

House Bill No. 7121

An act relating to postsecondary distance learning; creating s. 1004.091, F.S.; establishing the Florida Distance Learning Consortium to facilitate collaboration among public postsecondary educational institutions in the use of distance learning; providing for oversight of the consortium and administrative services; providing duties of the consortium; amending ss. 1009.23 and 1009.24, F.S.; defining a distance learning course for purposes of assessing distance learning course user fees for community college and state university students; providing requirements for the link to the Florida Higher Education Distance Learning Catalog on an institution's website; providing an effective date.

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

Section 1. Section 1004.091, Florida Statutes, is created to read:

1004.091 Florida Distance Learning Consortium.—

(1)(a) The Florida Distance Learning Consortium is established to facilitate collaboration among public postsecondary educational institutions in their use of distance learning to increase student access to associate and baccalaureate courses and degree programs, to support institutions in their use of technology, and to help build partnerships among institutions, businesses, and communities.

(b) The Board of Governors and the State Board of Education shall exercise joint oversight of the consortium and shall establish, in consultation with the consortium, the administrative and operational guidelines and processes of the consortium.

(c) The consortium may contract for administrative services with a public postsecondary educational institution. The fee charged by the institution for administrative services may not exceed the actual cost for providing the services.

(2) The Florida Distance Learning Consortium shall:

(a) Manage and promote the Florida Higher Education Distance Learning Catalog, established pursuant to s. 1004.09, to help increase student access to undergraduate distance learning courses and degree programs and to assist students seeking accelerated access in order to complete their degrees.

(b) Develop, in consultation with the Florida College System and the State University System, a plan to be submitted to the Board of Governors, the State Board of Education, the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than March 1, 2010. The plan must address the implementation of a streamlined, automated,

online registration process for undergraduate 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, including courses offered by an institution that is not the student's degree-granting or home institution. The plan must describe how such a registration process can be implemented as an alternative to the standard registration process of each institution. The plan must also address:

1. Fiscal and substantive policy changes needed to address administrative, academic, and programmatic policies and procedures.

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

3. Compliance with applicable technology security standards and guidelines to ensure the secure transmission of student information.

(c) Coordinate the negotiation of statewide licensing and preferred pricing agreements for distance learning resources and enter into agreements that result in cost savings with distance learning resource providers so that postsecondary educational institutions have the opportunity to benefit from the cost savings.

(d)1. Develop and operate a central instructional content repository that allows faculty to search, locate, and use instructional resources, including open access textbooks. In the development of a repository, the consortium shall identify and seek partnerships with similar national, state, and regional repositories for the purpose of sharing instructional content. The consortium shall collaborate with the public postsecondary educational institutions to ensure that the repository:

a. Integrates with multiple learning management systems used by the institutions.

b. Allows institutions to set appropriate copyright and access restrictions and track content usage.

c. Allows for appropriate customization.

2. Develop, in consultation with the Florida College System and the State University System, a plan for promoting and increasing the use of open access textbooks as a method for reducing textbook costs. The plan shall be submitted to the Board of Governors, the State Board of Education, the Office of Policy and Budget in the Executive Office of the Governor, the chair of the Senate Policy and Steering Committee on Ways and Means, and the chair of the House Full Appropriations Council on Education & Economic Development no later than March 1, 2010, and shall include:

a. An inventory of existing open access textbooks.

b. A listing of undergraduate courses, in particular the general education courses, that would be recommended for the use of open access textbooks.

c. A standardized process for the review and approval of open access textbooks.

d. Recommendations for encouraging and promoting faculty development and use of open access textbooks.

e. Identification of barriers to the implementation of open access textbooks.

f. Strategies for the production and distribution of open access textbooks to ensure such textbooks may be easily accessed, downloaded, printed, or obtained as a bound version by students at either reduced or no cost.

g. Identification of the necessary technology security standards and guidelines to safeguard the use of open access textbooks.

(e) Identify and evaluate new technologies and instructional methods that can be used for improving distance learning instruction, student learning, and the overall quality of undergraduate distance learning courses and degree programs.

(f) Identify methods that will improve student access to and completion of undergraduate distance learning courses and degree programs.

Section 2. Paragraphs (a) and (c) of subsection (16) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Community college student fees.—

(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. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(c) The link for the catalog must be prominently displayed within the advising and distance learning sections of ~~on~~ the institution's website, using a graphic and description provided by the Florida Distance Learning Consortium, to inform students of the catalog.

Section 3. Paragraphs (a) and (c) of subsection (17) of section 1009.24, Florida Statutes, are amended 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. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(c) The link for the catalog must be prominently displayed within the advising and distance learning sections of an the institution's website, using a graphic and description provided by the Florida Distance Learning Consortium, informing students of the catalog.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 27, 2009.

Filed in Office Secretary of State May 27, 2009.