

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

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BILL: SB 1436

INTRODUCER: Senator Gruters

SUBJECT: Florida Postsecondary Academic Library Network

DATE: March 9, 2021

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Westmark</u>	<u>Bouck</u>	<u>ED</u>	<b>Favorable</b>
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	<b>Pre-meeting</b>
3.	_____	_____	<u>AP</u>	_____

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**I. Summary:**

SB 1436 establishes the Florida Postsecondary Academic Library Network (Network) under the joint oversight of the Office of the Board of Governors (BOG) and the Department of Education, and repeals the Complete Florida Plus Program (Complete Florida Plus). The bill retains certain functions from Complete Florida Plus Program, with modifications, and adds new functions. The bill:

- Maintains Complete Florida Plus purposes related to distance learning courses and degree programs, and online academic support services, but specifies that the Network purposes must include providing recommendations on the use and distribution of open-access textbooks and education resources to reduce costs.
- Specifies that the Network single library automation system and associated resources and services must include a shared Internet-based catalog and discovery tool, an Internet-based searchable collection of electronic resources, an integrated library management system, and a statewide searchable database that includes an inventory of digital archives and collections that public postsecondary education institutions hold.
- Increases reporting requirements on host entity performance in delivering specified services.
- Maintains an online admissions and computer-assisted student advising system, but removes the Complete Florida Plus requirement that the advising system support K-12 education.
- Requires, by June 1, 2022, the Commissioner of Education and the Chancellor of the BOG to provide a joint recommendation for a process by which school district career centers and charter technical career centers would access appropriate Network services.

The bill will require a state recurring appropriation. See Section V for fiscal comments.

The bill takes effect July 1, 2021.

## II. Present Situation:

### Complete Florida Plus Program Funding for Fiscal Year 2020-2021

In June 2020, the Governor vetoed the \$29.4 million appropriation in the 2020-2021 budget for the Complete Florida Plus Program.<sup>1</sup> The program provided support services for distance learning, libraries, and student services. These services were provided to all 40 Florida College System (FCS) and State University System (SUS) institutions. Beginning July 2020, the Florida Department of Education and Board of Governors used limited carryforward funds and nonrecurring contributions from the 40 institutions' funds to ensure that the distance learning and library services components of the program were not disrupted for the 2020-2021 fiscal year.<sup>2</sup>

### Complete Florida Plus Program

In 2014, the Legislature amended the Florida Virtual Campus (FLVC) to be the Complete Florida Plus Program (Complete Florida Plus) and in 2015 moved management of the FLVC to the University of West Florida's (UWF's) Division of Research and Strategic Innovation, where its mission and purpose remained the same. The units under FLVC included the Florida Academic Library Services Cooperative and the Distance Learning and Student Services.<sup>3</sup>

Complete Florida Plus was created at the UWF to:

- Facilitate degree completion for Florida's adult learners through the Complete Florida Degree Initiative;<sup>4</sup>
- Maintain and manage Florida's online catalog of distance learning courses, degree programs, and resources;
- Provide statewide online student advising services and support;
- Provide information regarding and access to distance learning courses and degree programs offered by public postsecondary education institutions within the state;
- Coordinate with the Florida College System (FCS) and the State University System (SUS) to identify and provide online academic support services and resources when the multi-institutional provision of such services and resources is more cost effective or operationally effective; and
- Administer the Florida Academic Library Services Cooperative and consult with the chancellors of the FCS and the SUS regarding the implementation and operations of the cooperative.<sup>5</sup>

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<sup>1</sup> Governor Ron DeSantis, *2020 Veto List* (2020), available at <https://www.flgov.com/wp-content/uploads/2020/06/2020-Veto-List.pdf>, at 5.

<sup>2</sup> Board of Governors, *Agency Legislative Budget Request for Fiscal Year 2021-2022*, available at <http://floridafiscalportal.state.fl.us/Document.aspx?ID=21014&DocType=PDF>, at 180-183.

<sup>3</sup> Florida Virtual Campus, *Organization Profile*, <https://www.flvc.org/organization-profile> (last visited Feb. 26, 2021). The Florida Virtual Campus (FLVC) was created in 2012 by the Florida Legislature through the consolidation of four statewide organizations: the College Center for Library Automation, the Florida Center for Library Automation, the Florida Center for Advising and Academic Support, and the Florida Distance Learning Consortium.

<sup>4</sup> See s. 1006.735(2), F.S.

<sup>5</sup> Distance Learning and Student Services, *Complete Florida Plus Program*, <https://dlss.flvc.org/about/legislation-regulation/complete-florida-plus-program> (last visited Feb. 25, 2021). See also s. 1006.735(1), F.S.

Complete Florida Plus was required to make available online student advising services and support, including all of the following:

- A streamlined online admissions application process, to be used by all postsecondary institutions, for undergraduate transient students currently enrolled and pursuing a degree at a public postsecondary education institution who enroll in a course offered by a public postsecondary education institution that is not the student's degree-granting institution. UWF is required to work with FCS institutions and state universities as specified in law.
- A K-20 statewide computer-assisted student advising system to support career and education planning for the K-12 system and the process of advising, registering, and certifying postsecondary students for graduation and to include a degree audit and an articulation component. FCS institutions and state universities are to interface institutional advising systems with the statewide computer-assisted student advising system that meets minimum specified requirements.
- A method for identifying and evaluating new technologies and instructional methods for improving distance learning instruction and development for faculty, student learning outcomes, student access, the efficient delivery of student support services, the alignment of degrees to career needs, and the overall quality of postsecondary distance learning courses and degree programs.
- Help desk support and training and consultation services to institutions and students using Complete Florida Plus services and resources.
- Negotiation of statewide licensing resources and preferred pricing agreements, issuing purchase orders, and entering into contracts for the acquisition of distance learning resources, student and support services, electronic resources, and other goods and services necessary.
- Development and implementation of a plan, in consultation with public postsecondary education institutions, which describes the services and resources available through Complete Florida Plus to encourage current and prospective students' use.<sup>6</sup>

Complete Florida Plus developed and managed a statewide Internet-based catalog of distance learning courses, degree programs, and resources offered by public postsecondary education institutions which is intended to assist in the coordination and collaboration of articulation and access. Operational procedures for the catalog must:

- Require participating institutions to provide specified information concerning the distance learning course or degree program.
- Require that distance learning courses and degree programs meet applicable accreditation standards and criteria.
- Require that the catalog is reviewed and updated frequently to ensure compliance with operational procedures.
- Define and describe the catalog's search and retrieval options that will allow users to search by specified criteria, at a minimum.
- Use an Internet-based analytic tool that allows the collection and analysis of specified data.<sup>7</sup>

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<sup>6</sup> Section 1006.735(4), F.S.

<sup>7</sup> Section 1006.735(3), F.S.

The UWF is required to submit a report on an annual basis to the President of the Senate and the Speaker of the House of Representatives regarding the implementation and operation of all components of Complete Florida Plus, including information and associated costs relating to the services and functions of the program.<sup>8</sup>

The Northwest Regional Data Center<sup>9</sup> is required by law to provide all data center services necessary to support the statewide Internet-based catalog established and the statewide online student advising services and support.<sup>10</sup>

### ***Florida Academic Library Services Cooperative***

The Florida Academic Library Services Cooperative (FALSC) provides a single library automation system and associated resources and services for all public postsecondary institutions to use to support learning, teaching, and research needs.<sup>11</sup> The FALSC develops and manages a library information portal and automated library management tools for use by FCS institutions and state universities.<sup>12</sup>

The FALSC is a unit of the FLVC which operates the integrated library system used by public colleges and university libraries statewide. The FALSC also provides more than 150,000 unique, digital archive and collection items and a statewide collection of over 400,000 online journals, e-books, and e-resources, available to assist nearly 1.3 million students, faculty, and staff throughout Florida.<sup>13</sup>

Products and services offered by the FALSC include:

- Management and maintenance of the statewide collection of e-resources available to students at all 40 public colleges and universities.<sup>14</sup>
- A shared catalog of library holdings for students to search for materials owned by any college or university in Florida.
- An integrated library system used by libraries to manage their local collections.
- Collaboration with public post-secondary education institutions to create and support Florida libraries' digital archives and collections.
- Negotiation and procurement of e-resources for individual institutions through a group licensing process.
- In-person training and consultation on the FALSC products and services, in addition to online webinars, instruction, and self-paced training for all college and university libraries.

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<sup>8</sup> Section 1006.735(5), F.S. See Florida Virtual Campus, *Complete Florida Plus Program 2019 Annual Report* (2019), available at <https://www.flvc.org/documents/96858/1300774/CFPP+2019+Annual+Report.pdf/fcdee5fd-f6e4-014d-89c1-0efbc42f9b58>.

<sup>9</sup> See s. 1004.649, F.S.

<sup>10</sup> Section 1006.735(6), F.S.

<sup>11</sup> Section 1006.73(1), F.S.

<sup>12</sup> Section 1006.73(2), F.S.

<sup>13</sup> Florida Academic Library Services Cooperative, *About FALSC*, <https://libraries.flvc.org/about-falsc> (last visited Feb. 25, 2021).

<sup>14</sup> Students enrolled in Florida public secondary schools are required to have access to state funded electronic library resources licensed by the Florida Academic Library Services Cooperative. Fla. Admin. Code R. 6A-7.077. Public secondary school students enrolled in the articulated acceleration programs are also eligible to use electronic library resources funded by the Florida Center for Library Automation. Board of Governors Regulation 6.012.

- A centralized Help Desk providing user and technical support for the FALSC library services.
- A statewide open education community to promote and support textbook affordability and Open Educational Resources.<sup>15</sup>

### **Distance Learning and Student Services**

Distance Learning and Student Services (DLSS) provides an array of innovative educational services for students, educators, and administrators in Florida. The DLSS operates several statewide services that impact the success of the state's students, of which is FloridaShines.<sup>16</sup>

#### ***FloridaShines***

FloridaShines works with the state's public colleges and universities and other partners as a website where students can check their transcripts, register for online courses, search academic libraries across the state, and compare colleges and universities, among other activities, at no cost to the student.<sup>17</sup>

#### ***MyCareerShines***

MyCareerShines provides career education and associated academic advising as a portal for Complete Florida Plus.<sup>18</sup> The FLVC's MyCareerShines career exploration system allows individuals to take skill and interest assessments and match their results to profiles of potential careers, while emphasizing those with high-growth potential in Florida. Cost-free resources available assist in creating an education plan, searching for scholarships, writing a resume, interviewing, and locating available jobs in Florida. MyCareerShines offers specialized modules for PreK-5 students, middle and high school students, college and university students, and adults.<sup>19</sup>

MyCareerShines has registered more than 859,000 users, with more than 1.2 million career assessments completed by middle school, high school, college, and adult users of the system. MyCareerShines is being used in approximately 3,400 middle school, high school and postsecondary institutions throughout Florida.<sup>20</sup>

### **III. Effect of Proposed Changes:**

SB 1436 establishes the Florida Postsecondary Academic Library Network (Network) under the joint oversight of the Office of the Board of Governors (BOG) and the Department of Education

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<sup>15</sup> *Id.*

<sup>16</sup> Florida Virtual Campus, *Organization Profile*, <https://www.flvc.org/organization-profile> (last visited Feb. 26, 2021).

<sup>17</sup> *Id.*

<sup>18</sup> Florida Virtual Campus, *Complete Florida Plus Program 2019 Annual Report* (2019), available at <https://www.flvc.org/documents/96858/1300774/CFPP+2019+Annual+Report.pdf/fcdee5fd-f6e4-014d-89c1-0efbc42f9b58>, at 1.

<sup>19</sup> *Id.*, at 3.

<sup>20</sup> Florida Virtual Campus, *Complete Florida Plus Program 2019 Annual Report* (2019), available at <https://www.flvc.org/documents/96858/1300774/CFPP+2019+Annual+Report.pdf/fcdee5fd-f6e4-014d-89c1-0efbc42f9b58>, at 13.

(DOE) in place of the Florida Academic Library Services Cooperative, and repeals the Complete Florida Plus Program (Complete Florida Plus).

The bill declares that the purpose of the Network is to deliver specified services to public postsecondary education institutions in Florida, namely all Florida College System (FCS) and State University System (SUS) institutions. The bill retains the general purpose of Complete Florida Plus, which includes the following services:

- Provision of information regarding and access to distance learning courses and degree programs offered by public postsecondary education institutions within the state.
- Coordination with the FCS and SUS to identify and provide online academic support services and resources when the multi-institutional provision of such services and resources is more cost effective or operationally effective.
- Administration of a single library automation system and associated resources and services that all public postsecondary institutions use to support learning, teaching, and research needs, and development of automated library management tools.

The bill also adds to the Network the following services and functions:

- To the single library automation system:
  - A shared Internet-based catalog and discovery tool that allows a user to search and, if authorized, access the aggregate library holdings of the state's public postsecondary education institutions. The catalog and discovery tool must allow a user to search the library holdings of one institution, selected institutions, or all institutions and, to the extent feasible, must include an interlibrary loan function that ensures an authorized user can access the required library holding.
  - An Internet-based searchable collection of electronic resources which must include, but not be limited to, full-text journals, articles, databases, and electronic books licensed as specified.
  - An integrated library management system and its associated services that all public postsecondary education institution academic libraries must use for purposes of acquiring, cataloging, circulating, and tracking library material.
  - A statewide searchable database that includes an inventory of digital archives and collections held by public postsecondary education institutions.
- Coordination, with FCS institutions' and state universities' library staff, of the negotiation of statewide licensing of electronic library resources and preferred pricing agreements, issue purchase orders, and entering into contracts for the acquisition of library support services, electronic resources, and other goods and services necessary to carry out its authorized duties.
- Promotion and provision of recommendations concerning the use and distribution of open-access textbooks and education resources as a method for reducing costs.
- Provision of appropriate help desk support and training and consultation services to institutions and students.

The bill maintains from Complete Florida Plus a statewide Internet-based catalog of distance learning courses, degree programs, and resources offered by public postsecondary education

institutions, intended to assist in the coordination and collaboration of articulation and access specified in law.<sup>21</sup>

In addition, the bill expands on functions in the Complete Florida Plus catalog of distance learning courses, to specify that the host entity is responsible for developing and disseminating operational procedures and technical guidelines for the catalog, to be followed by all participating institutions, which guidelines must address all of the following:

- Specific information concerning the distance learning course or degree program, including but not limited to course number, classification of instructional programs number, and information on the availability of the course or degree program; any prerequisite course or technology competency or skill; the availability of academic support services and financial aid resources; and course costs, fees, and payment policies.
- Definitions and descriptions of the catalog's search and retrieval options that will at a minimum allow users to search by academic term or course start date; institution, multiple institutions, or all institutions; and course or program delivery methods, course type, course availability, subject or discipline, and course number or classification of instructional programs number.
- An Internet-based analytic tool that allows for the collection and analysis of data as to usage of resources accessed or interaction with constituent institutions whose courses and programs are listed in the catalog.
- Frequent review and updates to institution catalogs to ensure that distance learning courses and degree programs comply with operational procedures.

The bill retains Complete Florida Plus student advising and support, with some modifications. Specifically, the bill requires the student advising services to provide all of the following:

- A streamlined online admissions application process, to be used by all public postsecondary institutions, for undergraduate transient students currently enrolled and pursuing a degree at a public postsecondary education institution who enroll in a course offered by a public postsecondary education institution that is not the student's degree-granting institution, which must:
  - Use the transient student admissions application available through the statewide computer-assisted student advising system as specified. This admissions application is the only application required for enrollment of a transient student as described;
  - Implement the financial aid procedures required by the transient student admissions application process;
  - Transfer credit awarded by the institution offering the course to the transient student's degree-granting institution; and
  - Provide an interface between the institutional advising system and the statewide computer-assisted student advising system established, in order to electronically send, receive, and process the transient student admissions application.
- A statewide computer-assisted student advising system to support the process of advising, registering, and capturing student progression toward a degree and career and which must include a degree audit and an articulation component.
- A method for identifying and evaluating new technologies and instructional methods for improving distance learning instruction and development for faculty, student learning

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<sup>21</sup> Sections 1007.01 - 1007.273, F.S.

outcomes, student access, the efficient delivery of student support services, and the overall quality of postsecondary distance learning courses and degree programs.

- Negotiation of statewide licensing resources and preferred pricing agreements, issuing purchase orders, and entering into contracts for the acquisition of distance learning resources, student and support services, electronic resources, and other goods and services necessary.

The bill removes from the Complete Florida Plus student advising system a requirement for K-12 support. FCS institutions and state universities are required to interface institutional advising systems with the statewide computer-assisted student advising system, which must, at a minimum:

- Allow a student to access the system at any time;
- Allow a student to search public postsecondary education institutions and identify course options that will meet the requirements of a selected path toward a degree;
- Audit transcripts of students enrolled in a public postsecondary education institution to assess current academic standing, the requirements for a student to transfer to another institution, and all requirements necessary for graduation;
- Serve as the official statewide repository for the common prerequisite manual, admissions information for transferring programs, foreign language requirements, residency requirements, and statewide articulation agreements;
- Provide information relating to career descriptions and corresponding educational requirements, admissions requirements, and available student financial assistance sources; and
- Provide the admissions application for transient students as specified, which must include the electronic transfer and receipt of information and records for admissions and readmissions, financial aid, and transfer of credit awarded by the institution offering the course to the transient student's degree-granting institution using the Florida Automated System for Transferring Educational Records (the "FASTER System").

The bill changes the host from the UWF, but retains a reporting requirement similar to Complete Florida Plus. The bill requires the host entity, beginning December 31, 2021, and each year thereafter, to submit a report to the Chancellors of the SUS and FCS regarding the implementation and operation of all components described, including, but not limited to, usage information collected, information and associated costs relating to the services and functions of the program, and the implementation and operation of the automated library services. The chancellors are required to provide an annual report on the performance of the host entity in delivering the services and any recommendations for changes needed to the Governor, the President of the Senate, the Speaker of the House of Representatives, the BOG, and the State Board of Education.

The bill assigns the Office of the BOG and the DOE joint responsibility for determining the host entity for the services described and sharing in the receipt and administration of an associated appropriation as described in the General Appropriations Act. The Chancellors of the FCS and BOG are required to provide oversight for successful delivery by the host entity of the services described. The bill also removes the requirement under Complete Florida Plus that the Northwest Regional Data Center support the Network.



The bill adds a new requirement that the Commissioner of Education and the Chancellor of the SUS must, by June 1, 2022, provide a joint recommendation for a process by which school district career centers operated pursuant to state law and charter technical career centers operated pursuant to state law would access appropriate postsecondary distance learning, student support services, and library assets described. The recommendation must include an analysis of the resources necessary to expand access and assets to centers and their students.

Where applicable, the bill updates statutory references to specified services provided by the Network to read Florida Postsecondary Academic Library Network.

In accordance with the repeal of Complete Florida Plus, the bill removes statutory references to Complete Florida Plus and to the Complete Florida Degree Initiative, removes statutory requirements to use a graphic and description provided by Complete Florida Plus to inform students of the catalog, and removes a directive in law that encouraged veterans, if appropriate, to participate in the Complete Florida Degree Program.

The bill takes effect July 1, 2021.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

**C. Government Sector Impact:**

The Governor has recommended funding to cover costs associated with the Florida Postsecondary Academic Library Network in the amount of \$9,076,322 for Florida College System institutions and \$11,836,500 for state universities.<sup>22</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 257.02, 295.22, 1004.013, 1006.73, 1007.01, 1007.27, 1009.23, and 1009.24.

This bill repeals section 1006.735 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>22</sup> Governor Ron DeSantis, *Fiscal Year 2021-2022 Governor's Recommended General Appropriations Act (2021)*, available at <http://www.bolderbrighterbetterfuture.com/content/Current/reports/Governors-Bill.pdf>, Section 1, at 4 and 5.