

1 A bill to be entitled
 2 An act relating to postsecondary distance learning;
 3 creating s. 1004.091, F.S.; establishing the Florida
 4 Distance Learning Consortium; providing duties of the
 5 consortium; amending s. 1009.23, F.S.; defining a distance
 6 learning course for purposes of assessing a distance
 7 learning course community college user fee; amending
 8 1009.24, F.S.; defining a distance learning course for
 9 purposes of assessing a distance learning course state
 10 university user fee; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Section 1004.091, Florida Statutes, is
 15 created to read:

16 1004.091 Florida Distance Learning Consortium.--

17 (1) (a) The Florida Distance Learning Consortium is
 18 established to facilitate collaboration among public
 19 postsecondary education institutions in their use of distance
 20 learning to increase student access to associate and
 21 baccalaureate courses and degree programs, to support
 22 institutions in their use of technology, and to help build
 23 partnerships among institutions, businesses, and communities.

24 (b) The Board of Governors and the State Board of Education
 25 shall exercise joint oversight of the consortium and shall
 26 establish, in consultation with the consortium, the
 27 administrative and operational guidelines and processes of the
 28 consortium.

29 (c) The consortium may contract for administrative services
 30 with a public postsecondary education institution. The fee
 31 charged by the institution for administrative services may not
 32 exceed the actual cost for providing the services.

33 (2) The Florida Distance Learning Consortium shall:

34 (a) Manage and promote the Florida Higher Education
 35 Distance Learning Catalog established pursuant to s. 1004.09, to
 36 help increase student access to undergraduate distance learning
 37 courses and degree programs and to assist students seeking
 38 accelerated access in order to complete their degrees.

39 (b) Develop, in consultation with the Florida College
 40 System and the State University System, a plan to be submitted
 41 to the Board of Governors, the State Board of Education, the
 42 Governor, the President of the Senate, and the Speaker of the
 43 House no later than March 1, 2010. The plan must address the
 44 implementation of a streamlined, automated, on-line registration
 45 process for undergraduate students who have been admitted to a
 46 public postsecondary education institution and who wish to
 47 enroll in a course listed in the Florida Higher Education
 48 Distance Learning Catalog, including courses offered by an
 49 institution that is not the student's degree-granting or home
 50 institution. The plan must describe how such a registration
 51 process can be implemented as an alternative to the standard
 52 registration process of each institution. The plan must also
 53 address:

54 1. Fiscal and substantive policy changes needed to address
 55 administrative, academic, and programmatic policies and
 56 procedures.

57 2. A method for the expedited transfer of the distance
 58 learning course credit awarded by the institution offering the
 59 distance learning course to the student's degree-granting or
 60 home institution upon the student's successful completion of the
 61 distance learning course.

62 3. Compliance with applicable technology security standards
 63 and guidelines to ensure the secure transmission of student
 64 information.

65 (c) Coordinate on behalf of participating public
 66 postsecondary education institutions the negotiation of
 67 statewide licensing and preferred pricing agreements for
 68 distance learning resources and enter into agreements with
 69 distance learning resource providers when such negotiations and
 70 agreements result in cost savings for the institutions.

71 (d)1. Develop and operate a central instructional content
 72 repository that allows faculty to search, locate, and use
 73 instructional resources, including open access textbooks. In
 74 the development of a repository, the consortium shall identify
 75 and seek partnerships with similar national, state, and regional
 76 repositories for the purpose of sharing instructional content.
 77 The consortium shall collaborate with the public postsecondary
 78 education institutions to ensure that the repository:

79 a. Integrates with multiple learning management systems
 80 used by the institutions.

81 b. Allows institutions to set appropriate copyright and
 82 access restrictions and track content usage.

83 c. Allows for appropriate customization.

84 2. Develop, in consultation with the Florida College System

85 and the State University System, a plan for promoting and
 86 increasing the use of open access textbooks as a method for
 87 reducing textbook costs. The plan shall be submitted to the
 88 Board of Governors, the State Board of Education, the Governor's
 89 Office of Policy and Budget, the chair of the Senate Policy and
 90 Steering Committee on Ways and Means, and the chair of the House
 91 Full Appropriations Council on Education & Economic Development
 92 no later than March 1, 2010, and shall include:

- 93 a. An inventory of existing open access textbooks.
- 94 b. A listing of undergraduate courses, in particular the
 95 general education courses, that would be recommended for the use
 96 of open access textbooks.
- 97 c. A standardized process for the review and approval of
 98 open access textbooks.
- 99 d. Recommendations for encouraging and promoting faculty
 100 development and use of open access textbooks.
- 101 e. Identification of barriers to the implementation of open
 102 access textbooks.
- 103 f. Strategies for the production and distribution of open
 104 access textbooks to ensure such textbooks may be easily
 105 accessed, downloaded, printed, or obtained as a bound version by
 106 students at either reduced or no cost.
- 107 g. Identification of the necessary technology security
 108 standards and guidelines to safeguard the use of open access
 109 textbooks.
- 110 (e) Identify and evaluate new technologies and
 111 instructional methods that can be used for improving distance
 112 learning instruction, student learning, and the overall quality

113 of undergraduate distance learning courses and degree programs.

114 (f) Identify methods that will improve student access to
 115 and completion of undergraduate distance learning courses and
 116 degree programs.

117 Section 2. Subsection (16) of section 1009.23, Florida
 118 Statutes, is amended to read:

119 1009.23 Community college student fees.--

120 (16) (a) Each community college may assess a student
 121 who enrolls in a course listed in the Florida Higher Education
 122 Distance Learning Catalog established pursuant to s. 1004.09 a
 123 per-credit-hour distance learning course user fee. For purposes
 124 of assessing this fee, a distance learning course is defined to
 125 mean a course where a least eighty percent of the direct
 126 instruction of the course is delivered using some form of
 127 technology when the student and instructor are separated by
 128 time, space, or both.

129 (b) The amount of the distance learning course user fee
 130 may not exceed the additional costs of the services provided
 131 which are attributable to the development and delivery of the
 132 distance learning course. If a community college assesses the
 133 distance learning course user fee, the institution may not
 134 assess any other fees to cover the additional costs. By
 135 September 1 of each year, each board of trustees shall report to
 136 the Division of Community Colleges the total amount of revenue
 137 generated by the distance learning course user fee for the prior
 138 academic year and how the revenue was expended.

139 (c) The link for the catalog must be prominently displayed
 140 within the advising and distance learning sections of ~~en~~ the

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141 institution's website using a graphic and description provided
142 by the Florida Distance Learning Consortium to inform students
143 of the catalog.

144 Section 3. Subsection (17) of section 1009.24, Florida
145 Statutes, is amended to read:

146 1009.24 State university student fees.--

147 (17) (a) A state university may assess a student who
148 enrolls in a course listed in the Florida Higher Education
149 Distance Learning Catalog established pursuant to s. 1004.09 a
150 per-credit-hour distance learning course fee. For purposes of
151 assessing this fee, a distance learning course is defined to
152 mean a course where a least eighty percent of the direct
153 instruction of the course is delivered using some form of
154 technology when the student and instructor are separated by
155 time, space, or both.

156 (b) The amount of the distance learning course fee may not
157 exceed the additional costs of the services provided which are
158 attributable to the development and delivery of the distance
159 learning course. If the distance learning course fee is assessed
160 by a state university, the institution may not assess
161 duplicative fees to cover the additional costs.

162 (c) The link for the catalog must be prominently displayed
163 within the advising and distance learning sections of ~~en~~ the
164 institution's website using a graphic and description provided
165 by the Florida Distance Learning Consortium informing students
166 of the catalog.

167 Section 4. This act shall take effect upon becoming a law.