

By Senator Grall

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1 A bill to be entitled
2 An act relating to online program management services;
3 creating s. 1001.94, F.S.; providing legislative
4 findings; defining the term "online program management
5 services"; providing requirements for such services;
6 prohibiting online program management services
7 providers from engaging in specified activities;
8 requiring the Board of Governors to adopt and
9 implement regulations in collaboration with state
10 universities; providing penalties for violations by
11 online program management services providers;
12 requiring a state university, upon termination of a
13 contract, to notify its board of trustees to terminate
14 any further payment to the online program management
15 services provider and to reallocate such funds for a
16 specified purpose; providing an effective date.

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

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20 Section 1. Section 1001.94, Florida Statutes, is created to
21 read:

22 1001.94 Online program management services.—

23 (1) The Legislature finds that the protection of student
24 information is vital and that the use of online program
25 management services by state universities must be regulated to
26 ensure the protection of student interests, maintain the quality
27 of education, and ensure that such services align with the
28 performance-based funding metrics of the State University
29 System. Online program management services options are available

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30 to state-funded and state-supported institutions, but such
31 services must align with the universities' commitment to
32 delivering high-quality education. The Legislature further finds
33 that online program management services providers, while
34 providing opportunities for online education to nontraditional
35 students, may engage in practices that are not in the best
36 interest of students and that compromise privacy and deviate
37 from the goals of state-funded and state-supported institutions.

38 (2) For purposes of this section, the term "online program
39 management services" means services, including assisting a
40 university in expanding its online program offerings to increase
41 the number of students it serves, which are performed by a
42 provider that manages online degree and certificate programs for
43 universities.

44 (3) Recruitment policies employed by online program
45 management services providers must comply with this section.
46 Such providers may not do any of the following:

47 (a) Collect tuition outside of a university's internal
48 processes. All revenues from tuition must be directed to the
49 university through established fiscal processes.

50 (b) Prioritize revenue generation over the best interests
51 of students.

52 (c) Request personal student information and data that may
53 compromise student privacy.

54 (d) Use third-party billing or take control of students'
55 federal financial aid or information related to such aid.

56 (e) Charge tuition rates higher than the in-state tuition
57 rate for programs offered in collaboration with public
58 universities in this state.

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59 (f) Impose an unreasonable cap on total tuition costs. This
60 paragraph is intended to prevent an excessive financial burden
61 on students.

62 (g) Target students who were unable to gain admission to a
63 state university.

64 (h) Deviate from the performance-based funding metrics of
65 the State University System. In addition to the penalties
66 imposed under subsection (4), a provider that violates this
67 paragraph shall forfeit payments received for falsified,
68 invasive, or inappropriate services.

69 (4) The Board of Governors, in collaboration with state
70 universities, shall develop and implement regulations to enforce
71 this section.

72 (5) (a) An online program management services provider that
73 violates this section or any other state law or agency rule or
74 regulation is subject to financial penalties, suspension of
75 collaboration agreements, and termination of its partnerships or
76 contracts with state universities.

77 (b) Termination of a contract with an online program
78 management services provider, due to a violation of this
79 section, results in automatic termination of any payments from
80 the university to that provider.

81 (c) Upon termination of a contract with an online program
82 management services provider, the state university shall notify
83 its board of trustees to terminate any further payment to the
84 online program management services provider and to reallocate
85 such funds to aid in restoring the student information that was
86 compromised by the provider.

87 Section 2. This act shall take effect upon becoming a law.