

Committee Substitute for
Committee Substitute for Senate Bill No. 2682

An act relating to the Florida College System; amending s. 20.15, F.S.; renaming the Division of Community Colleges as the Division of Florida Colleges; amending s. 1000.21, F.S.; defining the terms “Florida college” and “community college”; specifying the counties served by each Florida college; renaming specified Florida colleges; amending s. 1001.60, F.S.; providing that the Florida College System consists of specified Florida colleges; authorizing a Florida college to change the institution’s name to include “college” or “state college” under specified circumstances; requiring the district board of trustees to seek statutory codification of name changes; conforming provisions to changes made by the act; amending s. 1004.65, F.S.; providing that each Florida college shall be governed by a district board of trustees; defining a Florida college district; providing that the open-door admission policy of Florida colleges applies to lower-division programs; providing that the primary mission of Florida colleges includes the provision of upper-level instruction and baccalaureate degrees as authorized by law; conforming provisions to changes made by the act; repealing s. 1004.73, F.S., relating to St. Petersburg College; repealing s. 1004.875, F.S., relating to the State College Pilot Project; amending s. 1007.23, F.S.; providing that associate in arts graduates of Florida colleges must be granted admission to the upper division of a Florida college and shall receive priority for such admission over out-of-state students; requiring specified publications of Florida colleges and state universities to include certain information; conforming provisions to changes made by the act; amending s. 1007.33, F.S.; providing a definition for the term “district”; providing that Florida colleges may offer specified baccalaureate degree programs through agreements with regionally accredited postsecondary educational institutions; authorizing Florida colleges to offer baccalaureate degree programs authorized by law prior to the act’s effective date; requiring State Board of Education approval for baccalaureate degree programs proposed by a Florida college after the act’s effective date; specifying the purposes for which a baccalaureate degree program may be proposed; providing an exemption from the requirement for State Board of Education approval for specified baccalaureate degree programs offered by St. Petersburg College; authorizing the Division of Florida Colleges to accept and review applications from Florida colleges to obtain an exemption from the requirement for State Board of Education approval if certain conditions are met; providing eligibility criteria for such exemption; requiring that the division recommend an institution for exemption to the board; requiring that the board review such recommendation for approval or disapproval; requiring that all Florida Colleges engage in need, demand, and impact discussions; requiring that documentation, data, and other information be provided to certain educational entities; providing for a compliance

review of approved baccalaureate degree programs; specifying the approval process for baccalaureate degree programs; specifying contents of a proposal for a baccalaureate degree program; specifying requirements for Florida colleges offering baccalaureate degree programs; requiring that the State Board of Education adopt specified rules; conforming provisions to changes made by the act; amending ss.120.65, 288.8175, 1001.61, 1004.70, 1004.87, and 1009.23, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Paragraph (a) of subsection (3) of section 20.15, Florida Statutes, is amended to read:

20.15 Department of Education.—There is created a Department of Education.

(3) DIVISIONS.—The following divisions of the Department of Education are established:

(a) Division of Florida Community Colleges.

Section 2. Subsection (3) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(3) “Florida college” or “community college,” except as otherwise specifically provided, includes all of the following public postsecondary educational institutions in the Florida College System and any branch campuses, centers, or other affiliates of the institution:

(a) Brevard Community College, which serves Brevard County.

(b) Broward College, which serves Broward County.

(c) Central Florida Community College, which serves Citrus, Levy, and Marion Counties.

(d) Chipola College, which serves Calhoun, Holmes, Jackson, Liberty, and Washington Counties.

(e) Daytona State Beach College, which serves Flagler and Volusia Counties.

(f) Edison State College, which serves Charlotte, Collier, Glades, Hendry, and Lee Counties.

(g) Florida State Community College at Jacksonville, which serves Duval and Nassau Counties.

- (h) Florida Keys Community College, which serves Monroe County.
- (i) Gulf Coast Community College, which serves Bay, Franklin, and Gulf Counties.
- (j) Hillsborough Community College, which serves Hillsborough County.
- (k) Indian River State College, which serves Indian River, Martin, Okeechobee, and St. Lucie Counties.
- (l) Lake City Community College, which serves Baker, Columbia, Dixie, Gilchrist, and Union Counties.
- (m) Lake-Sumter Community College, which serves Lake and Sumter Counties.
- (n) State College of Florida, Manatee-Sarasota, which serves Manatee and Sarasota Counties ~~Manatee Community College.~~
- (o) Miami Dade College, which serves Miami-Dade County.
- (p) North Florida Community College, which serves Hamilton, Jefferson, Lafayette, Madison, Suwannee, and Taylor Counties.
- (q) Northwest Florida State ~~Okaloosa-Walton~~ College, which serves Okaloosa and Walton Counties.
- (r) Palm Beach Community College, which serves Palm Beach County.
- (s) Pasco-Hernando Community College, which serves Hernando and Pasco Counties.
- (t) Pensacola Junior College, which serves Escambia and Santa Rosa Counties.
- (u) Polk State College, which serves Polk County.
- (v) St. Johns River Community College, which serves Clay, Putnam, and St. Johns Counties.
- (w) St. Petersburg College, which serves Pinellas County.
- (x) Santa Fe College, which serves Alachua and Bradford Counties.
- (y) Seminole Community College, which serves Seminole County.
- (z) South Florida Community College, which serves DeSoto, Hardee, and Highlands Counties.
- (aa) Tallahassee Community College, which serves Gadsden, Leon, and Wakulla Counties.
- (bb) Valencia Community College, which serves Orange and Osceola Counties.

Section 3. Subsection (2) of section 1001.60, Florida Statutes, is amended to read:

1001.60 Florida College System.—

(2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida College System comprised of the Florida colleges public postsecondary educational institutions identified in s. 1000.21(3) ~~that grant 2-year and 4-year academic degrees as provided by law.~~ A ~~An institution within the Florida college System~~ may not offer graduate degree programs.

(a) The programs and services offered by ~~institutions in the Florida colleges College System~~ in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(b)1. With the approval of ~~its district the institution's~~ local board of trustees, ~~a an institution in the Florida college System~~ may change the institution's name set forth in s. 1000.21(3) and use the designation “college” or “state college” if it has been authorized to grant baccalaureate degrees pursuant to ~~s. 1004.73~~ s. 1007.33 and has been accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools or if it has received approval from the State Board of Education pursuant to this paragraph.

2. With the approval of ~~its district an institution's~~ local board of trustees, ~~a any institution in the Florida college that does not meet the criteria in subparagraph 1. System~~ may request approval from the State Board of Education to change the institution's name set forth in s. 1000.21(3) and use the designation “college.” The State Board of Education may approve the request if the Florida college institution enters into an agreement with the State Board of Education to do the following:

a. Maintain as ~~its the institution's~~ primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65~~(5)~~ (6).

b. Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.

c. Continue to provide outreach to underserved populations.

d. Continue to provide remedial education.

e. Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

(c) A district board of trustees that approves a change to the name of an institution under paragraph (b) must seek statutory codification of such name change in s. 1000.21(3) during the next regular legislative session.

~~(d)3. An institution in the Florida college may System shall not use the designation “university.”~~

Section 4. Section 1004.65, Florida Statutes, is amended to read:

1004.65 Florida Community colleges; governance definition, mission, and responsibilities.—

~~(1) Each Florida college Community colleges shall be governed consist of all public educational institutions operated by a community college district board boards of trustees under statutory authority and rules of the State Board of Education.~~

(2) Each Florida ~~community~~ college district shall:

(a) Consist of the county or counties served by the Florida college pursuant to s. 1000.21(3).

~~(b) Be authorized by law and the Department of Education is an independent, separate, legal entity created for the operation of a Florida community college.~~

~~(3) A community college may provide adult education services, including adult basic education, adult general education, adult secondary education, and General Educational Development test instruction.~~

(3)(4) Florida The community colleges (3) are locally based and governed entities with statutory and funding ties to state government. As such, the ~~community colleges’~~ mission for Florida colleges reflects a commitment to be responsive to local educational needs and challenges. In achieving this mission, ~~Florida the community~~ colleges strive to maintain sufficient local authority and flexibility while preserving appropriate legal accountability to the state.

~~(4)(5) As comprehensive institutions, Florida the community~~ colleges shall provide high-quality, affordable education and training opportunities, shall foster a climate of excellence, and shall provide opportunities to all while combining high standards with an open-door admission policy for lower-division programs. Florida The community colleges shall, as open-access institutions, serve all who can benefit, without regard to age, race, gender, creed, or ethnic or economic background, while emphasizing the achievement of social and educational equity so that all can be prepared for full participation in society.

~~(5)(6) The primary mission and responsibility of Florida community~~ colleges is responding to community needs for postsecondary academic education and career degree education. This mission and responsibility includes being responsible for:

(a) Providing lower level undergraduate instruction and awarding associate degrees.

(b) Preparing students directly for careers requiring less than baccalaureate degrees. This may include preparing for job entry, supplementing of

skills and knowledge, and responding to needs in new areas of technology. Career education in a ~~Florida the community~~ college shall consist of career certificates, credit courses leading to associate in science degrees and associate in applied science degrees, and other programs in fields requiring substantial academic work, background, or qualifications. A Florida Community college may offer career education programs in fields having lesser academic or technical requirements.

(c) Providing student development services, including assessment, student tracking, support for disabled students, advisement, counseling, financial aid, career development, and remedial and tutorial services, to ensure student success.

(d) Promoting economic development for the state within each ~~Florida community~~ college district through the provision of special programs, including, but not limited to, the:

1. Enterprise Florida-related programs.
2. Technology transfer centers.
3. Economic development centers.
4. Workforce literacy programs.

(e) Providing dual enrollment instruction.

~~(7) A separate and secondary role for community colleges includes:~~

~~(f)(a)~~ Providing upper level instruction and awarding baccalaureate degrees as specifically authorized by law.

~~(6)(b)~~ A separate and secondary role for Florida colleges includes the offering of programs in:

~~(a)1.~~ Community services that are not directly related to academic or occupational advancement.

~~(b)2.~~ Adult general education services, including adult basic education, adult general education, adult secondary education, and General Educational Development test instruction.

~~(c)3.~~ Recreational and leisure services.

~~(7)(8)~~ Funding for Florida community colleges shall reflect their mission as follows:

(a) Postsecondary academic and career education programs and adult general education programs shall have first priority in Florida community college funding.

(b) Community service programs shall be presented to the Legislature with rationale for state funding. The Legislature may identify priority areas for use of these funds.

~~(8)(9)~~ Florida Community colleges are authorized to:

(a) Offer such programs and courses as are necessary to fulfill their mission, ~~and are authorized to~~

(b) Grant associate in arts degrees, associate in science degrees, associate in applied science degrees, certificates, awards, and diplomas. ~~Each community college is also authorized to~~

(c) Make provisions for the General Educational Development test. ~~Each community college may~~

(d) Provide access to and award baccalaureate degrees in accordance with law.

Authority to offer one or more baccalaureate degree programs does not alter the governance relationship of the Florida college with its district board of trustees or the State Board of Education.

Section 5. Sections 1004.73 and 1004.875, Florida Statutes, are repealed.

Section 6. Subsection (2) of section 1007.23, Florida Statutes, is amended to read:

1007.23 Statewide articulation agreement.—

(2)(a) The articulation agreement must specifically provide that every associate in arts graduate of a Florida community college shall have met all general education requirements and must be granted admission to the upper division of a:

1. State university, ~~except for to~~ a limited access or teacher certification program or a major program requiring an audition.

2. Florida college if it offers baccalaureate degree programs, except for a limited access or teacher certification program or a major program requiring an audition.

(b) Florida Community college associate in arts graduates shall receive priority for admission to the upper division of a Florida college or to a state university over out-of-state students. Orientation programs, catalogs, and student handbooks provided to freshman enrollees and transfer students at Florida colleges and state universities must include an explanation of this provision of the articulation agreement.

Section 7. Section 1007.33, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 1007.33, F.S., for present text.)

1007.33 Site-determined baccalaureate degree access.—

(1)(a) The Legislature recognizes that public and private postsecondary educational institutions play an essential role in improving the quality of life

and economic well-being of the state and its residents. The Legislature also recognizes that economic development needs and the educational needs of place-bound, nontraditional students have increased the demand for local access to baccalaureate degree programs. It is therefore the intent of the Legislature to further expand access to baccalaureate degree programs through the use of Florida colleges.

(b) For purposes of this section, the term “district” refers to the county or counties served by a Florida college pursuant to s. 1000.21(3).

(2) Any Florida college that offers one or more baccalaureate degree programs must:

(a) Maintain as its primary mission:

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

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

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

(c) Continue to provide outreach to underserved populations.

(d) Continue to provide remedial education.

(e) Comply with all provisions of the statewide articulation agreement which relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

(f) Not award graduate credit.

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

(3) A Florida college may not terminate its associate in arts or associate in science degree programs as a result of being authorized to offer one or more baccalaureate degree programs. The Legislature intends that the primary responsibility of a Florida college, including a Florida college that offers baccalaureate degree programs, continues to be the provision of associate degrees that provide access to a university.

(4) A Florida college may:

(a) Offer specified baccalaureate degree programs through formal agreements between the Florida college and other regionally accredited postsecondary educational institutions pursuant to s. 1007.22.

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

(c) Beginning July 1, 2009, establish a first or subsequent baccalaureate degree program for purposes of meeting district, regional, or statewide workforce needs if approved by the State Board of Education under this section.

Beginning July 1, 2009, the Board of Trustees of the St. Petersburg College is authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the Department of Education. For each program selected, St. Petersburg College must offer a related associate in science or associate in applied science degree program, and the baccalaureate degree level program must be designed to articulate fully with at least one associate in science degree program. The college is encouraged to develop articulation agreements for enrollment of graduates of related associate in applied science degree programs. The Board of Trustees of the St. Petersburg College is authorized to establish additional baccalaureate degree programs if it determines a program is warranted and feasible based on each of the factors in paragraph (5)(d). Prior to developing or proposing a new baccalaureate degree program, St. Petersburg College shall engage in need, demand, and impact discussions with the state university in its service district and other local and regional, accredited postsecondary providers in its region. Documentation, data, and other information from inter-institutional discussions regarding program need, demand, and impact shall be provided to the College's Board of Trustees to inform the program approval process. Employment at St. Petersburg College is governed by the same laws that govern community colleges, except that upper-division faculty are eligible for continuing contracts upon the completion of the fifth year of teaching. Employee records for all personnel shall be maintained as required by s. 1012.81.

(5) The approval process for baccalaureate degree programs shall require:

(a) Each Florida college to submit a notice of its intent to propose a baccalaureate degree program to the Division of Florida Colleges at least 100 days before the submission of its proposal under paragraph (d). The notice must include a brief description of the program, the workforce demand and unmet need for graduates of the program, the geographic region to be served, and an estimated timeframe for implementation. Notices of intent may be submitted by a Florida college at any time throughout the year.

(b) The Division of Florida Colleges to forward the notice of intent within 10 business days after receiving such notice to the Chancellor of the State University System, the President of the Independent Colleges and Universities of Florida, and the Executive Director of the Council for Independent Education. State universities shall have 60 days following receipt of the notice by the Chancellor of the State University System to submit an alternative proposal to offer the baccalaureate degree program. If a proposal from a state university is not received within the 60-day period, the State Board of Education shall provide regionally accredited private colleges and universities 30 days to submit an alternative proposal. Alternative proposals shall be submitted to the Division of Florida Colleges and must be considered by the State Board of Education in making its decision to approve or deny a Florida college's proposal.

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

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

2. The extent to which students will be able to complete the degree in the geographic region proposed to be served by the Florida college.

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

4. The extent to which faculty at both the Florida college and the college or university will collaborate in the development and offering of the curriculum.

5. The ability of the Florida college and the college or university to develop and approve the curriculum for the specified degree program within 6 months after an agreement between the Florida college and the college or university is signed.

6. The extent to which the student may incur additional costs above what the student would expect to incur if the program were offered by the Florida college.

(d) Each proposal submitted by a Florida college to, at a minimum, include:

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

2. An analysis of workforce demand and unmet need for graduates of the program on a district, regional, or statewide basis, as appropriate.

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

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

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

6. The program's enrollment projections and funding requirements.

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

(e) The Division of Florida Colleges to review the proposal, notify the Florida college of any deficiencies in writing within 30 days following receipt of the proposal, and provide the Florida college with an opportunity to correct the deficiencies. Within 45 days following receipt of a completed proposal by the Division of Florida Colleges, the Commissioner of Education shall recommend approval or disapproval of the proposal to the State Board of Education. The State Board of Education shall consider such recommendation, the proposal, and any alternative proposals at its next meeting. If the State Board of Education disapproves the Florida college's proposal, it shall provide the Florida college with written reasons for that determination.

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

(g) The Florida college to notify the Commission on Colleges of the Southern Association of Colleges and Schools of subsequent degree programs that are approved by the State Board of Education and to comply with the association's required substantive change protocols for accreditation purposes.

(6)(a) Beginning July 1, 2010, and each subsequent July 1, the Division of Florida Colleges may accept and review applications from a Florida college to obtain an exemption from the State Board of Education's approval for subsequent degrees as required in subsection (5), if the Florida college is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools as a baccalaureate-degree-granting institution and has been offering baccalaureate degree programs for 3 or more years. The division shall develop criteria for determining eligibility for an exemption based upon demonstrated compliance with the requirements for baccalaureate degrees, primary mission, and fiscal, including, but not limited to:

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

(b) If the Florida college has demonstrated satisfactory progress in fulfilling the eligibility criteria in this subsection, the Division of Florida Colleges may recommend to the State Board of Education that the institution be exempt from the requirement in subsection (5) for approval of future baccalaureate degree programs. The State Board of Education shall review the division's recommendation and determine if an exemption is warranted. If the State Board of Education approves the application, the Florida College is exempt from subsequent program approval under subsection (5) and such authority is delegated to the Florida college board of trustees. If the State Board of Education disapproves of the Florida College's request for an exemption, the college shall continue to be subject to State Board of Education's approval of subsequent baccalaureate degree programs.

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

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

2. Send documentation, data, and other information from the inter-institutional discussions regarding program need, demand, and impact required in subparagraph 1. to the College's Board of Trustees, the Division of Florida Colleges, and the Chancellor of the State University System.

3. Base Board of Trustees approval of the new program upon the documentation, data, and other information required in this paragraph and the factors in subsection (5)(d).

The Division of Florida Colleges shall use the documentation, data, and other information required in this subsection, including information from the Chancellor of the State University System, in its compliance review.

(d) The Board of Trustees of a Florida College that is exempt from subsection (5) must submit newly approved programs to the Division of Florida Colleges and SACS within 30 days after approval.

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

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

Section 8. Subsection (11) of section 120.65, Florida Statutes, is amended to read:

120.65 Administrative law judges.—

(11) The division shall be reimbursed for administrative law judge services and travel expenses by the following entities: water management districts, regional planning councils, school districts, community colleges, the Division of Florida Community Colleges, state universities, the Board of Governors of the State University System, the State Board of Education, the Florida School for the Deaf and the Blind, and the Commission for Independent Education. These entities shall contract with the division to establish a contract rate for services and provisions for reimbursement of administrative law judge travel expenses and video teleconferencing expenses attributable to hearings conducted on behalf of these entities. The contract rate must be based on a total-cost-recovery methodology.

Section 9. Paragraphs (c), (i), and (k) of subsection (5) of section 288.8175, Florida Statutes, are amended to read:

288.8175 Linkage institutes between postsecondary institutions in this state and foreign countries.—

(5) The institutes are:

(c) Florida Caribbean Institute (Florida International University and Daytona State Beach College).

(i) Florida-West Africa Institute (Florida Agricultural and Mechanical University, University of North Florida, and Florida State Community College at Jacksonville).

(k) Florida-Mexico Institute (Florida International University and Polk State Community College).

Section 10. Subsection (1) of section 1001.61, Florida Statutes, is amended to read:

1001.61 Community college boards of trustees; membership.—

(1) Community college boards of trustees shall be comprised of five members when a community college district is confined to one school board district; seven members when a community college district is confined to one school board district and the board of trustees so elects; and not more than nine members when the district contains two or more school board districts, as provided by rules of the State Board of Education. However, Florida State Community College at Jacksonville shall have an odd number of trustees.

Section 11. Paragraph (e) of subsection (4) of section 1004.70, Florida Statutes, is amended to read:

1004.70 Community college direct-support organizations.—

(4) ACTIVITIES; RESTRICTIONS.—

(e) A community college board of trustees must authorize all debt, including lease-purchase agreements, incurred by a direct-support organization. Authorization for approval of short-term loans and lease-purchase agreements for a term of not more than 5 years, including renewals, extensions, and refundings, for goods, materials, equipment, and services may be delegated by the board of trustees to the board of directors of the direct-support organization. Trustees shall evaluate proposals for debt according to guidelines issued by the Division of Florida Community Colleges. Revenues of the community college may not be pledged to debt issued by direct-support organizations.

Section 12. Subsections (1) and (5) of section 1004.87, Florida Statutes, are amended to read:

1004.87 Florida College System Task Force.—

(1) The Florida College System Task Force is established within the Division of Florida Community Colleges of the Department of Education for the purpose of developing findings and issuing recommendations regarding

the transition of community colleges to baccalaureate-degree-granting colleges and the criteria for establishing and funding state colleges.

(5) The task force shall be staffed by existing employees of the Division of Florida Community Colleges.

Section 13. Subsection (1) and paragraph (b) of subsection (16) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Community college student fees.—

(1) Unless otherwise provided, this section applies only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, an associate in science degree, or a baccalaureate degree authorized pursuant to s. 1007.33 ~~or s. 1004.73~~, for noncollege credit college-preparatory courses defined in s. 1004.02, and for educator preparation institute programs defined in s. 1004.85.

(16)

(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 Florida 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.

Section 14. This act shall take effect July 1, 2009.

Approved by the Governor June 24, 2009.

Filed in Office Secretary of State June 24, 2009.