

Council Substitute for House Bill No. 7105

An act relating to postsecondary distance learning; establishing the Florida Distance Learning Task Force; providing for membership; requiring the task force to submit a report containing certain recommendations to the Governor, the Legislature, and certain entities by a specified date; providing for future expiration; creating s. 1004.09, F.S.; establishing the Florida Higher Education Distance Learning Catalog; requiring that the Florida Distance Learning Consortium establish guidelines and procedures and provide information on certain requirements and information relating to distance learning courses and degree programs; requiring that the catalog include an Internet-based analytic tool that collects and analyzes certain data; amending s. 1009.23, F.S.; exempting a distance learning course from laboratory fees; authorizing the State Board of Education to adopt rules; authorizing a community college to assess a student enrolled in a course listed in the catalog a per-credit-hour user fee; requiring that such fee not exceed a certain amount; prohibiting the assessment of other fees if the distance learning course user fee is assessed; requiring that the board of trustees report to the Division of Community Colleges the total amount of revenue generated by such fee for the preceding year and how such fee was expended; requiring that the link for the catalog be prominently displayed on the institution's website; amending s. 1009.24, F.S.; authorizing a state university to assess a per-credit-hour distance learning course fee; requiring that such fee not exceed a certain amount; prohibiting the state university from assessing duplicative fees to cover the same additional costs; requiring that the link to the catalog be prominently displayed on the institution's website; providing an effective date.

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

Section 1. Florida Distance Learning Task Force.—

(1) The Florida Distance Learning Task Force is established to make recommendations to facilitate access to undergraduate distance learning resources that enable public postsecondary educational institutions to fulfill their missions while contributing to and sharing in the distance learning resources of the Florida Distance Learning Consortium.

(2)(a) Members of the task force shall be appointed by the chancellors of the Division of Community Colleges and the Board of Governors and shall be comprised of nine members.

(b) The membership of the task force shall consist of:

1. Four members from the State University System, with one member being a state university president, one member having experience in academic affairs or student affairs, one member having experience in finance

or business services, and one member being from the Chancellor's Office of the Board of Governors and having experience in distance learning education.

2. Four members from the Community College System, with one member being a community college president, one member having experience in academic affairs or student affairs, one member having experience in finance or business services, and one member being from the Chancellor's Office of the Division of Community Colleges and having experience in distance learning education.

3. One member who is the executive director of the Florida Distance Learning Consortium.

(3) The task force shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the State Board of Education, the Board of Governors, and the university and community college boards of trustees, no later than March 1, 2009, a detailed report that includes, but is not limited to, recommendations regarding:

(a) The management and promotion of the Florida Higher Education Distance Learning Catalog pursuant to s. 1004.09, Florida Statutes, to help increase student access to undergraduate distance learning courses and degree programs and, in particular, students seeking accelerated access in order to complete their degrees.

(b) The creation of a central content repository for instructional resources which can be used by faculty in developing, evaluating, and enhancing distance learning courses and degree programs.

(c) The potential use of distance learning as a means to address critical educational needs of the state.

(d) The evaluation and promotion of new and proven instructional methods, emerging technologies, and quality distance learning courses and degree programs.

(e) The coordination and support of educational programs and other training opportunities for faculty and professional staff in developing, evaluating, and enhancing distance learning courses and degree programs.

(f) A process for negotiating statewide licensing and pricing agreements for distance learning resources and entering into agreements with distance learning resource providers when such negotiations and agreements result in cost savings for the participating institutions.

(g) Opportunities for building partnerships among educational institutions, businesses, and communities.

(h) Methods that will improve student access to and completion of distance learning courses and degree programs.

(i) Policies that address ways to increase access and cost-effectiveness in the development and delivery of undergraduate distance learning courses

and degree programs. Such recommended policies must address the cost variations that exist within the delivery system and identify the best practices that minimize costs of the development and delivery of distance learning courses while enhancing the effectiveness of instruction.

(j) An accountability mechanism to assess the effectiveness of the services provided by the Florida Distance Learning Consortium.

(k) The future role of the Florida Distance Learning Consortium as a facilitator of the state's public undergraduate postsecondary distance learning.

(l) A process for reporting on the data collected by the Florida Higher Education Distance Learning Catalog.

(m) The definition of a distance learning course.

(n) A plan for developing and implementing an online system that streamlines and automates the registration process for students who have been admitted to a public postsecondary educational institution and who wish to enroll in a course listed in the Florida Higher Education Distance Learning Catalog. The task force shall identify and address the applicable administrative, programmatic, and technical issues and protocols necessary to ensure the implementation of such a system as an alternative to the standard registration process of each institution which complies with the academic policies and procedures of the institutions offering the course. At a minimum, the system must:

1. Allow a qualified student to register for any undergraduate course listed in the catalog, including courses offered by an institution that is not the student's degree-granting or home institution.

2. Allow for the expedited transfer of the distance learning course credit awarded by the institution offering the distance learning course to the student's degree-granting or home institution upon the student's successful completion of the distance learning course.

3. Be accessible from the catalog.

4. Comply with applicable technology security standards and guidelines established by the Agency for Enterprise Information Technology to ensure the secure transmission of student information.

(4) This section expires July 1, 2009.

Section 2. Section 1004.09, Florida Statutes, is created to read:

1004.09 Florida Higher Education Distance Learning Catalog.—

(1) The Florida Higher Education Distance Learning Catalog is established as an interactive, Internet-based central point of access to distance learning courses, degree programs, and resources offered by public postsecondary educational institutions and is intended to assist in the coordination

and collaboration of articulation and access pursuant to part II of chapter 1007.

(2) The Florida Distance Learning Consortium must establish operational guidelines and procedures for the catalog, which must include:

(a) Requiring participating institutions to provide clear, complete, and timely information concerning requirements for the distance learning course and degree program, the type of required technology and technical equipment, any prerequisite courses or technology competencies and skills, the availability of academic support services, financial aid resources, and the costs, fees, and payment information and policies.

(b) Requiring that distance learning courses and degree programs meet applicable and appropriate accreditation standards and criteria.

(c) Requiring that, at a minimum, the catalog is reviewed at the start of each academic semester to ensure distance learning courses and degree programs comply with the operational guidelines and procedures established by the Florida Distance Learning Consortium.

(3) The catalog must include an Internet-based analytic tool that allows for the collection and analysis of data, including:

(a) The number and type of students who use the catalog to search for distance learning courses and degree programs.

(b) The number and type of requests for information on distance learning courses and degree programs that are not listed in the catalog.

(c) The comparison of distance learning course and degree program cost data.

(d) An evaluation of course completions, graduation, and retention rates of students enrolled in distance learning courses.

(e) The summary of specific requests by course type or course number, delivery method, offering institution, and semester.

(f) Other types of data as determined by the consortium.

Section 3. Subsection (12) of section 1009.23, Florida Statutes, is amended, present subsection (16) of that section is redesignated as subsection (17), and a new subsection (16) is added to that section, to read:

1009.23 Community college student fees.—

(12)(a) In addition to tuition, out-of-state, financial aid, capital improvement, student activity and service, and technology fees authorized in this section, each community college board of trustees is authorized to establish fee schedules for the following user fees and fines: laboratory fees, which do not apply to a distance learning course; parking fees and fines; library fees and fines; fees and fines relating to facilities and equipment use or damage; access or identification card fees; duplicating, photocopying, binding, or mi-

croffiling fees; standardized testing fees; diploma replacement fees; transcript fees; application fees; graduation fees; and late fees related to registration and payment. Such user fees and fines shall not exceed the cost of the services provided and shall only be charged to persons receiving the service. A community college may not charge any fee except as authorized by law ~~or rules of the State Board of Education~~. Parking fee revenues may be pledged by a community college board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements and revenue bonds with terms not exceeding 20 years and not exceeding the useful life of the asset being financed. Community colleges shall use the services of the Division of Bond Finance of the State Board of Administration to issue any revenue bonds authorized by the provisions of this subsection. Any such bonds issued by the Division of Bond Finance shall be in compliance with the provisions of the State Bond Act. Bonds issued pursuant to the State Bond Act shall be validated in the manner established in chapter 75. The complaint for such validation shall be filed in the circuit court of the county where the seat of state government is situated, the notice required to be published by s. 75.06 shall be published only in the county where the complaint is filed, and the complaint and order of the circuit court shall be served only on the state attorney of the circuit in which the action is pending.

(b) The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this subsection.

(16)(a) Each community college may assess a student who enrolls in a course listed in the Florida Higher Education Distance Learning Catalog established pursuant to s. 1004.09 a per-credit-hour distance learning course user fee.

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

(c) The link for the catalog must be prominently displayed on the institution's website to inform students of the catalog.

Section 4. Present subsection (17) of section 1009.24, Florida Statutes, is redesignated as subsection (18), and a new subsection (17) is added to that section, to read:

1009.24 State university student fees.—

(17)(a) A state university may assess a student who enrolls in a course listed in the Florida Higher Education Distance Learning Catalog established pursuant to s. 1004.09 a per-credit-hour distance learning course fee.

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

(c) The link for the catalog must be prominently displayed on the institution's website informing students of the catalog.

Section 5. This act shall take effect July 1, 2008.

Approved by the Governor June 10, 2008.

Filed in Office Secretary of State June 10, 2008.