

1 A bill to be entitled
 2 An act relating to the Florida College System;
 3 amending s. 1004.65, F.S.; revising the primary
 4 mission of Florida College System institutions;
 5 amending s. 1007.23, F.S.; providing for an associate
 6 degree to be awarded to certain students by Florida
 7 College System institutions; requiring each Florida
 8 College System institution to execute at least one
 9 "2+2" targeted pathway articulation agreement by a
 10 specified time; providing requirements and student
 11 eligibility for the agreements; requiring the State
 12 Board of Education and the Board of Governors to
 13 collaborate to eliminate barriers for the agreements;
 14 amending s. 1007.33, F.S.; revising duties of Florida
 15 College System institutions offering specified degree
 16 programs; revising requirements for baccalaureate
 17 degree programs offered by specified institutions;
 18 prohibiting Florida College System institutions from
 19 offering bachelor of arts degree programs; deleting
 20 provisions relating to an authorization for the Board
 21 of Trustees of St. Petersburg College to establish
 22 certain baccalaureate degree programs; revising the
 23 approval process for baccalaureate degree programs
 24 proposed by Florida College System institutions;
 25 requiring a Florida College System institution to

26 annually report certain information to the Chancellor
 27 of the Florida College System; requiring the
 28 Chancellor of the Florida College System to annually
 29 report certain information to the State Board of
 30 Education, the Chancellor of the State University
 31 System, and the Legislature; revising the
 32 circumstances under which a baccalaureate degree
 33 program may be required to be modified or terminated;
 34 restricting total upper-level, undergraduate full-time
 35 equivalent enrollment in the Florida College System
 36 institutions; requiring the Board of Governors and the
 37 State Board of Education to submit a report to the
 38 Governor and the Legislature by a specified date;
 39 creating the Governance Study Committee; providing for
 40 the membership of the committee; providing duties of
 41 the committee; providing administrative support for
 42 the committee; requiring the committee to submit a
 43 report to the State Board of Education and
 44 Legislature; providing an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. Paragraph (f) of subsection (5) of section
 49 1004.65, Florida Statutes, is amended to read:

50 1004.65 Florida College System institutions; governance,

51 mission, and responsibilities.—

52 (5) The primary mission and responsibility of Florida
 53 College System institutions is responding to community needs for
 54 postsecondary academic education and career degree education.
 55 This mission and responsibility includes being responsible for:

56 (f) Providing, in accordance with s. 1007.33, upper level
 57 instruction and awarding baccalaureate degrees designed to meet
 58 the workforce needs of the institution's service area and the
 59 educational needs of place-bound, non-traditional students as
 60 specifically authorized by law.

61 Section 2. Paragraph (c) is added to subsection (2) of
 62 section 1007.23, Florida Statutes, and subsection (7) is added
 63 to that section, to read:

64 1007.23 Statewide articulation agreement.—

65 (2)

66 (c) The articulation agreement must specifically provide
 67 for a reverse transfer agreement for Florida College System
 68 associate in arts degree-seeking students who transfer to a
 69 state university prior to earning an associate in arts degree.
 70 Students must be awarded an associate in arts degree by the
 71 Florida College System institution upon completion of degree
 72 requirements at the state university if the student earned a
 73 majority of the credit hours from the Florida College System
 74 institution. State universities must identify students who have
 75 completed requirements for the associate in arts degree and

76 transfer credits earned at the state university back to the
 77 Florida College System institution so that the associate in arts
 78 degree may be awarded by the Florida College System institution.

79 (7) To strengthen Florida's "2+2" system of articulation
 80 and improve student retention and on-time graduation, by the
 81 2018-2019 academic year, each Florida College System institution
 82 shall execute at least one "2+2" targeted pathway articulation
 83 agreement with one or more state universities to establish "2+2"
 84 targeted pathway programs. The agreement must provide students
 85 who graduate with an associate in arts degree and who meet
 86 specified requirements guaranteed access to the state university
 87 and a degree program at that university, in accordance with the
 88 terms of the "2+2" targeted pathway articulation agreement.

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

91 1. Enroll in the program before completing 30 credit
 92 hours, including, but not limited to, college credits earned
 93 through articulated acceleration mechanisms pursuant to s.
 94 1007.27;

95 2. Complete an associate in arts degree; and

96 3. Meet the university's transfer requirements.

97 (b) A state university that executes a "2+2" targeted
 98 pathway articulation agreement must meet the following
 99 requirements in order to implement a "2+2" targeted pathway
 100 program in collaboration with its partner Florida College System

101 institution:

102 1. Establish a 4-year on-time graduation plan for a
 103 baccalaureate degree program, including, but not limited to, a
 104 plan for students to complete an associate in arts degree
 105 program, general education courses, common prerequisite courses,
 106 and elective courses;

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

109 3. Provide students who meet the requirements under this
 110 paragraph with access to academic advisors and campus events and
 111 with guaranteed admittance to the state university and a degree
 112 program of the state university, in accordance with the terms of
 113 the agreement.

114 (c) To assist the state universities and Florida College
 115 System institutions with implementing the "2+2" targeted pathway
 116 programs effectively, the State Board of Education and the Board
 117 of Governors shall collaborate to eliminate barriers in
 118 executing "2+2" targeted pathway articulation agreements.

119 Section 3. Section 1007.33, Florida Statutes, is amended
 120 to read:

121 1007.33 Site-determined baccalaureate degree access.—

122 (1) (a) The Legislature recognizes that public and private
 123 postsecondary educational institutions play an essential role in
 124 improving the quality of life and economic well-being of the
 125 state and its residents. The Legislature also recognizes that

126 economic development needs and the educational needs of place-
 127 bound, nontraditional students have increased the demand for
 128 local access to baccalaureate degree programs. It is therefore
 129 the intent of the Legislature to further expand access to
 130 baccalaureate degree programs through the use of Florida College
 131 System institutions.

132 (b) For purposes of this section, the term "district"
 133 refers to the county or counties served by a Florida College
 134 System institution pursuant to s. 1000.21(3).

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

137 (a) Maintain as its primary mission:

138 1. Responsibility for responding to community needs for
 139 postsecondary academic education and career degree education as
 140 prescribed in s. 1004.65(5).

141 2. The provision of associate degrees that provide access
 142 to a university.

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

145 (c) Continue to provide outreach to underserved
 146 populations.

147 (d) Continue to provide developmental ~~remedial~~ education
 148 pursuant to s. 1008.30.

149 (e) Comply with all provisions of the statewide
 150 articulation agreement which relate to 2-year and 4-year public

151 degree-granting institutions as adopted by the State Board of
 152 Education pursuant to s. 1007.23.

153 (f) Not award graduate credit.

154 (g) Not participate in intercollegiate athletics beyond
 155 the 2-year level.

156 (3) A Florida College System institution may not terminate
 157 its associate in arts or associate in science degree programs as
 158 a result of being authorized to offer one or more baccalaureate
 159 degree programs. The Legislature intends that the primary
 160 responsibility of a Florida College System institution,
 161 including a Florida College System institution that offers
 162 baccalaureate degree programs, continues to be the provision of
 163 associate degrees that provide access to a university.

164 (4) A Florida College System institution may:

165 (a) Offer specified baccalaureate degree programs through
 166 formal agreements between the Florida College System institution
 167 and other regionally accredited postsecondary educational
 168 institutions pursuant to s. 1007.22.

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

171 ~~(c) Beginning July 1, 2009, establish a first or~~
 172 ~~subsequent baccalaureate degree program~~ for purposes of meeting
 173 district, regional, or statewide workforce needs if approved by
 174 the State Board of Education under this section. However, a
 175 Florida College System institution may not offer a bachelor of

176 arts degree program.

177

178 ~~Beginning July 1, 2009, the Board of Trustees of St. Petersburg~~
179 ~~College is authorized to establish one or more bachelor of~~
180 ~~applied science degree programs based on an analysis of~~
181 ~~workforce needs in Pinellas, Pasco, and Hernando Counties and~~
182 ~~other counties approved by the Department of Education. For each~~
183 ~~program selected, St. Petersburg College must offer a related~~
184 ~~associate in science or associate in applied science degree~~
185 ~~program, and the baccalaureate degree level program must be~~
186 ~~designed to articulate fully with at least one associate in~~
187 ~~science degree program. The college is encouraged to develop~~
188 ~~articulation agreements for enrollment of graduates of related~~
189 ~~associate in applied science degree programs. The Board of~~
190 ~~Trustees of St. Petersburg College is authorized to establish~~
191 ~~additional baccalaureate degree programs if it determines a~~
192 ~~program is warranted and feasible based on each of the factors~~
193 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
194 ~~Petersburg College may not establish any new baccalaureate~~
195 ~~degree programs from March 31, 2014, through May 31, 2015. Prior~~
196 ~~to developing or proposing a new baccalaureate degree program,~~
197 ~~St. Petersburg College shall engage in need, demand, and impact~~
198 ~~discussions with the state university in its service district~~
199 ~~and other local and regional, accredited postsecondary providers~~
200 ~~in its region. Documentation, data, and other information from~~

201 ~~inter-institutional discussions regarding program need, demand,~~
 202 ~~and impact shall be provided to the college's board of trustees~~
 203 ~~to inform the program approval process. Employment at St.~~
 204 ~~Petersburg College is governed by the same laws that govern~~
 205 ~~Florida College System institutions, except that upper division~~
 206 ~~faculty are eligible for continuing contracts upon the~~
 207 ~~completion of the fifth year of teaching. Employee records for~~
 208 ~~all personnel shall be maintained as required by s. 1012.81.~~

209 (5) The approval process for baccalaureate degree programs
 210 must ~~shall~~ require:

211 (a) Each Florida College System institution to submit a
 212 notice of interest at least 180 days before submitting a notice
 213 of its ~~its~~ intent to propose a baccalaureate degree program ~~to the~~
 214 ~~Division of Florida Colleges at least 100 days before the~~
 215 ~~submission of its proposal under paragraph (d).~~ The notice of
 216 interest must be submitted into a shared postsecondary database
 217 that allows other postsecondary institutions to preview and
 218 provide feedback on the notice of interest. A written notice of
 219 intent must be submitted to the Chancellor of the Florida
 220 College System at least 100 days before the submission of a
 221 baccalaureate degree program proposal under paragraph (d). The
 222 notice of intent must include a brief description of the
 223 program, the workforce demand and unmet need for graduates of
 224 the program to include evidence from entities independent of the
 225 institution, the geographic region to be served, and an

226 | estimated timeframe for implementation. Notices of interest and
 227 | intent may be submitted by a Florida College System institution
 228 | at any time throughout the year. The notice of intent must also
 229 | include evidence that the Florida College System institution
 230 | engaged in need, demand, and impact discussions with the state
 231 | university and other regionally accredited postsecondary
 232 | education providers in its service district.

233 | (b) The Chancellor of the Florida College System ~~Division~~
 234 | ~~of Florida Colleges~~ to forward the notice of intent submitted
 235 | pursuant to paragraph (a) and the justification for the proposed
 236 | baccalaureate degree program required under paragraph (d) within
 237 | 10 business days after receiving such notice and justification
 238 | to the Chancellor of the State University System, the president
 239 | of the Independent Colleges and Universities of Florida, and the
 240 | Executive Director of the Commission for Independent Education.
 241 | State universities ~~shall~~ have 60 days following receipt of the
 242 | notice of intent and justification by the Chancellor of the
 243 | State University System to submit an objection and a reason for
 244 | the objection to the proposed baccalaureate degree program
 245 | ~~objections to the proposed new program~~ or to submit an
 246 | alternative proposal to offer the baccalaureate degree program.
 247 | ~~If a proposal from a state university is not received within the~~
 248 | ~~60-day period,~~ The Chancellor of the Florida College System
 249 | ~~State Board of Education~~ shall also provide regionally
 250 | accredited private colleges and universities 60 ~~30~~ days to

251 | submit an objection and a reason for the objection to the
 252 | proposed baccalaureate degree program ~~objections to the proposed~~
 253 | ~~new program~~ or to submit an alternative proposal. A regionally
 254 | accredited private college or university's objections or
 255 | alternative proposals shall be submitted to the Chancellor of
 256 | the Florida College System ~~Division of Florida Colleges~~ and must
 257 | be considered by the State Board of Education in making its
 258 | decision to approve or deny a Florida College System
 259 | institution's proposal submitted pursuant to paragraph (d).

260 | (c) An alternative proposal submitted by a state
 261 | university or private college or university to adequately
 262 | address:

263 | 1. The extent to which the workforce demand and unmet need
 264 | described in the notice of intent will be met.

265 | 2. The extent to which students will be able to complete
 266 | the degree in the geographic region proposed to be served by the
 267 | Florida College System institution.

268 | 3. The level of financial commitment of the college or
 269 | university to the development, implementation, and maintenance
 270 | of the specified degree program, including timelines.

271 | 4. The extent to which faculty at both the Florida College
 272 | System institution and the college or university will
 273 | collaborate in the development and offering of the curriculum.

274 | 5. The ability of the Florida College System institution
 275 | and the college or university to develop and approve the

276 curriculum for the specified degree program within 6 months
 277 after an agreement between the Florida College System
 278 institution and the college or university is signed.

279 6. The extent to which the student may incur additional
 280 costs above what the student would expect to incur if the
 281 program were offered by the Florida College System institution.

282 (d) Each Florida College System institution to submit a
 283 baccalaureate degree program proposal at least 100 days after
 284 submitting the notice of intent. Each proposal must ~~submitted by~~
 285 ~~a Florida College System institution to~~, at a minimum, include:

286 1. A description of the planning process and timeline for
 287 implementation.

288 2. A justification for the proposed baccalaureate degree
 289 program, including, at a minimum, a data-driven ~~An~~ analysis of
 290 workforce demand and unmet need for graduates of the program on
 291 a district, regional, or statewide basis, as appropriate, and
 292 the extent to which the proposed program will meet the workforce
 293 demand and unmet need. The analysis must include workforce and
 294 employment data for the most recent years and projections by the
 295 Department of Economic Opportunity for future years. The
 296 analysis must also include a summary of degree programs similar
 297 to the proposed degree program which are currently offered by
 298 state universities or by independent nonprofit colleges or
 299 universities that are eligible to participate in the William L.
 300 Boyd, IV, Florida Resident Access Grant Program pursuant to s.

301 1009.89 and which are located in the Florida College System
 302 institution's regional service area. The analysis and evidence
 303 must be verified by the Chancellor of the Florida College System
 304 ~~including evidence from entities independent of the institution.~~

305 3. Identification of the facilities, equipment, and
 306 library and academic resources that will be used to deliver the
 307 program.

308 4. The program cost analysis of creating a new
 309 baccalaureate degree when compared to ~~alternative proposals and~~
 310 other program delivery options.

311 5. The program's admission requirements, academic content,
 312 curriculum, faculty credentials, student-to-teacher ratios, and
 313 accreditation plan.

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

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

319 b. The Florida College System institution's efforts to
 320 sustain the program at the cost of tuition and fees for students
 321 who are classified as residents for tuition purposes under s.
 322 1009.21, not to exceed \$10,000 for the entire degree program,
 323 including flexible tuition and fee rates and the use of waivers
 324 pursuant to s. 1009.26(11).

325 7. A plan of action if the program is terminated.

326 (e) The Division of Florida Colleges to review the
327 proposal, notify the Florida College System institution of any
328 deficiencies in writing within 30 days following receipt of the
329 proposal, and provide the Florida College System institution
330 with an opportunity to correct the deficiencies. Within 45 days
331 following receipt of a completed proposal by the Division of
332 Florida Colleges, the Chancellor of the Florida College System
333 ~~Commissioner of Education~~ shall recommend approval or
334 disapproval of the proposal to the State Board of Education. The
335 State Board of Education shall consider such recommendation, the
336 proposal, input from the Chancellor of the State University
337 System and the president of the Independent Colleges and
338 Universities of Florida, and any objections or alternative
339 proposals at its next meeting. If the State Board of Education
340 disapproves the Florida College System institution's proposal,
341 it shall provide the Florida College System institution with
342 written reasons for that determination.

343 (f) The Florida College System institution to obtain from
344 the Commission on Colleges of the Southern Association of
345 Colleges and Schools accreditation as a baccalaureate-degree-
346 granting institution if approved by the State Board of Education
347 to offer its first baccalaureate degree program.

348 (g) The Florida College System institution to notify the
349 Commission on Colleges of the Southern Association of Colleges
350 and Schools of subsequent degree programs that are approved by

351 the State Board of Education and to comply with the
 352 association's required substantive change protocols for
 353 accreditation purposes.

354 ~~(h) The Florida College System institution to annually,~~
 355 ~~and upon request of the State Board of Education, the~~
 356 ~~Commissioner of Education, the Chancellor of the Florida College~~
 357 ~~System, or the Legislature, report its status using the~~
 358 ~~following performance and compliance indicators:~~

- 359 ~~—— 1. Obtaining and maintaining appropriate Southern~~
- 360 ~~Association of Colleges and Schools accreditation;~~
- 361 ~~—— 2. Maintaining qualified faculty and institutional~~
- 362 ~~resources;~~
- 363 ~~3. Maintaining enrollment in previously approved programs;~~
- 364 ~~—— 4. Managing fiscal resources appropriately;~~
- 365 ~~—— 5. Complying with the primary mission and responsibility~~
- 366 ~~requirements in subsections (2) and (3); and~~
- 367 ~~6. Other indicators of success, including program~~
- 368 ~~completions, placements, and surveys of graduates and employers.~~

370 ~~The State Board of Education, upon review of the performance and~~
 371 ~~compliance indicators, may require a Florida College System~~
 372 ~~institution's board of trustees to modify or terminate a~~
 373 ~~baccalaureate degree program authorized under this section.~~

374 (6) (a) Total upper-level, undergraduate full-time
 375 equivalent enrollment in the Florida College System institution

376 may not exceed 20 percent of the combined total lower-level and
 377 upper-level full-time equivalent enrollment.

378 (b) For any planned and purposeful expansion of existing
 379 baccalaureate degree programs or creation of a new baccalaureate
 380 degree program, a college must demonstrate satisfactory
 381 performance in fulfilling its primary mission pursuant to s.
 382 1004.65 and execute at least one "2+2" targeted pathway
 383 articulation agreement pursuant to s. 1007.23.

384 (c) Each Florida College System institution that offers a
 385 baccalaureate degree must annually review each baccalaureate
 386 degree program and annually report to the Chancellor of the
 387 Florida College System, in a format prescribed by the State
 388 Board of Education, its status using the following performance
 389 and compliance indicators:

- 390 1. Obtaining and maintaining appropriate Southern
 391 Association of Colleges and Schools accreditation;
- 392 2. Maintaining qualified faculty and institutional
 393 resources;
- 394 3. Maintaining student enrollment in previously approved
 395 programs;
- 396 4. Managing fiscal resources appropriately;
- 397 5. Complying with the primary mission and responsibility
 398 requirements in subsections (2) and (3);
- 399 6. Other indicators of success, including program
 400 completions, employment and earnings outcomes, student

401 acceptance into and performance in graduate programs and surveys
 402 of graduates and employers; and

403 7. Continuing to meet workforce demand, as provided in
 404 subparagraph (5)(d)2., as demonstrated through a data-driven
 405 needs assessment by the Florida College System institution which
 406 must be verified by the Chancellor of the Florida College
 407 System.

408 (d) By October 15 of each year, the Chancellor of the
 409 Florida College System shall compile institutional reports
 410 submitted pursuant to paragraph (c) and provide a summary of the
 411 information to the State Board of Education, the Chancellor of
 412 the State University System, and the Legislature. The summary
 413 report must also include the status of system-level compliance
 414 with the upper-level enrollment provisions under paragraph (a).

415 (e) If upon annual review of the baccalaureate degree
 416 program performance and compliance indicators outlined in
 417 paragraph (c), the State Board finds that a baccalaureate
 418 program exhibits negative program performance, the State Board
 419 of Education must require a Florida College System institution's
 420 board of trustees to modify or terminate the baccalaureate
 421 degree program authorized under subsection (5).

422 (7)~~(6)~~ The State Board of Education shall adopt rules to
 423 prescribe format and content requirements and submission
 424 procedures for notices of interest and intent, baccalaureate
 425 degree program proposals, objections, ~~proposals~~, ~~alternative~~

426 ~~proposals,~~ and compliance reviews under subsection (5).

427 Section 4. The State Board of Education, in collaboration
 428 with the Board of Governors, shall evaluate and report on the
 429 status of Florida's "2+2" system of articulation using the
 430 accountability measures required under to s. 1008.38, Florida
 431 Statutes, and any other applicable state law. By December 31,
 432 2017, the State Board of Education and the Board of Governors
 433 shall submit their report to the Governor, the President of the
 434 Senate, and the Speaker of the House of Representatives. The
 435 report must include findings regarding the effectiveness of
 436 Florida's "2+2" system of articulation and recommendations for
 437 improvement.

438 Section 5. Governance Study Committee.-

439 (1) There is created a Governance Study Committee which
 440 shall be composed of 10 members designated and appointed as
 441 follows:

442 (a) The Chancellor of the Florida College System, or his
 443 or her designee, who shall serve as chair of the committee and
 444 shall be a nonvoting member of the committee.

445 (b) The Chancellor of the Division of Career and Adult
 446 Education, or his or her designee, who shall be a nonvoting
 447 member.

448 (c) The President of the Senate and the Speaker of the
 449 House of Representatives shall each appoint a member who is:

450 1. A president of a Florida College System institution

451 whose service area includes a state university.

452 2. A president of a Florida College System institution
453 whose service area does not include a state university.

454 3. A director of a career center operated by a district
455 school board.

456 4. A representative of the business community.

457 (2) The committee shall conduct a study concerning the
458 governance structure of undergraduate education programs offered
459 by Florida College System institutions and postsecondary career
460 education programs provided by district school boards and
461 Florida College System institutions which must include:

462 (a) Reviewing national best practices of governance of
463 undergraduate education and career postsecondary education,
464 including any correlation between the type of governance
465 structure and improved outcomes, and accountability or
466 efficiency in public postsecondary education provided by
467 district school boards and Florida College System institutions.

468 (b) Examining effective relationships between business and
469 industry, colleges, and school districts and making
470 recommendations to strengthen such relationships to meet
471 workforce demands and better prepare students for entry into the
472 workforce.

473 (c) Reviewing the mission of each Florida College System
474 institution, which must include a determination of whether, over
475 the 10-year period immediately preceding the review, the primary

476 mission of the institution has changed and whether changes to
 477 the academic programs of the institution have enhanced or
 478 undermined that primary mission.

479 (d) Determining whether it is advisable to transfer the
 480 administration of Florida College System institutions and career
 481 centers from the State Board of Education to another
 482 governmental entity, and:

483 1. If such a transfer is determined to be advisable,
 484 determining the best methods of accomplishing the transfer,
 485 including the short-term and long-term savings and the
 486 transition and legal costs of a major restructuring of the
 487 current governance structure.

488 2. If such a transfer is determined to not be advisable,
 489 determining whether there are other options available that would
 490 improve the governance structure of Florida College System
 491 institutions and career centers.

492 (3) Administrative support for the committee shall be
 493 jointly provided by the Division of Florida Colleges and the
 494 Division of Career and Adult Education.

495 (4) By October 31, 2017, the committee shall submit a
 496 report of its findings, including any recommendations for
 497 legislation based upon any proposed changes to the governance
 498 structure of undergraduate education provided by Florida College
 499 System institutions and postsecondary career centers provided by
 500 school districts and Florida College System institutions, to the

PCS for HB 929

ORIGINAL

2017

501 State Board of Education, the President of the Senate, and the
502 Speaker of the House of Representatives.

503 Section 6. This act shall take effect July 1, 2017.