable requirements

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2118 that violate the intent of giving centers greater flexibility to
2119 meet educational goals. The applicant and sponsor must reach an
2120 agreement on the provisions of the contract or the application
2121 is deemed denied.

2122 (f) The sponsor shall monitor and review the center's
2123 progress toward charter goals and shall monitor the center's
2124 revenues and expenditures. The sponsor shall perform the duties
2125 provided in s. 1002.345.

2126 (7) LEGAL ENTITY.—A center must organize as a nonprofit
2127 organization and adopt a name and corporate seal. A center is a
2128 body corporate and politic, with all powers to implement its
2129 charter program. The center may:

2130 (a) Be a private or a public employer.

2131 (b) Sue and be sued, but only to the same extent and upon
2132 the same conditions that a public entity can be sued.

2133 (c) Acquire real property by purchase, lease, lease with an
2134 option to purchase, or gift, to use as a center facility.

2135 (d) Receive and disburse funds.

2136 (e) Enter into contracts or leases for services, equipment,
2137 or supplies.

2138 (f) Incur temporary debts in anticipation of the receipt of
2139 funds.

2140 (g) Solicit and accept gifts or grants for career center
2141 purposes.

2142 (h) Take any other action that is not inconsistent with
2143 this section and rules adopted under this section.

2144 (8) ELIGIBLE STUDENTS.—A center must be open to all
2145 students as space is available and may not discriminate in
2146 admissions policies or practices on the basis of an individual's

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2147 physical disability or proficiency in English or on any other
2148 basis that would be unlawful if practiced by a public school or
2149 a Florida College System institution. A center may establish
2150 reasonable criteria by which to evaluate prospective students,
2151 which criteria must be outlined in the charter.

2152 (9) FACILITIES.—A center may be located in any suitable
2153 location, including part of an existing public school or Florida
2154 College System institution building, space provided on a public
2155 worksite, or a public building. A center's facilities must
2156 comply with the State Uniform Building Code for Public
2157 Educational Facilities Construction adopted pursuant to s.
2158 1013.37, or with applicable state minimum building codes
2159 pursuant to chapter 553, and state minimum fire protection codes
2160 pursuant to s. 633.208, adopted by the authority in whose
2161 jurisdiction the facility is located. If K-12 public school
2162 funds are used for construction, the facility must remain on the
2163 local school district's Florida Inventory of School Houses
2164 (FISH) school building inventory of the district school board
2165 and must revert to the district school board if the consortium
2166 dissolves and the program is discontinued. If Florida College
2167 System institution public school funds are used for
2168 construction, the facility must remain on the local Florida
2169 College System institution's facilities inventory and must
2170 revert to the local Florida College System institution board of
2171 trustees if the consortium dissolves and the program is
2172 discontinued. The additional student capacity created by the
2173 addition of the center to the local school district's FISH may
2174 not be calculated in the permanent student capacity for the
2175 purpose of determining need or eligibility for state capital

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2176 outlay funds while the facility is used as a center. If the
2177 construction of the center is funded jointly by K-12 public
2178 school funds and Florida College System institution funds, the
2179 sponsoring entities must agree, before granting the charter, on
2180 the appropriate owner and terms of transfer of the facility if
2181 the charter is dissolved.

2182 (10) EXEMPTION FROM STATUTES.—

2183 (a) A center must operate pursuant to its charter and is
2184 exempt from all statutes of the Florida School Code except
2185 provisions pertaining to civil rights and to student health,
2186 safety, and welfare, or as otherwise required by law.

2187 (b) A center must comply with the Florida K-20 Education
2188 Code with respect to providing services to students with
2189 disabilities.

2190 (c) A center must comply with the antidiscrimination
2191 provisions in s. 1000.05 and the provisions in s. 1002.33(24)
2192 which relate to the employment of relatives.

2193 (11) FUNDING.—

2194 (a) Notwithstanding any other provision of law, a charter
2195 technical career center's student membership enrollment must be
2196 calculated pursuant to this section.

2197 (b) Each district school board and Florida College System
2198 institution that sponsors a charter technical career center
2199 shall pay directly to the center an amount stated in the
2200 charter. State funding shall be generated for the center for its
2201 student enrollment and program outcomes as provided in law. A
2202 center is eligible for funding from workforce education funds,
2203 the Florida Education Finance Program, and the Florida College
2204 System Program Fund, depending upon the programs conducted by

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2205 the center.

2206 (c) A center may receive other state and federal aid,
2207 grants, and revenue through the district school board or Florida
2208 College System institution board of trustees.

2209 (d) A center may receive gifts and grants from private
2210 sources.

2211 (e) A center may not levy taxes or issue bonds, but it may
2212 charge a student tuition fee consistent with authority granted
2213 in its charter and permitted by law.

2214 (f) A center shall provide for an annual financial audit in
2215 accordance with s. 218.39. A center shall provide a monthly
2216 financial statement to the sponsor. The monthly financial
2217 statement shall be in a form prescribed by the Department of
2218 Education.

2219 (g) A center must define in the charter agreement the
2220 delivery system in which the instructional offering of
2221 educational services will be placed. The rules governing this
2222 delivery system must be applied to all of the center's students
2223 and must authorize all other sponsoring educational systems to
2224 report required enrollment and student data based solely on the
2225 rules of the offering institution. Each sponsor shall earn full-
2226 time equivalent membership for each student for funding and
2227 reporting purposes.

2228 (12) EMPLOYEES OF A CENTER.—

2229 (a) A center may select its own employees.

2230 (b) A center may contract for services with an individual,
2231 partnership, or a cooperative. Such persons contracted with are
2232 not public employees.

2233 (c) If a center contracts with a public educational agency

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2234 for services, the terms of employment must follow existing state
2235 law and rule and local policies and procedures.

2236 (d) The employees of a center may bargain collectively, as
2237 a separate unit or as part of the existing district collective
2238 bargaining unit, as determined by the structure of the center.

2239 (e) As a public employer, a center may participate in:

2240 1. The Florida Retirement System upon application and
2241 approval as a "covered group" under s. 121.021(34). If a center
2242 participates in the Florida Retirement System, its employees are
2243 compulsory members of the Florida Retirement System.

2244 2. The State Community College System Optional Retirement
2245 Program pursuant to s. 1012.875(2), if the charter is granted by
2246 a Florida College System institution that participates in the
2247 optional retirement program and meets the eligibility criteria
2248 of s. 121.051(2)(c).

2249 (f) Teachers who are considered qualified by the career
2250 center are exempt from state certification requirements.

2251 (g) A public school or Florida College System institution
2252 teacher or administrator may take a leave of absence to accept
2253 employment in a charter technical career center upon the
2254 approval of the school district or Florida College System
2255 institution.

2256 (h) An employee who is on a leave of absence under this
2257 section may retain seniority accrued in that school district or
2258 Florida College System institution and may continue to be
2259 covered by the benefit programs of that district or Florida
2260 College System institution if the center and the district school
2261 board or Florida College System institution board of trustees
2262 agree to this arrangement and its financing.

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2263 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors
2264 of a center may decide matters relating to the operation of the
2265 school, including budgeting, curriculum, and operating
2266 procedures, subject to the center's charter. The board of
2267 directors is responsible for performing the duties provided in
2268 s. 1002.345, including monitoring the corrective action plan.
2269 The board of directors must comply with s. 1002.33(26).

2270 (14) ACCOUNTABILITY.—Each center must submit a report to
2271 the participating district school board or Florida College
2272 System institution board of trustees by August 1 of each year.
2273 The report must be in such form as the sponsor prescribes and
2274 must include:

2275 (a) A discussion of progress made toward the achievement of
2276 the goals outlined in the center's charter.

2277 (b) A financial statement setting forth by appropriate
2278 categories the revenue and expenditures for the previous school
2279 year.

2280 (15) TERMS OF THE CHARTER.—The term of an initial charter
2281 may not exceed 5 years. Thereafter, the sponsor may renew a
2282 charter for a period up to 5 years. The sponsor may refuse to
2283 renew a charter or may revoke a charter if the center has not
2284 fulfilled a condition imposed under the charter or if the center
2285 has violated any provision of the charter. The sponsor may place
2286 the center on probationary status to allow the implementation of
2287 a remedial plan, after which, if the plan is unsuccessful, the
2288 charter may be summarily revoked. The sponsor shall develop
2289 procedures and guidelines for the revocation and renewal of a
2290 center's charter. The sponsor must give written notice of its
2291 intent not to renew the charter at least 12 months before the

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2292 charter expires. If the sponsor revokes a charter before the
2293 scheduled expiration date, the sponsor must provide written
2294 notice to the governing board of the center at least 60 days
2295 before the date of termination, stating the grounds for the
2296 proposed revocation. The governing board of the center may
2297 request in writing an informal hearing before the sponsor within
2298 14 days after receiving the notice of revocation. A revocation
2299 takes effect at the conclusion of a school year, unless the
2300 sponsor determines that earlier revocation is necessary to
2301 protect the health, safety, and welfare of students. The sponsor
2302 shall monitor and review the center in its progress toward the
2303 goals established in the charter and shall monitor the revenues
2304 and expenditures of the center.

2305 (16) TRANSPORTATION.—The center may provide transportation,
2306 pursuant to chapter 1006, through a contract with the district
2307 school board or the Florida College System institution board of
2308 trustees, a private provider, or parents of students. The center
2309 must ensure that transportation is not a barrier to equal access
2310 for all students in grades K-12 residing within a reasonable
2311 distance of the facility.

2312 (17) IMMUNITY.—For the purposes of tort liability, the
2313 governing body and employees of a center are governed by s.
2314 768.28.

2315 (18) RULES.—The State Board of Education, for technical
2316 centers operated by school districts, and the State Board of
2317 Colleges, for technical centers operated by Florida College
2318 System institutions, shall adopt rules, pursuant to ss.
2319 120.536(1) and 120.54, relating to the implementation of charter
2320 technical career centers, including rules to implement a charter

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2321 model application form and an evaluation instrument in
2322 accordance with this section.

2323 (19) EVALUATION; REPORT.—The Commissioner of Education
2324 shall provide for an annual comparative evaluation of charter
2325 technical career centers and public technical centers. The
2326 evaluation may be conducted in cooperation with the sponsor,
2327 through private contracts, or by department staff. At a minimum,
2328 the comparative evaluation must address the demographic and
2329 socioeconomic characteristics of the students served, the types
2330 and costs of services provided, and the outcomes achieved. By
2331 December 30 of each year, the Commissioner of Education shall
2332 submit to the Governor, the President of the Senate, the Speaker
2333 of the House of Representatives, and the Senate and House
2334 committees that have responsibility for secondary and
2335 postsecondary career and technical education a report of the
2336 comparative evaluation completed for the previous school year.

2337 Section 27. Paragraph (b) of subsection (4) of section
2338 1003.491, Florida Statutes, is amended to read:

2339 1003.491 Florida Career and Professional Education Act.—The
2340 Florida Career and Professional Education Act is created to
2341 provide a statewide planning partnership between the business
2342 and education communities in order to attract, expand, and
2343 retain targeted, high-value industry and to sustain a strong,
2344 knowledge-based economy.

2345 (4) The State Board of Education shall establish a process
2346 for the continual and uninterrupted review of newly proposed
2347 core secondary courses and existing courses requested to be
2348 considered as core courses to ensure that sufficient rigor and
2349 relevance is provided for workforce skills and postsecondary

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2350 education and aligned to state curriculum standards.

2351 (b) The curriculum review committee shall review newly
2352 proposed core courses electronically. Each proposed core course
2353 shall be approved or denied within 30 days after submission by a
2354 district school board or local workforce development board. All
2355 courses approved as core courses for purposes of middle school
2356 promotion and high school graduation shall be immediately added
2357 to the Course Code Directory. Approved core courses shall also
2358 be reviewed and considered for approval for dual enrollment
2359 credit. The Board of Governors, the State Board of Colleges, and
2360 the Commissioner of Education shall jointly recommend an annual
2361 deadline for approval of new core courses to be included for
2362 purposes of postsecondary admissions and dual enrollment credit
2363 the following academic year. The State Board of Education shall
2364 establish an appeals process in the event that a proposed course
2365 is denied which shall require a consensus ruling by the
2366 Department of Economic Opportunity and the Commissioner of
2367 Education within 15 days.

2368 Section 28. Paragraph (b) of subsection (4) of section
2369 1003.493, Florida Statutes, is amended to read:

2370 1003.493 Career and professional academies and career-
2371 themed courses.—

2372 (4) Each career and professional academy and secondary
2373 school providing a career-themed course must:

2374 (b) Include one or more partnerships with postsecondary
2375 institutions, businesses, industry, employers, economic
2376 development organizations, or other appropriate partners from
2377 the local community. Such partnerships with postsecondary
2378 institutions shall be delineated in articulation agreements and

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2379 include any career and professional academy courses or career-
2380 themed courses that earn postsecondary credit. Such agreements
2381 may include articulation between the secondary school and public
2382 or private 2-year and 4-year postsecondary institutions and
2383 technical centers. The Department of Education, in consultation
2384 with the Board of Governors and the State Board of Colleges,
2385 shall establish a mechanism to ensure articulation and transfer
2386 of credits to postsecondary institutions in this state. Such
2387 partnerships must provide opportunities for:

2388 1. Instruction from highly skilled professionals who
2389 possess industry-certification credentials for courses they are
2390 teaching.

2391 2. Internships, externships, and on-the-job training.

2392 3. A postsecondary degree, diploma, or certificate.

2393 4. The highest available level of industry certification.

2394 5. Maximum articulation of credits pursuant to s. 1007.23
2395 upon program completion.

2396 Section 29. Subsections (4), (5), and (6) of section
2397 1004.015, Florida Statutes, are amended to read:

2398 1004.015 Higher Education Coordinating Council.—

2399 (4) The council shall serve as an advisory board to the
2400 Legislature, the State Board of Education, ~~and~~ the Board of
2401 Governors, and the State Board of Colleges. Recommendations of
2402 the council shall be consistent with the following guiding
2403 principles:

2404 (a) To achieve within existing resources a seamless
2405 academic educational system that fosters an integrated continuum
2406 of kindergarten through graduate school education for Florida's
2407 students.

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2408 (b) To promote consistent education policy across all
2409 educational delivery systems, focusing on students.

2410 (c) To promote substantially improved articulation across
2411 all educational delivery systems.

2412 (d) To promote a system that maximizes educational access
2413 and allows the opportunity for a high-quality education for all
2414 Floridians.

2415 (e) To promote a system of coordinated and consistent
2416 transfer of credit and data collection for improved
2417 accountability purposes between the educational delivery
2418 systems.

2419 (5) The council shall annually by December 31 submit to the
2420 Governor, the President of the Senate, the Speaker of the House
2421 of Representatives, the Board of Governors, the State Board of
2422 Colleges, and the State Board of Education a report outlining
2423 its recommendations relating to:

2424 (a) The primary core mission of public and nonpublic
2425 postsecondary education institutions in the context of state
2426 access demands and economic development goals.

2427 (b) Performance outputs and outcomes designed to meet
2428 annual and long-term state goals, including, but not limited to,
2429 increased student access, preparedness, retention, transfer, and
2430 completion. Performance measures must be consistent across
2431 sectors and allow for a comparison of the state's performance to
2432 that of other states.

2433 (c) The state's articulation policies and practices to
2434 ensure that cost benefits to the state are maximized without
2435 jeopardizing quality. The recommendations shall consider return
2436 on investment for both the state and students and propose

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2437 systems to facilitate and ensure institutional compliance with
2438 state articulation policies.

2439 (d) Workforce development education, specifically
2440 recommending improvements to the consistency of workforce
2441 education data collected and reported by Florida College System
2442 institutions and school districts, including the establishment
2443 of common elements and definitions for any data that is used for
2444 state and federal funding and program accountability.

2445 (6) The Office of K-20 Articulation, in collaboration with
2446 the Board of Governors and the State Board of ~~Division of~~
2447 ~~Florida~~ Colleges, shall provide administrative support for the
2448 council.

2449 Section 30. Subsection (7) of section 1004.02, Florida
2450 Statutes, is amended to read:

2451 1004.02 Definitions.—As used in this chapter:

2452 (7) "Applied technology diploma program" means a course of
2453 study that is part of a technical degree program, is less than
2454 60 credit hours, and leads to employment in a specific
2455 occupation. An applied technology diploma program may consist of
2456 either technical credit or college credit. A public school
2457 district may offer an applied technology diploma program only as
2458 technical credit, with college credit awarded to a student upon
2459 articulation to a Florida College System institution. Statewide
2460 articulation among public schools and Florida College System
2461 institutions is guaranteed by s. 1007.23, and is subject to
2462 guidelines and standards adopted by the State Board of Colleges
2463 ~~Education~~ pursuant to ss. 1007.24 and 1007.25.

2464 Section 31. Subsection (2) of section 1004.03, Florida
2465 Statutes, is amended to read:

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2466 1004.03 Program approval.—

2467 (2) The State Board of Colleges ~~Education~~ shall establish
2468 criteria for the approval of new programs at Florida College
2469 System institutions, which criteria include, but are not limited
2470 to, the following:

2471 (a) New programs may not be approved unless the same
2472 objectives cannot be met through use of educational technology.

2473 (b) Unnecessary duplication of programs offered by
2474 independent institutions shall be avoided.

2475 (c) Cooperative programs, particularly within regions,
2476 should be encouraged.

2477 (d) New programs may be approved only if they are
2478 consistent with the ~~state master~~ plan adopted by the State Board
2479 of Colleges ~~Education~~.

2480 Section 32. Paragraph (f) of subsection (4) of section
2481 1004.04, Florida Statutes, is amended to read:

2482 1004.04 Public accountability and state approval for
2483 teacher preparation programs.—

2484 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a
2485 teacher preparation program shall be based upon evidence that
2486 the program continues to implement the requirements for initial
2487 approval and upon significant, objective, and quantifiable
2488 measures of the program and the performance of the program
2489 completers.

2490 (f) By January 1 of each year, the Department of Education
2491 shall report the results of each approved program's annual
2492 progress on the performance measures in paragraph (a) as well as
2493 the current approval status of each program to:

2494 1. The Governor.

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- 2495 2. The President of the Senate.
 2496 3. The Speaker of the House of Representatives.
 2497 4. The State Board of Education.
 2498 5. The Board of Governors.
 2499 6. The State Board of Colleges.
 2500 7. The Commissioner of Education.
 2501 ~~8.7.~~ Each Florida postsecondary teacher preparation
 2502 program.
 2503 ~~9.8.~~ Each district school superintendent.
 2504 ~~10.9.~~ The public.

2505
 2506 This report may include the results of other continued approval
 2507 requirements provided by State Board of Education rule and
 2508 recommendations for improving teacher preparation programs in
 2509 the state.

2510 Section 33. Subsections (2), (3), and (4) of section
 2511 1004.07, Florida Statutes, are amended, and subsection (5) is
 2512 added to that section, to read:

2513 1004.07 Student withdrawal from courses due to military
 2514 service; effect.—

2515 (2) Such policies must ~~shall~~ provide that any student
 2516 enrolled in a postsecondary course or courses at a career
 2517 center, a Florida College System institution, or a state
 2518 university may ~~shall~~ not incur academic or financial penalties
 2519 by virtue of performing military service on behalf of our
 2520 country. Such student shall be permitted the option of either
 2521 completing the course or courses at a later date without penalty
 2522 or withdrawing from the course or courses with a full refund of
 2523 fees paid. If the student chooses to withdraw, the student's

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2524 record shall reflect that the withdrawal is due to active
2525 military service.

2526 (3) Policies of district school boards must ~~and Florida~~
2527 ~~College System~~ institution boards of trustees shall be
2528 established by rule and pursuant to guidelines of the State
2529 Board of Education.

2530 (4) Policies of state university boards of trustees must
2531 ~~shall~~ be established by regulation and pursuant to guidelines of
2532 the Board of Governors.

2533 (5) Policies of Florida College System institution boards
2534 of trustees must be established by rule and pursuant to
2535 guidelines of the State Board of Colleges.

2536 Section 34. Section 1004.084, Florida Statutes, is amended
2537 to read:

2538 1004.084 College affordability.—

2539 (1) The Board of Governors and the State Board of Colleges
2540 ~~Education~~ shall annually identify strategies to promote college
2541 affordability for all Floridians by evaluating, at a minimum,
2542 the impact of:

2543 (a) Tuition and fees on undergraduate, graduate, and
2544 professional students at public colleges and universities and
2545 graduate assistants employed by public universities.

2546 (b) Federal, state, and institutional financial aid
2547 policies on the actual cost of attendance for students and their
2548 families.

2549 (c) The costs of textbooks and instructional materials.

2550 (2) By December 31 of each year, ~~beginning in 2016,~~ the
2551 Board of Governors and the State Board of Colleges ~~Education~~
2552 shall submit a report on their respective college affordability

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2553 initiatives to the Governor, the President of the Senate, and
2554 the Speaker of the House of Representatives.

2555 Section 35. Paragraph (d) of subsection (3) and subsections
2556 (6), (7), and (8) of section 1004.085, Florida Statutes, are
2557 amended to read:

2558 1004.085 Textbook and instructional materials
2559 affordability.—

2560 (3) An employee may receive:

2561 (d) Fees associated with activities such as reviewing,
2562 critiquing, or preparing support materials for textbooks or
2563 instructional materials pursuant to guidelines adopted by the
2564 State Board of Colleges Education or the Board of Governors.

2565 (6) Each Florida College System institution and state
2566 university shall post prominently in the course registration
2567 system and on its website, as early as is feasible, but at least
2568 45 days before the first day of class for each term, a hyperlink
2569 to lists of required and recommended textbooks and instructional
2570 materials for at least 95 percent of all courses and course
2571 sections offered at the institution during the upcoming term.
2572 The lists must include the International Standard Book Number
2573 (ISBN) for each required and recommended textbook and
2574 instructional material or other identifying information, which
2575 must include, at a minimum, all of the following: the title, all
2576 authors listed, publishers, edition number, copyright date,
2577 published date, and other relevant information necessary to
2578 identify the specific textbooks or instructional materials
2579 required and recommended for each course. The State Board of
2580 Colleges Education and the Board of Governors shall include in
2581 the policies, procedures, and guidelines adopted under

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2582 subsection (7) certain limited exceptions to this notification
2583 requirement for classes added after the notification deadline.

2584 (7) After receiving input from students, faculty,
2585 bookstores, and publishers, the State Board of Colleges
2586 ~~Education~~ and the Board of Governors each shall adopt textbook
2587 and instructional materials affordability policies, procedures,
2588 and guidelines for implementation by Florida College System
2589 institutions and state universities, respectively, that further
2590 efforts to minimize the cost of textbooks and instructional
2591 materials for students attending such institutions while
2592 maintaining the quality of education and academic freedom. The
2593 policies, procedures, and guidelines shall address:

2594 (a) The establishment of deadlines for an instructor or
2595 department to notify the bookstore of required and recommended
2596 textbooks and instructional materials so that the bookstore may
2597 verify availability, source lower cost options when practicable,
2598 explore alternatives with faculty when academically appropriate,
2599 and maximize the availability of used textbooks and
2600 instructional materials.

2601 (b) Confirmation by the course instructor or academic
2602 department offering the course, before the textbook or
2603 instructional materials adoption is finalized, of the intent to
2604 use all items ordered, particularly each individual item sold as
2605 part of a bundled package.

2606 (c) Determination by a course instructor or the academic
2607 department offering the course, before a textbook or
2608 instructional material is adopted, of the extent to which a new
2609 edition differs significantly and substantively from earlier
2610 versions and the value to the student of changing to a new

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2611 edition or the extent to which an open-access textbook or
2612 instructional material is available.

2613 (d) The availability of required and recommended textbooks
2614 and instructional materials to students otherwise unable to
2615 afford the cost, including consideration of the extent to which
2616 an open-access textbook or instructional material may be used.

2617 (e) Participation by course instructors and academic
2618 departments in the development, adaptation, and review of open-
2619 access textbooks and instructional materials and, in particular,
2620 open-access textbooks and instructional materials for high-
2621 demand general education courses.

2622 (f) Consultation with school districts to identify
2623 practices that impact the cost of dual enrollment textbooks and
2624 instructional materials to school districts, including, but not
2625 limited to, the length of time that textbooks and instructional
2626 materials remain in use.

2627 (g) Selection of textbooks and instructional materials
2628 through cost-benefit analyses that enable students to obtain the
2629 highest-quality product at the lowest available price, by
2630 considering:

2631 1. Purchasing digital textbooks in bulk.

2632 2. Expanding the use of open-access textbooks and
2633 instructional materials.

2634 3. Providing rental options for textbooks and instructional
2635 materials.

2636 4. Increasing the availability and use of affordable
2637 digital textbooks and learning objects.

2638 5. Developing mechanisms to assist in buying, renting,
2639 selling, and sharing textbooks and instructional materials.

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2640 6. The length of time that textbooks and instructional
2641 materials remain in use.

2642 7. An evaluation of cost savings for textbooks and
2643 instructional materials which a student may realize if
2644 individual students are able to exercise opt-in provisions for
2645 the purchase of the materials.

2646 (8) The board of trustees of each Florida College System
2647 institution and state university shall report, by September 30
2648 of each year, beginning in 2016, to the Chancellor of the
2649 Florida College System or the Chancellor of the State University
2650 System, as applicable, the textbook and instructional materials
2651 selection process for general education courses with a wide cost
2652 variance identified pursuant to subsection (4) and high-
2653 enrollment courses; specific initiatives of the institution
2654 designed to reduce the costs of textbooks and instructional
2655 materials; policies implemented in accordance with subsection
2656 (6); the number of courses and course sections that were not
2657 able to meet the textbook and instructional materials posting
2658 deadline for the previous academic year; and any additional
2659 information determined by the chancellors. By November 1 of each
2660 year, ~~beginning in 2016,~~ each chancellor shall provide a summary
2661 of the information provided by institutions to the State Board
2662 of Colleges Education and the Board of Governors, as applicable.

2663 Section 36. Section 1004.096, Florida Statutes, is amended
2664 to read:

2665 1004.096 College credit for military training and education
2666 courses.—The Board of Governors shall adopt regulations and the
2667 State Board of Colleges Education shall adopt rules that enable
2668 eligible servicemembers or veterans of the United States Armed

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2669 Forces to earn academic college credit at public postsecondary
2670 educational institutions for college-level training and
2671 education acquired in the military. The regulations and rules
2672 shall include procedures for credential evaluation and the award
2673 of academic college credit, including, but not limited to,
2674 equivalency and alignment of military coursework with
2675 appropriate college courses, course descriptions, type and
2676 amount of college credit that may be awarded, and transfer of
2677 credit.

2678 Section 37. Section 1004.0961, Florida Statutes, is amended
2679 to read:

2680 1004.0961 Credit for online courses. ~~Beginning in the 2015-~~
2681 ~~2016 school year,~~ The State Board of Colleges ~~Education~~ shall
2682 adopt rules and the Board of Governors shall adopt regulations
2683 that enable students to earn academic credit for online courses,
2684 including massive open online courses, before initial enrollment
2685 at a postsecondary institution. The rules of the State Board of
2686 Colleges ~~Education~~ and regulations of the Board of Governors
2687 must include procedures for credential evaluation and the award
2688 of credit, including, but not limited to, recommendations for
2689 credit by the American Council on Education; equivalency and
2690 alignment of coursework with appropriate courses; course
2691 descriptions; type and amount of credit that may be awarded; and
2692 transfer of credit.

2693 Section 38. Section 1004.35, Florida Statutes, is amended
2694 to read:

2695 1004.35 Broward County campuses of Florida Atlantic
2696 University; coordination with other institutions.—The State
2697 Board of Colleges ~~Education~~, the Board of Governors, and Florida

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2698 Atlantic University shall consult with Broward College and
2699 Florida International University in coordinating course
2700 offerings at the postsecondary level in Broward County. Florida
2701 Atlantic University may contract with the Board of Trustees of
2702 Broward College and with Florida International University to
2703 provide instruction in courses offered at the Southeast Campus.
2704 Florida Atlantic University shall increase course offerings at
2705 the Southeast Campus as facilities become available.

2706 Section 39. Paragraphs (c) and (d) of subsection (5) and
2707 subsections (8) and (9) of section 1004.6495, Florida Statutes,
2708 are amended to read:

2709 1004.6495 Florida Postsecondary Comprehensive Transition
2710 Program and Florida Center for Students with Unique Abilities.—

2711 (5) CENTER RESPONSIBILITIES.—The Florida Center for
2712 Students with Unique Abilities is established within the
2713 University of Central Florida. At a minimum, the center shall:

2714 (c) Create the application for the initial approval and
2715 renewal of approval as an FPCTP for use by an eligible
2716 institution which, at a minimum, must align with the federal
2717 comprehensive transition and postsecondary program application
2718 requirements. Notwithstanding the program approval requirements
2719 of s. 1004.03, the director shall review applications for the
2720 initial approval of an application for, or renewal of approval
2721 of, an FPCTP.

2722 1. Within 30 days after receipt of an application, the
2723 director shall issue his or her recommendation regarding
2724 approval to the Chancellor of the State University System, ~~or~~
2725 the Chancellor of the Florida College System, or the
2726 Commissioner of Education, as applicable, or shall give written

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2727 notice to the applicant of any deficiencies in the application,
2728 which the eligible institution must be given an opportunity to
2729 correct. Within 15 days after receipt of a notice of
2730 deficiencies, an eligible institution that chooses to continue
2731 to seek program approval shall correct the application
2732 deficiencies and return the application to the center. Within 30
2733 days after receipt of a revised application, the director shall
2734 recommend approval or disapproval of the revised application to
2735 the applicable chancellor or the commissioner, as applicable.
2736 Within 15 days after receipt of the director's recommendation,
2737 the applicable chancellor or the commissioner shall approve or
2738 disapprove the recommendation. If the applicable chancellor or
2739 the commissioner does not act on the director's recommendation
2740 within 15 days after receipt of such recommendation, the
2741 comprehensive transition program proposed by the institution
2742 shall be considered approved.

2743 2. Initial approval of an application for an FPCTP that
2744 meets the requirements of this section is valid for the 3
2745 academic years immediately following the academic year during
2746 which the approval is granted. An eligible institution may
2747 submit an application to the center requesting that the initial
2748 approval be renewed. If the approval is granted and the FPCTP
2749 continues to meet the requirements of this section, including,
2750 but not limited to, program and student performance outcomes,
2751 and federal requirements, a renewal is valid for the 5 academic
2752 years immediately following the academic year during which the
2753 renewal is granted.

2754 3. An application must, at a minimum:

2755 a. Identify a credential associated with the proposed

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2756 program which will be awarded to eligible students upon
2757 completion of the FPCTP.

2758 b. Outline the program length and design, including, at a
2759 minimum, inclusive and successful experiential education
2760 practices relating to curricular, assessment, and advising
2761 structure and internship and employment opportunities, which
2762 must support students with intellectual disabilities who are
2763 seeking to continue academic, career and technical, and
2764 independent living instruction at an eligible institution,
2765 including, but not limited to, opportunities to earn industry
2766 certifications, to prepare students for gainful employment. If
2767 an eligible institution offers a credit-bearing degree program,
2768 the institution is responsible for maintaining the rigor and
2769 effectiveness of a comprehensive transition degree program at
2770 the same level as other comparable degree programs offered by
2771 the institution pursuant to applicable accreditation standards.

2772 c. Outline a plan for students with intellectual
2773 disabilities to be integrated socially and academically with
2774 nondisabled students, to the maximum extent possible, and to
2775 participate on not less than a half-time basis, as determined by
2776 the eligible institution, with such participation focusing on
2777 academic components and occurring through one or more of the
2778 following activities with nondisabled students:

2779 (I) Regular enrollment in credit-bearing courses offered by
2780 the institution.

2781 (II) Auditing or participating in courses offered by the
2782 institution for which the student does not receive academic
2783 credit.

2784 (III) Enrollment in noncredit-bearing, nondegree courses.

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- 2785 (IV) Participation in internships or work-based training.
- 2786 d. Outline a plan for partnerships with businesses to
- 2787 promote experiential training and employment opportunities for
- 2788 students with intellectual disabilities.
- 2789 e. Identify performance indicators pursuant to subsection
- 2790 (8) and other requirements identified by the center.
- 2791 f. Outline a 5-year plan incorporating enrollment and
- 2792 operational expectations for the program.
- 2793 (d) Provide technical assistance regarding programs and
- 2794 services for students with intellectual disabilities to
- 2795 administrators, instructors, staff, and others, as applicable,
- 2796 at eligible institutions by:
- 2797 1. Holding meetings and annual workshops to share
- 2798 successful practices and to address issues or concerns.
- 2799 2. Facilitating collaboration between eligible institutions
- 2800 and school districts, private schools operating pursuant to s.
- 2801 1002.42, and parents of students enrolled in home education
- 2802 programs operating pursuant to s. 1002.41 in assisting students
- 2803 with intellectual disabilities and their parents to plan for the
- 2804 transition of such students into an FPCTP or another program at
- 2805 an eligible institution.
- 2806 3. Assisting eligible institutions with FPCTP and federal
- 2807 comprehensive transition and postsecondary program applications.
- 2808 4. Assisting eligible institutions with the identification
- 2809 of funding sources for an FPCTP and for student financial
- 2810 assistance for students enrolled in an FPCTP.
- 2811 5. Monitoring federal and state law relating to the
- 2812 comprehensive transition program and notifying the Legislature,
- 2813 the Governor, the Board of Governors, the State Board of

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2814 Colleges, and the State Board of Education of any change in law
2815 which may impact the implementation of this section.

2816 (8) ACCOUNTABILITY.—

2817 (a) The center, in collaboration with the Board of
2818 Governors, the State Board of Colleges, and the State Board of
2819 Education, shall identify indicators for the satisfactory
2820 progress of a student in an FPCTP and for the performance of
2821 such programs. Each eligible institution must address the
2822 indicators identified by the center in its application for the
2823 approval of a proposed program and for the renewal of an FPCTP
2824 and in the annual report that the institution submits to the
2825 center.

2826 (b) By October 1 of each year, the center shall provide to
2827 the Governor, the President of the Senate, the Speaker of the
2828 House of Representatives, the Chancellor of the State University
2829 System, the Chancellor of the Florida College System, and the
2830 Commissioner of Education a report summarizing information
2831 including, but not limited to:

2832 1. The status of the statewide coordination of FPCTPs and
2833 the implementation of FPCTPs at eligible institutions including,
2834 but not limited to:

2835 a. The number of applications approved and disapproved and
2836 the reasons for each disapproval and no action taken by the
2837 chancellor or the commissioner.

2838 b. The number and value of all scholarships awarded to
2839 students and undisbursed advances remitted to the center
2840 pursuant to subsection (7).

2841 2. Indicators identified by the center pursuant to
2842 paragraph (a) and the performance of each eligible institution

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2843 based on the indicators identified in paragraph (6) (c).

2844 3. The projected number of students with intellectual
2845 disabilities who may be eligible to enroll in the FPCTPs within
2846 the next academic year.

2847 4. Education programs and services for students with
2848 intellectual disabilities which are available at eligible
2849 institutions.

2850 (c) ~~Beginning in the 2016-2017 fiscal year,~~ The center, in
2851 collaboration with the Board of Governors, State Board of
2852 Colleges, State Board of Education, Higher Education
2853 Coordinating Council, and other stakeholders, by December 1 of
2854 each year, shall submit to the Governor, the President of the
2855 Senate, and the Speaker of the House of Representatives
2856 statutory and budget recommendations for improving the
2857 implementation and delivery of FPCTPs and other education
2858 programs and services for students with disabilities.

2859 (9) RULES.—The Board of Governors, the State Board of
2860 Colleges, and the State Board of Education, in consultation with
2861 the center, shall expeditiously adopt any necessary regulations
2862 and rules, as applicable, to allow the center to perform its
2863 responsibilities pursuant to this section ~~beginning in the 2016-~~
2864 ~~2017 fiscal year.~~

2865 Section 40. Section 1004.65, Florida Statutes, is amended
2866 to read:

2867 1004.65 Florida College System institutions; governance,
2868 mission, and responsibilities.—

2869 (1) Each Florida College System institution shall be
2870 governed by a district board of trustees under statutory
2871 authority and rules of the State Board of Colleges ~~Education.~~

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2872 (2) Each Florida College System institution district shall:

2873 (a) Consist of the county or counties served by the Florida
2874 College System institution pursuant to s. 1000.21(3).

2875 (b) Be an independent, separate, legal entity created for
2876 the operation of a Florida College System institution.

2877 (3) Florida College System institutions are locally based
2878 and governed entities with statutory and funding ties to state
2879 government. As such, the mission for Florida College System
2880 institutions reflects a commitment to be responsive to local
2881 educational needs and challenges. In achieving this mission,
2882 Florida College System institutions strive to maintain
2883 sufficient local authority and flexibility while preserving
2884 appropriate legal accountability to the state.

2885 (4) As comprehensive institutions, Florida College System
2886 institutions shall provide high-quality, affordable education
2887 and training opportunities, shall foster a climate of
2888 excellence, and shall provide opportunities to all while
2889 combining high standards with an open-door admission policy for
2890 lower-division programs. Florida College System institutions
2891 shall, as open-access institutions, serve all who can benefit,
2892 without regard to age, race, gender, creed, or ethnic or
2893 economic background, while emphasizing the achievement of social
2894 and educational equity so that all can be prepared for full
2895 participation in society.

2896 (5) The primary mission and responsibility of Florida
2897 College System institutions is responding to community needs for
2898 postsecondary academic education and career degree education.
2899 This mission and responsibility includes being responsible for:

2900 (a) Providing lower-level ~~lower-level~~ undergraduate

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2901 instruction and awarding associate degrees.

2902 (b) Preparing students directly for careers requiring less
2903 than baccalaureate degrees. This may include preparing for job
2904 entry, supplementing of skills and knowledge, and responding to
2905 needs in new areas of technology. Career education in a Florida
2906 College System institution consists ~~shall consist~~ of career
2907 certificates, nationally recognized industry certifications,
2908 credit courses leading to associate in science degrees and
2909 associate in applied science degrees, and other programs in
2910 fields requiring substantial academic work, background, or
2911 qualifications. A Florida College System institution may offer
2912 career education programs in fields having lesser academic or
2913 technical requirements.

2914 (c) Providing student development services, including
2915 assessment, student tracking, support for disabled students,
2916 advisement, counseling, financial aid, career development, and
2917 remedial and tutorial services, to ensure student success.

2918 (d) Promoting economic development for the state within
2919 each Florida College System institution district through the
2920 provision of special programs, including, but not limited to,
2921 the:

- 2922 1. Enterprise Florida-related programs.
- 2923 2. Technology transfer centers.
- 2924 3. Economic development centers.
- 2925 4. Workforce literacy programs.

2926 (e) Providing dual enrollment instruction.

2927 ~~(f) Providing upper level instruction and awarding~~
2928 ~~baccalaureate degrees as specifically authorized by law.~~

2929 (6) A separate and secondary role for Florida College

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2930 System institutions includes ~~the offering of programs in:~~

2931 (a) Programs in community services that are not directly
2932 related to academic or occupational advancement.

2933 (b) Programs in adult education services, including adult
2934 basic education, adult general education, adult secondary
2935 education, and high school equivalency examination instruction.

2936 (c) Programs in recreational and leisure services.

2937 (d) Upper-level instruction and awarding baccalaureate
2938 degrees as specifically authorized by law.

2939 (7) Funding for Florida College System institutions must
2940 ~~shall~~ reflect their mission as follows:

2941 (a) Postsecondary academic and career education programs
2942 and adult general education programs must ~~shall~~ have first
2943 priority in Florida College System institution funding.

2944 (b) Community service programs shall be presented to the
2945 Legislature with rationale for state funding. The Legislature
2946 may identify priority areas for use of these funds.

2947 (c) The resources of a Florida College System institution,
2948 including staff, faculty, land, and facilities, may ~~shall~~ not be
2949 used to support the establishment of a new independent nonpublic
2950 educational institution. If any institution uses resources for
2951 such purpose, the State Board of ~~Division of Florida~~ Colleges
2952 shall notify the President of the Senate and the Speaker of the
2953 House of Representatives.

2954 (8) Florida College System institutions are authorized to:

2955 (a) Offer such programs and courses as are necessary to
2956 fulfill their mission.

2957 (b) Grant associate in arts degrees, associate in science
2958 degrees, associate in applied science degrees, certificates,

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2959 awards, and diplomas.

2960 (c) Make provisions for the high school equivalency
2961 examination.

2962 (d) Provide access to and award baccalaureate degrees in
2963 accordance with law.

2964
2965 Authority to offer one or more baccalaureate degree programs
2966 does not alter the governance relationship of the Florida
2967 College System institution with its district board of trustees
2968 or the State Board of Colleges Education.

2969 Section 41. Section 1004.67, Florida Statutes, is amended
2970 to read:

2971 1004.67 Florida College System institutions; legislative
2972 intent.—It is The legislative intent that Florida College System
2973 institutions, constituted as political subdivisions of the
2974 state, continue to be operated by Florida College System
2975 institution boards of trustees as provided in s. 1001.63 and
2976 that no department, bureau, division, agency, or subdivision of
2977 the state exercise any responsibility and authority to operate
2978 any Florida College System institution of the state except as
2979 specifically provided by law or rules of the State Board of
2980 Colleges Education.

2981 Section 42. Subsections (2), (3), (4), and (6) of section
2982 1004.70, Florida Statutes, are amended to read:

2983 1004.70 Florida College System institution direct-support
2984 organizations.—

2985 (2) BOARD OF DIRECTORS.—The chair of the board of trustees
2986 shall appoint at least one ~~a~~ representative to the board of
2987 directors and the executive committee of each direct-support

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2988 organization established under this section, including those
2989 established before July 1, 1998. The president of the Florida
2990 College System institution for which the direct-support
2991 organization is established, or the president's designee, shall
2992 also serve on the board of directors and the executive committee
2993 of the direct-support organization, including any direct-support
2994 organization established before July 1, 1998.

2995 (3) USE OF PROPERTY.—

2996 (a) The board of trustees is authorized to permit the use
2997 of property, facilities, and personal services at any Florida
2998 College System institution by any Florida College System
2999 institution direct-support organization, subject to the
3000 provisions of this section. Beginning July 1, 2022, a Florida
3001 College System institution board of trustees may not permit any
3002 Florida College System institution direct-support organization
3003 to use personal services.

3004 (b) The board of trustees is authorized to prescribe by
3005 rule any condition with which a Florida College System
3006 institution direct-support organization must comply in order to
3007 use property, facilities, or personal services at any Florida
3008 College System institution.

3009 (c) The board of trustees may not permit the use of
3010 property, facilities, or personal services at any Florida
3011 College System institution by any Florida College System
3012 institution direct-support organization that does not provide
3013 equal employment opportunities to all persons regardless of
3014 race, color, national origin, gender, age, or religion.

3015 (d) The board of trustees may not permit the use of state
3016 funds for travel expenses by any Florida College System

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3017 institution direct-support organization.

3018 (4) ACTIVITIES; RESTRICTIONS.—

3019 (a) A direct-support organization may, at the request of
3020 the board of trustees, provide residency opportunities on or
3021 near campus for students.

3022 (b) A direct-support organization that constructs
3023 facilities for use by a Florida College System institution or
3024 its students must comply with all requirements of law relating
3025 to the construction of facilities by a Florida College System
3026 institution, including requirements for competitive bidding.

3027 (c) Any transaction or agreement between one direct-support
3028 organization and another direct-support organization must be
3029 approved by the board of trustees.

3030 (d) A Florida College System institution direct-support
3031 organization is prohibited from giving, either directly or
3032 indirectly, any gift to a political committee as defined in s.
3033 106.011 for any purpose ~~other than those certified by a majority~~
3034 ~~roll call vote of the governing board of the direct-support~~
3035 ~~organization at a regularly scheduled meeting as being directly~~
3036 ~~related to the educational mission of the Florida College System~~
3037 ~~institution.~~

3038 (e) A Florida College System institution board of trustees
3039 must authorize all debt, including lease-purchase agreements,
3040 incurred by a direct-support organization. Authorization for
3041 approval of short-term loans and lease-purchase agreements for a
3042 term of not more than 5 years, including renewals, extensions,
3043 and refundings, for goods, materials, equipment, and services
3044 may be delegated by the board of trustees to the board of
3045 directors of the direct-support organization. Trustees shall

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3046 evaluate proposals for debt according to guidelines issued by
3047 the State Board of ~~Division of Florida~~ Colleges. Revenues of the
3048 Florida College System institution may not be pledged to debt
3049 issued by direct-support organizations.

3050 (6) ANNUAL AUDIT.—Each direct-support organization shall
3051 provide for an annual financial audit in accordance with rules
3052 adopted by the Auditor General pursuant to s. 11.45(8). The
3053 annual audit report must be submitted, within 9 months after the
3054 end of the fiscal year, to the Auditor General, the State Board
3055 of Colleges ~~Education~~, and the board of trustees for review. The
3056 board of trustees, the Auditor General, and the Office of
3057 Program Policy Analysis and Government Accountability may
3058 require and receive from the organization or from its
3059 independent auditor any detail or supplemental data relative to
3060 the operation of the organization. The identity of donors who
3061 desire to remain anonymous shall be protected, and that
3062 anonymity shall be maintained in the auditor's report. All
3063 records of the organization, other than the auditor's report,
3064 any information necessary for the auditor's report, any
3065 information related to the expenditure of funds, and any
3066 supplemental data requested by the board of trustees, the
3067 Auditor General, and the Office of Program Policy Analysis and
3068 Government Accountability, shall be confidential and exempt from
3069 the provisions of s. 119.07(1).

3070 Section 43. Subsections (1), (2), (4), and (5) of section
3071 1004.71, Florida Statutes, are amended to read:

3072 1004.71 Statewide Florida College System institution
3073 direct-support organizations.—

3074 (1) DEFINITIONS.—For the purposes of this section:

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3075 (a) "Statewide Florida College System institution direct-
3076 support organization" means an organization that is:

3077 1. A Florida corporation not for profit, incorporated under
3078 the provisions of chapter 617 and approved by the Department of
3079 State.

3080 2. Organized and operated exclusively to receive, hold,
3081 invest, and administer property and to make expenditures to, or
3082 for the benefit of, the Florida College System institutions in
3083 this state.

3084 3. An organization that the State Board of Colleges
3085 ~~Education~~, after review, has certified to be operating in a
3086 manner consistent with the goals of the Florida College System
3087 institutions and in the best interest of the state.

3088 (b) "Personal services" includes full-time or part-time
3089 personnel as well as payroll processing.

3090 (2) BOARD OF DIRECTORS.—The chair of the State Board of
3091 Colleges Education may appoint a representative to the board of
3092 directors and the executive committee of any statewide, direct-
3093 support organization established under this section or s.
3094 1004.70. The chair of the State Board of Colleges Education, or
3095 the chair's designee, shall also serve on the board of directors
3096 and the executive committee of any direct-support organization
3097 established to benefit Florida College System institutions.

3098 (4) RESTRICTIONS.—

3099 (a) A statewide, direct-support organization may not use
3100 public funds to acquire, construct, maintain, or operate any
3101 facilities.

3102 (b) Any transaction or agreement between a statewide,
3103 direct-support organization and any other direct-support

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3104 organization must be approved by the State Board of Colleges
3105 Education.

3106 (c) A statewide Florida College System institution direct-
3107 support organization is prohibited from giving, either directly
3108 or indirectly, any gift to a political committee as defined in
3109 s. 106.011 for any purpose other than those certified by a
3110 majority roll call vote of the governing board of the direct-
3111 support organization at a regularly scheduled meeting as being
3112 directly related to the educational mission of the State Board
3113 of Colleges ~~Education~~.

3114 (5) ANNUAL BUDGETS AND REPORTS.—Each direct-support
3115 organization shall submit to the State Board of Colleges
3116 ~~Education~~ its federal Internal Revenue Service Application for
3117 Recognition of Exemption form (Form 1023) and its federal
3118 Internal Revenue Service Return of Organization Exempt from
3119 Income Tax form (Form 990).

3120 Section 44. Subsection (4) of section 1004.74, Florida
3121 Statutes, is amended to read:

3122 1004.74 Florida School of the Arts.—

3123 (4) The Council for the Florida School of the Arts shall be
3124 established to advise the Florida College System institution
3125 district board of trustees on matters pertaining to the
3126 operation of the school. The council shall consist of nine
3127 members, appointed jointly by the Chancellor of the Florida
3128 College System and the Commissioner of Education for 4-year
3129 terms. A member may serve three terms and may serve until
3130 replaced.

3131 Section 45. Subsection (10) of section 1004.78, Florida
3132 Statutes, is amended to read:

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3133 1004.78 Technology transfer centers at Florida College
3134 System institutions.—

3135 (10) The State Board of Colleges ~~Education~~ may award grants
3136 to Florida College System institutions, or consortia of public
3137 and private colleges and universities and other public and
3138 private entities, for the purpose of supporting the objectives
3139 of this section. Grants awarded pursuant to this subsection
3140 shall be in accordance with rules of the State Board of Colleges
3141 ~~Education~~. Such rules shall include the following provisions:

3142 (a) The number of centers established with state funds
3143 provided expressly for the purpose of technology transfer shall
3144 be limited, but shall be geographically located to maximize
3145 public access to center resources and services.

3146 (b) Grants to centers funded with state revenues
3147 appropriated specifically for technology transfer activities
3148 shall be reviewed and approved by the State Board of Colleges
3149 ~~Education~~ using proposal solicitation, evaluation, and selection
3150 procedures established by the state board in consultation with
3151 Enterprise Florida, Inc. Such procedures may include designation
3152 of specific areas or applications of technology as priorities
3153 for the receipt of funding.

3154 (c) Priority for the receipt of state funds appropriated
3155 specifically for the purpose of technology transfer shall be
3156 given to grant proposals developed jointly by Florida College
3157 System institutions and public and private colleges and
3158 universities.

3159 Section 46. Subsection (4) of section 1004.80, Florida
3160 Statutes, is amended to read:

3161 1004.80 Economic development centers.—

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3162 (4) The State Board of Colleges ~~Education~~ may award grants
3163 to economic development centers for the purposes of this
3164 section. Grants awarded pursuant to this subsection shall be in
3165 accordance with rules established by the State Board of Colleges
3166 ~~Education~~.

3167 Section 47. Section 1004.91, Florida Statutes, is amended
3168 to read:

3169 1004.91 Requirements for career education program basic
3170 skills.—

3171 (1) The State Board of Education, for career centers
3172 operated by district school boards, and the State Board of
3173 Colleges, for charter technical career centers operated by
3174 Florida College System institutions, shall collaborate to adopt,
3175 by rule, standards of basic skill mastery for completion of
3176 certificate career education programs. Each school district and
3177 Florida College System institution that conducts programs that
3178 confer career and technical certificates shall provide applied
3179 academics instruction through which students receive the basic
3180 skills instruction required pursuant to this section.

3181 (2) Students who enroll in a program offered for career
3182 credit of 450 hours or more shall complete an entry-level
3183 examination within the first 6 weeks after admission into the
3184 program. The State Board of Education and the State Board of
3185 Colleges shall collaborate to designate examinations that are
3186 currently in existence, the results of which are comparable
3187 across institutions, to assess student mastery of basic skills.
3188 Any student found to lack the required level of basic skills for
3189 such program shall be referred to applied academics instruction
3190 or another adult general education program for a structured

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3191 program of basic skills instruction. Such instruction may
3192 include English for speakers of other languages. A student may
3193 not receive a career or technical certificate of completion
3194 without first demonstrating the basic skills required in the
3195 state curriculum frameworks for the career education program.

3196 (3) (a) An adult student with a disability may be exempted
3197 from this section.

3198 (b) The following students are exempt from this section:

3199 1. A student who possesses a college degree at the
3200 associate in applied science level or higher.

3201 2. A student who demonstrates readiness for public
3202 postsecondary education pursuant to s. 1008.30 and applicable
3203 rules adopted by the State Board of Education and State Board of
3204 Colleges.

3205 3. A student who passes a state or national industry
3206 certification or licensure examination that is identified in
3207 State Board of Education or State Board of Colleges rules and
3208 aligned to the career education program in which the student is
3209 enrolled.

3210 4. An adult student who is enrolled in an apprenticeship
3211 program that is registered with the Department of Education in
3212 accordance with chapter 446.

3213 Section 48. Paragraph (b) of subsection (2) of section
3214 1004.92, Florida Statutes, is amended, and subsection (4) is
3215 added to that section, to read:

3216 1004.92 Purpose and responsibilities for career education.-

3217 (2)

3218 (b) The Department of Education, for school districts, and
3219 the State Board of Colleges, for Florida College System

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3220 institutions, have the following responsibilities related to
3221 accountability for career education ~~includes, but is not limited~~
3222 ~~to:~~

3223 1. The provision of timely, accurate technical assistance
3224 to school districts and Florida College System institutions.

3225 2. The provision of timely, accurate information to the
3226 State Board of Education, the Legislature, and the public.

3227 3. The development of policies, rules, and procedures that
3228 facilitate institutional attainment of the accountability
3229 standards and coordinate the efforts of all divisions within the
3230 department.

3231 4. The development of program standards and industry-driven
3232 benchmarks for career, adult, and community education programs,
3233 which must be updated every 3 years. The standards must include
3234 career, academic, and workplace skills; viability of distance
3235 learning for instruction; ~~and~~ work/learn cycles that are
3236 responsive to business and industry; and provisions that reflect
3237 the quality components of career and technical education
3238 programs. The Department of Education and the State Board of
3239 Colleges shall collaborate to develop a common set of standards
3240 and benchmarks as specified under this subparagraph for the
3241 programs that are offered by both the school districts and
3242 Florida College System institutions.

3243 5. Overseeing school district and Florida College System
3244 institution compliance with ~~the provisions of~~ this chapter.

3245 6. Ensuring that the educational outcomes for the technical
3246 component of career programs are uniform and designed to provide
3247 a graduate who is capable of entering the workforce on an
3248 equally competitive basis regardless of the institution of

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3249 choice.

3250 (4) The State Board of Education, for career education
3251 provided by school districts, and the State Board of Colleges,
3252 for career education provided by Florida College System
3253 institutions, shall collaborate to adopt rules to administer
3254 this section.

3255 Section 49. Subsection (1) of section 1004.925, Florida
3256 Statutes, is amended to read:

3257 1004.925 Automotive service technology education programs;
3258 certification.—

3259 (1) All automotive service technology education programs
3260 shall be industry certified in accordance with rules adopted by
3261 the State Board of Education and the State Board of Colleges.

3262 Section 50. Paragraphs (c) and (d) of subsection (4) and
3263 subsections (6) and (9) of section 1004.93, Florida Statutes,
3264 are amended to read:

3265 1004.93 Adult general education.—

3266 (4)

3267 (c) The State Board of Colleges ~~Education~~ shall define, by
3268 rule, the levels and courses of instruction to be funded through
3269 the developmental education program. The State Board of Colleges
3270 shall coordinate the establishment of costs for developmental
3271 education courses, the establishment of statewide standards that
3272 define required levels of competence, acceptable rates of
3273 student progress, and the maximum amount of time to be allowed
3274 for completion of developmental education. Developmental
3275 education is part of an associate in arts degree program and may
3276 not be funded as an adult career education program.

3277 (d) Expenditures for developmental education and lifelong

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3278 learning students shall be reported separately. Allocations for
3279 developmental education shall be based on proportional full-time
3280 equivalent enrollment. Program review results shall be included
3281 in the determination of subsequent allocations. A student shall
3282 be funded to enroll in the same developmental education class
3283 within a skill area only twice, after which time the student
3284 shall pay 100 percent of the full cost of instruction to support
3285 the continuous enrollment of that student in the same class;
3286 however, students who withdraw or fail a class due to
3287 extenuating circumstances may be granted an exception only once
3288 for each class, provided approval is granted according to policy
3289 established by the board of trustees. Each Florida College
3290 System institution shall have the authority to review and reduce
3291 payment for increased fees due to continued enrollment in a
3292 developmental education class on an individual basis contingent
3293 upon the student's financial hardship, pursuant to definitions
3294 and fee levels established by the State Board of Colleges
3295 ~~Education~~. Developmental education and lifelong learning courses
3296 do not generate credit toward an associate or baccalaureate
3297 degree.

3298 (6) The commissioner, for school districts, and the
3299 Chancellor of the Florida College System, for Florida College
3300 System institutions, shall recommend the level of funding for
3301 public school and Florida College System institution adult
3302 education within the legislative budget request and make other
3303 recommendations and reports considered necessary or required by
3304 rules of the State Board of Education.

3305 (9) The State Board of Education and the State Board of
3306 Colleges may adopt rules necessary for the implementation of

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3307 this section.

3308 Section 51. Subsection (3) of section 1006.60, Florida
3309 Statutes, is amended to read:

3310 1006.60 Codes of conduct; disciplinary measures; authority
3311 to adopt rules or regulations.—

3312 (3) Sanctions authorized by such codes of conduct may be
3313 imposed only for acts or omissions in violation of rules or
3314 regulations adopted by the institution, including rules or
3315 regulations adopted under this section, rules of the State Board
3316 of Colleges regarding the Florida College System Education,
3317 rules or regulations of the Board of Governors regarding the
3318 State University System, county and municipal ordinances, and
3319 the laws of this state, the United States, or any other state.

3320 Section 52. Subsection (1) of section 1006.61, Florida
3321 Statutes, is amended to read:

3322 1006.61 Participation by students in disruptive activities
3323 at public postsecondary educational institution; penalties.—

3324 (1) Any person who accepts the privilege extended by the
3325 laws of this state of attendance at any public postsecondary
3326 educational institution shall, by attending such institution, be
3327 deemed to have given his or her consent to the policies of that
3328 institution, the State Board of Colleges regarding the Florida
3329 College System Education, and the Board of Governors regarding
3330 the State University System, and the laws of this state. Such
3331 policies shall include prohibition against disruptive activities
3332 at public postsecondary educational institutions.

3333 Section 53. Section 1006.62, Florida Statutes, is amended
3334 to read:

3335 1006.62 Expulsion and discipline of students of Florida

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3336 College System institutions and state universities.—

3337 (1) Each student in a Florida College System institution or
3338 state university is subject to federal and state law, respective
3339 county and municipal ordinances, and all rules and regulations
3340 of the State Board of Colleges regarding the Florida College
3341 System Education, the Board of Governors regarding the State
3342 University System, or the board of trustees of the institution.

3343 (2) Violation of these published laws, ordinances, or rules
3344 and regulations may subject the violator to appropriate action
3345 by the institution's authorities.

3346 (3) Each president of a Florida College System institution
3347 or state university may, after notice to the student of the
3348 charges and after a hearing thereon, expel, suspend, or
3349 otherwise discipline any student who is found to have violated
3350 any law, ordinance, or rule or regulation of the State Board of
3351 Colleges regarding the Florida College System Education, the
3352 Board of Governors regarding the State University System, or the
3353 board of trustees of the institution. A student may be entitled
3354 to waiver of expulsion:

3355 (a) If the student provides substantial assistance in the
3356 identification, arrest, or conviction of any of his or her
3357 accomplices, accessories, coconspirators, or principals or of
3358 any other person engaged in violations of chapter 893 within a
3359 state university or Florida College System institution;

3360 (b) If the student voluntarily discloses his or her
3361 violations of chapter 893 prior to his or her arrest; or

3362 (c) If the student commits himself or herself, or is
3363 referred by the court in lieu of sentence, to a state-licensed
3364 drug abuse program and successfully completes the program.

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3365 Section 54. Paragraphs (c) and (g) of subsection (1),
3366 paragraph (b) of subsection (2), and subsection (3) of section
3367 1006.71, Florida Statutes, are amended to read:

3368 1006.71 Gender equity in intercollegiate athletics.—

3369 (1) GENDER EQUITY PLAN.—

3370 (c) The Chancellor of the Florida College System
3371 ~~Commissioner of Education~~ shall annually assess the progress of
3372 each Florida College System institution's plan and advise the
3373 State Board of Colleges Education and the Legislature regarding
3374 compliance.

3375 (g)1. If a Florida College System institution is not in
3376 compliance with Title IX of the Education Amendments of 1972 and
3377 the Florida Educational Equity Act, the State Board of Colleges
3378 ~~Education~~ shall:

3379 a. Declare the Florida College System institution
3380 ineligible for competitive state grants.

3381 b. Withhold funds sufficient to obtain compliance.

3382
3383 The Florida College System institution shall remain ineligible
3384 and the funds may ~~shall~~ not be paid until the Florida College
3385 System institution comes into compliance or the Chancellor of
3386 the Florida College System ~~Commissioner of Education~~ approves a
3387 plan for compliance.

3388 2. If a state university is not in compliance with Title IX
3389 of the Education Amendments of 1972 and the Florida Educational
3390 Equity Act, the Board of Governors shall:

3391 a. Declare the state university ineligible for competitive
3392 state grants.

3393 b. Withhold funds sufficient to obtain compliance.

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3394

3395 The state university shall remain ineligible and the funds may
3396 ~~shall~~ not be paid until the state university comes into
3397 compliance or the Board of Governors approves a plan for
3398 compliance.

3399 (2) FUNDING.—

3400 (b) The level of funding and percentage share of support
3401 for women's intercollegiate athletics for Florida College System
3402 institutions shall be determined by the State Board of Colleges
3403 ~~Education~~. The level of funding and percentage share of support
3404 for women's intercollegiate athletics for state universities
3405 shall be determined by the Board of Governors. The level of
3406 funding and percentage share attained in the 1980-1981 fiscal
3407 year shall be the minimum level and percentage maintained by
3408 each institution, except as the State Board of Colleges
3409 ~~Education~~ or the Board of Governors otherwise directs its
3410 respective institutions for the purpose of assuring equity.
3411 Consideration shall be given by the State Board of Colleges
3412 ~~Education~~ or the Board of Governors to emerging athletic
3413 programs at institutions which may not have the resources to
3414 secure external funds to provide athletic opportunities for
3415 women. It is the intent that the effect of any redistribution of
3416 funds among institutions may ~~shall~~ not negate the requirements
3417 as set forth in this section.

3418 (3) STATE BOARD OF COLLEGES ~~EDUCATION~~.—The State Board of
3419 Colleges ~~Education~~ shall assure equal opportunity for female
3420 athletes at Florida College System institutions and establish:

3421 (a) In conjunction with the State Board of Education,
3422 guidelines for reporting of intercollegiate athletics data

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3423 concerning financial, program, and facilities information for
3424 review by the State Board of Colleges ~~Education~~ annually.

3425 (b) Systematic audits for the evaluation of such data.

3426 (c) Criteria for determining and assuring equity.

3427 Section 55. Section 1007.01, Florida Statutes, is amended
3428 to read:

3429 1007.01 Articulation; legislative intent; purpose; role of
3430 the State Board of Education, the State Board of Colleges, and
3431 the Board of Governors; Articulation Coordinating Committee.—

3432 (1) It is the intent of the Legislature to facilitate
3433 articulation and seamless integration of the K-20 education
3434 system by building, sustaining, and strengthening relationships
3435 among K-20 public organizations, between public and private
3436 organizations, and between the education system as a whole and
3437 Florida's communities. The purpose of building, sustaining, and
3438 strengthening these relationships is to provide for the
3439 efficient and effective progression and transfer of students
3440 within the education system and to allow students to proceed
3441 toward their educational objectives as rapidly as their
3442 circumstances permit. The Legislature further intends that
3443 articulation policies and budget actions be implemented
3444 consistently in the practices of the Department of Education and
3445 postsecondary educational institutions and expressed in the
3446 collaborative policy efforts of the State Board of Education,
3447 ~~and~~ the Board of Governors, and the State Board of Colleges.

3448 (2) To preserve Florida's "2+2" system of articulation and
3449 improve and facilitate articulation systemwide, the State Board
3450 of Education, ~~and~~ the Board of Governors, and the State Board of
3451 Colleges shall collaboratively establish and adopt policies with

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3452 input from statewide K-20 advisory groups established by the
3453 Commissioner of Education, the Chancellor of the Florida College
3454 System, and the Chancellor of the State University System and
3455 shall recommend the policies to the Legislature. The policies
3456 shall relate to:

3457 (a) The alignment between the exit requirements of one
3458 education system and the admissions requirements of another
3459 education system into which students typically transfer.

3460 (b) The identification of common courses, the level of
3461 courses, institutional participation in a statewide course
3462 numbering system, and the transferability of credits among such
3463 institutions.

3464 (c) Identification of courses that meet general education
3465 or common degree program prerequisite requirements at public
3466 postsecondary educational institutions.

3467 (d) Dual enrollment course equivalencies.

3468 (e) Articulation agreements.

3469 (3) The Commissioner of Education, in consultation with the
3470 Chancellor of the Florida College System and the Chancellor of
3471 the State University System, shall establish the Articulation
3472 Coordinating Committee, which shall make recommendations related
3473 to statewide articulation policies and issues regarding access,
3474 quality, and reporting of data maintained by the K-20 data
3475 warehouse, established pursuant to ss. 1001.10 and 1008.31, to
3476 the Higher Education Coordination Council, the State Board of
3477 Education, ~~and~~ the Board of Governors, and the State Board of
3478 Colleges. The committee shall consist of two members each
3479 representing the State University System, the Florida College
3480 System, public career and technical education, K-12 education,

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3481 and nonpublic postsecondary education and one member
3482 representing students. The chair shall be elected from the
3483 membership. The Office of K-20 Articulation shall provide
3484 administrative support for the committee. The committee shall:

3485 (a) Monitor the alignment between the exit requirements of
3486 one education system and the admissions requirements of another
3487 education system into which students typically transfer and make
3488 recommendations for improvement.

3489 (b) Propose guidelines for interinstitutional agreements
3490 between and among public schools, career and technical education
3491 centers, Florida College System institutions, state
3492 universities, and nonpublic postsecondary institutions.

3493 (c) Annually recommend dual enrollment course and high
3494 school subject area equivalencies for approval by the State
3495 Board of Education, ~~and~~ the Board of Governors, and the State
3496 Board of Colleges.

3497 (d) Annually review the statewide articulation agreement
3498 pursuant to s. 1007.23 and make recommendations for revisions.

3499 (e) Annually review the statewide course numbering system,
3500 the levels of courses, and the application of transfer credit
3501 requirements among public and nonpublic institutions
3502 participating in the statewide course numbering system and
3503 identify instances of student transfer and admissions
3504 difficulties.

3505 (f) Annually publish a list of courses that meet common
3506 general education and common degree program prerequisite
3507 requirements at public postsecondary institutions identified
3508 pursuant to s. 1007.25.

3509 (g) Foster timely collection and reporting of statewide

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3510 education data to improve the K-20 education performance
3511 accountability system pursuant to ss. 1001.10 and 1008.31,
3512 including, but not limited to, data quality, accessibility, and
3513 protection of student records.

3514 (h) Recommend roles and responsibilities of public
3515 education entities in interfacing with the single, statewide
3516 computer-assisted student advising system established pursuant
3517 to s. 1006.735.

3518 (i) Make recommendations regarding the cost and
3519 requirements to develop and implement an online system for
3520 collecting and analyzing data regarding requests for transfer of
3521 credit by postsecondary education students. The online system,
3522 at a minimum, must collect information regarding the total
3523 number of credit transfer requests denied and the reason for
3524 each denial. Recommendations shall be reported to the President
3525 of the Senate and the Speaker of the House of Representatives on
3526 or before January 31, 2015.

3527 Section 56. Subsections (1) and (6) of section 1007.23,
3528 Florida Statutes, are amended, and subsection (7) is added to
3529 that section, to read:

3530 1007.23 Statewide articulation agreement.—

3531 (1) The State Board of Education, ~~and~~ and the Board of
3532 Governors, and the State Board of Colleges shall enter into a
3533 statewide articulation agreement which the State Board of
3534 Education and the State Board of Colleges shall adopt by rule.
3535 The agreement must preserve Florida's "2+2" system of
3536 articulation, facilitate the seamless articulation of student
3537 credit across and among Florida's educational entities, and
3538 reinforce the provisions of this chapter by governing:

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- 3539 (a) Articulation between secondary and postsecondary
3540 education;
- 3541 (b) Admission of associate in arts degree graduates from
3542 Florida College System institutions and state universities;
- 3543 (c) Admission of applied technology diploma program
3544 graduates from Florida College System institutions or career
3545 centers;
- 3546 (d) Admission of associate in science degree and associate
3547 in applied science degree graduates from Florida College System
3548 institutions;
- 3549 (e) The use of acceleration mechanisms, including
3550 nationally standardized examinations through which students may
3551 earn credit;
- 3552 (f) General education requirements and statewide course
3553 numbers as provided for in ss. 1007.24 and 1007.25; and
- 3554 (g) Articulation among programs in nursing.
- 3555 (6) The articulation agreement must guarantee the
3556 articulation of 9 credit hours toward a postsecondary degree in
3557 early childhood education for programs approved by the State
3558 Board of Colleges Education and the Board of Governors which:
- 3559 (a) Award a child development associate credential issued
3560 by the National Credentialing Program of the Council for
3561 Professional Recognition or award a credential approved under s.
3562 1002.55(3)(c)1.b. or s. 402.305(3)(c) as being equivalent to the
3563 child development associate credential; and
- 3564 (b) Include training in emergent literacy which meets or
3565 exceeds the minimum standards for training courses for
3566 prekindergarten instructors of the Voluntary Prekindergarten
3567 Education Program in s. 1002.59.

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3568 (7) To strengthen Florida's "2+2" system of articulation
3569 and improve student retention and on-time graduation, by the
3570 2018-2019 academic year, each Florida College System institution
3571 shall execute at least one "2+2" targeted pathway articulation
3572 agreement with one or more state universities and each state
3573 university shall execute at least one such agreement with one or
3574 more Florida College System institutions to establish "2+2"
3575 targeted pathway programs. The agreement must provide students
3576 who graduate with an associate in arts degree and who meet
3577 specified requirements guaranteed access to the state university
3578 and a degree program at that university, in accordance with the
3579 terms of the "2+2" targeted pathway articulation agreement.

3580 (a) To participate in a "2+2" targeted pathway program, a
3581 student must:

3582 1. Enroll in the program before completing 30 credit hours,
3583 including, but not limited to, college credits earned through
3584 articulated acceleration mechanisms pursuant to s. 1007.27;

3585 2. Complete an associate in arts degree; and

3586 3. Meet the university's transfer requirements.

3587 (b) A state university that executes a "2+2" targeted
3588 pathway articulation agreement must meet the following
3589 requirements in order to implement a "2+2" targeted pathway
3590 program in collaboration with its partner Florida College System
3591 institution:

3592 1. Establish a 4-year on-time graduation plan for a
3593 baccalaureate degree program, including, but not limited to, a
3594 plan for students to complete associate in arts degree programs,
3595 general education courses, common prerequisite courses, and
3596 elective courses;

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3597 2. Advise students enrolled in the program about the
3598 university's transfer and degree program requirements; and

3599 3. Provide students who meet the requirements under this
3600 paragraph with access to academic advisors and campus events and
3601 with guaranteed admittance to the state university and a degree
3602 program of the state university, in accordance with the terms of
3603 the agreement.

3604 (c) To assist the state universities and Florida College
3605 System institutions with implementing the "2+2" targeted pathway
3606 programs effectively, the State Board of Colleges and the Board
3607 of Governors shall collaborate to eliminate barriers in
3608 executing "2+2" targeted pathway articulation agreements.

3609 Section 57. Subsections (1), (2), and (3) of section
3610 1007.24, Florida Statutes, are amended to read:

3611 1007.24 Statewide course numbering system.—

3612 (1) The Department of Education, in conjunction with the
3613 Board of Governors and the State Board of Colleges, shall
3614 develop, coordinate, and maintain a statewide course numbering
3615 system for postsecondary and dual enrollment education in school
3616 districts, public postsecondary educational institutions, and
3617 participating nonpublic postsecondary educational institutions
3618 that will improve program planning, increase communication among
3619 all delivery systems, and facilitate student acceleration and
3620 the transfer of students and credits between public school
3621 districts, public postsecondary educational institutions, and
3622 participating nonpublic educational institutions. The continuing
3623 maintenance of the system shall be accomplished with the
3624 assistance of appropriate faculty committees representing public
3625 and participating nonpublic educational institutions.

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3626 (2) The Commissioner of Education, in conjunction with the
3627 Chancellor of the Florida College System and the Chancellor of
3628 the State University System, shall appoint faculty committees
3629 representing faculties of participating institutions to
3630 recommend a single level for each course, including
3631 postsecondary career education courses, included in the
3632 statewide course numbering system.

3633 (a) Any course designated as an upper-division-level course
3634 must be characterized by a need for advanced academic
3635 preparation and skills that a student would be unlikely to
3636 achieve without significant prior coursework.

3637 (b) A course that is offered as part of an associate in
3638 science degree program and as an upper-division course for a
3639 baccalaureate degree shall be designated for both the lower and
3640 upper division.

3641 (c) A course designated as lower-division may be offered by
3642 any Florida College System institution.

3643 (3) The Commissioner of Education shall recommend to the
3644 State Board of Education the levels for the courses. The State
3645 Board of Education, with input from the Board of Governors and
3646 the State Board of Colleges, shall approve the levels for the
3647 courses.

3648 Section 58. Subsections (3), (6), and (9) through (12) of
3649 section 1007.25, Florida Statutes, are amended to read:

3650 1007.25 General education courses; common prerequisites;
3651 other degree requirements.—

3652 (3) The chair of the State Board of Colleges ~~Education~~ and
3653 the chair of the Board of Governors, or their designees, shall
3654 jointly appoint faculty committees to identify statewide general

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3655 education core course options. General education core course
3656 options shall consist of a maximum of five courses within each
3657 of the subject areas of communication, mathematics, social
3658 sciences, humanities, and natural sciences. The core courses may
3659 be revised, or the five-course maximum within each subject area
3660 may be exceeded, if approved by the State Board of Colleges
3661 ~~Education~~ and the Board of Governors, as recommended by the
3662 subject area faculty committee and approved by the Articulation
3663 Coordinating Committee as necessary for a subject area. Each
3664 general education core course option must contain high-level
3665 academic and critical thinking skills and common competencies
3666 that students must demonstrate to successfully complete the
3667 course. Beginning with students initially entering a Florida
3668 College System institution or state university in 2015-2016 and
3669 thereafter, each student must complete at least one identified
3670 core course in each subject area as part of the general
3671 education course requirements. All public postsecondary
3672 educational institutions shall accept these courses as meeting
3673 general education core course requirements. The remaining
3674 general education course requirements shall be identified by
3675 each institution and reported to the department by their
3676 statewide course number. The general education core course
3677 options shall be adopted in rule by the State Board of Colleges
3678 ~~Education~~ and in regulation by the Board of Governors.

3679 (6) The department shall identify common prerequisite
3680 courses and course substitutions for degree programs across all
3681 institutions. Common degree program prerequisites shall be
3682 offered and accepted by all state universities and Florida
3683 College System institutions, except in cases approved by the

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3684 State Board of Colleges, ~~Education~~ for Florida College System
3685 institutions, and the Board of Governors, for state
3686 universities. The department shall develop a centralized
3687 database containing the list of courses and course substitutions
3688 that meet the prerequisite requirements for each baccalaureate
3689 degree program.

3690 (9) A baccalaureate degree program shall require no more
3691 than 120 semester hours of college credit and include 36
3692 semester hours of general education coursework, unless prior
3693 approval has been granted by the Board of Governors for
3694 baccalaureate degree programs offered by state universities and
3695 by the State Board of Colleges ~~Education~~ for baccalaureate
3696 degree programs offered by Florida College System institutions.

3697 (10) A student who received an associate in arts degree for
3698 successfully completing 60 semester credit hours may continue to
3699 earn ~~additional~~ credits at a Florida College System institution.
3700 The university must provide credit toward the student's
3701 baccalaureate degree for a ~~an additional~~ Florida College System
3702 institution course if, according to the statewide course
3703 numbering, the Florida College System institution course is a
3704 course listed in the university catalog as required for the
3705 degree or as prerequisite to a course required for the degree.
3706 Of the courses required for the degree, at least half of the
3707 credit hours required for the degree shall be achievable through
3708 courses designated as lower division, except in degree programs
3709 approved by the State Board of Colleges ~~Education~~ for programs
3710 offered by Florida College System institutions and by the Board
3711 of Governors for programs offered by state universities.

3712 (11) Students at state universities may request associate

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3713 in arts certificates if they have successfully completed the
3714 minimum requirements for the degree of associate in arts (A.A.).
3715 The university must grant the student an associate in arts
3716 degree if the student has successfully completed minimum
3717 requirements for college-level communication and computation
3718 skills adopted by the State Board of Colleges Education and 60
3719 academic semester hours or the equivalent within a degree
3720 program area, including 36 semester hours in general education
3721 courses in the subject areas of communication, mathematics,
3722 social sciences, humanities, and natural sciences, consistent
3723 with the general education requirements specified in the
3724 articulation agreement pursuant to s. 1007.23.

3725 (12) The Commissioner of Education and the Chancellor of
3726 the Florida College System shall jointly appoint faculty
3727 committees representing both Florida College System institution
3728 and public school faculties to recommend to the commissioner, or
3729 the Chancellor of the Florida College System, as applicable, for
3730 approval by the State Board of Education and the State Board of
3731 Colleges, as applicable, a standard program length and
3732 appropriate occupational completion points for each
3733 postsecondary career certificate program, diploma, and degree
3734 offered by a school district or a Florida College System
3735 institution.

3736 Section 59. Section 1007.262, Florida Statutes, is amended
3737 to read:

3738 1007.262 Foreign language competence; equivalence
3739 determinations.—The Department of Education shall identify the
3740 competencies demonstrated by students upon the successful
3741 completion of 2 credits of sequential high school foreign

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3742 language instruction. For the purpose of determining
3743 postsecondary equivalence, the State Board of Colleges
3744 ~~department~~ shall develop rules through which Florida College
3745 System institutions correlate such competencies to the
3746 competencies required of students in the colleges' respective
3747 courses. Based on this correlation, each Florida College System
3748 institution shall identify the minimum number of postsecondary
3749 credits that students must earn in order to demonstrate a level
3750 of competence in a foreign language at least equivalent to that
3751 of students who have completed 2 credits of such instruction in
3752 high school. The department may also specify alternative means
3753 by which students can demonstrate equivalent foreign language
3754 competence, including means by which a student whose native
3755 language is not English may demonstrate proficiency in the
3756 native language. A student who demonstrates proficiency in a
3757 native language other than English is exempt from a requirement
3758 of completing foreign language courses at the secondary or
3759 Florida College System level.

3760 Section 60. Section 1007.263, Florida Statutes, is amended
3761 to read:

3762 1007.263 Florida College System institutions; admissions of
3763 students.—Each Florida College System institution board of
3764 trustees is authorized to adopt rules governing admissions of
3765 students subject to this section and rules of the State Board of
3766 Colleges Education. These rules shall include the following:

3767 (1) Admissions counseling shall be provided to all students
3768 entering college or career credit programs. For students who are
3769 not otherwise exempt from testing under s. 1008.30, counseling
3770 must use tests to measure achievement of college-level

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3771 communication and computation competencies by students entering
3772 college credit programs or tests to measure achievement of basic
3773 skills for career education programs as prescribed in s.

3774 1004.91. Counseling includes providing developmental education
3775 options for students whose assessment results, determined under
3776 s. 1008.30, indicate that they need to improve communication or
3777 computation skills that are essential to perform college-level
3778 work.

3779 (2) Admission to associate degree programs is subject to
3780 minimum standards adopted by the State Board of Colleges
3781 ~~Education~~ and shall require:

3782 (a) A standard high school diploma, a high school
3783 equivalency diploma as prescribed in s. 1003.435, previously
3784 demonstrated competency in college credit postsecondary
3785 coursework, or, in the case of a student who is home educated, a
3786 signed affidavit submitted by the student's parent or legal
3787 guardian attesting that the student has completed a home
3788 education program pursuant to the requirements of s. 1002.41.
3789 Students who are enrolled in a dual enrollment or early
3790 admission program pursuant to s. 1007.271 are exempt from this
3791 requirement.

3792 (b) A demonstrated level of achievement of college-level
3793 communication and computation skills.

3794 (c) Any other requirements established by the board of
3795 trustees.

3796 (3) Admission to other programs within the Florida College
3797 System institution shall include education requirements as
3798 established by the board of trustees.

3799 (4) A student who has been awarded a certificate of

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3800 completion under s. 1003.4282 is eligible to enroll in
3801 certificate career education programs.

3802 (5) A student with a documented disability may be eligible
3803 for reasonable substitutions, as prescribed in ss. 1007.264 and
3804 1007.265.

3805
3806 Each board of trustees shall establish policies that notify
3807 students about developmental education options for improving
3808 their communication or computation skills that are essential to
3809 performing college-level work, including tutoring, extended time
3810 in gateway courses, free online courses, adult basic education,
3811 adult secondary education, or private provider instruction.

3812 Section 61. Subsection (2) of section 1007.264, Florida
3813 Statutes, is amended to read:

3814 1007.264 Persons with disabilities; admission to
3815 postsecondary educational institutions; substitute requirements;
3816 rules and regulations.—

3817 (2) The State Board of Colleges Education, in consultation
3818 with the Board of Governors, shall adopt rules to implement this
3819 section for Florida College System institutions and shall
3820 develop substitute admission requirements where appropriate.

3821 Section 62. Subsections (2) and (3) of section 1007.265,
3822 Florida Statutes, are amended to read:

3823 1007.265 Persons with disabilities; graduation, study
3824 program admission, and upper-division entry; substitute
3825 requirements; rules and regulations.—

3826 (2) The State Board of Colleges Education, in consultation
3827 with the Board of Governors, shall adopt rules to implement this
3828 section for Florida College System institutions and shall

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3829 develop substitute requirements where appropriate.

3830 (3) The Board of Governors, in consultation with the State
3831 Board of Colleges ~~Education~~, shall adopt regulations to
3832 implement this section for state universities and shall develop
3833 substitute requirements where appropriate.

3834 Section 63. Effective July 1, 2018, subsections (2), (6),
3835 (7), and (8) of section 1007.27, Florida Statutes, are amended
3836 to read:

3837 1007.27 Articulated acceleration mechanisms.—

3838 (2) (a) The Department of Education shall annually identify
3839 and publish the minimum scores, maximum credit, and course or
3840 courses for which credit is to be awarded for each College Level
3841 Examination Program (CLEP) subject examination, College Board
3842 Advanced Placement Program examination, Advanced International
3843 Certificate of Education examination, International
3844 Baccalaureate examination, Excelsior College subject
3845 examination, Defense Activity for Non-Traditional Education
3846 Support (DANTES) subject standardized test, and Defense Language
3847 Proficiency Test (DLPT). The department shall use student
3848 performance data in subsequent postsecondary courses to
3849 determine the appropriate examination scores and courses for
3850 which credit is to be granted. Minimum scores may vary by
3851 subject area based on available performance data. In addition,
3852 the department shall identify such courses in the general
3853 education core curriculum of each state university and Florida
3854 College System institution.

3855 (b) Each district school board shall notify students who
3856 enroll in articulated acceleration mechanism courses or take
3857 examinations pursuant to this section of the credit-by-

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3858 examination equivalency list adopted by rule by the State Board
3859 of Education and the dual enrollment course and high school
3860 subject area equivalencies approved by the state board pursuant
3861 to s. 1007.271(9).

3862 (6) Credit by examination shall be the program through
3863 which secondary and postsecondary students generate
3864 postsecondary credit based on the receipt of a specified minimum
3865 score on nationally standardized general or subject-area
3866 examinations. For the purpose of statewide application, such
3867 examinations and the corresponding minimum scores required for
3868 an award of credit shall be delineated by the State Board of
3869 Education, ~~and~~ the Board of Governors, and the State Board of
3870 Colleges in the statewide articulation agreement required by s.
3871 1007.23(1). The maximum credit generated by a student pursuant
3872 to this subsection shall be mitigated by any related
3873 postsecondary credit earned by the student prior to the
3874 administration of the examination. This subsection shall not
3875 preclude Florida College System institutions and universities
3876 from awarding credit by examination based on student performance
3877 on examinations developed within and recognized by the
3878 individual postsecondary institutions.

3879 (7) The International Baccalaureate Program shall be the
3880 curriculum in which eligible secondary students are enrolled in
3881 a program of studies offered through the International
3882 Baccalaureate Program administered by the International
3883 Baccalaureate Office. The State Board of Colleges ~~Education~~ and
3884 the Board of Governors shall specify in the statewide
3885 articulation agreement required by s. 1007.23(1) the cutoff
3886 scores and International Baccalaureate Examinations which will

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3887 be used to grant postsecondary credit at Florida College System
3888 institutions and universities. Any changes to the articulation
3889 agreement, which have the effect of raising the required cutoff
3890 score or of changing the International Baccalaureate
3891 Examinations which will be used to grant postsecondary credit,
3892 shall only apply to students taking International Baccalaureate
3893 Examinations after such changes are adopted by the State Board
3894 of Colleges Education and the Board of Governors. Students shall
3895 be awarded a maximum of 30 semester credit hours pursuant to
3896 this subsection. The specific course for which a student may
3897 receive such credit shall be specified in the statewide
3898 articulation agreement required by s. 1007.23(1). Students
3899 enrolled pursuant to this subsection shall be exempt from the
3900 payment of any fees for administration of the examinations
3901 regardless of whether or not the student achieves a passing
3902 score on the examination.

3903 (8) The Advanced International Certificate of Education
3904 Program and the International General Certificate of Secondary
3905 Education (pre-AICE) Program shall be the curricula in which
3906 eligible secondary students are enrolled in programs of study
3907 offered through the Advanced International Certificate of
3908 Education Program or the International General Certificate of
3909 Secondary Education (pre-AICE) Program administered by the
3910 University of Cambridge Local Examinations Syndicate. The State
3911 Board of Colleges Education and the Board of Governors shall
3912 specify in the statewide articulation agreement required by s.
3913 1007.23(1) the cutoff scores and Advanced International
3914 Certificate of Education examinations which will be used to
3915 grant postsecondary credit at Florida College System

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3916 institutions and universities. Any changes to the cutoff scores,
3917 which changes have the effect of raising the required cutoff
3918 score or of changing the Advanced International Certification of
3919 Education examinations which will be used to grant postsecondary
3920 credit, shall apply to students taking Advanced International
3921 Certificate of Education examinations after such changes are
3922 adopted by the State Board of Colleges ~~Education~~ and the Board
3923 of Governors. Students shall be awarded a maximum of 30 semester
3924 credit hours pursuant to this subsection. The specific course
3925 for which a student may receive such credit shall be determined
3926 by the Florida College System institution or university that
3927 accepts the student for admission. Students enrolled in either
3928 program of study pursuant to this subsection shall be exempt
3929 from the payment of any fees for administration of the
3930 examinations regardless of whether the student achieves a
3931 passing score on the examination.

3932 Section 64. Subsection (22) of section 1007.271, Florida
3933 Statutes, is amended to read:

3934 1007.271 Dual enrollment programs.—

3935 (22) The Department of Education shall develop an
3936 electronic submission system for dual enrollment articulation
3937 agreements and shall review, for compliance, each dual
3938 enrollment articulation agreement submitted pursuant to
3939 subsections (13), (21), and (24). The Commissioner of Education
3940 shall notify the district school superintendent and the Florida
3941 College System institution president if the dual enrollment
3942 articulation agreement does not comply with statutory
3943 requirements and shall submit any dual enrollment articulation
3944 agreement with unresolved issues of noncompliance to the State

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3945 Board of Education. The State Board of Education shall
3946 collaborate with the State Board of Colleges to settle
3947 unresolved issues of noncompliance.

3948 Section 65. Subsection (6) of section 1007.273, Florida
3949 Statutes, is amended to read:

3950 1007.273 Collegiate high school program.—

3951 (6) The collegiate high school program shall be funded
3952 pursuant to ss. 1007.271 and 1011.62. The State Board of
3953 Education shall enforce compliance with this section by
3954 withholding the transfer of funds for the school districts ~~and~~
3955 ~~the Florida College System institutions~~ in accordance with s.
3956 1008.32. Annually, by December 31, the State Board of Colleges
3957 shall enforce compliance with this section by withholding the
3958 transfer of funds for the Florida College System institutions in
3959 accordance with s. 1001.602.

3960 Section 66. Section 1007.33, Florida Statutes, is amended
3961 to read:

3962 1007.33 Site-determined baccalaureate degree access.—

3963 (1) (a) The Legislature recognizes that public and private
3964 postsecondary educational institutions play an essential role in
3965 improving the quality of life and economic well-being of the
3966 state and its residents. The Legislature also recognizes that
3967 economic development needs and the educational needs of place-
3968 bound, nontraditional students have increased the demand for
3969 local access to baccalaureate degree programs. It is therefore
3970 the intent of the Legislature to further expand access to
3971 baccalaureate degree programs through the use of Florida College
3972 System institutions.

3973 (b) For purposes of this section, the term "district"

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3974 refers to the county or counties served by a Florida College
3975 System institution pursuant to s. 1000.21(3).

3976 (2) Any Florida College System institution that offers one
3977 or more baccalaureate degree programs must:

3978 (a) Maintain as its primary mission:

3979 1. Responsibility for responding to community needs for
3980 postsecondary academic education and career degree education as
3981 prescribed in s. 1004.65(5).

3982 2. The provision of associate degrees that provide access
3983 to a university.

3984 (b) Maintain an open-door admission policy for associate-
3985 level degree programs and workforce education programs.

3986 (c) Continue to provide outreach to underserved
3987 populations.

3988 (d) Continue to provide remedial education pursuant to s.
3989 1008.30.

3990 (e) Comply with all provisions of the statewide
3991 articulation agreement which relate to 2-year and 4-year public
3992 degree-granting institutions as adopted by the State Board of
3993 Education or the State Board of Colleges, as applicable,
3994 pursuant to s. 1007.23.

3995 (f) Not award graduate credit.

3996 (g) Not participate in intercollegiate athletics beyond the
3997 2-year level.

3998 (3) A Florida College System institution may not terminate
3999 its associate in arts or associate in science degree programs as
4000 a result of being authorized to offer one or more baccalaureate
4001 degree programs. The Legislature intends that the primary
4002 responsibility of a Florida College System institution,

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4003 including a Florida College System institution that offers
4004 baccalaureate degree programs, continues to be the provision of
4005 associate degrees that provide access to a university.

4006 (4) A Florida College System institution may:

4007 (a) Offer specified baccalaureate degree programs through
4008 formal agreements between the Florida College System institution
4009 and other regionally accredited postsecondary educational
4010 institutions pursuant to s. 1007.22.

4011 (b) Offer baccalaureate degree programs that are ~~were~~
4012 authorized by law ~~prior to July 1, 2009.~~

4013 ~~(c) Beginning July 1, 2009, establish a first or subsequent~~
4014 ~~baccalaureate degree program~~ for purposes of meeting district,
4015 regional, or statewide workforce needs if approved by the State
4016 Board of Colleges Education under this section. However, a
4017 Florida College System institution may not offer a bachelor of
4018 arts degree program.

4019
4020 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
4021 ~~College is authorized to establish one or more bachelor of~~
4022 ~~applied science degree programs based on an analysis of~~
4023 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
4024 ~~other counties approved by the Department of Education. For each~~
4025 ~~program selected, St. Petersburg College must offer a related~~
4026 ~~associate in science or associate in applied science degree~~
4027 ~~program, and the baccalaureate degree level program must be~~
4028 ~~designed to articulate fully with at least one associate in~~
4029 ~~science degree program. The college is encouraged to develop~~
4030 ~~articulation agreements for enrollment of graduates of related~~
4031 ~~associate in applied science degree programs. The Board of~~

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4032 ~~Trustees of St. Petersburg College is authorized to establish~~
4033 ~~additional baccalaureate degree programs if it determines a~~
4034 ~~program is warranted and feasible based on each of the factors~~
4035 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
4036 ~~Petersburg College may not establish any new baccalaureate~~
4037 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
4038 ~~to developing or proposing a new baccalaureate degree program,~~
4039 ~~St. Petersburg College shall engage in need, demand, and impact~~
4040 ~~discussions with the state university in its service district~~
4041 ~~and other local and regional, accredited postsecondary providers~~
4042 ~~in its region. Documentation, data, and other information from~~
4043 ~~inter-institutional discussions regarding program need, demand,~~
4044 ~~and impact shall be provided to the college's board of trustees~~
4045 ~~to inform the program approval process. Employment at St.~~
4046 ~~Petersburg College is governed by the same laws that govern~~
4047 ~~Florida College System institutions, except that upper-division~~
4048 ~~faculty are eligible for continuing contracts upon the~~
4049 ~~completion of the fifth year of teaching. Employee records for~~
4050 ~~all personnel shall be maintained as required by s. 1012.81.~~

4051 (5) The approval process for baccalaureate degree programs
4052 requires ~~shall require~~:

4053 (a) Each Florida College System institution to submit a
4054 notice of interest at least 180 days before submitting a notice
4055 of its intent to propose a baccalaureate degree program to the
4056 Division of Florida Colleges at least 100 days before the
4057 submission of its proposal under paragraph (d). The notice of
4058 interest must be submitted into a shared postsecondary database
4059 that allows other postsecondary institutions to preview and
4060 provide feedback on the notice of interest. A written notice of

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4061 intent must be submitted to the Chancellor of the Florida
4062 College System at least 100 days before the submission of a
4063 baccalaureate degree program proposal under paragraph (c). The
4064 notice of intent must include a brief description of the
4065 program, the workforce demand and unmet need for graduates of
4066 the program to include evidence from entities independent of the
4067 institution, the geographic region to be served, and an
4068 estimated timeframe for implementation. Notices of interest and
4069 intent may be submitted by a Florida College System institution
4070 at any time throughout the year. The notice of intent must also
4071 include evidence that the Florida College System institution
4072 engaged in need, demand, and impact discussions with the state
4073 university and other regionally accredited postsecondary
4074 education providers in its service district.

4075 (b) The Chancellor of the Florida College System Division
4076 ~~of Florida Colleges~~ to forward the notice of intent submitted
4077 pursuant to paragraph (a) and the justification for the proposed
4078 baccalaureate degree program required under paragraph (c) within
4079 10 business days after receiving such notice and justification
4080 to the Chancellor of the State University System, the president
4081 of the Independent Colleges and Universities of Florida, and the
4082 Executive Director of the Commission for Independent Education.
4083 State universities ~~shall~~ have 60 days following receipt of the
4084 notice of intent and justification by the Chancellor of the
4085 State University System to submit an objection and a reason for
4086 the objection to the proposed baccalaureate degree program which
4087 may include objections to the proposed new program or submit an
4088 alternative proposal to offer the baccalaureate degree program.
4089 The Chancellor of the State University System shall review the

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4090 objection raised by a state university and inform the Board of
 4091 Governors of the objection before a state university submits its
 4092 objection to the Chancellor of the Florida College System. The
 4093 Chancellor of the Florida College System must consult with the
 4094 Chancellor of the State University System to consider the
 4095 objection raised by the state university before the State Board
 4096 of Colleges approves or denies a Florida College System
 4097 institution's proposal submitted pursuant to paragraph (c). ~~If a~~
 4098 ~~proposal from a state university is not received within the 60-~~
 4099 ~~day period,~~ The Chancellor of the Florida College System State
 4100 ~~Board of Education~~ shall also provide regionally accredited
 4101 private colleges and universities 60 ~~30~~ days to submit an
 4102 objection and a reason for the objection to the proposed
 4103 baccalaureate degree program which may include an alternative
 4104 proposal to offer a baccalaureate degree program ~~objections to~~
 4105 ~~the proposed new program or submit an alternative proposal.~~
 4106 Objections by a regionally accredited private college or
 4107 university ~~or alternative proposals~~ shall be submitted to the
 4108 Chancellor of the Florida College System, and the state board
 4109 must consider such objections before ~~Division of Florida~~
 4110 ~~Colleges and must be considered by the State Board of Education~~
 4111 ~~in~~ making its decision to approve or deny a Florida College
 4112 System institution's proposal submitted pursuant to paragraph
 4113 (c).

4114 ~~(c) An alternative proposal submitted by a state university~~
 4115 ~~or private college or university to adequately address:~~

4116 ~~1. The extent to which the workforce demand and unmet need~~
 4117 ~~described in the notice of intent will be met.~~

4118 ~~2. The extent to which students will be able to complete~~

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4119 ~~the degree in the geographic region proposed to be served by the~~
4120 ~~Florida College System institution.~~

4121 ~~3. The level of financial commitment of the college or~~
4122 ~~university to the development, implementation, and maintenance~~
4123 ~~of the specified degree program, including timelines.~~

4124 ~~4. The extent to which faculty at both the Florida College~~
4125 ~~System institution and the college or university will~~
4126 ~~collaborate in the development and offering of the curriculum.~~

4127 ~~5. The ability of the Florida College System institution~~
4128 ~~and the college or university to develop and approve the~~
4129 ~~curriculum for the specified degree program within 6 months~~
4130 ~~after an agreement between the Florida College System~~
4131 ~~institution and the college or university is signed.~~

4132 ~~6. The extent to which the student may incur additional~~
4133 ~~costs above what the student would expect to incur if the~~
4134 ~~program were offered by the Florida College System institution.~~

4135 (c)-(d) Each Florida College System institution to submit a
4136 baccalaureate degree program proposal at least 100 days after
4137 submitting the notice of intent. Each proposal ~~must~~ submitted by
4138 a Florida College System institution to, at a minimum, include:

4139 1. A description of the planning process and timeline for
4140 implementation.

4141 2. A justification for the proposed baccalaureate degree
4142 program, including, at a minimum, a data-driven ~~An~~ analysis of
4143 workforce demand and unmet need for graduates of the program on
4144 a district, regional, or statewide basis, as appropriate, and
4145 the extent to which the proposed program will meet the workforce
4146 demand and unmet need. The analysis must include workforce and
4147 employment data for the most recent years and projections by the

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4148 Department of Economic Opportunity for future years, and a
4149 summary of degree programs similar to the proposed degree
4150 program which are currently offered by state universities or by
4151 independent nonprofit colleges or universities that are eligible
4152 to participate in a grant program pursuant to s. 1009.89 and
4153 which are located in the Florida College System institution's
4154 regional service area. The analysis and evidence must be
4155 verified by the Chancellor of the Florida College System
4156 ~~including evidence from entities independent of the institution.~~

4157 3. Identification of the facilities, equipment, and library
4158 and academic resources that will be used to deliver the program.

4159 4. The program cost analysis of creating a new
4160 baccalaureate degree when compared to ~~alternative proposals and~~
4161 other program delivery options.

4162 5. The program's admission requirements, academic content,
4163 curriculum, faculty credentials, student-to-teacher ratios, and
4164 accreditation plan.

4165 6. The program's student enrollment ~~projections~~ and funding
4166 requirements, including:

4167 a. The impact of the program's enrollment projections on
4168 compliance with the upper-level enrollment provisions under
4169 subsection (6); and

4170 b. The institution's efforts to sustain the program at the
4171 cost of tuition and fees for students who are classified as
4172 residents for tuition purposes under s. 1009.21, not to exceed
4173 \$10,000 for the entire degree program, including flexible
4174 tuition and fee rates, and the use of waivers pursuant to s.
4175 1009.26(11).

4176 7. A plan of action if the program is terminated.

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4177 (d)~~(e)~~ The State Board of ~~Division of Florida~~ Colleges to
4178 review the proposal, notify the Florida College System
4179 institution of any deficiencies in writing within 30 days
4180 following receipt of the proposal, and provide the Florida
4181 College System institution with an opportunity to correct the
4182 deficiencies. Within 45 days following receipt of a completed
4183 proposal by the State Board of ~~Division of Florida~~ Colleges, the
4184 Chancellor of the Florida College System ~~Commissioner of~~
4185 ~~Education~~ shall recommend approval or disapproval of the
4186 proposal to the State Board of Colleges ~~Education~~. The State
4187 Board of Colleges ~~Education~~ shall consider such recommendation,
4188 the proposal, input from the Chancellor of the State University
4189 System and the president of the Independent Colleges and
4190 Universities of Florida, and any objections or alternative
4191 proposals at its next meeting. If the State Board of Colleges
4192 ~~Education~~ disapproves the Florida College System institution's
4193 proposal, it shall provide the Florida College System
4194 institution with written reasons for that determination.

4195 (e)~~(f)~~ The Florida College System institution to obtain
4196 from the Commission on Colleges of the Southern Association of
4197 Colleges and Schools accreditation as a baccalaureate-degree-
4198 granting institution if approved by the State Board of Colleges
4199 ~~Education~~ to offer its first baccalaureate degree program.

4200 (f)~~(g)~~ The Florida College System institution to notify the
4201 Commission on Colleges of the Southern Association of Colleges
4202 and Schools of subsequent degree programs that are approved by
4203 the State Board of Colleges ~~Education~~ and to comply with the
4204 association's required substantive change protocols for
4205 accreditation purposes.

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4206 (g) ~~(h)~~ The Florida College System institution to annually
 4207 report to the State Board of Colleges, the Chancellor of the
 4208 State University System, and upon request of the State Board of
 4209 Education, the Commissioner of Education, the Chancellor of the
 4210 Florida College System, or the Legislature, report its status
 4211 using the following performance and compliance indicators:

- 4212 1. Obtaining and maintaining appropriate Southern
 4213 Association of Colleges and Schools accreditation;
- 4214 2. Maintaining qualified faculty and institutional
 4215 resources;
- 4216 3. Maintaining student enrollment in previously approved
 4217 programs;
- 4218 4. Managing fiscal resources appropriately;
- 4219 5. Complying with the primary mission and responsibility
 4220 requirements in subsections (2) and (3); ~~and~~
- 4221 6. Incorporating other indicators of success, including
 4222 program completions, employment and earnings outcomes, student
 4223 acceptance into and performance in graduate programs placements,
 4224 and surveys of graduates and employers;~~;~~
- 4225 7. Continuing to meet workforce demand, as provided in
 4226 subparagraph (c)2., as demonstrated through a data-driven needs
 4227 assessment by the Florida College System institution which is
 4228 verified by more than one third-party professional entity that
 4229 is independent of the institution; and
- 4230 8. Complying with the upper-level enrollment provisions
 4231 under subsection (6).

4232
 4233 The State Board of Colleges ~~Education~~, upon annual review of the
 4234 baccalaureate degree program performance and compliance

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4235 indicators and needs assessment, may require a Florida College
4236 System institution's board of trustees to modify or terminate a
4237 baccalaureate degree program authorized under this section. If
4238 the annual review indicates negative program performance and
4239 compliance results, and if the needs assessment fails to
4240 demonstrate a need for the program, the State Board of Colleges
4241 must require a Florida College System institution's board of
4242 trustees to terminate that baccalaureate degree program.

4243 (6) (a) The upper-level, undergraduate full-time equivalent
4244 enrollment at a Florida College System institution may not
4245 exceed 20 percent of the total full-time equivalent enrollment
4246 at that institution.

4247 (b) The upper-level, undergraduate full-time equivalent
4248 enrollment in the Florida College System may not exceed 10
4249 percent of the total full-time equivalent enrollment of the
4250 Florida College System.

4251 (c) For any planned and purposeful expansion of existing
4252 baccalaureate degree programs or creation of a new baccalaureate
4253 program, a Florida College System institution must demonstrate
4254 satisfactory performance in fulfilling its primary mission
4255 pursuant to s. 1004.65, executing at least one "2+2" targeted
4256 pathway articulation agreement pursuant to s. 1007.23, and
4257 meeting or exceeding the performance standards related to on-
4258 time completion and graduation rates under s. 1001.66 for
4259 students earning associate in arts or baccalaureate degrees. The
4260 State Board of Colleges may not approve a new baccalaureate
4261 degree program proposal for a Florida College System institution
4262 that does not meet the conditions specified in this subsection
4263 in addition to the other requirements for approval under this

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4264 section. Each Florida College System institution that offers a
4265 baccalaureate degree must annually review each baccalaureate
4266 degree program and annually report to the State Board of
4267 Colleges, in a format prescribed by the state board, current and
4268 projected student enrollment for such program, justification for
4269 continuation of each baccalaureate degree program, and a plan to
4270 comply with the upper-level enrollment provisions of this
4271 subsection. A Florida College System institution that does not
4272 comply with the requirements of this section is subject to s.
4273 1001.602(9) and may not report for funding the upper-level,
4274 undergraduate full-time equivalent enrollment that exceeds the
4275 upper-level enrollment percent provision of this subsection.

4276 (7)~~(6)~~ The State Board of Colleges Education shall adopt
4277 rules to prescribe format and content requirements and
4278 submission procedures for notices of interest and intent,
4279 baccalaureate degree program proposals, objections ~~alternative~~
4280 ~~proposals,~~ and compliance reviews under subsection (5).

4281 Section 67. Effective July 1, 2018, subsections (1), (3),
4282 (4), and (5) of section 1008.30, Florida Statutes, are amended
4283 and subsection (7) is added to that section, to read:

4284 1008.30 Common placement testing for public postsecondary
4285 education.—

4286 (1) The State Board of Colleges Education, in conjunction
4287 with the Board of Governors and the State Board of Education,
4288 shall develop and implement a common placement test for the
4289 purpose of assessing the basic computation and communication
4290 skills of students who intend to enter a degree program at any
4291 public postsecondary educational institution. Alternative
4292 assessments that may be accepted in lieu of the common placement

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4293 test shall also be identified in rule. Public postsecondary
4294 educational institutions shall provide appropriate modifications
4295 of the test instruments or test procedures for students with
4296 disabilities.

4297 (3) ~~By October 31, 2013,~~ The State Board of Colleges, in
4298 conjunction with the Board of Governors and the State Board of
4299 Education, Education shall establish by rule the test scores a
4300 student must achieve to demonstrate readiness to perform
4301 college-level work, and the rules must specify the following:

4302 (a) A student who entered 9th grade in a Florida public
4303 school in the 2003-2004 school year, or any year thereafter, and
4304 earned a Florida standard high school diploma or a student who
4305 is serving as an active duty member of any branch of the United
4306 States Armed Services shall not be required to take the common
4307 placement test and shall not be required to enroll in
4308 developmental education instruction in a Florida College System
4309 institution. However, a student who is not required to take the
4310 common placement test and is not required to enroll in
4311 developmental education under this paragraph may opt to be
4312 assessed and to enroll in developmental education instruction,
4313 and the college shall provide such assessment and instruction
4314 upon the student's request.

4315 (b) A student who takes the common placement test and whose
4316 score on the test indicates a need for developmental education
4317 must be advised of all the developmental education options
4318 offered at the institution and, after advisement, shall be
4319 allowed to enroll in the developmental education option of his
4320 or her choice.

4321 (c) A student who demonstrates readiness by achieving or

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4322 exceeding the test scores established by the state board and
4323 enrolls in a Florida College System institution within 2 years
4324 after achieving such scores shall not be required to retest or
4325 complete developmental education when admitted to any Florida
4326 College System institution.

4327 (4) ~~By December 31, 2013,~~ The State Board of Colleges
4328 ~~Education~~, in consultation with the Board of Governors, shall
4329 approve a series of meta-majors and the academic pathways that
4330 identify the gateway courses associated with each meta-major.
4331 Florida College System institutions shall use placement test
4332 results to determine the extent to which each student
4333 demonstrates sufficient communication and computation skills to
4334 indicate readiness for his or her chosen meta-major. Florida
4335 College System institutions shall counsel students into college
4336 credit courses as quickly as possible, with developmental
4337 education limited to that content needed for success in the
4338 meta-major.

4339 (5) (a) Each Florida College System institution board of
4340 trustees shall develop a plan to implement the developmental
4341 education strategies defined in s. 1008.02 and rules established
4342 by the State Board of Colleges ~~Education~~. The plan must be
4343 submitted to the Chancellor of the Florida College System for
4344 approval no later than March 1, 2014, for implementation no
4345 later than the fall semester 2014. Each plan must include, at a
4346 minimum, local policies that outline:

4347 1. Documented student achievements such as grade point
4348 averages, work history, military experience, participation in
4349 juried competitions, career interests, degree major declaration,
4350 or any combination of such achievements that the institution may

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4351 consider, in addition to common placement test scores, for
4352 advising students regarding enrollment options.

4353 2. Developmental education strategies available to
4354 students.

4355 3. A description of student costs and financial aid
4356 opportunities associated with each option.

4357 4. Provisions for the collection of student success data.

4358 5. A comprehensive plan for advising students into
4359 appropriate developmental education strategies based on student
4360 success data.

4361 (b) Beginning October 31, 2015, each Florida College System
4362 institution shall annually prepare an accountability report that
4363 includes student success data relating to each developmental
4364 education strategy implemented by the institution. The report
4365 shall be submitted to the State Board of ~~Division of Florida~~
4366 ~~Colleges~~ by October 31 in a format determined by the Chancellor
4367 of the Florida College System. By December 31, the chancellor
4368 shall compile and submit the institutional reports to the
4369 Governor, the President of the Senate, the Speaker of the House
4370 of Representatives, and the State Board of Colleges ~~and the~~
4371 ~~State Board of Education~~.

4372 (c) A university board of trustees may contract with a
4373 Florida College System institution board of trustees for the
4374 Florida College System institution to provide developmental
4375 education on the state university campus. Any state university
4376 in which the percentage of incoming students requiring
4377 developmental education equals or exceeds the average percentage
4378 of such students for the Florida College System may offer
4379 developmental education without contracting with a Florida

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4380 College System institution; however, any state university
4381 offering college-preparatory instruction as of January 1, 1996,
4382 may continue to provide developmental education instruction
4383 pursuant to s. 1008.02(1) ~~such services.~~

4384 (7) The Supporting Students for Academic Success Program is
4385 established to fund the efforts of Florida College System
4386 institutions in assisting students enrolled in an associate in
4387 arts degree program with successfully completing college credit
4388 courses, graduating with an associate in arts degree, and
4389 transferring to a baccalaureate degree program. It is the intent
4390 of the Legislature to boost student achievement through
4391 investments in effective and purposeful outcome-based strategies
4392 and efforts to increase student access to relevant supports and
4393 services. Such investments shall be used to boost the
4394 achievement of students, including, but not limited to,
4395 nontraditional students and underprepared students participating
4396 in developmental education.

4397 (a) A Florida College institution's efforts must include
4398 the implementation of the developmental education instructional
4399 strategies under s. 1008.02 and other effective approaches to
4400 improve student completion and graduation outcomes. Such
4401 approaches may relate to direct instruction, academic support,
4402 and student services.

4403 (b) Funding for the Supporting Students for Academic
4404 Success Program shall be as provided in the General
4405 Appropriations Act. Each Florida College System institution
4406 shall use the funds only for the purpose and investments
4407 authorized under this subsection.

4408 (c) The Chancellor of the Florida College System must

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4409 include in the accountability report required under subsection
4410 (5) a summary of information from each Florida College System
4411 institution which includes, but is not limited to, the number
4412 and percentage of students enrolled at Florida College System
4413 institutions who:

4414 1. Successfully complete a gateway course in mathematics
4415 within the first academic year after initial enrollment;

4416 2. Successfully complete at least 24 credit hours at a
4417 Florida College System institution within the first academic
4418 year after initial enrollment and who remain enrolled at that
4419 institution in the academic year immediately following the first
4420 academic year;

4421 3. Graduate with an associate in arts degree; and

4422 4. Transfer to a baccalaureate degree program offered by an
4423 institution of higher education in Florida within one year after
4424 earning an associate in arts degree.

4425 Section 68. Paragraphs (d) and (e) of subsection (1) and
4426 paragraphs (a) and (c) of subsection (3) of section 1008.31,
4427 Florida Statutes, are amended to read:

4428 1008.31 Florida's K-20 education performance accountability
4429 system; legislative intent; mission, goals, and systemwide
4430 measures; data quality improvements.-

4431 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
4432 that:

4433 (d) The State Board of Education, ~~and~~ and the Board of
4434 Governors of the State University System, and the State Board of
4435 Colleges of the Florida College System recommend to the
4436 Legislature systemwide performance standards; the Legislature
4437 establish systemwide performance measures and standards; and the

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4438 systemwide measures and standards provide Floridians with
4439 information on what the public is receiving in return for the
4440 funds it invests in education and how well the K-20 system
4441 educates its students.

4442 (e)1. The State Board of Education establish performance
4443 measures and set performance standards for individual public
4444 schools ~~and Florida College System institutions~~, with measures
4445 and standards based primarily on student achievement.

4446 2. The Board of Governors of the State University System
4447 establish performance measures and set performance standards for
4448 individual state universities, including actual completion
4449 rates.

4450 3. The State Board of Colleges establish performance
4451 measures and set performance standards for individual Florida
4452 College System institutions.

4453 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
4454 data required to implement education performance accountability
4455 measures in state and federal law, the Commissioner of Education
4456 shall initiate and maintain strategies to improve data quality
4457 and timeliness. The Board of Governors shall make available to
4458 the department all data within the State University Database
4459 System to be integrated into the K-20 data warehouse. The
4460 commissioner shall have unlimited access to such data for the
4461 purposes of conducting studies, reporting annual and
4462 longitudinal student outcomes, and improving college readiness
4463 and articulation. All public educational institutions shall
4464 annually provide data from the prior year to the K-20 data
4465 warehouse in a format based on data elements identified by the
4466 commissioner.

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4467 (a) School districts and public postsecondary educational
4468 institutions shall maintain information systems that will
4469 provide the State Board of Education, the Board of Governors of
4470 the State University System, the State Board of Colleges of the
4471 Florida College System, and the Legislature with information and
4472 reports necessary to address the specifications of the
4473 accountability system. The level of comprehensiveness and
4474 quality must be no less than that which was available as of June
4475 30, 2001.

4476 (c) The Commissioner of Education shall determine the
4477 standards for the required data, monitor data quality, and
4478 measure improvements. The commissioner shall report annually to
4479 the State Board of Education, the Board of Governors of the
4480 State University System, the State Board of Colleges of the
4481 Florida College System, the President of the Senate, and the
4482 Speaker of the House of Representatives data quality indicators
4483 and ratings for all school districts and public postsecondary
4484 educational institutions.

4485 Section 69. Section 1008.32, Florida Statutes, is amended
4486 to read:

4487 1008.32 State Board of Education oversight enforcement
4488 authority.—The State Board of Education shall oversee the
4489 performance of district school boards ~~and Florida College System~~
4490 ~~institution boards of trustees~~ in enforcement of all laws and
4491 rules. District school boards ~~and Florida College System~~
4492 ~~institution boards of trustees~~ shall be primarily responsible
4493 for compliance with law and state board rule.

4494 (1) In order to ensure compliance with law or state board
4495 rule, the State Board of Education shall have the authority to

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4496 request and receive information, data, and reports from school
4497 districts ~~and Florida College System institutions~~. District
4498 school superintendents ~~and Florida College System institution~~
4499 ~~presidents~~ are responsible for the accuracy of the information
4500 and data reported to the state board.

4501 (2) The Commissioner of Education may investigate
4502 allegations of noncompliance with law or state board rule and
4503 determine probable cause. The commissioner shall report
4504 determinations of probable cause to the State Board of Education
4505 which shall require the district school board ~~or Florida College~~
4506 ~~System institution board of trustees~~ to document compliance with
4507 law or state board rule.

4508 (3) If the district school board ~~or Florida College System~~
4509 ~~institution board of trustees~~ cannot satisfactorily document
4510 compliance, the State Board of Education may order compliance
4511 within a specified timeframe.

4512 (4) If the State Board of Education determines that a
4513 district school board ~~or Florida College System institution~~
4514 ~~board of trustees~~ is unwilling or unable to comply with law or
4515 state board rule within the specified time, the state board
4516 shall have the authority to initiate any of the following
4517 actions:

4518 (a) Report to the Legislature that the school district ~~or~~
4519 ~~Florida College System institution~~ is unwilling or unable to
4520 comply with law or state board rule and recommend action to be
4521 taken by the Legislature.

4522 (b) Withhold the transfer of state funds, discretionary
4523 grant funds, discretionary lottery funds, or any other funds
4524 specified as eligible for this purpose by the Legislature until

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4525 the school district ~~or Florida College System institution~~
4526 complies with the law or state board rule.

4527 (c) Declare the school district ~~or Florida College System~~
4528 ~~institution~~ ineligible for competitive grants.

4529 (d) Require monthly or periodic reporting on the situation
4530 related to noncompliance until it is remedied.

4531 (5) Nothing in this section shall be construed to create a
4532 private cause of action or create any rights for individuals or
4533 entities in addition to those provided elsewhere in law or rule.

4534 Section 70. Paragraphs (e) and (f) of subsection (7) of
4535 section 1008.345, Florida Statutes, are amended to read:

4536 1008.345 Implementation of state system of school
4537 improvement and education accountability.—

4538 (7) As a part of the system of educational accountability,
4539 the Department of Education shall:

4540 (e) Maintain a listing of college-level communication and
4541 mathematics skills associated with successful student
4542 performance through the baccalaureate level and submit it to the
4543 State Board of Education, ~~and~~ the Board of Governors, and the
4544 State Board of Colleges for approval.

4545 (f) Perform any other functions that may be involved in
4546 educational planning, research, and evaluation or that may be
4547 required by the commissioner, the State Board of Education, the
4548 State Board of Colleges, the Board of Governors, or law.

4549 Section 71. Subsections (1) and (2) of section 1008.37,
4550 Florida Statutes, are amended to read:

4551 1008.37 Postsecondary feedback of information to high
4552 schools.—

4553 (1) The Commissioner of Education shall report to the State

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4554 Board of Education, the Board of Governors, the State Board of
4555 Colleges, the Legislature, and the district school boards on the
4556 performance of each first-time-in-postsecondary education
4557 student from each public high school in this state who is
4558 enrolled in a public postsecondary institution or public career
4559 center. Such reports must be based on information databases
4560 maintained by the Department of Education. In addition, the
4561 public postsecondary educational institutions and career centers
4562 shall provide district school boards access to information on
4563 student performance in regular and preparatory courses and shall
4564 indicate students referred for remediation pursuant to s.
4565 1004.91 or s. 1008.30.

4566 (2) The Commissioner of Education shall report, by high
4567 school, to the State Board of Education, the Board of Governors,
4568 the State Board of Colleges, and the Legislature, no later than
4569 November 30 of each year, on the number of prior year Florida
4570 high school graduates who enrolled for the first time in public
4571 postsecondary education in this state during the previous
4572 summer, fall, or spring term, indicating the number of students
4573 whose scores on the common placement test indicated the need for
4574 developmental education under s. 1008.30 or for applied
4575 academics for adult education under s. 1004.91.

4576 Section 72. Section 1008.38, Florida Statutes, is amended
4577 to read:

4578 1008.38 Articulation accountability process.—The State
4579 Board of Education, in conjunction with the Board of Governors
4580 and the State Board of Colleges, shall develop articulation
4581 accountability measures which assess the status of systemwide
4582 articulation processes authorized under s. 1007.23 and establish

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4583 an articulation accountability process which at a minimum shall
4584 address:

4585 (1) The impact of articulation processes on ensuring
4586 educational continuity and the orderly and unobstructed
4587 transition of students between public secondary and
4588 postsecondary education systems and facilitating the transition
4589 of students between the public and private sectors.

4590 (2) The adequacy of preparation of public secondary
4591 students to smoothly articulate to a public postsecondary
4592 institution.

4593 (3) The effectiveness of articulated acceleration
4594 mechanisms available to secondary students.

4595 (4) The smooth transfer of Florida College System associate
4596 degree graduates to a Florida College System institution or a
4597 state university.

4598 (5) An examination of degree requirements that exceed the
4599 parameters of 60 credit hours for an associate degree and 120
4600 hours for a baccalaureate degree in public postsecondary
4601 programs.

4602 (6) The relationship between student attainment of college-
4603 level academic skills and articulation to the upper division in
4604 public postsecondary institutions.

4605 Section 73. Section 1008.405, Florida Statutes, is amended
4606 to read:

4607 1008.405 Adult student information.—Each school district
4608 and Florida College System institution shall maintain sufficient
4609 information for each student enrolled in workforce education to
4610 allow local and state administrators to locate such student upon
4611 the termination of instruction and to determine the

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4612 appropriateness of student placement in specific instructional
4613 programs. The State Board of Education and the State Board of
4614 Colleges shall adopt, by rule, specific information that must be
4615 maintained and acceptable means of maintaining that information.

4616 Section 74. Subsection (2) of section 1008.44, Florida
4617 Statutes, is amended to read:

4618 1008.44 CAPE Industry Certification Funding List and CAPE
4619 Postsecondary Industry Certification Funding List.—

4620 (2) The State Board of Education, for school districts, and
4621 the State Board of Colleges, for Florida College System
4622 institutions, shall collaborate to approve, at least annually,
4623 the CAPE Postsecondary Industry Certification Funding List
4624 pursuant to this section. The Commissioner of Education and the
4625 Chancellor of the Florida College System shall recommend, at
4626 least annually, the CAPE Postsecondary Industry Certification
4627 Funding List to the State Board of Education and the State Board
4628 of Colleges, respectively, and may at any time recommend adding
4629 certifications. The Chancellor of the State University System,
4630 the Chancellor of the Florida College System, and the Chancellor
4631 of Career and Adult Education shall work with local workforce
4632 boards, other postsecondary institutions, businesses, and
4633 industry to identify, create, and recommend to the Commissioner
4634 of Education industry certifications to be placed on the funding
4635 list. The list shall be used to determine annual performance
4636 funding distributions to school districts or Florida College
4637 System institutions as specified in ss. 1011.80 and 1011.81,
4638 respectively. The chancellors shall review results of the
4639 economic security report of employment and earning outcomes
4640 produced annually pursuant to s. 445.07 when determining

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4641 recommended certifications for the list, as well as other
4642 reports and indicators available regarding certification needs.

4643 Section 75. Section 1008.45, Florida Statutes, is amended
4644 to read:

4645 1008.45 Florida College System institution accountability
4646 process.—

4647 (1) It is the intent of the Legislature that a management
4648 and accountability process be implemented which provides for the
4649 systematic, ongoing improvement and assessment of the
4650 improvement of the quality and efficiency of the Florida College
4651 System institutions. Accordingly, the State Board of Colleges
4652 ~~Education~~ and the Florida College System institution boards of
4653 trustees shall develop and implement an accountability plan to
4654 improve and evaluate the instructional and administrative
4655 efficiency and effectiveness of the Florida College System. This
4656 plan shall be designed in consultation with staff of the
4657 Governor and the Legislature and must address the following
4658 issues:

4659 (a) Graduation rates of A.A. and A.S. degree-seeking
4660 students compared to first-time-enrolled students seeking the
4661 associate degree.

4662 (b) Minority student enrollment and retention rates.

4663 (c) Student performance, including student performance in
4664 college-level academic skills, mean grade point averages for
4665 Florida College System institution A.A. transfer students, and
4666 Florida College System institution student performance on state
4667 licensure examinations.

4668 (d) Job placement rates of Florida College System
4669 institution career students.

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4670 (e) Student progression by admission status and program.

4671 (f) Career accountability standards identified in s.
4672 1008.42.

4673 (g) Institutional assessment efforts related to the
4674 requirements of s. III in the Criteria for Accreditation of the
4675 Commission on Colleges of the Southern Association of Colleges
4676 and Schools.

4677 (h) Other measures approved by the State Board of Colleges
4678 Education.

4679 (2) The State Board of Colleges ~~Education~~ shall submit an
4680 annual report, to coincide with the submission of the state
4681 board's ~~agency~~ strategic plan required by law, providing the
4682 results of initiatives taken during the prior year and the
4683 initiatives and related objective performance measures proposed
4684 for the next year.

4685 (3) The State Board of Colleges ~~Education~~ shall address
4686 within the annual evaluation of the performance of the
4687 chancellor ~~executive director~~, and the Florida College System
4688 institution boards of trustees shall address within the annual
4689 evaluation of the presidents, the achievement of the performance
4690 goals established by the accountability process.

4691 Section 76. Subsection (13) of section 1009.21, Florida
4692 Statutes, is amended to read:

4693 1009.21 Determination of resident status for tuition
4694 purposes.—Students shall be classified as residents or
4695 nonresidents for the purpose of assessing tuition in
4696 postsecondary educational programs offered by charter technical
4697 career centers or career centers operated by school districts,
4698 in Florida College System institutions, and in state

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4699 universities.

4700 (13) The State Board of Education, ~~and~~ the Board of
4701 Governors, and the State Board of Colleges shall adopt rules to
4702 implement this section.

4703 Section 77. Effective July 1, 2018, paragraph (e) of
4704 subsection (3) of section 1009.22, Florida Statutes, is amended
4705 to read:

4706 1009.22 Workforce education postsecondary student fees.—

4707 (3)

4708 (e) The State Board of Education and the State Board of
4709 Colleges may adopt, by rule, the definitions and procedures that
4710 district school boards and Florida College System institution
4711 boards of trustees shall use in the calculation of cost borne by
4712 students.

4713 Section 78. Subsection (7), paragraph (b) of subsection
4714 (12), subsection (13), paragraph (b) of subsection (16), and
4715 subsection (19) of section 1009.23, Florida Statutes, are
4716 amended to read:

4717 1009.23 Florida College System institution student fees.—

4718 (7) Each Florida College System institution board of
4719 trustees may establish a separate activity and service fee not
4720 to exceed 10 percent of the tuition fee, according to rules of
4721 the State Board of Colleges ~~Education~~. The student activity and
4722 service fee shall be collected as a component part of the
4723 tuition and fees. The student activity and service fees shall be
4724 paid into a student activity and service fund at the Florida
4725 College System institution and shall be expended for lawful
4726 purposes to benefit the student body in general. These purposes
4727 include, but are not limited to, student publications and grants

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4728 to duly recognized student organizations, the membership of
4729 which is open to all students at the Florida College System
4730 institution without regard to race, sex, or religion. No Florida
4731 College System institution shall be required to lower any
4732 activity and service fee approved by the board of trustees of
4733 the Florida College System institution and in effect prior to
4734 October 26, 2007, in order to comply with the provisions of this
4735 subsection.

4736 (12)

4737 (b) The State Board of Colleges ~~Education~~ may adopt rules
4738 pursuant to ss. 120.536(1) and 120.54 to administer this
4739 subsection.

4740 (13) The State Board of Colleges ~~Education~~ shall specify,
4741 as necessary, by rule, approved methods of student fee payment.
4742 Such methods shall include, but not be limited to, student fee
4743 payment; payment through federal, state, or institutional
4744 financial aid; and employer fee payments.

4745 (16)

4746 (b) The amount of the distance learning course user fee may
4747 not exceed the additional costs of the services provided which
4748 are attributable to the development and delivery of the distance
4749 learning course. If a Florida College System institution
4750 assesses the distance learning course user fee, the institution
4751 may not assess any other fees to cover the additional costs. By
4752 September 1 of each year, each board of trustees shall report to
4753 the State Board of Colleges ~~Division of Florida Colleges~~ the
4754 total amount of revenue generated by the distance learning
4755 course user fee for the prior fiscal year and how the revenue
4756 was expended.

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4757 (19) The State Board of Colleges ~~Education~~ shall adopt a
4758 rule specifying the definitions and procedures to be used in the
4759 calculation of the percentage of cost paid by students. The rule
4760 must provide for the calculation of the full cost of educational
4761 programs based on the allocation of all funds provided through
4762 the general current fund to programs of instruction, and other
4763 activities as provided in the annual expenditure analysis. The
4764 rule shall be developed in consultation with the Legislature.

4765 Section 79. Subsection (2) of section 1009.25, Florida
4766 Statutes, is amended to read:

4767 1009.25 Fee exemptions.—

4768 (2) Each Florida College System institution is authorized
4769 to grant student fee exemptions from all fees adopted by the
4770 State Board of Colleges ~~Education~~ and the Florida College System
4771 institution board of trustees for up to 54 full-time equivalent
4772 students or 1 percent of the institution's total full-time
4773 equivalent enrollment, whichever is greater, at each
4774 institution.

4775 Section 80. Paragraph (b) of subsection (12), paragraphs
4776 (c) and (d) of subsection (13), and paragraph (d) of subsection
4777 (14) of section 1009.26, Florida Statutes, are amended to read:

4778 1009.26 Fee waivers.—

4779 (12)

4780 (b) Tuition and fees charged to a student who qualifies for
4781 the out-of-state fee waiver under this subsection may not exceed
4782 the tuition and fees charged to a resident student. The waiver
4783 is applicable for 110 percent of the required credit hours of
4784 the degree or certificate program for which the student is
4785 enrolled. Each state university, Florida College System

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4786 institution, career center operated by a school district under
4787 s. 1001.44, and charter technical career center shall report to
4788 the Board of Governors, the State Board of Colleges, and the
4789 State Board of Education, respectively, the number and value of
4790 all fee waivers granted annually under this subsection. By
4791 October 1 of each year, the Board of Governors, for the state
4792 universities; ~~and the State Board of Colleges, Education~~ for
4793 Florida College System institutions; ~~and~~ career centers operated by
4794 a school district under s. 1001.44; ~~and~~ and charter technical
4795 career centers shall annually report for the previous academic
4796 year the percentage of resident and nonresident students
4797 enrolled systemwide.

4798 (13)

4799 (c) Each state university, Florida College System
4800 institution, career center operated by a school district under
4801 s. 1001.44, and charter technical career center shall report to
4802 the Board of Governors, the State Board of Colleges, and the
4803 State Board of Education, respectively, the number and value of
4804 all fee waivers granted annually under this subsection.

4805 (d) The Board of Governors, the State Board of Colleges,
4806 and the State Board of Education shall respectively adopt
4807 regulations and rules to administer this subsection.

4808 (14)

4809 (d) The Board of Governors, the State Board of Colleges,
4810 and the State Board of Education shall respectively adopt
4811 regulations and rules to administer this subsection.

4812 Section 81. Section 1009.28, Florida Statutes, is amended
4813 to read:

4814 1009.28 Fees for repeated enrollment in developmental

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4815 education classes.—A student enrolled in the same developmental
4816 education class more than twice shall pay 100 percent of the
4817 full cost of instruction to support continuous enrollment of
4818 that student in the same class, and the student shall not be
4819 included in calculations of full-time equivalent enrollments for
4820 state funding purposes; however, students who withdraw or fail a
4821 class due to extenuating circumstances may be granted an
4822 exception only once for each class, provided approval is granted
4823 according to policy established by the board of trustees. Each
4824 Florida College System institution may review and reduce fees
4825 paid by students due to continued enrollment in a developmental
4826 education class on an individual basis contingent upon the
4827 student's financial hardship, pursuant to definitions and fee
4828 levels established by the State Board of Colleges Education.

4829 Section 82. Subsections (9) and (12) of section 1009.90,
4830 Florida Statutes, are amended to read:

4831 1009.90 Duties of the Department of Education.—The duties
4832 of the department shall include:

4833 (9) Development and submission of a report, annually, to
4834 the State Board of Education, the Board of Governors, the State
4835 Board of Colleges, the President of the Senate, and the Speaker
4836 of the House of Representatives, which shall include, but not be
4837 limited to, recommendations for the distribution of state
4838 financial aid funds.

4839 (12) Calculation of the amount of need-based student
4840 financial aid required to offset fee increases recommended by
4841 the State Board of Education, ~~and~~ the Board of Governors, and
4842 the State Board of Colleges, and inclusion of such amount within
4843 the legislative budget request for student assistance grant

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4844 programs.

4845 Section 83. Subsection (4) of section 1009.91, Florida
4846 Statutes, is amended to read:4847 1009.91 Assistance programs and activities of the
4848 department.—4849 (4) The department shall maintain records on the student
4850 loan default rate of each Florida postsecondary institution and
4851 report that information annually to both the institution and the
4852 State Board of Education. Information relating to state
4853 universities shall also be reported annually to the Board of
4854 Governors. Information relating to Florida College System
4855 institutions shall be reported annually to the State Board of
4856 Colleges.4857 Section 84. Subsection (2) of section 1009.971, Florida
4858 Statutes, is amended to read:

4859 1009.971 Florida Prepaid College Board.—

4860 (2) FLORIDA PREPAID COLLEGE BOARD; MEMBERSHIP.—The board
4861 shall consist of seven members to be composed of the Attorney
4862 General, the Chief Financial Officer, the Chancellor of the
4863 State University System, the Chancellor of the Florida College
4864 System ~~Division of Florida Colleges~~, and three members appointed
4865 by the Governor and subject to confirmation by the Senate. Each
4866 member appointed by the Governor shall possess knowledge, skill,
4867 and experience in the areas of accounting, actuary, risk
4868 management, or investment management. Each member of the board
4869 not appointed by the Governor may name a designee to serve on
4870 the board on behalf of the member; however, any designee so
4871 named shall meet the qualifications required of gubernatorial
4872 appointees to the board. Members appointed by the Governor shall

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4873 serve terms of 3 years. Any person appointed to fill a vacancy
4874 on the board shall be appointed in a like manner and shall serve
4875 for only the unexpired term. Any member shall be eligible for
4876 reappointment and shall serve until a successor qualifies.
4877 Members of the board shall serve without compensation but shall
4878 be reimbursed for per diem and travel in accordance with s.
4879 112.061. Each member of the board who is not otherwise required
4880 to file a full and public disclosure of financial interests
4881 pursuant to s. 8, Art. II of the State Constitution or s.
4882 112.3144 shall file a statement of financial interests pursuant
4883 to s. 112.3145.

4884 Section 85. Section 1010.01, Florida Statutes, is amended
4885 to read:

4886 1010.01 Uniform records and accounts.-

4887 (1) (a) The financial records and accounts of each school
4888 district, ~~Florida College System institution,~~ and other
4889 institution or agency under the supervision of the State Board
4890 of Education shall be prepared and maintained as prescribed by
4891 law and rules of the State Board of Education.

4892 (b) The financial records and accounts of each state
4893 university under the supervision of the Board of Governors shall
4894 be prepared and maintained as prescribed by law and rules of the
4895 Board of Governors.

4896 (c) The financial records and accounts of each Florida
4897 College System institution under the supervision of the State
4898 Board of Colleges shall be prepared and maintained as prescribed
4899 by law and by the rules of the State Board of Colleges.

4900 (2) Rules of the State Board of Education, ~~and rules of the~~
4901 Board of Governors, and the State Board of Colleges shall

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4902 incorporate the requirements of law and accounting principles
 4903 generally accepted in the United States. Such rules shall
 4904 include a uniform classification of accounts.

4905 (3) Each state university shall annually file with the
 4906 Board of Governors financial statements prepared in conformity
 4907 with accounting principles generally accepted by the United
 4908 States and the uniform classification of accounts prescribed by
 4909 the Board of Governors. The Board of Governors' rules shall
 4910 prescribe the filing deadline for the financial statements.

4911 (4) Required financial accounts and reports shall include
 4912 provisions that are unique to each of the following: K-12 school
 4913 districts, Florida College System institutions, and state
 4914 universities, and shall provide for the data to be reported to
 4915 the National Center of Educational Statistics and other
 4916 governmental and professional educational data information
 4917 services as appropriate.

4918 (5) Each Florida College System institution shall annually
 4919 file with the State Board of Colleges financial statements
 4920 prepared in conformity with accounting principles generally
 4921 accepted by the United States and the uniform classification of
 4922 accounts prescribed by the State Board of Colleges. The State
 4923 Board of Colleges' rules shall prescribe the filing deadline for
 4924 the financial statements.

4925 Section 86. Subsection (1) of section 1010.02, Florida
 4926 Statutes, is amended, and subsection (3) is added to that
 4927 section, to read:

4928 1010.02 Financial accounting and expenditures.—

4929 (1) All funds accruing to a school district ~~or a Florida~~
 4930 ~~College System institution~~ must be received, accounted for, and

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4931 expended in accordance with law and rules of the State Board of
4932 Education.

4933 (3) All funds accruing to a Florida College System
4934 institution must be received, accounted for, and expended in
4935 accordance with law and rules of the State Board of Colleges.

4936 Section 87. Subsections (1) and (4) of section 1010.04,
4937 Florida Statutes, are amended to read:

4938 1010.04 Purchasing.—

4939 (1) (a) Purchases and leases by school districts must ~~and~~
4940 ~~Florida College System institutions shall~~ comply with the
4941 requirements of law and rules of the State Board of Education.

4942 (b) Before purchasing nonacademic commodities and
4943 contractual services, each district school board and Florida
4944 College System institution board of trustees shall review the
4945 purchasing agreements and state term contracts available under
4946 s. 287.056 to determine whether it is in the school board's or
4947 the board of trustees' economic advantage to use the agreements
4948 and contracts. Each bid specification for nonacademic
4949 commodities and contractual services must include a statement
4950 indicating that the purchasing agreements and state term
4951 contracts available under s. 287.056 have been reviewed. Each
4952 district school board may also use the cooperative state
4953 purchasing programs managed through the regional consortium
4954 service organizations pursuant to their authority under s.
4955 1001.451(3). This paragraph does not apply to services that are
4956 eligible for reimbursement under the federal E-rate program
4957 administered by the Universal Service Administrative Company.

4958 (c) Purchases and leases by state universities must ~~shall~~
4959 comply with the requirements of law and regulations of the Board

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4960 of Governors.

4961 (d) Purchases and leases by Florida College System
 4962 institutions must comply with the requirements of law and rules
 4963 of the State Board of Colleges.

4964 (4) (a) The State Board of Education may, by rule, provide
 4965 for alternative procedures for school districts ~~and Florida~~
 4966 ~~College System institutions~~ for bidding or purchasing in cases
 4967 in which the character of the item requested renders competitive
 4968 bidding impractical.

4969 (b) The Board of Governors may, by regulation, provide for
 4970 alternative procedures for state universities for bidding or
 4971 purchasing in cases in which the character of the item requested
 4972 renders competitive bidding impractical.

4973 (c) The State Board of Colleges may provide by rule for
 4974 alternative procedures for Florida College System institutions
 4975 for bidding or purchasing in cases in which the character of the
 4976 item requested renders competitive bidding impractical.

4977 Section 88. Subsection (2) of section 1010.07, Florida
 4978 Statutes, is amended to read:

4979 1010.07 Bonds or insurance required.—

4980 (2) (a) Contractors paid from school district ~~or Florida~~
 4981 ~~College System institution~~ funds shall give bond for the
 4982 faithful performance of their contracts in such amount and for
 4983 such purposes as prescribed by s. 255.05 or by rules of the
 4984 State Board of Education relating to the type of contract
 4985 involved. It shall be the duty of the district school board ~~or~~
 4986 ~~Florida College System institution board of trustees~~ to require
 4987 from construction contractors a bond adequate to protect the
 4988 board and the board's funds involved.

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4989 (b) Contractors paid from university funds shall give bond
4990 for the faithful performance of their contracts in such amount
4991 and for such purposes as prescribed by s. 255.05 or by
4992 regulations of the Board of Governors relating to the type of
4993 contract involved. It shall be the duty of the university board
4994 of trustees to require from construction contractors a bond
4995 adequate to protect the board and the board's funds involved.

4996 (c) Contractors paid from Florida College System
4997 institution funds shall give bonds for the faithful performance
4998 of their contracts in such amount and for such purposes as
4999 prescribed by s. 255.05 or by rules of the State Board of
5000 Colleges relating to the type of contract involved. It is the
5001 duty of the Florida College System institution board of trustees
5002 to require construction contractors to provide a bond adequate
5003 to protect the board and the board's funds involved.

5004 Section 89. Section 1010.08, Florida Statutes, is amended
5005 to read:

5006 1010.08 Promotion and public relations; funding.—

5007 (1) Each district school board ~~and Florida College System~~
5008 ~~institution board of trustees~~ may budget and use a portion of
5009 the funds accruing to it from auxiliary enterprises and
5010 undesignated gifts for promotion and public relations as
5011 prescribed by rules of the State Board of Education. Such funds
5012 may be used to provide hospitality to business guests in the
5013 district or elsewhere. However, such hospitality expenses may
5014 not exceed the amount authorized for such contingency funds as
5015 prescribed by rules of the State Board of Education.

5016 (2) Each Florida College System institution board of
5017 trustees may budget and use a portion of the funds accruing to

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5018 it from auxiliary enterprises and undesignated gifts for
5019 promotion and public relations as prescribed by rules of the
5020 State Board of Colleges. Such funds may be used to provide
5021 hospitality to business guests in the district or elsewhere.
5022 However, such hospitality expenses may not exceed the amount
5023 authorized for such contingency funds as prescribed by rules of
5024 the State Board of Colleges.

5025 Section 90. Subsection (1) of section 1010.09, Florida
5026 Statutes, is amended, and subsection (3) is added to that
5027 section, to read:

5028 1010.09 Direct-support organizations.—

5029 (1) School district ~~and Florida College System institution~~
5030 direct-support organizations shall be organized and conducted
5031 under the provisions of ss. 1001.453 and 1004.70 and rules of
5032 the State Board of Education, as applicable.

5033 (3) Florida College System institution direct-support
5034 organizations shall be organized and conducted under s. 1004.70
5035 and rules of the State Board of Colleges.

5036 Section 91. Section 1010.22, Florida Statutes, is amended
5037 to read:

5038 1010.22 Cost accounting and reporting for workforce
5039 education.—

5040 (1) (a) Each school district ~~and each Florida College System~~
5041 ~~institution~~ shall account for expenditures of all state, local,
5042 federal, and other funds in the manner prescribed by the State
5043 Board of Education.

5044 (b) Each Florida College System institution shall account
5045 for expenditures of all state, local, federal, and other funds
5046 in the manner prescribed by the State Board of Colleges.

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5047 (2) (a) Each school district ~~and each Florida College System~~
5048 ~~institution~~ shall report expenditures for workforce education in
5049 accordance with requirements prescribed by the State Board of
5050 Education.

5051 (b) Each Florida College System institution shall report
5052 expenditures for workforce education in accordance with
5053 requirements prescribed by the State Board of Colleges.

5054 (3) The Department of Education, in cooperation with school
5055 districts and Florida College System institutions, shall develop
5056 and maintain a database of valid comparable information on
5057 workforce education which will meet both state and local needs.

5058 Section 92. Subsection (1) of section 1010.30, Florida
5059 Statutes, is amended to read:

5060 1010.30 Audits required.—

5061 (1) School districts, ~~Florida College System institutions,~~
5062 and other institutions and agencies under the supervision of the
5063 State Board of Education, Florida College System institutions
5064 under the supervision of the State Board of Colleges, and state
5065 universities under the supervision of the Board of Governors are
5066 subject to the audit provisions of ss. 11.45 and 218.39.

5067 Section 93. Subsection (1) of section 1010.58, Florida
5068 Statutes, is amended to read:

5069 1010.58 Procedure for determining number of instruction
5070 units for Florida College System institutions.—The number of
5071 instruction units for Florida College System institutions shall
5072 be determined from the full-time equivalent students in the
5073 Florida College System institution, provided that full-time
5074 equivalent students may not be counted more than once in
5075 determining instruction units. Instruction units for Florida

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5076 College System institutions shall be computed as follows:

5077 (1) One unit for each 12 full-time equivalent students at a
5078 Florida College System institution for the first 420 students
5079 and one unit for each 15 full-time equivalent students for all
5080 over 420 students, in other than career education programs as
5081 defined by rules of the State Board of Colleges Education, and
5082 one unit for each 10 full-time equivalent students in career
5083 education programs and compensatory education programs as
5084 defined by rules of the State Board of Colleges Education. Full-
5085 time equivalent students enrolled in a Florida College System
5086 institution shall be defined by rules of the State Board of
5087 Colleges Education.

5088 Section 94. Subsections (2), (3), and (4) of section
5089 1011.01, Florida Statutes, are amended to read:

5090 1011.01 Budget system established.—

5091 (2) (a) There is ~~shall be~~ established in each school
5092 district ~~and Florida College System institution~~ a budget system
5093 as prescribed by law and rules of the State Board of Education.

5094 (b) There is ~~shall be~~ established in each state university
5095 a budget system as prescribed by law and rules of the Board of
5096 Governors.

5097 (c) There is established in each Florida College System
5098 institution a budget system as prescribed by law and rules of
5099 the State Board of Colleges.

5100 (3) (a) Each district school board ~~and each Florida College~~
5101 ~~System institution board of trustees~~ shall prepare, adopt, and
5102 submit to the Commissioner of Education an annual operating
5103 budget. Operating budgets must ~~shall~~ be prepared and submitted
5104 in accordance with the provisions of law, rules of the State

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5105 Board of Education, the General Appropriations Act, and for
5106 district school boards in accordance with the provisions of ss.
5107 200.065 and 1011.64.

5108 (b) Each state university board of trustees shall prepare,
5109 adopt, and submit to the Chancellor of the State University
5110 System for review an annual operating budget in accordance with
5111 provisions of law, rules of the Board of Governors, and the
5112 General Appropriations Act.

5113 (c) Each Florida College System institution board of
5114 trustees shall prepare, adopt, and submit to the State Board of
5115 Colleges an annual operating budget in accordance with
5116 provisions of law, rules of the State Board of Colleges, and the
5117 General Appropriations Act.

5118 (4) The State Board of Education shall coordinate with the
5119 Board of Governors and the State Board of Colleges to facilitate
5120 the budget system requirements of this section. The State Board
5121 of Colleges exclusively retains the review and approval powers
5122 of this section for Florida College System institutions. The
5123 Board of Governors exclusively retains the review and approval
5124 powers of this section for state universities.

5125 Section 95. Section 1011.011, Florida Statutes, is amended
5126 to read:

5127 1011.011 Legislative capital outlay budget request.—The
5128 State Board of Education shall submit an integrated,
5129 comprehensive budget request for educational facilities
5130 construction and fixed capital outlay needs for school
5131 districts, and, in conjunction with the State Board of Colleges
5132 for Florida College System institutions, ~~and, in conjunction~~
5133 with the Board of Governors for state, universities, pursuant to

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5134 this section and s. 1013.46 and applicable provisions of chapter
5135 216.

5136 Section 96. Section 1011.30, Florida Statutes, is amended
5137 to read:

5138 1011.30 Budgets for Florida College System institutions.—
5139 Each Florida College System institution president shall
5140 recommend to the Florida College System institution board of
5141 trustees a budget of income and expenditures at such time and in
5142 such form as the State Board of Colleges ~~Education~~ may
5143 prescribe. Upon approval of a budget by the Florida College
5144 System institution board of trustees, such budget must ~~shall~~ be
5145 transmitted to the State Board of Colleges ~~Department of~~
5146 ~~Education~~ for review. Rules of the State Board of Colleges ~~must~~
5147 ~~Education~~ shall prescribe procedures for effecting budget
5148 amendments subsequent to the final approval of a budget for a
5149 given year.

5150 Section 97. Subsections (8), (9), and (12) of section
5151 1011.32, Florida Statutes, are amended to read:

5152 1011.32 Florida College System Institution Facility
5153 Enhancement Challenge Grant Program.—

5154 (8) By October 15 of each year, the State Board of Colleges
5155 ~~Education~~ shall transmit to the Governor and the Legislature a
5156 list of projects that meet all eligibility requirements to
5157 participate in the Florida College System Institution Facility
5158 Enhancement Challenge Grant Program and a budget request that
5159 includes the recommended schedule necessary to complete each
5160 project.

5161 (9) In order for a project to be eligible under this
5162 program, it must be survey recommended under the provisions of

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5163 s. 1013.31 and included in the Florida College System
5164 institution's 5-year capital improvement plan, and it must
5165 receive approval from the State Board of Colleges ~~Education~~ or
5166 the Legislature.

5167 (12) The surveys, architectural plans, facility, and
5168 equipment shall be the property of the participating Florida
5169 College System institution. A facility constructed under this
5170 section may be named in honor of a donor at the option of the
5171 Florida College System institution district board of trustees. A
5172 facility may not be named after a living person without prior
5173 approval by the State Board of Colleges ~~Education~~.

5174 Section 98. Subsection (2), paragraph (b) of subsection
5175 (5), and subsections (8), (9), and (11) of section 1011.80,
5176 Florida Statutes, are amended to read:

5177 1011.80 Funds for operation of workforce education
5178 programs.—

5179 (2) Any workforce education program may be conducted by a
5180 Florida College System institution or a school district, except
5181 that college credit in an associate in applied science or an
5182 associate in science degree may be awarded only by a Florida
5183 College System institution. However, if an associate in applied
5184 science or an associate in science degree program contains
5185 within it an occupational completion point that confers a
5186 certificate or an applied technology diploma, that portion of
5187 the program may be conducted by a school district career center.
5188 Any instruction designed to articulate to a degree program is
5189 subject to guidelines and standards adopted by the State Board
5190 of Colleges ~~Education~~ pursuant to s. 1007.25.

5191 (5) State funding and student fees for workforce education

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5192 instruction shall be established as follows:

5193 (b) For all other workforce education programs, state
5194 funding shall equal 75 percent of the average cost of
5195 instruction with the remaining 25 percent made up from student
5196 fees. Fees for courses within a program shall not vary according
5197 to the cost of the individual program, but instead shall be
5198 based on a uniform fee calculated and set at the state level, as
5199 adopted by the State Board of Education, for school districts,
5200 and the State Board of Colleges, for Florida College System
5201 institutions, unless otherwise specified in the General
5202 Appropriations Act.

5203 (8) The State Board of Education, the State Board of
5204 Colleges, and CareerSource Florida, Inc., shall provide the
5205 Legislature with recommended formulas, criteria, timeframes, and
5206 mechanisms for distributing performance funds. The commissioner
5207 shall consolidate the recommendations and develop a consensus
5208 proposal for funding. The Legislature shall adopt a formula and
5209 distribute the performance funds to the State Board of Colleges
5210 ~~Education~~ for Florida College System institutions and to the
5211 State Board of Education for school districts through the
5212 General Appropriations Act. These recommendations shall be based
5213 on formulas that would discourage low-performing or low-demand
5214 programs and encourage through performance-funding awards:

5215 (a) Programs that prepare people to enter high-wage
5216 occupations identified by the Workforce Estimating Conference
5217 created by s. 216.136 and other programs as approved by
5218 CareerSource Florida, Inc. At a minimum, performance incentives
5219 shall be calculated for adults who reach completion points or
5220 complete programs that lead to specified high-wage employment

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5221 and to their placement in that employment.

5222 (b) Programs that successfully prepare adults who are
5223 eligible for public assistance, economically disadvantaged,
5224 disabled, not proficient in English, or dislocated workers for
5225 high-wage occupations. At a minimum, performance incentives
5226 shall be calculated at an enhanced value for the completion of
5227 adults identified in this paragraph and job placement of such
5228 adults upon completion. In addition, adjustments may be made in
5229 payments for job placements for areas of high unemployment.

5230 (c) Programs that are specifically designed to be
5231 consistent with the workforce needs of private enterprise and
5232 regional economic development strategies, as defined in
5233 guidelines set by CareerSource Florida, Inc. CareerSource
5234 Florida, Inc., shall develop guidelines to identify such needs
5235 and strategies based on localized research of private employers
5236 and economic development practitioners.

5237 (d) Programs identified by CareerSource Florida, Inc., as
5238 increasing the effectiveness and cost efficiency of education.

5239 (9) School districts shall report full-time equivalent
5240 students by discipline category for the programs specified in
5241 subsection (1). There shall be an annual cost analysis for the
5242 school district workforce education programs that reports cost
5243 by discipline category consistent with the reporting for full-
5244 time equivalent students. The annual financial reports submitted
5245 by the school districts must accurately report on the student
5246 fee revenues by fee type according to the programs specified in
5247 subsection (1). The Department of Education and the State Board
5248 of Colleges shall develop a plan for comparable reporting of
5249 program, student, facility, personnel, and financial data

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5250 between the Florida College System institutions and the school
5251 district workforce education programs.

5252 (11) The State Board of Education and the State Board of
5253 Colleges may adopt rules to administer this section.

5254 Section 99. Subsections (2) and (3) of section 1011.801,
5255 Florida Statutes, are amended to read:

5256 1011.801 Workforce Development Capitalization Incentive
5257 Grant Program.—The Legislature recognizes that the need for
5258 school districts and Florida College System institutions to be
5259 able to respond to emerging local or statewide economic
5260 development needs is critical to the workforce development
5261 system. The Workforce Development Capitalization Incentive Grant
5262 Program is created to provide grants to school districts and
5263 Florida College System institutions on a competitive basis to
5264 fund some or all of the costs associated with the creation or
5265 expansion of workforce development programs that serve specific
5266 employment workforce needs.

5267 (2) The State Board of Education shall accept applications
5268 from school districts, and the State Board of Colleges shall
5269 accept applications from ~~or~~ Florida College System institutions,
5270 for workforce development capitalization incentive grants.
5271 Applications from school districts or Florida College System
5272 institutions must ~~shall~~ contain projected enrollments and
5273 projected costs for the new or expanded workforce development
5274 program. The State Board of Education or the State Board of
5275 Colleges, as appropriate, in consultation with CareerSource
5276 Florida, Inc., shall review and rank each application for a
5277 grant according to subsection (3) and shall submit to the
5278 Legislature a list in priority order of applications recommended

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5279 for a grant award.

5280 (3) The State Board of Education or the State Board of
5281 Colleges, as appropriate, shall give highest priority to
5282 programs that train people to enter high-skill, high-wage
5283 occupations identified by the Workforce Estimating Conference
5284 and other programs approved by CareerSource Florida, Inc. ;
5285 programs that train people to enter occupations under the
5286 welfare transition program; or programs that train for the
5287 workforce adults who are eligible for public assistance,
5288 economically disadvantaged, disabled, not proficient in English,
5289 or dislocated workers. The State Board of Education or the State
5290 Board of Colleges, as appropriate, shall consider the statewide
5291 geographic dispersion of grant funds in ranking the applications
5292 and shall give priority to applications from education agencies
5293 that are making maximum use of their workforce development
5294 funding by offering high-performing, high-demand programs.

5295 Section 100. Subsection (2) of section 1011.81, Florida
5296 Statutes, is amended to read:

5297 1011.81 Florida College System Program Fund.—

5298 (2) Performance funding for industry certifications for
5299 Florida College System institutions is contingent upon specific
5300 appropriation in the General Appropriations Act and shall be
5301 determined as follows:

5302 (a) Occupational areas for which industry certifications
5303 may be earned, as established in the General Appropriations Act,
5304 are eligible for performance funding. Priority shall be given to
5305 the occupational areas emphasized in state, national, or
5306 corporate grants provided to Florida educational institutions.

5307 (b) The Chancellor of the Florida College System, for the

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5308 Florida College System institutions, shall identify the industry
5309 certifications eligible for funding on the CAPE Postsecondary
5310 Industry Certification Funding List approved by the State Board
5311 of Colleges Education pursuant to s. 1008.44, based on the
5312 occupational areas specified in the General Appropriations Act.

5313 (c) Each Florida College System institution shall be
5314 provided \$1,000 for each industry certification earned by a
5315 student. The maximum amount of funding appropriated for
5316 performance funding pursuant to this subsection shall be limited
5317 to \$15 million annually. If funds are insufficient to fully fund
5318 the calculated total award, such funds shall be prorated.

5319 Section 101. Subsection (1) of section 1011.82, Florida
5320 Statutes, is amended to read:

5321 1011.82 Requirements for participation in Florida College
5322 System Program Fund.—Each Florida College System institution
5323 district which participates in the state appropriations for the
5324 Florida College System Program Fund shall provide evidence of
5325 its effort to maintain an adequate Florida College System
5326 institution program which shall:

5327 (1) Meet the minimum standards prescribed by the State
5328 Board of Colleges Education in accordance with s. 1001.602(5) ~~s.~~
5329 ~~1001.02(6)~~.

5330 Section 102. Section 1011.83, Florida Statutes, is amended
5331 to read:

5332 1011.83 Financial support of Florida College System
5333 institutions.—

5334 (1) Each Florida College System institution that ~~has been~~
5335 ~~approved by the Department of Education and~~ meets the
5336 requirements of law and rules of the State Board of Colleges

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5337 ~~Education~~ shall participate in the Florida College System
5338 Program Fund. However, funds to support workforce education
5339 programs conducted by Florida College System institutions shall
5340 be provided pursuant to s. 1011.80.

5341 (2) A student in a baccalaureate degree program approved
5342 pursuant to s. 1007.33 who is not classified as a resident for
5343 tuition purposes pursuant to s. 1009.21 may not be included in
5344 calculations of full-time equivalent enrollments for state
5345 funding purposes.

5346 Section 103. Section 1011.84, Florida Statutes, is amended
5347 to read:

5348 1011.84 Procedure for determining state financial support
5349 and annual apportionment of state funds to each Florida College
5350 System institution district.—The procedure for determining state
5351 financial support and the annual apportionment to each Florida
5352 College System institution district authorized to operate a
5353 Florida College System institution under the provisions of s.
5354 1001.61 shall be as follows:

5355 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA
5356 COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

5357 (a) The State Board of Colleges ~~Department of Education~~
5358 shall determine annually, from an analysis of operating costs,
5359 ~~prepared in the manner prescribed by rules of the State Board of~~
5360 ~~Education,~~ the costs per full-time equivalent student served in
5361 courses and fields of study offered in Florida College System
5362 institutions. This information and current college operating
5363 budgets shall be submitted to the Executive Office of the
5364 Governor with the legislative budget request prior to each
5365 regular session of the Legislature.

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5366 (b) The allocation of funds for Florida College System
5367 institutions must ~~shall~~ be based on advanced and professional
5368 disciplines, developmental education, and other programs for
5369 adults funded pursuant to s. 1011.80.

5370 (c) The category of lifelong learning is for students
5371 enrolled pursuant to s. 1004.93. A student shall also be
5372 reported as a lifelong learning student for his or her
5373 enrollment in any course that he or she has previously taken,
5374 unless it is a credit course in which the student earned a grade
5375 of D or F.

5376 (d) If an adult student has been determined to be a
5377 disabled student eligible for an approved educational program
5378 for disabled adults provided pursuant to s. 1004.93 and rules of
5379 the State Board of Colleges ~~Education~~ and is enrolled in a class
5380 with curriculum frameworks developed for the program, state
5381 funding for that student shall be provided at a level double
5382 that of a student enrolled in a special adult general education
5383 program provided by a Florida College System institution.

5384 (e) All state inmate education provided by Florida College
5385 System institutions shall be reported by program, FTE
5386 expenditure, and revenue source. These enrollments,
5387 expenditures, and revenues shall be reported and projected
5388 separately. Instruction of state inmates may ~~shall~~ not be
5389 included in the full-time equivalent student enrollment for
5390 funding through the Florida College System Program Fund.

5391 (f) When a public educational institution has been fully
5392 funded by an external agency for direct instructional costs of
5393 any course or program, the FTE generated may ~~shall~~ not be
5394 reported for state funding.

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5395 (g) The State Board of Education shall adopt rules to
5396 implement s. 9(d)(8)f., Art. XII of the State Constitution.
5397 These rules shall provide for the use of the funds available
5398 under s. 9(d)(8)f., Art. XII by an individual Florida College
5399 System institution for operating expense in any fiscal year
5400 during which the State Board of Education has determined that
5401 all major capital outlay needs have been met. Highest priority
5402 for the use of these funds for purposes other than financing
5403 approved capital outlay projects shall be for the proper
5404 maintenance and repair of existing facilities for projects
5405 approved by the State Board of Education. However, in any fiscal
5406 year in which funds from this source are authorized for
5407 operating expense other than approved maintenance and repair
5408 projects, the allocation of Florida College System institution
5409 program funds shall be reduced by an amount equal to the sum
5410 used for such operating expense for that Florida College System
5411 institution that year, and that amount shall not be released or
5412 allocated among the other Florida College System institutions
5413 that year.

5414 (2) DETERMINING THE AMOUNT TO BE INCLUDED FOR CAPITAL
5415 OUTLAY AND DEBT SERVICE.—The amount included for capital outlay
5416 and debt service shall be as determined and provided in s. 18,
5417 Art. XII of the State Constitution of 1885, as adopted by s.
5418 9(d), Art. XII of the 1968 revised State Constitution and State
5419 Board of Education rules.

5420 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

5421 (a) By December 15 of each year, the State Board of
5422 Colleges ~~Department of Education~~ shall estimate the annual
5423 enrollment of each Florida College System institution for the

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5424 current fiscal year and for the 3 subsequent fiscal years. These
5425 estimates shall be based upon prior years' enrollments, upon the
5426 initial fall term enrollments for the current fiscal year for
5427 each college, and upon each college's estimated current
5428 enrollment and demographic changes in the respective Florida
5429 College System institution districts. Upper-division enrollment
5430 shall be estimated separately from lower-division enrollment.

5431 (b) The apportionment to each Florida College System
5432 institution from the Florida College System Program Fund shall
5433 be determined annually in the General Appropriations Act. In
5434 determining each college's apportionment, the Legislature shall
5435 consider the following components:

5436 1. Base budget, which includes the state appropriation to
5437 the Florida College System Program Fund in the current year plus
5438 the related student tuition and out-of-state fees assigned in
5439 the current General Appropriations Act.

5440 2. The cost-to-continue allocation, which consists of
5441 incremental changes to the base budget, including salaries,
5442 price levels, and other related costs allocated through a
5443 funding model approved by the Legislature which may recognize
5444 differing economic factors arising from the individual
5445 educational approaches of the various Florida College System
5446 institutions, including, but not limited to:

5447 a. Direct Instructional Funding, including class size,
5448 faculty productivity factors, average faculty salary, ratio of
5449 full-time to part-time faculty, costs of programs, and
5450 enrollment factors.

5451 b. Academic Support, including small colleges factor,
5452 multicampus factor, and enrollment factor.

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5453 c. Student Services Support, including headcount of
5454 students as well as FTE count and enrollment factors.

5455 d. Library Support, including volume and other
5456 materials/audiovisual requirements.

5457 e. Special Projects.

5458 f. Operations and Maintenance of Plant, including square
5459 footage and utilization factors.

5460 g. District Cost Differential.

5461 3. Students enrolled in a recreation and leisure program
5462 and students enrolled in a lifelong learning program who may not
5463 be counted as full-time equivalent enrollments for purposes of
5464 enrollment workload adjustments.

5465 4. Operating costs of new facilities adjustments, which
5466 shall be provided, from funds available, for each new facility
5467 that is owned by the college and is recommended in accordance
5468 with s. 1013.31.

5469 5. New and improved program enhancements, which shall be
5470 determined by the Legislature.

5471

5472 Student fees in the base budget plus student fee revenues
5473 generated by increases in fee rates shall be deducted from the
5474 sum of the components determined in subparagraphs 1.-5. The
5475 amount remaining shall be the net annual state apportionment to
5476 each college.

5477 (c) A ~~No~~ Florida College System institution may not ~~shall~~
5478 commit funds for the employment of personnel or resources in
5479 excess of those required to continue the same level of support
5480 for either the previously approved enrollment or the revised
5481 enrollment, whichever is lower.

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5482 (d) The apportionment to each Florida College System
5483 institution district for capital outlay and debt service shall
5484 be the amount determined in accordance with subsection (2). This
5485 amount, less any amount determined as necessary for
5486 administrative expense by the State Board of Education and any
5487 amount necessary for debt service on bonds issued by the State
5488 Board of Education, shall be transmitted to the Florida College
5489 System institution board of trustees to be expended in a manner
5490 prescribed by rules of the State Board of Education.

5491 (e) If at any time the unencumbered balance in the general
5492 fund of the Florida College System institution board of trustees
5493 approved operating budget goes below 5 percent, the president
5494 shall provide written notification to the State Board of
5495 Education.

5496 (f) Expenditures for apprenticeship programs must ~~shall~~ be
5497 reported separately.

5498 (g) Expenditures for upper-division enrollment in a Florida
5499 College System institution that grants baccalaureate degrees
5500 must ~~shall~~ be reported separately from expenditures for lower-
5501 division enrollment, in accordance with law and State Board of
5502 Education rule.

5503 (4) EXPENDITURE OF ALLOCATED FUNDS.—Any funds allocated
5504 herein to any Florida College System institution must ~~shall~~ be
5505 expended only for the purpose of supporting that Florida College
5506 System institution.

5507 (5) REPORT OF DEVELOPMENTAL EDUCATION.—Each Florida College
5508 System institution board of trustees shall report, as a separate
5509 item in its annual cost accounting system, the volume and cost
5510 of developmental education options provided to help students

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5511 attain the communication and computation skills that are
5512 essential for college-level work pursuant to s. 1008.30.

5513 Section 104. Subsections (1), (3), (4), (6), (7), (8),
5514 (10), and (11) of section 1011.85, Florida Statutes, are amended
5515 to read:

5516 1011.85 Dr. Philip Benjamin Matching Grant Program for
5517 Florida College System Institutions.—

5518 (1) There is created the Dr. Philip Benjamin Matching Grant
5519 Program for Florida College System Institutions as a single
5520 matching gifts program that encompasses the goals originally set
5521 out in the Academic Improvement Program, the Scholarship
5522 Matching Program, and the Health Care Education Quality
5523 Enhancement Challenge Grant. The program shall be administered
5524 according to rules of the State Board of Colleges ~~Education~~ and
5525 used to encourage private support in enhancing Florida College
5526 System institutions by providing the Florida College System with
5527 the opportunity to receive and match challenge grants. Funds
5528 received prior to the effective date of this act for each of the
5529 three programs shall be retained in the separate account for
5530 which it was designated.

5531 (3) Upon approval by the Florida College System institution
5532 board of trustees and the State Board of Colleges ~~Education~~, the
5533 ordering of donations for priority listing of unmatched gifts
5534 should be determined by the submitting Florida College System
5535 institution.

5536 (4) Each year, eligible contributions received by a Florida
5537 College System institution's foundation or the State Board of
5538 Colleges ~~Education~~ by February 1 shall be eligible for state
5539 matching funds.

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5540 (a) Each Florida College System institution board of
5541 trustees and, when applicable, the Florida College System
5542 Institution Foundation Board, receiving state appropriations
5543 under this program shall also certify in an annual report to the
5544 State Board of Colleges Education the receipt of eligible cash
5545 contributions that were previously unmatched by the state. The
5546 State Board of Education shall adopt rules providing all Florida
5547 College System institutions with an opportunity to apply for
5548 excess funds before the awarding of such funds.

5549 (b) Florida College System institutions must submit to the
5550 State Board of Colleges Education an annual expenditure report
5551 tracking the use of all matching funds.

5552 (c) The audit of each foundation receiving state funds from
5553 this program must include a certification of accuracy in the
5554 amount reported for matching funds.

5555 (6) Otherwise, funds must ~~shall~~ be proportionately
5556 allocated to the Florida College System institutions on the
5557 basis of matching each \$6 of local or private funds with \$4 of
5558 state funds. To be eligible, a minimum of \$4,500 must be raised
5559 from private sources.

5560 (7) The Florida College System institution board of
5561 trustees, in conjunction with the donor, shall determine ~~make~~
5562 ~~the determination of~~ whether scholarships established pursuant
5563 to this program are endowed.

5564 (8) (a) Funds sufficient to provide the match shall be
5565 transferred from the state appropriations to the local Florida
5566 College System institution foundation or the statewide Florida
5567 College System institution foundation upon notification that a
5568 proportionate amount has been received and deposited by a

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5569 Florida College System institution in its own trust fund.

5570 (b) If state funds appropriated for the program are
5571 insufficient to match contributions, the amount allocated must
5572 ~~shall~~ be reduced in proportion to its share of the total
5573 eligible contributions. However, in making proportional
5574 reductions, every Florida College System institution shall
5575 receive a minimum of \$75,000 in state matching funds if its
5576 eligible contributions would have generated an amount at least
5577 equal to \$75,000. All unmet contributions must ~~shall~~ be eligible
5578 for state matching funds in subsequent fiscal years.

5579 (10) The State Board of Colleges Education ~~Education~~ may receive
5580 submissions of requests for matching funds and documentation
5581 relating to those requests, may approve requests for matching
5582 funds, and may allocate such funds to the Florida College System
5583 institutions.

5584 (11) The board of trustees of the Florida College System
5585 institution and the State Board of Colleges Education ~~Education~~ are
5586 responsible for determining the uses for the proceeds of their
5587 respective trust funds. Such use of the proceeds shall include,
5588 but not be limited to, expenditure of the funds for:

5589 (a) Scientific and technical equipment.

5590 (b) Scholarships, loans, or need-based grants.

5591 (c) Other activities that will benefit future students as
5592 well as students currently enrolled at the Florida College
5593 System institution, will improve the quality of education at the
5594 Florida College System institution, or will enhance economic
5595 development in the community.

5596 Section 105. Subsection (1) of section 1012.01, Florida
5597 Statutes, is amended to read:

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5598 1012.01 Definitions.—As used in this chapter, the following
5599 terms have the following meanings:

5600 (1) SCHOOL OFFICERS.—The officers of the state system of
5601 public K-12 ~~and Florida College System institution~~ education
5602 shall be the Commissioner of Education and the members of the
5603 State Board of Education; for the Florida College System, the
5604 officers shall be the Chancellor of the Florida College System
5605 and the members of the State Board of Colleges; for each
5606 district school system, the officers shall be the district
5607 school superintendent and members of the district school board;
5608 and for each Florida College System institution, the officers
5609 shall be the Florida College System institution president and
5610 members of the Florida College System institution board of
5611 trustees.

5612 Section 106. Paragraph (a) of subsection (1) of section
5613 1012.80, Florida Statutes, is amended to read:

5614 1012.80 Participation by employees in disruptive activities
5615 at public postsecondary educational institutions; penalties.—

5616 (1) (a) Any person who accepts the privilege extended by the
5617 laws of this state of employment at any Florida College System
5618 institution shall, by working at such institution, be deemed to
5619 have given his or her consent to the policies of that
5620 institution, the policies of the State Board of Colleges
5621 ~~Education~~, and the laws of this state. Such policies shall
5622 include prohibition against disruptive activities at Florida
5623 College System institutions.

5624 Section 107. Subsection (1) of section 1012.81, Florida
5625 Statutes, is amended to read:

5626 1012.81 Personnel records.—

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5627 (1) The State Board of Colleges ~~Education~~ shall adopt rules
5628 prescribing the content and custody of limited-access records
5629 that a Florida College System institution may maintain on its
5630 employees. Limited-access employee records are confidential and
5631 exempt from ~~the provisions of~~ s. 119.07(1). Limited-access
5632 records include only the following:

5633 (a) Records containing information reflecting academic
5634 evaluations of employee performance; however, the employee and
5635 officials of the institution responsible for supervision of the
5636 employee shall have access to such records.

5637 (b) Records maintained for the purposes of any
5638 investigation of employee misconduct, including, but not limited
5639 to, a complaint against an employee and all information obtained
5640 pursuant to the investigation of such complaint; however, these
5641 records become public after the investigation ceases to be
5642 active or when the institution provides written notice to the
5643 employee who is the subject of the complaint that the
5644 institution has either:

- 5645 1. Concluded the investigation with a finding not to
5646 proceed with disciplinary action;
- 5647 2. Concluded the investigation with a finding to proceed
5648 with disciplinary action; or
- 5649 3. Issued a letter of discipline.

5650
5651 For the purpose of this paragraph, an investigation shall be
5652 considered active as long as it is continuing with a reasonable,
5653 good faith anticipation that a finding will be made in the
5654 foreseeable future. An investigation shall be presumed to be
5655 inactive if no finding is made within 90 days after the

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5656 complaint is filed.

5657 (c) Records maintained for the purposes of any disciplinary
5658 proceeding brought against an employee; however, these records
5659 shall be open to inspection by the employee and shall become
5660 public after a final decision is made in the proceeding.

5661 (d) Records maintained for the purposes of any grievance
5662 proceeding brought by an employee for enforcement of a
5663 collective bargaining agreement or contract; however, these
5664 records shall be open to inspection by the employee and by
5665 officials of the institution conducting the grievance proceeding
5666 and shall become public after a final decision is made in the
5667 proceeding.

5668 Section 108. Subsection (1) of section 1012.83, Florida
5669 Statutes, is amended to read:

5670 1012.83 Contracts with administrative and instructional
5671 staff.—

5672 (1) Each person employed in an administrative or
5673 instructional capacity in a Florida College System institution
5674 shall be entitled to a contract as provided by rules of the
5675 State Board of Colleges ~~Education~~.

5676 Section 109. Paragraph (a) of subsection (1) of section
5677 1012.855, Florida Statutes, is amended to read:

5678 1012.855 Employment of Florida College System institution
5679 personnel; discrimination in granting salary prohibited.—

5680 (1) (a) Employment of all personnel in each Florida College
5681 System institution shall be upon recommendation of the
5682 president, subject to rejection for cause by the Florida College
5683 System institution board of trustees; to the rules of the State
5684 Board of Colleges ~~Education~~ relative to certification, tenure,

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5685 leaves of absence of all types, including sabbaticals,
5686 remuneration, and such other conditions of employment as the
5687 State Board of Colleges ~~Education~~ deems necessary and proper;
5688 and to policies of the Florida College System institution board
5689 of trustees not inconsistent with law.

5690 Section 110. Subsection (1), paragraph (a) of subsection
5691 (2), paragraph (b) of subsection (3), and subsections (4), (5),
5692 and (6) of section 1012.86, Florida Statutes, are amended to
5693 read:

5694 1012.86 Florida College System institution employment
5695 equity accountability program.—

5696 (1) Each Florida College System institution shall include
5697 in its annual equity update a plan for increasing the
5698 representation of women and minorities in senior-level
5699 administrative positions and in full-time faculty positions, and
5700 for increasing the representation of women and minorities who
5701 have attained continuing-contract status. Positions shall be
5702 defined in the personnel data element directory of the
5703 Department of Education. The plan must include specific
5704 measurable goals and objectives, specific strategies and
5705 timelines for accomplishing these goals and objectives, and
5706 comparable national standards as provided by the Department of
5707 Education. The goals and objectives shall be based on meeting or
5708 exceeding comparable national standards and shall be reviewed
5709 and recommended by the State Board of Colleges ~~Education~~ as
5710 appropriate. Such plans shall be maintained until appropriate
5711 representation has been achieved and maintained for at least 3
5712 consecutive reporting years.

5713 (2) (a) On or before May 1 of each year, each Florida

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5714 College System institution president shall submit an annual
5715 employment accountability plan to the Chancellor of the Florida
5716 College System and the State Board of Colleges ~~Commissioner of~~
5717 ~~Education and the State Board of Education~~. The accountability
5718 plan must show faculty and administrator employment data
5719 according to requirements specified on the federal Equal
5720 Employment Opportunity (EEO-6) report.

5721 (3) Florida College System institution presidents and the
5722 heads of each major administrative division shall be evaluated
5723 annually on the progress made toward meeting the goals and
5724 objectives of the Florida College System institution's
5725 employment accountability plan.

5726 (b) Florida College System institution boards of trustees
5727 shall annually evaluate the performance of the Florida College
5728 System institution presidents in achieving the annual and long-
5729 term goals and objectives. A summary of the results of such
5730 evaluations shall be reported to the State Board of Colleges
5731 ~~Commissioner of Education and the State Board of Education~~ as
5732 part of the Florida College System institution's annual
5733 employment accountability plan, and to the Legislature as part
5734 of the annual equity progress report submitted by the State
5735 Board of Colleges ~~Education~~.

5736 (4) The State Board of Colleges ~~Education~~ shall submit an
5737 annual equity progress report to the President of the Senate and
5738 the Speaker of the House of Representatives on or before January
5739 1 of each year.

5740 (5) Each Florida College System institution shall develop a
5741 budgetary incentive plan to support and ensure attainment of the
5742 goals developed pursuant to this section. The plan shall

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5743 specify, at a minimum, how resources shall be allocated to
5744 support the achievement of goals and the implementation of
5745 strategies in a timely manner. After prior review and approval
5746 by the Florida College System institution president and the
5747 Florida College System institution board of trustees, the plan
5748 shall be submitted as part of the annual employment
5749 accountability plan submitted by each Florida College System
5750 institution to the State Board of Colleges ~~Education~~.

5751 (6) Subject to available funding, the Legislature shall
5752 provide an annual appropriation to the State Board of Colleges
5753 ~~Education~~ to be allocated to Florida College System institution
5754 presidents, faculty, and administrative personnel to further
5755 enhance equity initiatives and related priorities that support
5756 the mission of colleges and departments in recognition of the
5757 attainment of the equity goals and objectives.

5758 Section 111. Subsection (3) of section 1013.01, Florida
5759 Statutes, is amended to read:

5760 1013.01 Definitions.—The following terms shall be defined
5761 as follows for the purpose of this chapter:

5762 (3) "Board," unless otherwise specified, means a district
5763 school board, a Florida College System institution board of
5764 trustees, a university board of trustees, and the Board of
5765 Trustees for the Florida School for the Deaf and the Blind. The
5766 term "board" does not include the State Board of Education, ~~or~~
5767 the Board of Governors, or the State Board of Colleges.

5768 Section 112. Subsection (2) of section 1013.02, Florida
5769 Statutes, is amended to read:

5770 1013.02 Purpose; rules and regulations.—

5771 (2) (a) The State Board of Education shall adopt rules

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5772 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~
5773 ~~provisions of this chapter for school districts and Florida~~
5774 ~~College System institutions.~~

5775 (b) The Board of Governors shall adopt regulations pursuant
5776 to its regulation development procedure to implement ~~the~~
5777 ~~provisions of this chapter for state universities.~~

5778 (c) The State Board of Colleges shall adopt rules pursuant
5779 to ss. 120.536(1) and 120.54 to implement this chapter for
5780 Florida College System institutions.

5781 Section 113. Section 1013.03, Florida Statutes, is amended
5782 to read:

5783 1013.03 Functions of the department, the State Board of
5784 Colleges, and the Board of Governors.—The functions of the
5785 Department of Education as it pertains to educational facilities
5786 of school districts, of the State Board of Colleges as it
5787 pertains to educational facilities of ~~and~~ Florida College System
5788 institutions, and of the Board of Governors as it pertains to
5789 educational facilities of state universities shall include, but
5790 not be limited to, the following:

5791 (1) Establish recommended minimum and maximum square
5792 footage standards for different functions and areas and
5793 procedures for determining the gross square footage for each
5794 educational facility to be funded in whole or in part by the
5795 state, including public broadcasting stations but excluding
5796 postsecondary special purpose laboratory space. The gross square
5797 footage determination standards may be exceeded when the core
5798 facility space of an educational facility is constructed or
5799 renovated to accommodate the future addition of classrooms to
5800 meet projected increases in student enrollment. The department,

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5801 the State Board of Colleges, and the Board of Governors shall
5802 encourage multiple use of facilities and spaces in educational
5803 plants.

5804 (2) Establish, for the purpose of determining need,
5805 equitably uniform utilization standards for all types of like
5806 space, regardless of the level of education. These standards
5807 shall also establish, for postsecondary education classrooms, a
5808 minimum room utilization rate of 40 hours per week and a minimum
5809 station utilization rate of 60 percent. These rates shall be
5810 subject to increase based on national norms for utilization of
5811 postsecondary education classrooms.

5812 (3) Require boards to submit other educational plant
5813 inventories data and statistical data or information relevant to
5814 construction, capital improvements, and related costs.

5815 (4) Require each board and other appropriate agencies to
5816 submit complete and accurate financial data as to the amounts of
5817 funds from all sources that are available and spent for
5818 construction and capital improvements. The commissioner shall
5819 prescribe the format and the date for the submission of this
5820 data and any other educational facilities data. If any district
5821 does not submit the required educational facilities fiscal data
5822 by the prescribed date, the Commissioner of Education shall
5823 notify the district school board of this fact and, if
5824 appropriate action is not taken to immediately submit the
5825 required report, the district school board shall be directed to
5826 proceed pursuant to s. 1001.42(13)(b). If any Florida College
5827 System institution or university does not submit the required
5828 educational facilities fiscal data by the prescribed date, the
5829 same policy prescribed in this subsection for school districts

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5830 shall be implemented.

5831 (5) Administer, under the supervision of the Commissioner
5832 of Education, the Public Education Capital Outlay and Debt
5833 Service Trust Fund and the School District and Community College
5834 District Capital Outlay and Debt Service Trust Fund.

5835 (6) Develop, review, update, revise, and recommend a
5836 mandatory portion of the Florida Building Code for educational
5837 facilities construction and capital improvement by Florida
5838 College System institution boards and district school boards.

5839 (7) Provide training, technical assistance, and building
5840 code interpretation for requirements of the mandatory Florida
5841 Building Code for the educational facilities construction and
5842 capital improvement programs of ~~the Florida College System~~
5843 ~~institution boards and~~ district school boards and, upon request,
5844 approve phase III construction documents for remodeling,
5845 renovation, or new construction of educational plants or
5846 ancillary facilities, except that Florida College System
5847 institutions and university boards of trustees shall approve
5848 specifications and construction documents for their respective
5849 institutions pursuant to guidelines of the Board of Governors or
5850 State Board of Colleges, as applicable. The Department of
5851 Management Services may, upon request, provide similar services
5852 for the Florida School for the Deaf and the Blind and shall use
5853 the Florida Building Code and the Florida Fire Prevention Code.

5854 (8) Provide minimum criteria, procedures, and training to
5855 boards to conduct educational plant surveys and document the
5856 determination of future needs.

5857 (9) Make available to boards technical assistance,
5858 awareness training, and research and technical publications

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5859 relating to lifesafety, casualty, sanitation, environmental,
5860 maintenance, and custodial issues; and, as needed, technical
5861 assistance for survey, planning, design, construction,
5862 operation, and evaluation of educational and ancillary
5863 facilities and plants, facilities administrative procedures
5864 review, and training for new administrators.

5865 (10) (a) Review and validate surveys proposed or amended by
5866 the boards and recommend to the Commissioner of Education, the
5867 Chancellor of the Florida College System, or the Chancellor of
5868 the State University System, as appropriate, for approval,
5869 surveys that meet the requirements of this chapter.

5870 1. The term "validate" as applied to surveys by school
5871 districts means to review inventory data as submitted to the
5872 department by district school boards; provide for review and
5873 inspection, where required, of student stations and aggregate
5874 square feet of inventory changed from satisfactory to
5875 unsatisfactory or changed from unsatisfactory to satisfactory;
5876 compare new school inventory to allocation limits provided by
5877 this chapter; review cost projections for conformity with cost
5878 limits set by s. 1013.64(6); compare total capital outlay full-
5879 time equivalent enrollment projections in the survey with the
5880 department's projections; review facilities lists to verify that
5881 student station and auxiliary facility space allocations do not
5882 exceed the limits provided by this chapter and related rules;
5883 review and confirm the application of uniform facility
5884 utilization factors, where provided by this chapter or related
5885 rules; use ~~utilize~~ the documentation of programs offered per
5886 site, as submitted by the board, to analyze facility needs;
5887 confirm that need projections for career and adult educational

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5888 programs comply with needs documented by the Department of
5889 Education; and confirm the assignment of full-time student
5890 stations to all space except auxiliary facilities, which, for
5891 purposes of exemption from student station assignment, include
5892 the following:

- 5893 a. Cafeterias.
- 5894 b. Multipurpose dining areas.
- 5895 c. Media centers.
- 5896 d. Auditoriums.
- 5897 e. Administration.
- 5898 f. Elementary, middle, and high school resource rooms, up
5899 to the number of such rooms recommended for the applicable
5900 occupant and space design capacity of the educational plant in
5901 the State Requirements for Educational Facilities, beyond which
5902 student stations must be assigned.
- 5903 g. Elementary school skills labs, up to the number of such
5904 rooms recommended for the applicable occupant and space design
5905 capacity of the educational plant in the State Requirements for
5906 Educational Facilities, beyond which student stations must be
5907 assigned.
- 5908 h. Elementary school art and music rooms.

5909
5910 The Commissioner of Education may grant a waiver from the
5911 requirements of this subparagraph if a district school board
5912 determines that such waiver will make possible a substantial
5913 savings of funds or will be advantageous to the welfare of the
5914 educational system. The district school board shall present a
5915 full statement to the commissioner which sets forth the facts
5916 that warrant the waiver. If the commissioner denies a request

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5917 for a waiver, the district school board may appeal such decision
5918 to the State Board of Education.

5919 2. The term "validate" as applied to surveys by Florida
5920 College System institutions and universities means to review and
5921 document the approval of each new site and official designation,
5922 where applicable; review the inventory database as submitted by
5923 each board to the department, including noncareer, and total
5924 capital outlay full-time equivalent enrollment projections per
5925 site and per college; provide for the review and inspection,
5926 where required, of student stations and aggregate square feet of
5927 space changed from satisfactory to unsatisfactory; use ~~utilize~~
5928 and review the documentation of programs offered per site
5929 submitted by the boards as accurate for analysis of space
5930 requirements and needs; confirm that needs projected for career
5931 and adult educational programs comply with needs documented by
5932 the Department of Education; compare new facility inventory to
5933 allocations limits as provided in this chapter; review cost
5934 projections for conformity with state averages or limits
5935 designated by this chapter; compare student enrollment
5936 projections in the survey to the department's projections;
5937 review facilities lists to verify that area allocations and
5938 space factors for generating space needs do not exceed the
5939 limits as provided by this chapter and related rules; confirm
5940 the application of facility utilization factors as provided by
5941 this chapter and related rules; and review, as submitted,
5942 documentation of how survey recommendations will implement the
5943 detail of current campus master plans and integrate with local
5944 comprehensive plans and development regulations.

5945 (b) Recommend priority of projects to be funded.

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5946 (11) Prepare the commissioner's comprehensive fixed capital
5947 outlay legislative budget request and provide annually an
5948 estimate of the funds available for developing required 3-year
5949 priority lists. This amount shall be based upon the average
5950 percentage for the 5 prior years of funds appropriated by the
5951 Legislature for fixed capital outlay to each level of public
5952 education: public schools, Florida College System institutions,
5953 and universities.

5954 (12) Perform any other functions that may be involved in
5955 educational facilities construction and capital improvement
5956 which shall ensure that the intent of the Legislature is
5957 implemented.

5958 Section 114. Section 1013.28, Florida Statutes, is amended
5959 to read:

5960 1013.28 Disposal of property.—

5961 (1) REAL PROPERTY.—

5962 (a) Subject to rules of the State Board of Education, a
5963 district school board or the Board of Trustees for the Florida
5964 School for the Deaf and the Blind, ~~or a Florida College System~~
5965 ~~institution board of trustees~~ may dispose of any land or real
5966 property to which the board holds title which is, by resolution
5967 of the board, determined to be unnecessary for educational
5968 purposes as recommended in an educational plant survey. A
5969 district school board or the Board of Trustees for the Florida
5970 School for the Deaf and the Blind, ~~or a Florida College System~~
5971 ~~institution board of trustees~~ shall take diligent measures to
5972 dispose of educational property only in the best interests of
5973 the public. However, appraisals may be obtained by the district
5974 school board or the Board of Trustees for the Florida School

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5975 for the Deaf and the Blind before, ~~or the Florida College System~~
5976 ~~institution board of trustees prior to~~ or simultaneously with
5977 the receipt of bids.

5978 (b) Subject to regulations of the Board of Governors, a
5979 state university board of trustees may dispose of any land or
5980 real property to which it holds valid title which is, by
5981 resolution of the state university board of trustees, determined
5982 to be unnecessary for educational purposes as recommended in an
5983 educational plant survey. A state university board of trustees
5984 shall take diligent measures to dispose of educational property
5985 only in the best interests of the public. However, appraisals
5986 may be obtained by the state university board of trustees prior
5987 to or simultaneously with the receipt of bids.

5988 (c) Subject to rules of the State Board of Colleges, a
5989 Florida College System institution board of trustees may dispose
5990 of any land or real property to which it holds valid title which
5991 is, by resolution of the Florida College System institution
5992 board of trustees, determined to be unnecessary for educational
5993 purposes as recommended in an educational plant survey. A
5994 Florida College System institution board of trustees shall take
5995 diligent measures to dispose of educational property only in the
5996 best interests of the public. However, appraisals may be
5997 obtained by the Florida College System institution board of
5998 trustees prior to or simultaneously with the receipt of bids.

5999 (2) TANGIBLE PERSONAL PROPERTY.—

6000 (a) Tangible personal property that has been properly
6001 classified as surplus by a district school board ~~or Florida~~
6002 ~~College System institution board of trustees~~ shall be disposed
6003 of in accordance with the procedure established by chapter 274.

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6004 However, the provisions of chapter 274 shall not be applicable
6005 to a motor vehicle used in driver education to which title is
6006 obtained for a token amount from an automobile dealer or
6007 manufacturer. In such cases, the disposal of the vehicle shall
6008 be as prescribed in the contractual agreement between the
6009 automotive agency or manufacturer and the board.

6010 (b) Tangible personal property that has been properly
6011 classified as surplus by a state university board of trustees
6012 shall be disposed of in accordance with the procedure
6013 established by chapter 273.

6014 (c) Tangible personal property that has been properly
6015 classified as surplus by a Florida College System institution
6016 board of trustees shall be disposed of in accordance with the
6017 procedure established by chapter 274.

6018 Section 115. Subsection (1) of section 1013.31, Florida
6019 Statutes, is amended to read:

6020 1013.31 Educational plant survey; localized need
6021 assessment; PECO project funding.—

6022 (1) At least every 5 years, each board shall arrange for an
6023 educational plant survey, to aid in formulating plans for
6024 housing the educational program and student population, faculty,
6025 administrators, staff, and auxiliary and ancillary services of
6026 the district or campus, including consideration of the local
6027 comprehensive plan. The Department of Education, for school
6028 districts, and the State Board of Colleges, for the Florida
6029 College System, shall document the need for additional career
6030 and adult education programs and the continuation of existing
6031 programs before facility construction or renovation related to
6032 career or adult education may be included in the educational

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6033 plant survey of a school district or Florida College System
6034 institution that delivers career or adult education programs.
6035 Information used by the Department of Education or State Board
6036 of Colleges to establish facility needs must include, but need
6037 not be limited to, labor market data, needs analysis, and
6038 information submitted by the school district or Florida College
6039 System institution.

6040 (a) *Survey preparation and required data.*—Each survey shall
6041 be conducted by the board or an agency employed by the board.
6042 Surveys shall be reviewed and approved by the board, and a file
6043 copy shall be submitted to the Department of Education, the
6044 Chancellor of the Florida College System, or the Chancellor of
6045 the State University System, as appropriate. The survey report
6046 shall include at least an inventory of existing educational and
6047 ancillary plants, including safe access facilities;
6048 recommendations for existing educational and ancillary plants;
6049 recommendations for new educational or ancillary plants,
6050 including the general location of each in coordination with the
6051 land use plan and safe access facilities; campus master plan
6052 update and detail for Florida College System institutions; the
6053 use ~~utilization~~ of school plants based on an extended school day
6054 or year-round operation; and such other information as may be
6055 required by the Department of Education. This report may be
6056 amended, if conditions warrant, at the request of the department
6057 or commissioner.

6058 (b) *Required need assessment criteria for district, Florida*
6059 *College System institution, state university, and Florida School*
6060 *for the Deaf and the Blind plant surveys.*—Educational plant
6061 surveys must use uniform data sources and criteria specified in

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6062 this paragraph. Each revised educational plant survey and each
6063 new educational plant survey supersedes previous surveys.

6064 1. The school district's survey must be submitted as a part
6065 of the district educational facilities plan defined in s.
6066 1013.35. To ensure that the data reported to the Department of
6067 Education as required by this section is correct, the department
6068 shall annually conduct an onsite review of 5 percent of the
6069 facilities reported for each school district completing a new
6070 survey that year. If the department's review finds the data
6071 reported by a district is less than 95 percent accurate, within
6072 1 year from the time of notification by the department the
6073 district must submit revised reports correcting its data. If a
6074 district fails to correct its reports, the commissioner may
6075 direct that future fixed capital outlay funds be withheld until
6076 such time as the district has corrected its reports so that they
6077 are not less than 95 percent accurate.

6078 2. Each survey of a special facility, joint-use facility,
6079 or cooperative career education facility must be based on
6080 capital outlay full-time equivalent student enrollment data
6081 prepared by the department for school districts and Florida
6082 College System institutions and by the Chancellor of the State
6083 University System for universities. A survey of space needs of a
6084 joint-use facility shall be based upon the respective space
6085 needs of the school districts, Florida College System
6086 institutions, and universities, as appropriate. Projections of a
6087 school district's facility space needs may not exceed the norm
6088 space and occupant design criteria established by the State
6089 Requirements for Educational Facilities.

6090 3. Each Florida College System institution's survey must

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6091 reflect the capacity of existing facilities as specified in the
6092 inventory maintained and validated by the Chancellor of the
6093 Florida College System ~~by the Department of Education.~~

6094 Projections of facility space needs must comply with standards
6095 for determining space needs as specified by rule of the State
6096 Board of Colleges ~~Education~~. The 5-year projection of capital
6097 outlay student enrollment must be consistent with the annual
6098 report of capital outlay full-time student enrollment prepared
6099 by the Department of Education.

6100 4. Each state university's survey must reflect the capacity
6101 of existing facilities as specified in the inventory maintained
6102 and validated by the Chancellor of the State University System.
6103 Projections of facility space needs must be consistent with
6104 standards for determining space needs as specified by regulation
6105 of the Board of Governors. The projected capital outlay full-
6106 time equivalent student enrollment must be consistent with the
6107 5-year planned enrollment cycle for the State University System
6108 approved by the Board of Governors.

6109 5. The district educational facilities plan of a school
6110 district and the educational plant survey of a Florida College
6111 System institution, state university, or the Florida School for
6112 the Deaf and the Blind may include space needs that deviate from
6113 approved standards for determining space needs if the deviation
6114 is justified by the district or institution and approved by the
6115 department, the State Board of Colleges, or the Board of
6116 Governors, as appropriate, as necessary for the delivery of an
6117 approved educational program.

6118 (c) *Review and validation.*—The Department of Education
6119 shall review and validate the surveys of school districts, the

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6120 Chancellor of the Florida College System shall review and
6121 validate the surveys of ~~and~~ Florida College System institutions,
6122 and the Chancellor of the State University System shall review
6123 and validate the surveys of universities, and any amendments
6124 thereto for compliance with the requirements of this chapter and
6125 shall recommend those in compliance for approval by the State
6126 Board of Education, the State Board of Colleges, or the Board of
6127 Governors, as appropriate. Annually, the department shall
6128 perform an in-depth analysis of a representative sample of each
6129 survey of recommended needs for five districts selected by the
6130 commissioner from among districts with the largest need-to-
6131 revenue ratio. For the purpose of this subsection, the need-to-
6132 revenue ratio is determined by dividing the total 5-year cost of
6133 projects listed on the district survey by the total 5-year fixed
6134 capital outlay revenue projections from state and local sources
6135 as determined by the department. The commissioner may direct
6136 fixed capital outlay funds to be withheld from districts until
6137 such time as the survey accurately projects facilities needs.

6138 (d) *Periodic update of Florida Inventory of School Houses.*—
6139 School districts shall periodically update their inventory of
6140 educational facilities as new capacity becomes available and as
6141 unsatisfactory space is eliminated. The State Board of Education
6142 shall adopt rules to determine the timeframe in which districts
6143 must provide a periodic update.

6144 Section 116. Subsection (3) of section 1013.36, Florida
6145 Statutes, is amended to read:

6146 1013.36 Site planning and selection.—

6147 (3) Sites recommended for purchase or purchased must meet
6148 standards prescribed in law and such supplementary standards as

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6149 the State Board of Education or State Board of Colleges, as
6150 appropriate, prescribes to promote the educational interests of
6151 the students. Each site must be well drained and suitable for
6152 outdoor educational purposes as appropriate for the educational
6153 program or collocated with facilities to serve this purpose. As
6154 provided in s. 333.03, the site must not be located within any
6155 path of flight approach of any airport. Insofar as is
6156 practicable, the site must not adjoin a right-of-way of any
6157 railroad or through highway and must not be adjacent to any
6158 factory or other property from which noise, odors, or other
6159 disturbances, or at which conditions, would be likely to
6160 interfere with the educational program. To the extent
6161 practicable, sites must be chosen which will provide safe access
6162 from neighborhoods to schools.

6163 Section 117. Subsections (3) and (4) of section 1013.37,
6164 Florida Statutes, are amended to read:

6165 1013.37 State uniform building code for public educational
6166 facilities construction.—

6167 (3) REVIEW PROCEDURE.—The Commissioner of Education and the
6168 Chancellor of the Florida College System, as appropriate, shall
6169 cooperate with the Florida Building Commission in addressing all
6170 questions, disputes, or interpretations involving the provisions
6171 of the Florida Building Code which govern the construction of
6172 public educational and ancillary facilities, and any objections
6173 to decisions made by the inspectors or the department must be
6174 submitted in writing.

6175 (4) BIENNIAL REVIEW AND UPDATE; DISSEMINATION.—The
6176 department, for school districts, and the State Board of
6177 Colleges, for Florida College System institutions, shall

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6178 biennially review and recommend to the Florida Building
6179 Commission updates and revisions to the provisions of the
6180 Florida Building Code which govern the construction of public
6181 educational and ancillary facilities. The department, for school
6182 districts, and the State Board of Colleges, for Florida College
6183 System institutions, shall publish and make available to each
6184 board at no cost copies of the State Requirements for
6185 Educational Facilities and each amendment and revision thereto.
6186 The department and state board shall make additional copies
6187 available to all interested persons at a price sufficient to
6188 recover costs.

6189 Section 118. Subsections (1), (2), and (3) of section
6190 1013.40, Florida Statutes, are amended to read:

6191 1013.40 Planning and construction of Florida College System
6192 institution facilities; property acquisition.—

6193 (1) The need for Florida College System institution
6194 facilities shall be established by a survey conducted pursuant
6195 to this chapter. The facilities recommended by such survey must
6196 be approved by the State Board of Colleges Education, and the
6197 projects must be constructed according to the provisions of this
6198 chapter and State Board of Colleges Education rules.

6199 (2) A ~~NO~~ Florida College System institution may not expend
6200 public funds for the acquisition of additional property without
6201 the specific approval of the Legislature.

6202 (3) A ~~NO~~ facility may not be acquired or constructed by a
6203 Florida College System institution or its direct-support
6204 organization if such facility requires general revenue funds for
6205 operation or maintenance upon project completion or in
6206 subsequent years of operation, unless prior approval is received

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6207 from the Legislature.

6208 Section 119. Section 1013.47, Florida Statutes, is amended
6209 to read:

6210 1013.47 Substance of contract; contractors to give bond;
6211 penalties.—Each board shall develop contracts consistent with
6212 this chapter and statutes governing public facilities. Such a
6213 contract must contain the drawings and specifications of the
6214 work to be done and the material to be furnished, the time limit
6215 in which the construction is to be completed, the time and
6216 method by which payments are to be made upon the contract, and
6217 the penalty to be paid by the contractor for a failure to comply
6218 with the terms of the contract. The board may require the
6219 contractor to pay a penalty for any failure to comply with the
6220 terms of the contract and may provide an incentive for early
6221 completion. Upon accepting a satisfactory bid, the board shall
6222 enter into a contract with the party or parties whose bid has
6223 been accepted. The contractor shall furnish the board with a
6224 performance and payment bond as set forth in s. 255.05. A board
6225 or other public entity may not require a contractor to secure a
6226 surety bond under s. 255.05 from a specific agent or bonding
6227 company. A person, firm, or corporation that constructs any part
6228 of any educational plant, or addition thereto, on the basis of
6229 any unapproved plans or in violation of any plans approved in
6230 accordance with the provisions of this chapter and rules of the
6231 State Board of Education or State Board of Colleges or
6232 regulations of the Board of Governors relating to building
6233 standards or specifications is subject to forfeiture of the
6234 surety bond and unpaid compensation in an amount sufficient to
6235 reimburse the board for any costs that will need to be incurred

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6236 in making any changes necessary to assure that all requirements
6237 are met and is also guilty of a misdemeanor of the second
6238 degree, punishable as provided in s. 775.082 or s. 775.083, for
6239 each separate violation.

6240 Section 120. Section 1013.52, Florida Statutes, is amended
6241 to read:

6242 1013.52 Cooperative development and joint use of facilities
6243 by two or more boards.—

6244 (1) Two or more boards, including district school boards,
6245 Florida College System institution boards of trustees, the Board
6246 of Trustees for the Florida School for the Deaf and the Blind,
6247 and university boards of trustees, desiring to cooperatively
6248 establish a common educational facility to accommodate students
6249 shall:

6250 (a) Jointly request a formal assessment by the Commissioner
6251 of Education, ~~or~~ the Chancellor of the State University System,
6252 or the Chancellor of the State Board of Colleges, as
6253 appropriate, of the academic program need and the need to build
6254 new joint-use facilities to house approved programs. Completion
6255 of the assessment and approval of the project by the State Board
6256 of Education, the State Board of Colleges, the Chancellor of the
6257 Florida College System, the Board of Governors, the Chancellor
6258 of the State University System, or the Commissioner of
6259 Education, as appropriate, should be done prior to conducting an
6260 educational facilities survey.

6261 (b) Demonstrate the need for construction of new joint-use
6262 facilities involving postsecondary institutions by those
6263 institutions presenting evidence of the presence of sufficient
6264 actual full-time equivalent enrollments in the locale in leased,

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6265 rented, or borrowed spaces to justify the requested facility for
6266 the programs identified in the formal assessment rather than
6267 using projected or anticipated future full-time equivalent
6268 enrollments as justification. If the decision is made to
6269 construct new facilities to meet this demonstrated need, then
6270 building plans should consider full-time equivalent enrollment
6271 growth facilitated by this new construction and subsequent new
6272 program offerings made possible by the existence of the new
6273 facilities.

6274 (c) Adopt and submit to the Commissioner of Education, the
6275 Chancellor of the Florida College System, or ~~and~~ the Chancellor
6276 of the State University System, as appropriate, if the joint
6277 request involves a state university, a joint resolution of the
6278 participating boards indicating their commitment to the
6279 utilization of the requested facility and designating the locale
6280 of the proposed facility. The joint resolution shall contain a
6281 statement of determination by the participating boards that
6282 alternate options, including the use of leased, rented, or
6283 borrowed space, were considered and found less appropriate than
6284 construction of the proposed facility. The joint resolution
6285 shall contain assurance that the development of the proposed
6286 facility has been examined in conjunction with the programs
6287 offered by neighboring public educational facilities offering
6288 instruction at the same level. The joint resolution also shall
6289 contain assurance that each participating board shall provide
6290 for continuity of educational progression. All joint resolutions
6291 shall be submitted by August 1 for consideration of funding by
6292 the subsequent Legislature.

6293 (d) Submit requests for funding of joint-use facilities

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6294 projects involving state universities and Florida College System
6295 institutions for approval by the Chancellor of the Florida
6296 College System ~~Commissioner of Education~~ and the Chancellor of
6297 the State University System. The Chancellor of the Florida
6298 College System ~~Commissioner of Education~~ and the Chancellor of
6299 the State University System shall jointly determine the priority
6300 for funding these projects in relation to the priority of all
6301 other capital outlay projects under their consideration. To be
6302 eligible for funding from the Public Education Capital Outlay
6303 and Debt Service Trust Fund under the provisions of this
6304 section, projects involving both state universities and Florida
6305 College System institutions shall appear on the 3-year capital
6306 outlay priority lists of Florida College System institutions and
6307 of universities required by s. 1013.64. Projects involving a
6308 state university, a Florida College System institution, and a
6309 public school, and in which the larger share of the proposed
6310 facility is for the use of the state university or the Florida
6311 College System institution, shall appear on the 3-year capital
6312 outlay priority lists of the Florida College System institutions
6313 or of the universities, as applicable.

6314 (e) Include in their joint resolution for the joint-use
6315 facilities, comprehensive plans for the operation and management
6316 of the facility upon completion. Institutional responsibilities
6317 for specific functions shall be identified, including
6318 designation of one participating board as sole owner of the
6319 facility. Operational funding arrangements shall be clearly
6320 defined.

6321 (2) An educational plant survey must be conducted within 90
6322 days after submission of the joint resolution and substantiating

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6323 data describing the benefits to be obtained, the programs to be
6324 offered, and the estimated cost of the proposed project. Upon
6325 completion of the educational plant survey, the participating
6326 boards may include the recommended projects in their plan as
6327 provided in s. 1013.31. Upon approval of the project by the
6328 commissioner, the Chancellor of the Florida College System, or
6329 the Chancellor of the State University System, as appropriate,
6330 25 percent of the total cost of the project, or the pro rata
6331 share based on space utilization of 25 percent of the cost, must
6332 be included in the department's legislative capital outlay
6333 budget request as provided in s. 1013.60 for educational plants.
6334 The participating boards must include in their joint resolution
6335 a commitment to finance the remaining funds necessary to
6336 complete the planning, construction, and equipping of the
6337 facility. Funds from the Public Education Capital Outlay and
6338 Debt Service Trust Fund may not be expended on any project
6339 unless specifically authorized by the Legislature.

6340 (3) Included in all proposals for joint-use facilities must
6341 be documentation that the proposed new campus or new joint-use
6342 facility has been reviewed by the State Board of Education, the
6343 State Board of Colleges, or the Board of Governors, as
6344 appropriate, and has been formally requested for authorization
6345 by the Legislature.

6346 (4) A ~~No~~ district school board, Florida College System
6347 institution, or state university may not ~~shall~~ receive funding
6348 for more than one approved joint-use facility per campus in any
6349 3-year period.

6350 Section 121. Subsection (1) of section 1013.65, Florida
6351 Statutes, is amended to read:

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6352 1013.65 Educational and ancillary plant construction funds;
6353 Public Education Capital Outlay and Debt Service Trust Fund;
6354 allocation of funds.—

6355 (1) The commissioner, through the department, shall
6356 administer the Public Education Capital Outlay and Debt Service
6357 Trust Fund. The commissioner shall allocate or reallocate funds
6358 as authorized by the Legislature. Copies of each allocation or
6359 reallocation shall be provided to members of the State Board of
6360 Education, the State Board of Colleges, and the Board of
6361 Governors and to the chairs of the House of Representatives and
6362 Senate appropriations committees. The commissioner shall provide
6363 for timely encumbrances of funds for duly authorized projects.
6364 Encumbrances may include proceeds to be received under a
6365 resolution approved by the State Board of Education authorizing
6366 the issuance of public education capital outlay bonds pursuant
6367 to s. 9(a)(2), Art. XII of the State Constitution, s. 215.61,
6368 and other applicable law. The commissioner shall provide for the
6369 timely disbursement of moneys necessary to meet the encumbrance
6370 authorizations of the boards. Records shall be maintained by the
6371 department to identify legislative appropriations, allocations,
6372 encumbrance authorizations, disbursements, transfers,
6373 investments, sinking funds, and revenue receipts by source. The
6374 Department of Education shall pay the administrative costs of
6375 the Public Education Capital Outlay and Debt Service Trust Fund
6376 from the funds which comprise the trust fund.

6377 Section 122. (1) Effective October 1, 2018, the sums of
6378 \$2,565,530 in recurring funds from the General Revenue Fund,
6379 \$200,159 from the Facility Construction Administrative Trust
6380 Fund, and \$56,144 from the Federal Grants Trust Fund, from the

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6381 amounts appropriated to the State Board of Education in the
6382 General Appropriations Act for the 2018-2019 fiscal year, are
6383 transferred between the appropriation categories identified in
6384 paragraphs (b)-(i) from the State Board of Education to the
6385 State Board of Colleges, along with the positions identified in
6386 paragraph (a), as follows:

6387 (a) Thirty-four full-time equivalent positions with an
6388 associated salary rate of 2,173,369.

6389 (b) The sums of \$2,017,597 in recurring funds from the
6390 General Revenue Fund, \$168,045 in recurring funds from the
6391 Facility Construction Administrative Trust Fund, and \$46,886 in
6392 recurring funds from the Federal Grants Trust Fund in the
6393 Salaries and Benefits appropriation category.

6394 (c) The sum of \$21,179 in recurring funds from the General
6395 Revenue Fund in the Other Personal Services appropriation
6396 category.

6397 (d) The sums of \$205,109 in recurring funds from the
6398 General Revenue Fund, \$16,689 in recurring funds from the
6399 Facility Construction Administrative Trust Fund, and \$4,390 in
6400 recurring funds from the Federal Grants Trust Fund in the
6401 Expenses appropriation category.

6402 (e) The sums of \$11,414 in recurring funds from the General
6403 Revenue Fund, \$2,843 in recurring funds from the Facility
6404 Construction Administrative Trust Fund, and \$214 in recurring
6405 funds from the Federal Grants Trust Fund in the Special
6406 Categories - Contracted Services appropriation category.

6407 (f) The sums of \$8,256 in recurring funds from the General
6408 Revenue Fund, \$515 in recurring funds from the Facility
6409 Construction Administrative Trust Fund, and \$191 in recurring

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6410 funds from the Federal Grants Trust Fund in the Special
6411 Categories - Risk Management Insurance appropriation category.

6412 (g) The sums of \$8,055 in recurring funds from the General
6413 Revenue Fund, \$515 in recurring funds from the Facility
6414 Construction Administrative Trust Fund, and \$191 in recurring
6415 funds from the Federal Grants Trust Fund for Special Categories
6416 - Transfer to the Department of Management Services - Human
6417 Resources Services Purchased per Statewide Contract
6418 appropriation category.

6419 (h) The sums of \$182,286 in recurring funds from the
6420 General Revenue Fund, \$11,550 in recurring funds from the
6421 Facility Construction Administrative Trust Fund, and \$4,274 in
6422 recurring funds from the Federal Grants Trust Fund in the
6423 Special Categories - Data Processing Services, Education
6424 Technology and Information Services appropriation category.

6425 (i) The sum of \$111,635 in recurring funds from the General
6426 Revenue Fund for Data Processing Services - Northwest Regional
6427 Data Center appropriation category.

6428
6429 The amounts transferred pursuant to this subsection represent
6430 the funding for only the final three quarters of the fiscal
6431 year.

6432 (2) Effective October 1, 2018, \$1,379,227 in recurring
6433 funds from the General Revenue Fund and \$91,153 in recurring
6434 funds from the Federal Grants Trust Fund are appropriated to the
6435 State Board of Colleges as follows:

6436 (a) An additional 17 full-time equivalent positions and an
6437 additional associated salary rate of 1,068,460 are authorized
6438 for the State Board of Colleges.

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6439 (b) The sums of \$1,014,534 in recurring funds from the
6440 General Revenue Fund and \$75,857 in recurring funds from the
6441 Federal Grants Trust Fund in the Salaries and Benefits
6442 appropriation category.

6443 (c) The sums of \$229,758 in recurring funds from the
6444 General Revenue Fund and \$8,688 in recurring funds from the
6445 Federal Grants Trust Fund in the Expenses appropriation
6446 category.

6447 (d) The sums of \$29,396 in recurring funds from the General
6448 Revenue Fund and \$317 in recurring funds from the Federal Grants
6449 Trust Fund in the Special Categories - Contracted Services
6450 appropriation category.

6451 (e) The sums of \$4,131 in recurring funds from the General
6452 Revenue Fund and \$258 in recurring funds from the Federal Grants
6453 Trust Fund in the Special Categories - Risk Management Insurance
6454 appropriation category.

6455 (f) The sums of \$4,123 in recurring funds from the General
6456 Revenue Fund and \$258 in recurring funds from the Federal Grants
6457 Trust Fund for the Special Categories - Transfer to the
6458 Department of Management Services - Human Resources Services
6459 Purchased per Statewide Contract appropriation category.

6460 (g) The sums of \$92,402 in recurring funds from the General
6461 Revenue Fund and \$5,775 in recurring funds from the Federal
6462 Grants Trust Fund in the Special Categories - Data Processing
6463 Services, Education Technology and Information Services
6464 appropriation category.

6465 (h) The sum of \$4,883 in recurring funds from the General
6466 Revenue Fund in the Data Processing Services - Northwest
6467 Regional Data Center appropriation category.

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The amounts appropriated under this subsection represent funding for only the final three quarters of the fiscal year.

(3) Effective October 1, 2018, the sum of \$10 million in recurring funds from the General Revenue Fund is appropriated to the State Board of Colleges for distribution to colleges for students who earn industry certifications during the 2018-2019 academic year. Funding for each college must be calculated based on the percentage of students who earn industry certifications in the following occupations or occupational areas: public safety; health sciences; automotive service technology; auto collision repair and refinishing; cyber security; cloud virtualization; network support services; computer programming; advanced manufacturing; electrician; welding; Federal Aviation Administration airframe mechanics; powerplant mechanics; pharmacy technician; and heating, ventilation, and air conditioning technician. By June 1, 2019, the State Board of Colleges shall distribute the funds and establish procedures and timelines for colleges to report the percentage of students who earned certifications for funding. The State Board of Colleges may allocate any funds not obligated by June 1, 2019, to schools that have earned awards based on the percentage of earned certifications. By October 31, 2018, the Chancellor of the Florida College System shall identify the associated industry certifications and shall prepare a report for each certification, including costs for the certification, the percentage of students who earned such certifications and who are employed, and the average salary of students who earned such certifications. Performance funds may not be awarded for

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6497 certifications earned through continuing workforce education
6498 programs. Industry certifications that are earned by students
6499 who were enrolled in the 2017-2018 academic year which were
6500 eligible to be included in the funding allocation for the 2017-
6501 2018 fiscal year but who were not included in the final
6502 disbursement due to the early data reporting deadline may be
6503 reported by colleges and included in the allocation of funds for
6504 the 2018-2019 fiscal year. Colleges shall maintain documentation
6505 for student attainment of industry certifications that are
6506 eligible for performance funding. The Auditor General shall
6507 verify compliance with this requirement during scheduled
6508 operational audits of the colleges. If a college does not
6509 comply, it must refund the performance funding to the state.

6510 (4) Effective July 1, 2018, and notwithstanding s.
6511 1001.66(2), Florida Statutes, which requires funding for the
6512 Florida College Performance-Based Incentive to be determined in
6513 the General Appropriations Act, \$60 million in recurring funds
6514 from the General Revenue Fund is appropriated to the State Board
6515 of Education for the Florida College Performance-Based Incentive
6516 awarded pursuant to s. 1001.66, Florida Statutes, for the 2018-
6517 2019 fiscal year. From these funds, \$30 million is included as
6518 the state investment in performance funding, and \$30 million is
6519 redistributed from the base budget of Florida College System
6520 institutions as the institutional investment in performance
6521 funding.

6522 (5) Effective July 1, 2018, and notwithstanding the
6523 provisions of s. 1008.30(7)(b), Florida Statutes, which limit
6524 funding for the Supporting Students for Academic Success Program
6525 to amounts provided in the General Appropriations Act, \$30

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6526 million in recurring funds from the General Revenue Fund is
6527 appropriated to the State Board of Education for the Supporting
6528 Students for Academic Success Program established in that
6529 section for the 2018-2019 fiscal year. The State Board of
6530 Education shall allocate the funds to each Florida College
6531 System institution through the Florida College System Program
6532 Fund funding model developed pursuant to s. 1011.84, Florida
6533 Statutes.

6534 (6) Effective October 1, 2018, all rules, records,
6535 property, and unexpended balances of appropriations,
6536 allocations, or other funds relating to the Florida College
6537 System which are currently assigned to and administered by the
6538 State Board of Education are transferred by a type two transfer,
6539 as defined in s. 20.06(2), Florida Statutes, to the State Board
6540 of Colleges. Such rules shall remain effective until modified by
6541 the State Board of Colleges.

6542 (7) This section shall take effect July 1, 2018.

6543 Section 123. Except as otherwise expressly provided in this
6544 act and except for this section, which shall take effect upon
6545 becoming a law, this act shall take effect October 1, 2018.