

CHAPTER 2012-195

House Bill No. 7135

An act relating to postsecondary education; amending s. 1001.02, F.S.; providing additional requirements for the State Board of Education's coordinated 5-year plan for postsecondary enrollment and its strategic plan specifying goals and objectives; providing a state board duty to require Florida College System institutions to provide students with electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity; requiring state board rules to revise credit hour requirements in general education courses; amending s. 1001.03, F.S.; requiring the state board to identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution; requiring the state board to adopt a unified state plan for science, technology, engineering, and mathematics in K-20 education; amending s. 1001.10, F.S.; authorizing the Commissioner of Education to conduct a review of certain practices or actions at a Florida College System institution; amending s. 1001.64, F.S.; conforming provisions; amending s. 1001.706, F.S.; providing additional requirements for the Board of Governors' strategic plan specifying goals and objectives for the State University System and each university and its accountability plan; providing a duty of the Board of Governors to require state universities to provide students with electronic access to the economic security report of employment and earning outcomes; authorizing the Board of Governors to waive or modify its regulations, statutory requirements, or certain fee requirements; authorizing the Board of Governors to revoke or modify certain powers or duties; amending s. 1002.20, F.S.; requiring certain public school students to be provided electronic access to the economic security report of employment and earning outcomes; amending s. 1004.015, F.S.; requiring the Higher Education Coordinating Council to annually report recommendations for postsecondary education; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to collect and report certain student data; amending s. 1007.23, F.S.; providing that the statewide articulation agreement must require certain Florida College System students to provide information relating to continued education; amending s. 1007.25, F.S.; revising provisions relating to general education course requirements and associate and baccalaureate degree requirements; providing requirements for general education core course options; amending s. 1007.33, F.S.; providing additional requirements for notice of intent to propose a baccalaureate degree program at a Florida College System institution; requiring an institution offering a baccalaureate degree program to report its status using specified performance and compliance standards; deleting provisions relating to exemption from state board approval of certain baccalaureate degree programs; amending s. 1008.31, F.S.; requiring certain independent colleges and universities to report data for students who receive state

funds; amending s. 1008.46, F.S.; conforming provisions; creating s. 1011.905, F.S.; requiring the Board of Governors to review and rank each state university that applies for performance funding based on an established formula; requiring the Board of Governors to award up to a specified amount to the highest-ranked state universities; requiring a report to the Governor and Legislature; creating s. 445.07, F.S.; requiring the Department of Economic Opportunity to annually prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions; providing an effective date.

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

Section 1. Paragraph (v) of subsection (2), paragraph (a) of subsection (3), paragraphs (b) and (d) of subsection (4), and paragraph (d) of subsection (6) of section 1001.02, Florida Statutes, are amended, and paragraph (w) is added to subsection (2) of that section, to read:

1001.02 General powers of State Board of Education.—

(2) The State Board of Education has the following duties:

(v) To develop, in conjunction with the Board of Governors, and periodically review for adjustment, a coordinated 5-year plan for postsecondary enrollment, identifying enrollment and graduation expectations by baccalaureate degree program, and annually submit the plan to the Legislature as part of its legislative budget request.

(w) Beginning in the 2014-2015 academic year and annually thereafter, to require each Florida College System institution prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity pursuant to s. 445.07.

(3)(a) The State Board of Education shall adopt a strategic plan that specifies goals and objectives for the state's public schools and Florida College System institutions. The plan shall be formulated in conjunction with plans of the Board of Governors in order to provide for the roles of the universities and Florida College System institutions to be coordinated to best meet state needs and reflect cost-effective use of state resources. The strategic plan must clarify the mission statements of each Florida College System institution and the system as a whole and identify degree programs, including baccalaureate degree programs, to be offered at each Florida College System institution in accordance with the objectives provided in this subsection and the coordinated 5-year plan pursuant to paragraph (2)(v). The strategic plan must cover a period of 5 years, with modification of the program lists after 2 years. Development of each 5-year plan must be coordinated with and initiated after completion of the master plan. The strategic plans must specifically include programs and procedures for responding to the educational needs of teachers and students in the public

schools of this state and consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01. The state board shall submit a report to the President of the Senate and the Speaker of the House of Representatives upon modification of the plan and as part of its legislative budget request.

(4) The State Board of Education shall:

(b) Specify, by rule, procedures to be used by the Florida College System institution boards of trustees in the annual evaluations of presidents and review the evaluations of presidents by the boards of trustees, including the extent to which presidents serve both institutional and system goals.

(d) Establish criteria for making recommendations for modifying district boundary lines for Florida College System institutions, including criteria for service delivery areas of Florida College System institutions authorized to grant baccalaureate degrees.

(6) The State Board of Education shall prescribe minimum standards, definitions, and guidelines for Florida College System institutions that will ensure the quality of education, coordination among the Florida College System institutions and state universities, and efficient progress toward accomplishing the Florida College System institution mission. At a minimum, these rules must address:

(d) Provisions for curriculum development, graduation requirements, college calendars, and program service areas. These provisions must include rules that:

1. Provide for the award of an associate in arts degree to a student who successfully completes 60 semester credit hours at the Florida College System institution.

2. Require all of the credits accepted for the associate in arts degree to be in the statewide course numbering system as credits toward a baccalaureate degree offered by a state university or a Florida College System institution.

3. Beginning with students initially entering a Florida College System institution in 2014-2015 and thereafter, require no more than 30 ~~36~~ semester credit hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

The rules should encourage Florida College System institutions to enter into agreements with state universities that allow Florida College System institution students to complete upper-division-level courses at a Florida College System institution. An agreement may provide for concurrent enrollment at the Florida College System institution and the state university and may authorize the Florida College System institution to offer an upper-division-level course or distance learning.

Section 2. Subsections (16) and (17) are added to section 1001.03, Florida Statutes, to read:

1001.03 Specific powers of State Board of Education.—

(16) PLAN SPECIFYING GOALS AND OBJECTIVES.—By July 1, 2013, the State Board of Education shall identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution. The plan must include:

(a) Performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, remediation success, retention, graduation, employment, transfer rates, licensure passage, excess hours, student loan burden and default rates, job placement, faculty awards, and highly respected rankings for institution and program achievements.

(b) Student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

(17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM).—The State Board of Education, in consultation with the Board of Governors and the Department of Economic Opportunity, shall adopt a unified state plan to improve K-20 STEM education and prepare students for high-skill, high-wage, and high-demand employment in STEM and STEM-related fields.

Section 3. Subsection (7) is added to section 1001.10, Florida Statutes, to read:

1001.10 Commissioner of Education; general powers and duties.—

(7) The commissioner, or the commissioner's designee, may conduct a review or investigation of practices, procedures, or actions at any Florida College System institution which appear to be inconsistent with sound financial, management, or academic practice.

Section 4. Paragraph (d) of subsection (8) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(d) Boards of trustees shall identify their general education core curricula, ~~which shall include courses required by the State Board of Education, pursuant to the provisions of s. 1007.25(6).~~

Section 5. Paragraph (c) of subsection (4), subsection (5), paragraph (a) of subsection (6), and subsections (9) and (10) of section 1001.706, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

1001.706 Powers and duties of the Board of Governors.—

(4) POWERS AND DUTIES RELATING TO FINANCE.—

(c) The Board of Governors, or the board's designee, shall establish tuition and fees pursuant to ss. 1009.24 and 1009.26, unless otherwise provided in law.

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(a) The Legislature intends that the Board of Governors shall align the missions of each constituent university with the academic success of its students; the national reputation of its faculty and its academic and research programs; the quantity of externally generated research, patents, and licenses; and the strategic and accountability plans required in paragraphs (b) and (c). The mission alignment and strategic plan shall consider peer institutions at the constituent universities. The mission alignment and strategic plan shall acknowledge that universities that have a national and international impact have the greatest capacity to promote the state's economic development through: new discoveries, patents, licenses, and technologies that generate state businesses of global importance; research achievements through external grants and contracts that are comparable to nationally recognized and ranked universities; the creation of a resource rich academic environment that attracts high-technology business and venture capital to the state; and this generation's finest minds focusing on solving the state's economic, social, environmental, and legal problems in the areas of life sciences, water, sustainability, energy, and health care. A nationally recognized and ranked university that has a global perspective and impact shall be afforded the opportunity to enable and protect the university's competitiveness on the global stage in fair competition with other institutions of other states in the highest Carnegie Classification.

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, employment, continued education, licensure passage, excess hours, student loan burden and default rates,

faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.

2. Consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

(c) The Board of Governors shall develop an accountability plan for the State University System and each constituent university. The accountability plan must address institutional and system achievement of goals and objectives specified in the strategic plan adopted pursuant to paragraph (b) and must be submitted as part of its legislative budget request.

(d) Beginning in the 2014-2015 academic year and annually thereafter, the Board of Governors shall require a state university prior to registration to provide each enrolled student electronic access to the economic security report of employment and earning outcomes prepared by the Department of Economic Opportunity pursuant to s. 445.07. In addition, the Board of Governors shall require a state university to provide each student electronic access to the following information each year prior to registration using the data described in s. 1008.39:

1. The top 25 percent of degrees reported by the university in terms of highest full-time job placement and highest average annualized earnings in the year after earning the degree.

2. The bottom 10 percent of degrees reported by the university in terms of lowest full-time job placement and lowest average annualized earnings in the year after earning the degree.

~~(e)~~(d) The Board of Governors shall maintain an effective information system to provide accurate, timely, and cost-effective information about each university. The board shall continue to collect and maintain, at a minimum, management information as such information existed on June 30, 2002.

~~(f)~~(e) If the Board of Governors of the State University System determines that a state university board of trustees is unwilling or unable to address substantiated allegations made by any person relating to waste, fraud, or financial mismanagement within the state university, the Office of the Inspector General shall investigate the allegations.

(g) The Board of Governors may consider waiving its regulations and may waive or modify the tuition differential use requirements under s. 1009.24(16)(a). If not currently authorized, the Board of Governors may request authority from the Legislature to waive or modify specific statutory

requirements, including percentages and dollar amount limitations in s. 1009.24, in order to reduce barriers and support the attainment of goals identified in institutional plans, as necessary for advancing system priorities and unique institutional priorities. Regulatory flexibilities authorized and statutory flexibilities authorized or requested by the Board of Governors pursuant to this paragraph must be included in the accountability plan prepared and submitted pursuant to paragraph (c).

(6) POWERS AND DUTIES RELATING TO PERSONNEL.—

(a) The Board of Governors, or the board's designee, shall establish the personnel program for all employees of a state university. The Board of Governors shall confirm the presidential selection and reappointment by a university board of trustees as a means of acknowledging that system cooperation is expected.

(9) COOPERATION WITH OTHER BOARDS.—The Board of Governors shall implement a plan for working on a regular basis with the State Board of Education, the Commission for Independent Education, the Higher Education Coordinating Council, the Articulation Coordinating Committee, the university boards of trustees, representatives of the Florida College System institution boards of trustees, representatives of the private colleges and universities, and representatives of the district school boards to achieve a seamless education system.

(10) PROHIBITION.—The Board of Governors is prohibited from assessing any fee on state universities, unless specifically authorized by law.

(11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of Governors may revoke or modify the scope of any power or duty it has delegated.

Section 6. Subsection (24) is added to section 1002.20, Florida Statutes, to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(24) ECONOMIC SECURITY REPORT.—Beginning in the 2014-2015 school year and annually thereafter, each middle school and high school student or the student's parent prior to registration shall be provided a two-page summary of the Department of Economic Opportunity's economic security report of employment and earning outcomes prepared pursuant to s. 445.07 and electronic access to the report.

Section 7. Subsections (4), (5), and (6) of section 1004.015, Florida Statutes, are amended to read:

1004.015 Higher Education Coordinating Council.—

(4) The council shall annually by December 31 submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education a report outlining its recommendations ~~make detailed recommendations~~ relating to:

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

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

(c) The state's articulation policies and practices to ensure that cost benefits to the state are maximized without jeopardizing quality. The ~~recommendations~~ recommendation shall consider return on investment for both the state and students and propose systems to facilitate and ensure institutional compliance with state articulation policies.

(d) ~~A plan for~~ Workforce development education, specifically recommend-ing improvements to that addresses:

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

2. the consistency of workforce education data collected and reported by Florida College System institutions and school districts, including the establishment of common elements and definitions for any data that is used for state and federal funding and program accountability.

(5) ~~The council shall submit a report outlining its detailed recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education by December 31, 2011, which specifically includes recommendations for consideration by the Legislature for implementation in the 2012-2013 fiscal year.~~

(5)(6) The Board of Governors and the Department of Education shall provide administrative support for the council.

Section 8. Paragraph (i) of subsection (1) of section 1005.22, Florida Statutes, is amended to read:

1005.22 Powers and duties of commission.—

(1) The commission shall:

(i) Serve as a central agency for collecting and distributing current information regarding institutions licensed by the commission. The commission shall collect, and all institutions licensed by the commission shall report, student-level data for each student who receives state funds. At a minimum, data shall be reported annually and include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates.

Section 9. Subsections (3), (4), and (5) of section 1007.23, Florida Statutes, are renumbered (4), (5), and (6), respectively, and a new subsection (3) is added to that section to read:

1007.23 Statewide articulation agreement.—

(3) To improve articulation and reduce excess credit hours, beginning with students initially entering a Florida College System institution in 2013-2014 and thereafter, the articulation agreement must require each student who is seeking an associate in arts degree to indicate a baccalaureate degree program offered by an institution of interest by the time the student earns 30 semester hours. The institution in which the student is enrolled shall inform the student of the prerequisites for the baccalaureate degree program offered by an institution of interest.

Section 10. Subsections (3), (6), (7), (8), and (10) of section 1007.25, Florida Statutes, are amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, department shall jointly appoint faculty committees to identify statewide those courses that meet general education core course options. General education core course options shall consist of a maximum of five courses requirements within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course. Beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. All public postsecondary educational institutions shall offer and accept these courses as meeting general education core course requirements. The remaining general education course requirements courses shall be identified by each institution and reported to the department by their statewide course code number. The general education

core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors. All public postsecondary educational institutions shall accept these general education courses.

(6) The boards of trustees of the Florida College System institutions shall identify their core curricula, which shall include courses required by the State Board of Education. The boards of trustees of the state universities shall identify their core curricula, which shall include courses required by the Board of Governors. The universities and Florida College System institutions shall work with their school districts to ensure assure that high school curricula coordinate with the general education core curricula and to prepare students for college-level work. General education Core curricula for associate in arts programs shall be identified by each institution adopted in rule by the State Board of Education and, beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, shall include 30 ~~36~~ semester hours of general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

(7) An associate in arts degree shall require no more than 60 semester hours of college credit and, beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 30 ~~including 36~~ semester hours of general education coursework and demonstration of competency in a foreign language pursuant to s. 1007.262. Except for college-preparatory coursework required pursuant to s. 1008.30, all required coursework shall count toward the associate in arts degree or the baccalaureate degree.

(8) A baccalaureate degree program shall require no more than 120 semester hours of college credit and, beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 30 ~~including 36~~ semester hours of general education coursework, unless prior approval has been granted by the Board of Governors for baccalaureate degree programs offered by state universities and by the State Board of Education for baccalaureate degree programs offered by Florida College System institutions.

(10) Students at state universities may request associate in arts certificates if they have successfully completed the minimum requirements for the degree of associate in arts (A.A.). The university must grant the student an associate in arts degree if the student has successfully completed minimum requirements for college-level communication and computation skills adopted by the State Board of Education and 60 academic semester hours or the equivalent within a degree program area and, beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 30 ~~with 36~~ semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement pursuant to s. 1007.23.

Section 11. Subsections (5), (6), and (7) of section 1007.33, Florida Statutes, are amended to read:

1007.33 Site-determined baccalaureate degree access.—

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

(a) Each Florida College System institution 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 to include evidence from entities independent of the institution, the geographic region to be served, and an estimated timeframe for implementation. Notices of intent may be submitted by a Florida College System institution at any time throughout the year. The notice must also include evidence that the Florida College System institution engaged in need, demand, and impact discussions with the state university and other regionally accredited postsecondary education providers in its service district.

(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 Commission 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 objections to the proposed new program or 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 objections to the proposed new program or submit an alternative proposal. Objections or 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 System institution'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 System institution.

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 System institution and the college or university will collaborate in the development and offering of the curriculum.

5. The ability of the Florida College System institution 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 System institution 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 System institution.

(d) Each proposal submitted by a Florida College System institution 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, including evidence from entities independent of the institution.
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 System institution of any deficiencies in writing within 30 days following receipt of the proposal, and provide the Florida College System institution 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 objections or alternative proposals at its next meeting. If the State Board of Education disapproves the Florida College System institution's proposal, it shall provide the Florida College System institution with written reasons for that determination.

(f) The Florida College System institution 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 System institution 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.

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

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

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

~~(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 System institution to obtain an exemption from the State Board of Education's approval for subsequent degrees as required in subsection (5), if the Florida College System institution 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 System institution 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 System institution is exempt from subsequent program approval under subsection (5) and such authority is delegated to the Florida College System institution board of trustees. If the State Board of Education disapproves of the Florida College System institution's request for an exemption, the college shall continue to be subject to the State Board of Education's approval of subsequent baccalaureate degree programs.~~

~~(c) Prior to developing or proposing a new baccalaureate degree program, all Florida College System institutions, 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 System institution 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)(e). 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.~~

~~(6)(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, and compliance reviews under subsection (5).~~

Section 12. Paragraphs (b), (c), (d), and (e) of subsection (3) of section 1008.31, Florida Statutes, are redesignated paragraphs (c), (d), (e), and (f), respectively, and a new paragraph (b) is added to that subsection to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. All data collected from state universities shall, as determined by the commissioner, be integrated into the K-20 data warehouse. The commissioner shall have unlimited access to such data solely for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall provide data to the K-20 data warehouse in a format specified by the commissioner.

(b) Colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program shall report student-level data for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data shall be reported annually to the department and include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates.

Section 13. Section 1008.46, Florida Statutes, is amended to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for

the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of teaching, research, and service inherent in the missions of the state universities.

(1) By December 31 of each year, the Board of Governors shall submit an annual accountability report providing information on the implementation of performance standards, actions taken to improve university achievement of performance goals, the achievement of performance goals during the prior year, and initiatives to be undertaken during the next year. The accountability reports shall be designed in consultation with the Governor's Office, the Office of Program Policy Analysis and Government Accountability, and the Legislature.

(2) The Board of Governors shall recommend in the annual accountability report any appropriate modifications to this section.

Section 14. Section 1011.905, Florida Statutes, is created to read:

1011.905 Performance funding for state universities.—

(1) For the 2012-2013 and 2013-2014 fiscal years, the Board of Governors shall review and rank each state university that applies for performance funding based on the following formula:

(a) Twenty-five percent of a state university's score shall be based on the percentage of employed graduates who have earned degrees in the following programs:

1. Computer and information science;
2. Computer engineering;
3. Information systems technology;
4. Information technology; and
5. Management information systems.

(b) Twenty-five percent of a state university's score shall be based on the percentage of graduates who have earned baccalaureate degrees in the programs in paragraph (a) and who have earned industry certifications in a related field from a Florida College System institution or state university prior to graduation.

(c) Fifty percent of a state university's score shall be based on factors determined by the Board of Governors which relate to increasing the probability that graduates who have earned degrees in the programs described in paragraph (a) will be employed in high-skill, high-wage, and high-demand employment.

(2) The submission from a state university that has the highest score shall be ranked first, with each remaining submission from a state university ranked sequentially by score.

(3)(a) Each year, the Board of Governors shall award up to \$15 million to the highest-ranked state universities from funds appropriated for the purposes in this section and as specified in the General Appropriations Act. The award per state university shall be a minimum of 25 percent of the total amount appropriated pursuant to this section.

(b) The funds shall be awarded to the department of the state university which offers the degrees described in paragraph (1)(a).

(c) The funds may not be used to supplant funding for the degree programs described in paragraph (1)(a).

(4) By December 31 of each year funds are appropriated for performance funding, the Board of Governors shall submit a report containing the rankings and award distributions to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 15. Section 445.07, Florida Statutes, is created to read:

445.07 Economic security report of employment and earning outcomes.

(1) Beginning December 31, 2013, and annually thereafter, the Department of Economic Opportunity shall prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions.

(2) The report must be easily accessible to and readable by the public and shall be made available online. The report, by educational sector, must:

(a) Use the Florida Education and Training Placement Information Program for data relating to the employment, earnings, continued education, and receipt of public assistance by graduates of a degree or certificate program from a public postsecondary educational institution.

(b) Use the Integrated Postsecondary Education Data System or its equivalent for calculating the average student loan debt of a graduate of a degree or certificate program from a public postsecondary educational institution.

(c) Include data on the employment of graduates of a degree or certificate program from a public postsecondary educational institution the year after the degree or certificate is earned by number and percentage and for graduates employed full time in the year after graduation by number and percentage. Beginning with the 2014-2015 fiscal year, the report must include the employment data of graduates of a degree or certificate program from a public postsecondary educational institution 5 years after graduation by number and percentage.

(d) Include data on the earnings of graduates of a degree or certificate program from a public postsecondary educational institution the year after earning the degree or certificate by at least the following levels on a quarterly and annualized basis, rounded to the nearest dollar:

1. Quarterly wages of \$6,250 and annualized wages of \$25,000 and below.
2. Quarterly wages between \$6,251 and \$11,250 and annualized wages between \$25,001 and \$45,000.
3. Quarterly wages of \$11,251 and annualized wages of \$45,001 and above.

Section 16. This act shall take effect upon becoming a law.

Approved by the Governor April 27, 2012.

Filed in Office Secretary of State April 27, 2012.