

1                                   A bill to be entitled  
 2           An act relating to postsecondary education; amending s.  
 3           1004.015, F.S.; requiring the Higher Education  
 4           Coordinating Council to recommend plans to the State Board  
 5           of Education and the Board of Governors relating to  
 6           postsecondary education access demands and economic  
 7           development goals, performance outputs and outcomes,  
 8           articulation policies, workforce education development,  
 9           and baccalaureate degree authorization; requiring the  
 10          council to submit a report; amending s. 1007.27, F.S.;  
 11          requiring the Department of Education to use student  
 12          performance data to determine appropriate credit-by-  
 13          examination scores and courses; deleting an exemption from  
 14          summer-term enrollment in a public postsecondary  
 15          institution for students with accelerated credit; amending  
 16          s. 1007.33, F.S.; deleting an exemption from provisions  
 17          governing the approval process for baccalaureate degrees;  
 18          creating s. 1011.905, F.S.; requiring a uniform per FTE  
 19          base amount to be determined annually for 4-year doctor of  
 20          medicine degree programs offered by a state university;  
 21          requiring certain reporting; providing an effective date.

22  
 23   Be It Enacted by the Legislature of the State of Florida:

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 25           Section 1. Subsection (4) of section 1004.015, Florida  
 26           Statutes, is renumbered as subsection (6) and amended, and new  
 27           subsections (4) and (5) are added to that section, to read:  
 28           1004.015 Higher Education Coordinating Council.—

29        (4) The council shall, with input of the State Board of  
 30 Education and the Board of Governors, recommend improvement  
 31 options and implementation plans to:

32        (a) Define the primary core mission of public and  
 33 nonpublic postsecondary education institutions in the context of  
 34 state access demands and economic development goals.

35        (b) Establish performance outputs and outcomes designed to  
 36 meet annual and long-term state goals, including, but not  
 37 limited to, increased student access, preparedness, retention,  
 38 transfer, and completion. Performance measures must be  
 39 consistent across sectors and allow for a comparison of the  
 40 state's performance to that of other states.

41        (c) Evaluate the state's articulation policies and  
 42 practices to ensure that cost benefits to the state are  
 43 maximized without jeopardizing quality. The evaluation shall  
 44 consider return on investment for both the state and students.

45        (d) Establish a plan for the implementation of workforce  
 46 education development changes that:

47        1. Align school district and Florida College System  
 48 workforce development programs to ensure cost efficiency and  
 49 mission delineation, including an examination of the need for  
 50 both college credit and noncollege credit certificate programs,  
 51 an evaluation of the merit of retaining the associate in applied  
 52 science degree, and the consolidation of adult general education  
 53 programs within school districts.

54        2. Improve the consistency of workforce education data  
 55 collected and reported by Florida College System institutions  
 56 and school districts, including the establishment of common

57 elements and definitions for any data that is used for state and  
 58 federal funding and program accountability.

59 (e) Address baccalaureate degree authorization and  
 60 production, which shall include the following:

61 1. An assessment of the potential need to establish  
 62 comprehensive undergraduate institutions that would primarily  
 63 focus on the delivery of undergraduate instruction, including  
 64 offering baccalaureate degrees. Such institutions may include  
 65 Florida College System institutions, state universities, and  
 66 university branch campuses. The assessment must recommend  
 67 accountability options and address local and regional workforce  
 68 needs and gaps that might result from an institution's shift in  
 69 primary mission.

70 2. Recommendations related to appropriate student  
 71 enrollment and institutional expenditure thresholds for upper-  
 72 division programs that justify legislative consideration to  
 73 establish or reestablish an institution under the governance and  
 74 oversight of the State Board of Education, the Board of  
 75 Governors, or another statutorily established or created  
 76 governing or advisory organization.

77 3. Recommendations related to funding options and  
 78 strategies, student tuition and fees, student financial aid  
 79 funding, and other strategies to encourage performance-based  
 80 funding.

81 (5) The council shall submit a report to the Governor, the  
 82 President of the Senate, and the Speaker of the House of  
 83 Representatives by December 31, 2011, that specifically includes  
 84 recommendations for consideration by the Legislature for

85 implementation in the 2012-2013 fiscal year.

86 ~~(6)(4)~~ The Board of Governors and the Department of  
 87 Education shall provide administrative support for the council.

88 Section 2. Subsections (2) and (10) of section 1007.27,  
 89 Florida Statutes, are amended to read:

90 1007.27 Articulated acceleration mechanisms.—

91 (2) The Department of Education shall annually identify  
 92 and publish the minimum scores, maximum credit, and course or  
 93 courses for which credit is to be awarded for each College Level  
 94 Examination Program (CLEP) ~~general examination, CLEP subject~~  
 95 ~~examination, College Board Advanced Placement Program~~  
 96 ~~examination,~~ Advanced International Certificate of Education  
 97 examination, and International Baccalaureate examination. The  
 98 department shall use student performance data in additional  
 99 postsecondary courses to determine the appropriate examination  
 100 scores and courses for which credit is to be granted. In  
 101 addition, the department shall identify such courses in the  
 102 general education core curriculum of each state university and  
 103 community college.

104 ~~(10) Any student who earns 9 or more credits from one or~~  
 105 ~~more of the acceleration mechanisms provided for in this section~~  
 106 ~~is exempt from any requirement of a public postsecondary~~  
 107 ~~educational institution mandating enrollment during a summer~~  
 108 ~~term.~~

109 Section 3. Subsections (6) and (7) of section 1007.33,  
 110 Florida Statutes, are amended to read:

111 1007.33 Site-determined baccalaureate degree access.—

112 ~~(6)(a) Beginning July 1, 2010, and each subsequent July 1,~~

113 ~~the Division of Florida Colleges may accept and review~~  
 114 ~~applications from a Florida college to obtain an exemption from~~  
 115 ~~the State Board of Education's approval for subsequent degrees~~  
 116 ~~as required in subsection (5), if the Florida college is~~  
 117 ~~accredited by the Commission on Colleges of the Southern~~  
 118 ~~Association of Colleges and Schools as a baccalaureate degree-~~  
 119 ~~granting institution and has been offering baccalaureate degree~~  
 120 ~~programs for 3 or more years. The division shall develop~~  
 121 ~~criteria for determining eligibility for an exemption based upon~~  
 122 ~~demonstrated compliance with the requirements for baccalaureate~~  
 123 ~~degrees, primary mission, and fiscal, including, but not limited~~  
 124 ~~to:~~

- 125 ~~1. Obtaining and maintaining appropriate SACS~~  
 126 ~~accreditation;~~
- 127 ~~2. The maintenance of qualified faculty and institutional~~  
 128 ~~resources;~~
- 129 ~~3. The maintenance of enrollment projections in previously~~  
 130 ~~approved programs;~~
- 131 ~~4. The appropriate management of fiscal resources;~~
- 132 ~~5. Compliance with the primary mission and responsibility~~  
 133 ~~requirements in subsections (2) and (3);~~
- 134 ~~6. The timely submission of the institution's annual~~  
 135 ~~performance accountability report; and~~
- 136 ~~7. Other indicators of success such as program completers,~~  
 137 ~~placements, and surveys of students and employers.~~

138 ~~(b) If the Florida college has demonstrated satisfactory~~  
 139 ~~progress in fulfilling the eligibility criteria in this~~  
 140 ~~subsection, the Division of Florida Colleges may recommend to~~

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141 ~~the State Board of Education that the institution be exempt from~~  
142 ~~the requirement in subsection (5) for approval of future~~  
143 ~~baccalaureate degree programs. The State Board of Education~~  
144 ~~shall review the division's recommendation and determine if an~~  
145 ~~exemption is warranted. If the State Board of Education approves~~  
146 ~~the application, the Florida college is exempt from subsequent~~  
147 ~~program approval under subsection (5) and such authority is~~  
148 ~~delegated to the Florida college board of trustees. If the State~~  
149 ~~Board of Education disapproves of the Florida college's request~~  
150 ~~for an exemption, the college shall continue to be subject to~~  
151 ~~the State Board of Education's approval of subsequent~~  
152 ~~baccalaureate degree programs.~~

153 ~~(c) Prior to developing or proposing a new baccalaureate~~  
154 ~~degree program, all Florida colleges, regardless of an exemption~~  
155 ~~from subsection (5), shall:~~

156 ~~1. Engage in need, demand, and impact discussions with the~~  
157 ~~state university in their service district and other local and~~  
158 ~~regional, accredited postsecondary providers in their region.~~

159 ~~2. Send documentation, data, and other information from~~  
160 ~~the inter-institutional discussions regarding program need,~~  
161 ~~demand, and impact required in subparagraph 1. to the college's~~  
162 ~~board of trustees, the Division of Florida Colleges, and the~~  
163 ~~Chancellor of the State University System.~~

164 ~~3. Base board of trustees approval of the new program upon~~  
165 ~~the documentation, data, and other information required in this~~  
166 ~~paragraph and the factors in subsection (5)(d).~~

167  
168 ~~The Division of Florida Colleges shall use the documentation,~~

169 ~~data, and other information required in this subsection,~~  
 170 ~~including information from the Chancellor of the State~~  
 171 ~~University System, in its compliance review.~~

172 ~~(d) The board of trustees of a Florida college that is~~  
 173 ~~exempt from subsection (5) must submit newly approved programs~~  
 174 ~~to the Division of Florida Colleges and SACS within 30 days~~  
 175 ~~after approval.~~

176 ~~(e) Within 30 days after receiving the approved~~  
 177 ~~baccalaureate degree program, the Division of Florida Colleges~~  
 178 ~~shall conduct a compliance review and notify the college if the~~  
 179 ~~proposal meets the criteria for implementation based upon the~~  
 180 ~~criteria in paragraphs (5) (d) and (6) (c). If the program fails~~  
 181 ~~to meet the criteria for implementation as determined by the~~  
 182 ~~Division of Florida Colleges, the college may not proceed with~~  
 183 ~~implementation of the program until the State Board of Education~~  
 184 ~~reviews the proposal and the compliance materials and gives its~~  
 185 ~~final approval of the program.~~

186 ~~(6)(7)~~ The State Board of Education shall adopt rules to  
 187 prescribe format and content requirements and submission  
 188 procedures for notices of intent, proposals, and alternative  
 189 proposals under subsection (5).

190 Section 4. Section 1011.905, Florida Statutes, is created  
 191 to read:

192 1011.905 State university medical school funding.—  
 193 Beginning with fiscal year 2012-2013, a uniform per FTE base  
 194 amount shall be determined annually in the General  
 195 Appropriations Act for each 4-year doctor of medicine degree  
 196 program offered by a state university. Each college of medicine

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197 | shall uniformly report annual expenditures and outcome data for  
198 | 4-year doctor of medicine degree programs to the Board of  
199 | Governors.

200 |       Section 5. This act shall take effect July 1, 2011.