

By the Committee on Education and Senators Grant, Horne,
Diaz-Balart and Turner

304-2023F-98

1 A bill to be entitled
2 An act relating to workforce development;
3 creating an incentive grant program; requiring
4 certain administrative procedures; requiring
5 certain data analysis and reports; providing an
6 implementation schedule; providing a
7 definition; amending s. 229.551, F.S.;
8 providing for nonpublic postsecondary education
9 institutions to use the common course
10 designation and numbering system used by public
11 institutions; amending s. 229.8075, F.S.;
12 requiring job retention data to be collected;
13 amending s. 236.081, F.S.; deleting a school
14 district responsibility for funding certain
15 community college programs; amending s.
16 239.105, F.S.; amending definitions; amending
17 s. 239.115, F.S., relating to funds for
18 operation of adult general education and
19 vocational education programs; revising
20 provisions relating to workforce development
21 education programs; changing the name of the
22 associate in applied technology degree to the
23 applied technology diploma; revising provisions
24 relating to funding through the Workforce
25 Development Education Fund; providing duties
26 relating to workforce development programs and
27 funding; providing for use of funds; amending
28 s. 239.117, F.S.; revising calculation of fees
29 required of students in workforce development
30 programs; amending ss. 240.3031, 240.311, F.S.;
31 renaming the State Community College System;

1 amending s. 239.213, F.S., relating to
2 vocational-preparatory instruction; deleting
3 obsolete provisions; amending s. 239.229, F.S.,
4 relating to vocational standards; conforming
5 provisions; amending s. 239.233, F.S.;
6 requiring job-retention data; amending s.
7 239.301, F.S.; revising adult general education
8 provisions; amending s. 240.115, F.S.;
9 providing guidelines for awarding credit for
10 transfer students; revising s. 240.35, F.S.;
11 revising calculation of fees required of
12 students in community college programs;
13 amending s. 240.359, F.S.; providing funding
14 for college preparatory coursework; amending
15 ss. 446.011, 446.041, 446.052, F.S.; deleting
16 responsibilities of the Division of Public
17 Schools and Community Education; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. This act may be cited as the "Workforce
23 Development Implementation Act of 1998."

24 Section 2. The Legislature recognizes that the need
25 for school districts and community colleges to be able to
26 respond to emerging local or statewide economic development
27 needs is critical to the workforce development system. The
28 Workforce Development Capitalization Incentive Grant Program
29 is created to provide grants to school districts and community
30 colleges on a competitive basis to fund some or all of the
31 costs associated with the creation or expansion of workforce

1 development programs that serve specific employment workforce
2 needs.

3 (a) Funds awarded for a workforce development
4 capitalization incentive grant may be used for instructional
5 equipment, laboratory equipment, supplies, personnel, student
6 services, or other expenses associated with the creation or
7 expansion of a workforce development program. Expansion of a
8 program may include either the expansion of enrollments in a
9 program or expansion into new areas of specialization within a
10 program. No grant funds may be used for recurring

11 instructional costs or for institutions' indirect costs.

12 (b) The Commissioner of Education shall accept
13 applications from school districts or community colleges for
14 workforce development capitalization incentive grants.

15 Applications from school districts or community colleges shall
16 contain projected enrollments and projected costs for the new
17 or expanded workforce development program. The commissioner
18 shall review each application for a grant and submit to the
19 Legislature a list in priority order of applications
20 recommended for a grant award.

21 (c) The commissioner shall give highest priority to
22 programs that train people to enter high-skill, high-wage
23 occupations identified by the occupational forecasting
24 conference; programs that train people to enter occupations on
25 the WAGES list; or programs that train for the workforce
26 adults who are eligible for public assistance, economically
27 disadvantaged, disabled, not proficient in English, or
28 dislocated workers. The commissioner shall consider the
29 statewide geographic dispersion of grant funds in ranking the
30 applications and shall give priority to applications from
31 education agencies that are making maximum use of their

1 workforce development funding by offering high-performing,
2 high-demand programs.

3 Section 3. The Legislature finds that changes in
4 workforce development education required by chapter 97-307,
5 Laws of Florida, require the development of an information
6 infrastructure that has been adequately tested and
7 retrofitted. The Legislature further finds that, to be
8 adequate for calculating funding levels for programs conducted
9 by both school districts and community colleges, a single
10 Workforce Development Information System must be developed in
11 an orderly, phased process with resources adequate to make the
12 changes identified in the final report of the Commissioner's
13 Task Force on Workforce Development. Therefore, the Department
14 of Education, school districts, and community colleges shall
15 cooperate to implement the following schedule:

16 (1) By July 1, 1998, as recommended by the task force,
17 implement the additional reporting sequences, revised data
18 elements, and combined individually identifiable student
19 information from the student data bases maintained by the
20 Division of Community Colleges and the Division of Public
21 Schools. Individually identifiable student information shall
22 be reported only as required for making funding decisions as
23 required by section 239.115, Florida Statutes, the
24 recommendations of the Commissioner's Task Force on Workforce
25 Development, and the General Appropriations Act. These
26 divisions shall cooperate with the Bureau of Workforce
27 Education Outcome Information Services of the Department of
28 Education to conduct the joint data element review process
29 recommended in the task force report.

30 (2) On November 1, 1998, April 1, 1999, and June 1,
31 1999, provide the Commissioner with a progress report on the

1 implementation of the recommendations of the Commissioner's
2 Task Force on Workforce Development. The report must identify
3 any problems that might impede implementation and describe
4 activities taken to correct them.

5 (3) By December 1, 1998:

6 (a) Design specifications for the collection and
7 reporting of data and performance specifications for the
8 Workforce Development Information System. This design must
9 enable parallel reporting and state-level access of workforce
10 data necessary to use the data reports as a basis for
11 calculating funding allocations. In addition, the design must
12 be capable of providing reports necessary to comply with other
13 program performance documentation required by state or federal
14 law, without requiring additional data collection or reporting
15 from local educational agencies.

16 (b) Develop the computer programs, software, and edit
17 processes necessary for local and state users to produce a
18 single, unified Workforce Development Information System.

19 (4) By May 15, 1999, complete pilot testing local and
20 state Workforce Development Information System processes.

21 (5) By July 1, 1999, complete design and development
22 of the Workforce Development Information System.

23 (6) On October 1, 1999, community colleges and school
24 districts shall complete the first reporting period applicable
25 to the Workforce Development Information System. To assure
26 that this implementation process is conducted successfully,
27 the implementation dates required in sections 239.115 and
28 239.117, Florida Statutes, are advanced by 1 year, to July 1,
29 1999, for implementation of the funding formula, and to the
30 2000-2001 school year for implementation of the fee schedule.
31 During the 1998-1999 fiscal year, school districts and

1 community colleges shall conduct workforce development
2 education programs with state funding as provided in the
3 General Appropriations Act.

4 Section 4. Subsection (1) of section 229.551, Florida
5 Statutes, is amended to read:

6 229.551 Educational management.--

7 (1) The department is directed to identify all
8 functions which under the provisions of this act contribute
9 to, or comprise a part of, the state system of educational
10 accountability and to establish within the department the
11 necessary organizational structure, policies, and procedures
12 for effectively coordinating such functions. Such policies
13 and procedures shall clearly fix and delineate
14 responsibilities for various aspects of the system and for
15 overall coordination of the total system. The commissioner
16 shall perform the following duties and functions:

17 (a) Coordination of department plans for meeting
18 educational needs and for improving the quality of education
19 provided by the state system of public education;

20 (b) Coordination of management information system
21 development for all levels of education and for all divisions
22 of the department, to include the development and utilization
23 of cooperative education computing networks for the state
24 system of public education;

25 (c) Development of database definitions and all other
26 items necessary for full implementation of a comprehensive
27 management information system as required by s. 229.555;

28 (d) Coordination of all planning functions for all
29 levels and divisions within the department;

30 (e) Coordination of all cost accounting and cost
31 reporting activities for all levels of education, including

1 public schools, vocational programs, community colleges, and
2 institutions in the State University System;
3 (f) Development and coordination of a common course
4 designation and numbering system for postsecondary education
5 in school districts, community colleges, participating
6 nonpublic postsecondary education institutions, and the State
7 University System which will improve program planning,
8 increase communication among all postsecondary delivery
9 systems ~~community colleges and universities~~, and facilitate
10 the transfer of students. The system shall not encourage or
11 require course content prescription or standardization or
12 uniform course testing, and the continuing maintenance of the
13 system shall be accomplished by appropriate faculty committees
14 representing public and participating nonpublic institutions.
15 ~~Also, the system shall be applied to all postsecondary and~~
16 ~~certificate career education programs and courses offered in~~
17 ~~school districts and community colleges.~~ The Articulation
18 Coordinating Committee, whose membership represents public and
19 nonpublic postsecondary institutions, shall:
20 1. Identify the highest demand degree programs within
21 the State University System.
22 2. Conduct a study of courses offered by universities
23 and accepted for credit toward a degree. The study shall
24 identify courses designated as either general education or
25 required as a prerequisite for a degree. The study shall also
26 identify these courses as upper-division level or
27 lower-division level.
28 3. Appoint faculty committees representing both
29 community college and university faculties to recommend a
30 single level for each course included in the common course
31 numbering and designation system. Any course designated as an

1 upper-division level course must be characterized by a need
2 for advanced academic preparation and skills that a student
3 would be unlikely to achieve without significant prior
4 coursework. A course that is offered as part of an associate
5 in science degree program and as an upper-division course for
6 a baccalaureate degree shall be designated for both the lower
7 and upper division. Of the courses required for each
8 baccalaureate degree, at least half of the credit hours
9 required for the degree shall be achievable through courses
10 designated as lower-division courses, except in degree
11 programs approved by the Board of Regents pursuant to s.
12 240.209(5)(e). A course designated as lower-division may be
13 offered by any community college. ~~By January 1, 1996,~~The
14 Articulation Coordinating Committee shall recommend to the
15 State Board of Education the levels for the courses. ~~By~~
16 ~~January 1, 1996,~~The common course numbering and designation
17 system shall include the courses at the recommended levels,
18 and by fall semester of 1996, the registration process at each
19 state university and community college shall include the
20 courses at their designated levels and common course numbers.

21 4. Appoint faculty committees representing both
22 community college and university faculties to recommend those
23 courses identified to meet general education requirements
24 within the subject areas of communication, mathematics, social
25 sciences, humanities, and natural sciences. ~~By January 1,~~
26 ~~1996,~~The Articulation Coordinating Committee shall recommend
27 to the State Board of Education those courses identified to
28 meet these general education requirements by their common
29 course code number. ~~By fall semester, 1996,~~All community
30 colleges and state universities shall accept these general
31 education courses.

1 5. Appoint faculty committees representing both
2 community colleges and universities to recommend common
3 prerequisite courses and identify course substitutions when
4 common prerequisites cannot be established for degree programs
5 across all institutions. Faculty work groups shall adopt a
6 strategy for addressing significant differences in
7 prerequisites, including course substitutions. The Board of
8 Regents shall be notified by the Articulation Coordinating
9 Committee when significant differences remain. ~~By fall~~
10 ~~semester, 1996,~~ Common degree program prerequisites shall be
11 offered and accepted by all state universities and community
12 colleges, except in cases approved by the Board of Regents
13 pursuant to s. 240.209(5)(f). The Board of Regents shall work
14 with the State Board of Community Colleges on the development
15 of a centralized database containing the list of courses and
16 course substitutions that meet the prerequisite requirements
17 for each baccalaureate degree program; ~~and~~

18 (g) Expansion and ongoing maintenance of the common
19 course designation and numbering system to include the
20 numbering and designation of ~~college credit~~ postsecondary
21 vocational courses and facilitate the transfer of credits
22 between public schools, ~~and~~ community colleges, and state
23 universities. The Articulation Coordinating Committee shall:

24 1. Adopt guidelines for the participation of public
25 school districts and community colleges in offering ~~college~~
26 ~~credit~~ courses that may be transferred to a certificate,
27 diploma, or degree program. These guidelines shall establish
28 standards addressing faculty qualifications, admissions,
29 program curricula, participation in the common course
30 designation and numbering system, and other issues identified
31 by the Task Force on Workforce Development and the

1 Commissioner of Education. Guidelines should also address the
2 role of accreditation in the designation of courses as
3 transferable ~~college~~ credit. Such guidelines must not
4 jeopardize the accreditation status of educational
5 institutions and must be based on data related to the history
6 of credit transfer among institutions in this state and
7 others.

8 2. Identify ~~Conduct a study identifying~~ postsecondary
9 vocational programs offered by community colleges and public
10 school districts. The list ~~study~~ shall also identify
11 ~~postsecondary~~ vocational courses designated as college credit
12 courses applicable toward a vocational diploma or degree.
13 Such ~~college credit~~ courses must be identified within the
14 common course numbering and designation system.

15 3. Appoint faculty committees representing both
16 community college and public school faculties to recommend a
17 standard program length and appropriate occupational
18 completion points for each postsecondary vocational
19 certificate program, diploma, and degree. A course designated
20 as college credit may be offered by a public school district
21 or community college, provided the standards established in
22 subparagraph 1. are met; ~~and-~~

23 (h) Development of common definitions necessary for
24 managing a uniform coordinated system of career education for
25 all levels of the state system of public education.

26 Section 5. Subsection (1) of section 229.8075, Florida
27 Statutes, is amended to read:

28 229.8075 Florida Education and Training Placement
29 Information Program.--

30 (1) The Department of Education shall develop and
31 maintain a continuing program of information management named

1 the "Florida Education and Training Placement Information
2 Program," the purpose of which is to compile, maintain, and
3 disseminate information concerning the educational histories,
4 placement and employment, enlistments in the United States
5 armed services, and other measures of success of former
6 participants in state educational and workforce development
7 programs. Placement and employment information shall contain
8 data appropriate to calculate job retention and job retention
9 rates.

10 Section 6. Paragraph (h) of subsection (1) of section
11 236.081, Florida Statutes, is amended to read:

12 236.081 Funds for operation of schools.--If the annual
13 allocation from the Florida Education Finance Program to each
14 district for operation of schools is not determined in the
15 annual appropriations act or the substantive bill implementing
16 the annual appropriations act, it shall be determined as
17 follows:

18 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
19 OPERATION.--The following procedure shall be followed in
20 determining the annual allocation to each district for
21 operation:

22 (h) Instruction outside required number of school
23 days.--Students in grades 9 through 12 may be counted as
24 full-time equivalent students for instruction provided outside
25 the required ~~number of~~ school days or year if such instruction
26 counts as credit toward a high school graduation diploma.
27 However, if a high school student wishes to earn ~~additional~~
28 high school credits from a community college and enrolls in
29 one or more adult secondary education courses at the community
30 college, the community college shall be reimbursed ~~student's~~
31 ~~school district must pay the community college for the costs~~

1 incurred because of the high school student's coenrollment as
2 provided in the General Appropriations Act.

3 Section 7. Section 239.105, Florida Statutes, is
4 amended to read:

5 239.105 Definitions.--As used in this chapter, the
6 term:

7 (1) "Adult basic education" means courses of
8 instruction designed to improve the employability of the
9 state's workforce through instruction in mathematics, reading,
10 language, and workforce readiness skills at grade level
11 equivalency 0-8.9.~~at or below a fifth grade educational level~~
12 ~~in the language arts, including English for speakers of other~~
13 ~~languages, mathematics, natural and social sciences, consumer~~
14 ~~education and other courses that enable an adult to attain~~
15 ~~basic or functional literacy.~~

16 (2) "Adult ESOL" or "adult ESL" means noncredit
17 English language courses designed to improve the employability
18 of the state's workforce through acquisition of communication
19 skills and cultural competencies which enhance ability to
20 read, write, speak, and listen in English. ESOL means English
21 for Speaker of Other Languages. ESL means English as a Second
22 Language. The two terms are interchangeable.

23 (3)~~(2)~~ "Adult general education" means ~~a~~ comprehensive
24 instructional programs designed to improve the employability
25 of the state's workforce through ~~program of~~ adult basic
26 education, adult secondary education, English for Speakers of
27 Other Languages, vocational preparatory instruction, and
28 instruction for adults with disabilities.~~general educational~~
29 ~~development test instruction, and vocational preparatory~~
30 ~~instruction.~~

31

1 (4) "Adult high school credit program" means the award
2 of credits upon completion of courses and passing of state
3 mandated assessments necessary to qualify for a high school
4 diploma. Except as provided elsewhere in law, the graduation
5 standards for adults shall be the same as those for secondary
6 students.

7 (5)~~(3)~~ "Adult secondary education" means courses
8 through which a person receives high school credit that leads
9 to the award of a high school diploma or courses of
10 instruction through which a student prepares to take the
11 general educational development test. ~~This includes grade~~
12 ~~levels 9.0 through 12.9.~~

13 (6) "Adult student" is a student who is beyond the
14 compulsory school age and who has legally left elementary or
15 secondary school, or a high school student who is taking an
16 adult course required for high school graduation.

17 (7) "Adult with disability," for the purpose of
18 funding, means an individual who has a physical or mental
19 impairment that substantially limits one or more major life
20 activities, has a record of such impairment, or is regarded as
21 having such an impairment, and who requires modifications to
22 the educational program, adaptive equipment, or specialized
23 instructional methods and services in order to participate in
24 workforce development programs that lead to competitive
25 employment.

26 (8) "Applied technology diploma program" means a
27 course of study that provides either vocational credit or
28 college credit, depending on the accreditation of the
29 provider. The term has the meaning ascribed to "associate in
30 applied technology degree" in chapter 97-307, Laws of Florida.
31 Institutions accredited at the degree level may award college

1 credit. Institutions accredited at a lower level shall award
2 certificate credit and shall have college credit awarded upon
3 articulation. Articulation shall be subject to guidelines and
4 standards adopted by the Articulation Coordinating Committee
5 pursuant to s. 229.551(1)(g) and shall assure that each
6 community college awards the same amount of credit for a
7 diploma.

8 (9)~~(4)~~ "Basic literacy," which is also referred to as
9 "beginning adult basic education," means the demonstration of
10 academic competence from 2.0 through 5.9 educational grade
11 levels as measured by means approved for this purpose by the
12 State Board of Education.

13 (10)~~(5)~~ "Beginning literacy" means the demonstration
14 of academic competence from 0 through 1.9 educational grade
15 levels as measured by means approved for this purpose by the
16 State Board of Education.

17 (11)~~(6)~~ "College-preparatory instruction" means
18 courses through which a high school graduate who applies for
19 an associate in arts degree program or an associate in science
20 ~~a~~ degree program may attain the communication and computation
21 skills necessary to enroll in college credit instruction.

22 (12)~~(7)~~ "Commissioner" means the Commissioner of
23 Education.

24 (13)~~(8)~~ "Community education" means the use of a
25 school or other public facility as a community center operated
26 in conjunction with other public, private, and governmental
27 organizations for the purpose of providing educational,
28 recreational, social, cultural, health, and community services
29 for persons in the community in accordance with the needs,
30 interests, and concerns of that community, including lifelong
31 learning.

1 (14) "Continuing workforce education" means
2 instruction that does not result in a vocational certificate,
3 diploma, associate in applied science degree, or associate in
4 science degree. Continuing workforce education is for:

5 (a) Individuals who are required to have training for
6 licensure renewal or certification renewal by a regulatory
7 agency or credentialing body;

8 (b) New or expanding businesses as described in
9 chapter 288;

10 (c) Business, industry, and government agencies whose
11 products or services are changing so that retraining of
12 employees is necessary or whose employees need training in
13 specific skills to increase efficiency and productivity; or

14 (d) Individuals who are enhancing occupational skills
15 necessary to maintain current employment, to cross train, or
16 to upgrade employment.

17 (15)~~(18)~~ "Degree vocational education program" means a
18 course of study that leads to an associate in applied science
19 ~~technology~~ degree or an associate in science degree. A degree
20 vocational education program may contain within it one or more
21 occupational completion points and may lead to certificates or
22 diplomas within the course of study. The term is
23 interchangeable with the term "degree career education
24 program."

25 (16)~~(9)~~ "Department" means the Department of
26 Education.

27 ~~(10) "Document literacy" means the demonstration of~~
28 ~~competence in identifying and using information located in~~
29 ~~materials such as charts, forms, tables, and indexes.~~

30
31

1 (17)~~(11)~~ "Family literacy" means a program for adults
2 with a literacy component for parents and children or other
3 intergenerational literacy components.

4 (18)~~(12)~~ "Functional literacy," which is also referred
5 to as "intermediate adult basic education," means the
6 demonstration of academic competence from 6.0 through 8.9
7 educational grade levels as measured by means approved for
8 this purpose by the State Board of Education.

9 (19)~~(13)~~ "General educational development(GED)test
10 preparation instruction" means courses of instruction designed
11 to prepare adults for success on the five GED subject area
12 tests leading to qualification for a State of Florida high
13 school diploma.~~noncredit courses through which persons~~
14 ~~prepare to take the general educational development test.~~

15 (20)~~(14)~~ "Lifelong learning" means a noncredit course
16 or activity offered by a school district or community college
17 which seeks to address community social and economic issues
18 related to health and human relations, government, parenting,
19 consumer economics, and senior citizens. The course or
20 activity must have specific expected outcomes that relate to
21 one or more of these areas.

22 (21)~~(15)~~ "Local educational agency" means a community
23 college or school district.

24 (22)~~(16)~~ "Local sponsor" means a school board,
25 community college board of trustees, public library, other
26 public entity, or private nonprofit entity, or any combination
27 of these entities, that provides adult literacy instruction.

28 (23)~~(17)~~ "Vocational certificate program"~~"Certificate~~
29 ~~vocational education program"~~ means a course of study that
30 leads to at least one occupational completion point. The
31 program may also confer credit that may articulate with a

1 diploma or degree career education program, if authorized by
2 rules of the Department of Education. Any ~~college~~ credit
3 instruction designed to articulate to a degree program is
4 subject to guidelines and standards adopted by the
5 Articulation Coordinating Committee pursuant to s.
6 229.551(1)(g). The term is interchangeable with the term
7 "certificate career education program."

8 (24)~~(19)~~ "Occupational completion point" means the
9 vocational competencies that qualify a person to enter an
10 occupation that is linked to a vocational program.

11 ~~(20) "Prose literacy" means the demonstration of~~
12 ~~competence in reading and interpreting materials such as~~
13 ~~newspapers, magazines, and books.~~

14 ~~(21) "Quantitative literacy" means the demonstration~~
15 ~~of competence in the application of arithmetic operations to~~
16 ~~materials such as loan documents, sale advertisements, order~~
17 ~~forms, and checking accounts.~~

18 (25)~~(22)~~ "Vocational education planning region" means
19 the geographic area in which career or adult education is
20 provided. Each vocational region is contiguous with one of
21 the 28 community college service areas. The term may be used
22 interchangeably with the term "career education planning
23 region."

24 (26)~~(23)~~ "Vocational-preparatory instruction" means
25 adult general education through which persons attain academic
26 and workforce readiness skills at the level of functional
27 literacy(grade levels 6.0-8.9)or higher so that such persons
28 may pursue certificate career education or higher-level career
29 education.

30
31

1 (27) "Vocational program" means a group of identified
2 competencies leading to occupations identified by a
3 classification or instruction program number.

4 ~~(28)(25)~~ "Workforce development education" means adult
5 general education or vocational education and may consist of a
6 continuing workforce education course ~~single course~~ or a
7 program ~~course~~ of study leading to an occupational completion
8 point, a vocational certificate, an applied technology
9 diploma, or a vocational education ~~an associate in applied~~
10 ~~technology degree, or an associate in science degree.~~

11 ~~(29)(24)~~ "Workforce literacy" means the basic skills
12 necessary to perform in entry-level occupations or the skills
13 necessary to adapt to technological advances in the workplace.

14 Section 8. Section 239.115, Florida Statutes, is
15 amended to read:

16 239.115 Funds for operation of adult general education
17 and vocational education programs.--

18 (1) As used in this section, the terms "workforce
19 development education" and "workforce development program"
20 include:

21 (a) Adult general education programs designed to
22 improve the employability skills of the state's workforce
23 through adult basic education, adult secondary education, GED
24 preparation, and vocational-preparatory education.†

25 (b) ~~Certificate~~ Vocational certificate ~~education~~
26 programs, including courses that lead to an occupational
27 completion point within a program that terminates in either a
28 certificate, a diploma or a degree.†

29 (c) Applied technology diploma programs.

30 (d) Continuing workforce education courses.

31

1 (e)~~(c)~~ Degree vocational education programs that lead
2 ~~to an associate in applied technology degree or an associate~~
3 ~~in science degree; and~~

4 (f)~~(d)~~ Apprenticeship and pre-apprenticeship programs
5 as defined in s. 446.021.

6 (2) Any workforce development education program may be
7 conducted by a community college or a school district, except
8 that an associate in science degree may be awarded only by a
9 community college. However, if an associate in science degree
10 program contains within it an occupational completion point
11 that confers a certificate or an ~~associate in applied~~
12 technology diploma degree, that portion of the program may be
13 conducted by a school district technical center. Any ~~college~~
14 ~~credit~~ instruction designed to articulate to a degree program
15 is subject to guidelines and standards adopted by the
16 Articulation Coordinating Committee pursuant to s.
17 229.551(1)(g).

18 (3) If a program for disabled adults pursuant to s.
19 239.301 is a workforce development program as defined in this
20 section it must be funded as provided in this section.

21 (4) The Florida Workforce Development Education Fund
22 is created to provide performance-based funding for all
23 workforce development programs, whether the programs are
24 offered by a school district or a community college. Funding
25 for all workforce development education programs must be from
26 the Workforce Development Education Fund and must be based on
27 cost categories, performance output measures, and performance
28 outcome measures. This subsection takes effect July 1, 1999
29 ~~1998~~.

30 (a) The cost categories must be calculated to identify
31 high-cost programs, medium-cost programs, and low-cost

1 programs. The cost analysis used to calculate and assign a
2 program ~~course~~ of study to a cost category must include at
3 least both direct and indirect instructional costs, consumable
4 supplies, equipment, and standard ~~optimum~~ program length.

5 (b)1. The performance output measure for ~~a~~ vocational
6 education programs ~~course~~ of study is student completion of a
7 vocational ~~a single course~~; ~~a~~ program of study that leads to
8 an occupational completion point associated with a
9 certificate; an apprenticeship program; or a program that
10 leads to an ~~associate in~~ applied technology diploma ~~degree~~ or
11 an associate in science degree. Performance output measures
12 for registered apprenticeship programs shall be based on
13 program lengths that coincide with lengths established
14 pursuant to the requirements of chapter 446.

15 2. The performance output measure for an adult general
16 education course of study is measurable improvement in student
17 skills. This measure shall include improvement in literacy
18 skills, grade level improvement as measured by an approved
19 test, or attainment of a general education development diploma
20 or an adult high school diploma.

21 (c) The performance outcome measures for programs
22 funded through the Workforce Development Education Fund are
23 associated with placement and retention of students after
24 reaching a completion point or completing of a program ~~course~~
25 of study. These measures include placement or retention in
26 employment that is related to the program ~~course~~ of study;
27 placement into or retention in employment in an occupation on
28 the Occupational Forecasting Conference list of high-wage,
29 high-skill occupations with sufficient openings; and placement
30 and retention of WAGES clients or former WAGES clients; ~~and~~
31 ~~retention in employment of former WAGES clients.~~ Placement and

1 retention must be reported pursuant to ss. 229.8075 and
2 239.233.

3 (5) Effective July 1, 1998, for school districts
4 providing adult basic education for the elderly to at least
5 10,000 students during fiscal year 1996-97, and to at least
6 10,000 students during subsequent fiscal years, funds for
7 these adult basic education courses for the elderly shall not
8 be provided from the Workforce Development Education Fund, but
9 shall be provided in a separate categorical subject to
10 provisions defined in the General Appropriations Act. Unless
11 exempt pursuant to s. 239.117, fees for these courses shall be
12 set at no less than 10 percent of the average cost of
13 instruction.

14 (6) State funding and student fees for workforce
15 development instruction funded through the Workforce
16 Development Education Fund shall be established as follows:

17 (a) For a continuing workforce education course, state
18 funding shall equal 50 percent of the cost of instruction,
19 with student fees, business support, quick-response training
20 funds, or other means making up the remaining 50 percent.

21 (b) For all other workforce development education
22 funded through the Workforce Development Education Fund, state
23 funding shall equal 75 percent of the average cost of
24 instruction with the remaining 25 percent made up from student
25 fees. Fees for courses within a program shall not vary
26 according to the cost of the individual program, but instead
27 shall be based on a uniform fee calculated and set at the
28 state level, as adopted by the State Board of Education,
29 unless otherwise specified in the General Appropriations Act.

30
31

1 (c) For fee-exempt students pursuant to s. 239.117,
2 unless otherwise provided for in law, state funding shall
3 equal 100 percent of the average cost of instruction.

4 (7) Beginning in fiscal year 1999-2000, a school
5 district or a community college that provides workforce
6 development education funded through the Workforce Development
7 Education Fund shall receive funds in accordance with
8 distributions for base and performance funding established by
9 the Legislature in the General Appropriations Act, pursuant to
10 the following conditions:

11 (a) Base funding shall not exceed 85 percent of the
12 current fiscal year total Workforce Development Education Fund
13 allocation, which shall be distributed by the Legislature in
14 the General Appropriations Act based on 85 percent of the
15 institution's prior year's total allocation from base and
16 performance funds.

17 (b) Performance funding shall be at least 15 percent
18 of the current fiscal year total Workforce Development
19 Education Fund allocation, which shall be distributed by the
20 Legislature in the General Appropriations Act based on the
21 previous fiscal year's achievement of output and outcomes in
22 accordance with formulas adopted pursuant to subsection (9).
23 For fiscal year 1999-2000, school districts and community
24 colleges shall be awarded funds pursuant to this paragraph
25 based on performance output and outcome data for fiscal year
26 1998-1999.

27 (c) Performance funding for the fiscal year 1999-2000
28 must incorporate payments for at least three levels of
29 placements that reflect wages and workforce demand. Payments
30 for completions must not exceed 60 percent of the payments for
31 placement. Payment levels shall be derived to ensure that the

1 total payments based on fiscal year 1998-1999 outputs and
2 outcomes are equal to 15 percent of the Workforce Development
3 Education Fund for fiscal year 1999-2000.

4 (d) If an educational agency achieves a level of
5 performance that generates the 15 percent allocation
6 identified in paragraphs (b) and (c), the educational agency
7 is eligible to earn up to an additional 25 percent of its base
8 and performance funds if appropriated in the General
9 Appropriations Act.

10 (8) A school district or community college that earns
11 performance funding must use the money to benefit the
12 postsecondary vocational and adult education programs it
13 provides. The money may be used for equipment upgrades,
14 program expansions, or any other use that would result in
15 workforce development program improvement. The school board or
16 community college board of trustees may not withhold any
17 portion of the performance funding for indirect costs. Funds
18 awarded pursuant to this section may be carried across fiscal
19 years and shall not revert to any other fund maintained by the
20 school board or community college board of trustees.

21 (9) The Department of Education, the State Board of
22 Community Colleges, and the Jobs and Education Partnership
23 shall provide the Legislature with recommended formulas,
24 criteria, timeframes, and mechanisms for distributing
25 performance funds. The Legislature shall adopt a formula and
26 distribute the performance funds to the Division of Community
27 Colleges and the Division of Workforce Development through the
28 General Appropriations Act. These recommendations shall be
29 based on formulas that would discourage low-performing or
30 low-demand programs and encourage through performance-funding
31 awards:

1 (a) Programs that prepare people to enter high-wage
2 occupations identified by the Occupational Forecasting
3 Conference created by s. 216.136 and other programs as
4 approved by the Jobs and Education Partnership. At a minimum,
5 performance incentives shall be calculated for adults who
6 reach completion points or complete programs that lead to
7 specified high-wage employment and to their placement in that
8 employment.

9 (b) Programs that successfully prepare adults who are
10 eligible for public assistance, economically disadvantaged,
11 disabled, not proficient in English, or dislocated workers for
12 high-wage occupations. At a minimum, performance incentives
13 shall be calculated at an enhanced value for the completion of
14 adults identified in this paragraph and job placement of such
15 adults upon completion. In addition, adjustments may be made
16 in payments for job placements for areas of high unemployment.

17 (c) Programs identified by the Jobs and Education
18 Partnership as increasing the effectiveness and cost
19 efficiency of education.

20 ~~(5) Initial state funding is generated by student~~
21 ~~enrollment in a course of study. When the student completes~~
22 ~~the course of study or the program, the agency may collect the~~
23 ~~remaining state funding. This subsection takes effect July 1,~~
24 ~~1998.~~

25 ~~(6) The total state funding entitlement for each~~
26 ~~course of study is determined by its length, the output~~
27 ~~measures, and its cost category. The district cost~~
28 ~~differential, as established annually in the General~~
29 ~~Appropriations Act, must be applied to the appropriation for~~
30 ~~the workforce development education fund.~~

31

1 ~~(a)1. For a course that does not result in an~~
2 ~~occupational completion point, state funding equals 50 percent~~
3 ~~of the cost of the course, with student fees, business~~
4 ~~support, quick-response training funds, or other means making~~
5 ~~up the remaining 50 percent.~~

6 ~~2. For a program that results in an occupational~~
7 ~~completion point, an educational agency may collect 100~~
8 ~~percent of the cost of the program, with 85 percent generated~~
9 ~~from a combination of student fees and state support during a~~
10 ~~student's enrollment, and the remaining 15 percent generated~~
11 ~~upon the student's reaching an occupational completion point~~
12 ~~or completing the program.~~

13 ~~(b) Student output measures for adult education~~
14 ~~instruction consist of improvement in literacy skills, grade~~
15 ~~level improvement as measured by an approved test, or~~
16 ~~attainment of a general education development diploma or an~~
17 ~~adult high school diploma.~~

18 ~~(c) The cost category of a course that is part of a~~
19 ~~vocational program or an adult general education program is~~
20 ~~the same as that of the program. This subsection takes effect~~
21 ~~July 1, 1998.~~

22 ~~(7) When a student reaches an occupational completion~~
23 ~~point or completes a program, the educational agency shall~~
24 ~~first collect the remainder of the total state funding~~
25 ~~entitlement and may be eligible for additional incentive funds~~
26 ~~generated by student outcome measures. However, the total~~
27 ~~funding earned by an educational agency under the formula,~~
28 ~~including state funding and student fees, may not exceed 125~~
29 ~~percent of the calculated program cost. Any funds earned in~~
30 ~~excess of program cost must be expended to improve the~~
31 ~~program. This subsection takes effect July 1, 1998.~~

1 ~~(8) For each course of study, an educational agency~~
2 ~~that serves students in workforce education programs shall~~
3 ~~submit an enrollment count each semester, which shall replace~~
4 ~~the full-time equivalent student enrollment used by the~~
5 ~~Florida Education Finance Program and the enrollment~~
6 ~~calculation used by the Community College Program Fund. The~~
7 ~~Division of Workforce Development shall calculate the funding~~
8 ~~entitlement for that semester by a date established by the~~
9 ~~Department of Education. This subsection takes effect July 1,~~
10 ~~1998.~~

11 ~~(9) A school district or a community college that~~
12 ~~provides workforce development education shall receive initial~~
13 ~~funding for each student in the semester in which the student~~
14 ~~enrolls. During each subsequent semester, a funding~~
15 ~~entitlement shall be calculated for each student by~~
16 ~~subtracting the student fee amount from the total funding~~
17 ~~amount for the course of study in its assigned cost category.~~
18 ~~The semester funding amount is 85 percent of the cost of the~~
19 ~~program, including student fees, divided by the number of~~
20 ~~semesters in the course of study. When a student reaches an~~
21 ~~occupational completion point or completes a course, the~~
22 ~~educational agency shall collect the difference between the~~
23 ~~total state funding entitlement and the amount in state~~
24 ~~funding already paid. A student may not generate funding for~~
25 ~~any semester in which the student is not enrolled. This~~
26 ~~subsection takes effect July 1, 1998.~~

27 (10) A high school student dually enrolled under s.
28 240.116 in a workforce development program funded through the
29 Workforce Development Education Fund and operated by a
30 community college or school district technical center
31 generates the amount calculated by the Workforce Development

1 Education Fund, including any payment of performance funding
2 ~~incentives~~, and the proportional share of full-time equivalent
3 enrollment generated through the Florida Education Finance
4 Program for the student's enrollment in a high school. If a
5 high school student is dually enrolled in a community college
6 program, including a program conducted at a high school, the
7 community college earns the funds generated through the
8 Workforce Development Education Fund and the school district
9 earns the proportional share of full-time equivalent funding
10 from the Florida Education Finance Program. If a student is
11 dually enrolled in a technical center operated by the same
12 district as the district in which the student attends high
13 school, that district earns the funds generated through the
14 Workforce Development Education Fund and also earns the
15 proportional share of full-time equivalent funding from the
16 Florida Education Finance Program. If a student is dually
17 enrolled in a workforce development program provided by a
18 technical center operated by a different school district, the
19 funds must be divided between the two school districts
20 proportionally from the two funding sources. A student may not
21 be reported for funding in a dual enrollment workforce
22 development program unless the student has completed the basic
23 skills assessment pursuant to s. 239.213.

24 (11) The Department of Education may adopt rules to
25 administer this section.

26 (12) The Auditor General shall annually audit the
27 Workforce Development Education Fund. The Office of Program
28 Policy Analysis and Government Accountability shall review the
29 workforce development program and provide a report to the
30 Legislature by December 31, 2000, and thereafter at the
31 direction of the Joint Legislative Auditing Committee. Such

1 audits and reviews shall be based on source data at the
2 community colleges and school districts.

3 Section 9. Subsections (1), (7), and (8), paragraph
4 (c) of subsection (4), and paragraph (a) of subsection (6) of
5 section 239.117, Florida Statutes, are amended to read:

6 239.117 Postsecondary student fees.--

7 (1) This section applies to students enrolled in
8 workforce development programs, ~~including programs and courses~~
9 ~~leading to an associate in applied technology degree or an~~
10 ~~associate in science degree~~ who are reported for funding
11 through the Workforce Development Education Fund, except that
12 college credit fees for the community colleges are governed by
13 s. 240.35.

14 (4) The following students are exempt from the payment
15 of registration, matriculation, and laboratory fees:

16 (c) A student for whom the state is paying a foster
17 care board payment pursuant to s. 409.145(3) or pursuant to
18 parts II ~~III~~ and III ~~V~~ of chapter 39, for whom the permanency
19 planning goal pursuant to part III ~~V~~ of chapter 39 is
20 long-term foster care or independent living, or who is adopted
21 from the Department of Children and Family Services after
22 December 31, 1997. Such exemption includes fees associated
23 with enrollment in vocational ~~college~~-preparatory instruction
24 and completion of the college-level communication and
25 computation skills testing program. Such exemption shall be
26 available to any student adopted from the Department of
27 Children and Family Services after December 31, 1997; however,
28 the exemption shall be valid for no more than 4 years after
29 the date of graduation from high school.

30 (6)(a) The Commissioner of Education shall provide
31 ~~recommend~~ to the State Board of Education no later than

1 December 31 of each year a schedule of fees for workforce
2 development education. The fee schedule shall be based on the
3 amount of student fees necessary to produce 25 percent of the
4 prior year's average cost of a course of study leading to a
5 certificate or diploma ~~degree~~ and 50 percent of the prior
6 year's cost of a continuing workforce course ~~that does not~~
7 ~~lead to an occupational completion point~~. At the discretion of
8 a school board or a community college, this fee schedule may
9 be implemented over a 3-year period, with full implementation
10 in the 1999-2000 school year. In years preceding that year, if
11 fee increases are necessary for some programs or courses, the
12 fees shall be raised in increments designed to lessen their
13 impact upon students already enrolled. Fees for students who
14 are not residents for tuition purposes must offset the full
15 cost of instruction.

16 (7)~~(a)~~ Each year the State Board of Community Colleges
17 shall review and evaluate the percentage of the cost of adult
18 programs and certificate career education programs supported
19 through student fees. ~~If this review indicates that student~~
20 ~~fees generate less than the percentage targeted for the~~
21 ~~program, the State Board of Community Colleges shall adopt a~~
22 ~~schedule of fee increases by December 31 for the following~~
23 ~~fall semester~~. For students who are residents for tuition
24 purposes, the schedule so adopted must produce revenues equal
25 to 25 percent of the prior year's average program cost for
26 college-preparatory and certificate-level workforce
27 development ~~supplemental vocational~~ programs and 50 ~~±0~~ percent
28 of the prior year's program cost for student enrollment in
29 continuing workforce development ~~certificate career education~~
30 ~~and vocational preparatory programs~~. The fee schedule for
31 ~~lifelong learning programs shall be based on student fees and~~

1 ~~nonstate funds necessary to produce 50 percent of the prior~~
2 ~~year's cost of lifelong learning programs. State funds may not~~
3 ~~exceed 50 percent of the prior year's cost of lifelong~~
4 ~~learning programs. The state board may not increase fees more~~
5 ~~than 10 percent for students who are residents for tuition~~
6 ~~purposes. Unless otherwise specified in the General~~
7 ~~Appropriations Act, the fee schedule shall take effect and the~~
8 ~~college shall expend student fees on instruction. If the~~
9 ~~Legislature enacts a calculation different than that adopted~~
10 ~~by the state board, the state board shall adopt a fee schedule~~
11 ~~that generates the same revenues as the calculation contained~~
12 ~~in the General Appropriations Act. Each community college~~
13 ~~board of trustees shall establish matriculation, tuition, and~~
14 ~~noncredit fees that may vary no more than 10 percent from the~~
15 ~~schedule approved by the State Board of Education. Fees for~~
16 ~~students who are not residents for tuition purposes must~~
17 ~~offset the full cost of instruction.~~

18 ~~(b) Students enrolled in college-preparatory~~
19 ~~instruction shall pay fees equal to the fees charged for~~
20 ~~college credit courses. Students enrolled in the same~~
21 ~~college-preparatory class within a skill area more than one~~
22 ~~time shall pay fees at 100 percent of the full cost of~~
23 ~~instruction and shall not be included in calculations of~~
24 ~~full-time equivalent enrollments for state funding purposes;~~
25 ~~however, students who withdraw or fail a class due to~~
26 ~~extenuating circumstances may be granted an exception only~~
27 ~~once for each class, provided approval is granted according to~~
28 ~~policy established by the board of trustees. Each community~~
29 ~~college shall have the authority to review and reduce payment~~
30 ~~for increased fees due to continued enrollment in a~~
31 ~~college-preparatory class on an individual basis, contingent~~

1 ~~upon a student's financial hardship, pursuant to definitions~~
2 ~~and fee levels established by the State Board of Community~~
3 ~~Colleges. Fee-nonexempt students enrolled in~~
4 ~~vocational-preparatory instruction shall be charged fees equal~~
5 ~~to the fees charged for certificate career education~~
6 ~~instruction. Each community college that conducts~~
7 ~~college-preparatory and vocational-preparatory instruction in~~
8 ~~the same class section may charge a single fee for both types~~
9 ~~of instruction.~~

10 (8) Each school board and community college board of
11 trustees may collect, for financial aid purposes, up to an
12 additional 10 percent of the student fees collected for
13 workforce development programs funded through the Workforce
14 Development Education Fund. All fees collected shall be
15 deposited into a separate workforce development ~~the~~ student
16 financial aid fee trust fund of the district or community
17 college to support students enrolled in workforce development
18 programs. Any undisbursed balance remaining in the trust fund
19 and interest income accruing to investments from the trust
20 fund shall increase the total funds available for distribution
21 to certificate career education students. Awards shall be
22 based on student financial need and distributed in accordance
23 with a nationally recognized system of need analysis approved
24 by the State Board for Career Education. Fees collected
25 pursuant to this subsection shall be allocated in an
26 expeditious manner.

27 Section 10. Subsection (2) of section 239.213, Florida
28 Statutes, is amended to read:

29 239.213 Vocational-preparatory instruction.--

30 (2) Students who enroll in a certificate career
31 education program ~~of 450 hours or more~~ shall complete an

1 entry-level examination within the first 6 weeks of admission
2 into the program. The state board shall designate
3 examinations that are currently in existence, the results of
4 which are comparable across institutions, to assess student
5 mastery of basic skills. Any student deemed to lack a minimal
6 level of basic skills for such program shall be referred to
7 vocational-preparatory instruction or adult basic education
8 for a structured program of basic skills instruction. Such
9 instruction may include English for speakers of other
10 languages. A student may not receive a certificate of
11 vocational program completion prior to demonstrating the basic
12 skills required in the state curriculum frameworks for the
13 vocational program.

14 Section 11. Subsection (2) of section 239.229, Florida
15 Statutes, is amended to read:

16 239.229 Vocational standards.--

17 (2)(a) School board, superintendent, and school
18 accountability for career education within elementary and
19 secondary schools includes, but is not limited to:

20 1. Student exposure to a variety of careers and
21 provision of instruction to explore specific careers in
22 greater depth.

23 2. Student awareness of available vocational programs
24 and the corresponding occupations into which such programs
25 lead.

26 3. Student development of individual career plans.

27 4. Integration of academic and vocational skills in
28 the secondary curriculum.

29 5. Student preparation to enter the workforce and
30 enroll in postsecondary education without being required to
31

1 complete college-preparatory or vocational-preparatory
2 instruction.

3 6. Student retention in school through high school
4 graduation.

5 7. Vocational curriculum articulation with
6 corresponding postsecondary programs in the local area
7 technical center or community college, or both.

8 (b) School board, superintendent, and area technical
9 center, and community college board of trustees and president,
10 accountability for certificate career education and diploma
11 programs includes, but is not limited to:

12 1. Student demonstration of the academic skills
13 necessary to enter an occupation.

14 2. Student preparation to enter an occupation in an
15 entry-level position or continue postsecondary study.

16 3. Vocational program articulation with other
17 corresponding postsecondary programs and job training
18 experiences.

19 4. Employer satisfaction with the performance of
20 students who complete workforce development education or reach
21 occupational completion points.

22 5. Student completion, ~~and~~ placement, and retention
23 rates as defined in s. 239.233.

24 (c) Department of Education accountability for career
25 education includes, but is not limited to:

26 1. The provision of timely, accurate technical
27 assistance to school districts and community colleges.

28 2. The provision of timely, accurate information to
29 the State Board for Career Education, the Legislature, and the
30 public.

31

1 3. The development of policies, rules, and procedures
2 that facilitate institutional attainment of the accountability
3 standards and coordinate the efforts of all divisions within
4 the department.

5 4. The development of program standards and
6 industry-driven benchmarks for vocational, adult, and
7 community education programs.

8 5. Overseeing school district and community college
9 compliance with the provisions of this chapter.

10 6. Ensuring that the educational outcomes for the
11 technical component of workforce development programs ~~the~~
12 ~~associate in science degree, the associate in applied~~
13 ~~technology degree,~~ and secondary vocational job-preparatory
14 programs are ~~shall be~~ uniform and designed to provide a
15 graduate of high quality who is capable of entering the
16 workforce on an equally competitive basis regardless of the
17 institution of choice.

18 Section 12. Paragraph (a) of subsection (1) of section
19 239.233, Florida Statutes, is amended to read:

20 239.233 Reporting requirements.--

21 (1)(a) The Department of Education shall develop a
22 system of performance measures in order to evaluate the
23 vocational and technical education programs as required in s.
24 239.229. This system must measure program enrollment,
25 completion rates, placement rates, and amount of earnings at
26 the time of placement. Placement and employment information,
27 where applicable, shall contain data relevant to job
28 retention, including retention rates. The State Board of
29 Education shall adopt by rule the specific measures and any
30 definitions needed to establish the system of performance
31 measures.

1 Section 13. Present subsections (6), (7), (8), and (9)
2 of section 239.301, Florida Statutes, are redesignated as (8),
3 (9), (10), and (11), respectively, and new subsections (6) and
4 (7) are added to that section to read:

5 239.301 Adult general education.--

6 (6) If students who have been determined to be adults
7 with disabilities are enrolled in workforce development
8 programs, the funding formula must provide additional
9 incentives for their achievement of performance outputs and
10 outcomes.

11 (7) If the plan for a program for adults with
12 disabilities pursuant to subsection (5) indicates that there
13 are students whose expected time to completion exceeds twice
14 that of a similar program for nondisabled students, or if
15 there are students enrolled whose individual education plan
16 does not include competitive employment, those students shall
17 generate funds in addition to funds from the workforce
18 development fund, as provided in the annual General
19 Appropriations Act.

20 Section 14. Subsections (1) and (2) of section
21 240.115, Florida Statutes, are amended to read:

22 240.115 Articulation agreement; acceleration
23 mechanisms.--

24 (1)(a) Articulation between secondary and
25 postsecondary education; admission of associate in arts degree
26 graduates from Florida community colleges and state
27 universities; admission of applied technology diploma program
28 graduates from public community colleges or technical centers;
29 admission of associate in science degree and associate in
30 applied science degree graduates from Florida community
31 colleges;the use of acceleration mechanisms, including

1 nationally standardized examinations through which students
2 may earn credit; general education requirements and common
3 course code numbers as provided for in s. 229.551(1)(f)4-; and
4 articulation among programs in nursing shall be governed by
5 the articulation agreement, as established by the Department
6 of Education. The articulation agreement must specifically
7 provide that every associate in arts graduate of a Florida
8 community college shall have met all general education
9 requirements and must be granted admission to the upper
10 division of a state university except to a limited access or
11 teacher certification program or a major program requiring an
12 audition. After admission has been granted to students under
13 provisions of this section and to university students who have
14 successfully completed 60 credit hours of coursework,
15 including 36 hours of general education, and met the
16 requirements of s. 240.107, admission shall be granted to
17 State University System and Florida community college students
18 who have successfully completed 60 credit hours of work,
19 including 36 hours of general education. Community college
20 associate in arts graduates shall receive priority for
21 admission to a state university over out-of-state students.
22 Orientation programs and student handbooks provided to
23 freshman enrollees and transfer students at state universities
24 must include an explanation of this provision of the
25 articulation agreement.

26 (b) Any student who transfers among ~~regionally~~
27 ~~accredited~~ postsecondary institutions that are fully
28 accredited by a regional or national accrediting agency
29 recognized by the United States Department of Education and
30 that participate in the common course designation and
31 numbering system shall be awarded credit by the receiving

1 institution for courses satisfactorily completed by the
2 student at the previous institutions. Credit shall be awarded
3 if the courses are judged by the appropriate common course
4 designation and numbering system faculty task force
5 representing community colleges, public universities, and
6 participating private postsecondary education institutions to
7 be academically equivalent to courses offered at the receiving
8 institution, including equivalency of faculty credentials,
9 regardless of the public or nonpublic control of the previous
10 institution. The Department of Education shall ensure that
11 credits to be accepted by a receiving institution are
12 generated in courses for which the faculty possess credentials
13 that are comparable to those required by the accrediting
14 association of the receiving institution. The award of credit
15 may be limited to courses that are entered in the common
16 course designation and numbering system. Credits awarded
17 pursuant to this subsection shall satisfy institutional
18 requirements on the same basis as credits awarded to native
19 students.

20 (c) The articulation agreement must guarantee the
21 statewide articulation of appropriate workforce development
22 programs and courses between school districts and community
23 colleges and specifically provide that every applied
24 technology diploma graduate must be granted the same amount of
25 credit upon admission to an associate in science degree or
26 associate in applied science degree program unless it is a
27 limited access program. Preference for admission must be given
28 to graduates who are residents of Florida.

29 (d) By fall semester 1998, the articulation agreement
30 must guarantee the statewide articulation of appropriate
31 courses within associate in science degree programs to

1 baccalaureate degree programs, according to standards
2 established by the Articulation Coordinating Committee after
3 consultation with the Board of Regents and the State Board of
4 Community Colleges. Courses within an associate in applied
5 science degree program may articulate into a baccalaureate
6 degree program on an individual or block basis as authorized
7 in local inter-institutional articulation agreements.

8 (2) The universities, community college district
9 boards of trustees, and district school boards are authorized
10 to establish intrainstitutional and interinstitutional
11 programs to maximize this articulation. Programs may include
12 upper-division-level courses offered at the community college,
13 distance learning, transfer agreements that facilitate the
14 transfer of credits between public and nonpublic postsecondary
15 institutions,and the concurrent enrollment of students at a
16 community college and a state university to enable students to
17 take any level of baccalaureate degree coursework. Should the
18 establishment of these programs necessitate the waiver of
19 existing State Board of Education rules, reallocation of
20 funds, or revision or modification of student fees, each
21 college or university shall submit the proposed articulation
22 program to the State Board of Education for review and
23 approval. The State Board of Education is authorized to waive
24 its rules and make appropriate reallocations, revisions, or
25 modifications in accordance with the above.

26 Section 15. Section 240.3031, Florida Statutes, is
27 amended to read:

28 240.3031 Florida State Community College System
29 defined.--The Florida State Community College System shall
30 consist of the following:
31

- 1 (1) The State Board of Community Colleges of the
- 2 Division of Community Colleges of the Department of Education.
- 3 (2) Brevard Community College.
- 4 (3) Broward Community College.
- 5 (4) Central Florida Community College.
- 6 (5) Chipola Junior College.
- 7 (6) Daytona Beach Community College.
- 8 (7) Edison Community College.
- 9 (8) Florida Community College at Jacksonville.
- 10 (9) Florida Keys Community College.
- 11 (10) Gulf Coast Community College.
- 12 (11) Hillsborough Community College.
- 13 (12) Indian River Community College.
- 14 (13) Lake City Community College.
- 15 (14) Lake-Sumter Community College.
- 16 (15) Manatee Community College.
- 17 (16) Miami-Dade Community College.
- 18 (17) North Florida Community College.
- 19 (18) Okaloosa-Walton Community College.
- 20 (19) Palm Beach Community College.
- 21 (20) Pasco-Hernando Community College.
- 22 (21) Pensacola Junior College.
- 23 (22) Polk Community College.
- 24 (23) St. Johns River Community College.
- 25 (24) St. Petersburg Junior College.
- 26 (25) Santa Fe Community College.
- 27 (26) Seminole Community College.
- 28 (27) South Florida Community College.
- 29 (28) Tallahassee Community College.
- 30 (29) Valencia Community College.
- 31

1 Section 16. Paragraphs (b) and (c) of subsection (3)
2 and paragraph (a) of subsection (5) of section 240.311,
3 Florida Statutes, are amended to read:

4 240.311 State Board of Community Colleges; powers and
5 duties.--

6 (3) The State Board of Community Colleges shall:

7 (b) Provide, through rule, for the coordination of the
8 Florida state community college system.

9 (c) Review new associate degree, diploma, and or
10 certificate programs for relationship to student demand;
11 conduct periodic reviews of existing programs; and provide
12 rules for termination of associate degree or certificate
13 programs when excessive duplication exists.

14 (5) The State Board of Community Colleges is
15 responsible for reviewing and administering the state program
16 of support for the Florida state community college system and,
17 subject to existing law, shall:

18 (a) Review and approve all budgets and recommended
19 budget amendments in the Florida state community college
20 system.

21 Section 17. Section 240.35, Florida Statutes, as
22 amended by chapter 97-383, Laws of Florida, is amended to
23 read:

24 240.35 Student fees.--Unless otherwise provided, the
25 provisions of this section apply only to fees charged for
26 college credit instruction leading to an associate in arts
27 degree, an associate in applied science degree, or an
28 associate in science degree and noncollege credit, including
29 college-preparatory courses defined in s. 239.105.

30 (1) The State Board of Community Colleges shall
31 establish the matriculation and tuition fees for

1 college-preparatory instruction and for credit instruction
2 which may be counted toward an associate in arts degree, an
3 associate in applied science degree, or an associate in
4 science degree. This instruction includes advanced programs
5 and professional programs.

6 (2)(a) Any student for whom the state is paying a
7 foster care board payment pursuant to s. 409.145(3) or parts
8 II ~~III~~ and III ~~V~~ of chapter 39, for whom the permanency
9 planning goal pursuant to part III ~~V~~ of chapter 39 is
10 long-term foster care or independent living, or who is adopted
11 from the Department of Children and Family Services after
12 December 31, 1997, shall be exempt from the payment of all
13 undergraduate fees, including fees associated with enrollment
14 in college-preparatory instruction or completion of the
15 college-level communication and computation skills testing
16 program. Before a fee exemption can be given, the student
17 shall have applied for and been denied financial aid, pursuant
18 to s. 240.404, which would have provided, at a minimum,
19 payment of all student fees. Such exemption shall be available
20 to any student adopted from the Department of Children and
21 Family Services after December 31, 1997; however, the
22 exemption shall be valid for no more than 4 years after the
23 date of graduation from high school.

24 (b) Any student qualifying for a fee exemption under
25 this subsection shall receive such an exemption for not more
26 than 2 consecutive years or 4 semesters, unless the student is
27 participating in college-preparatory instruction or requires
28 additional time to complete the college-level communication
29 and computation skills testing program. Such a student is
30 eligible to receive a fee exemption for a maximum of 3
31 consecutive years or 6 semesters.

1 (c) As a condition for continued fee exemption, a
2 student shall earn a grade point average of at least 2.0 on a
3 4.0 scale for the previous term, maintain at least an overall
4 2.0 average for college work, or have an average below 2.0 for
5 only the previous term and be eligible for continued
6 enrollment in the institution.

7 (3) Students enrolled in dual enrollment and early
8 admission programs under s. 240.116 and students enrolled in
9 employment and training programs under the WAGES Program are
10 exempt from the payment of registration, matriculation, and
11 laboratory fees; however, such students may not be included
12 within calculations of fee-waived enrollments. ~~The community~~
13 ~~college shall assist a student under the WAGES Program in~~
14 ~~obtaining financial aid as it would any other student. A~~
15 ~~student under the WAGES Program may not be denied~~
16 ~~participation in programs during the application process for~~
17 ~~financial aid. If financial aid is denied, The local WAGES~~
18 ~~coalition shall pay the community college for costs incurred~~
19 ~~by that WAGES participant related to that person's classes or~~
20 ~~program. Other fee-exempt instruction provided under this~~
21 ~~subsection generates an additional one-fourth full-time~~
22 ~~equivalent enrollment.~~

23 (4)(a) Fees shall be waived for certain members of the
24 active Florida National Guard pursuant to s. 250.10(8).

25 (b) Community colleges may waive fees for any
26 fee-nonexempt student. A student whose fees are waived in
27 excess of the amount authorized annually in the General
28 Appropriations Act may not be included in calculations of
29 full-time equivalent enrollments for state funding purposes.
30 Any community college that waives fees and requests state
31 funding for a student in violation of the provisions of this

1 subsection shall be penalized at a rate equal to two times the
2 value of the full-time equivalent student enrollment reported
3 served. Such penalty shall be charged against the following
4 year's allocation from the Community College Program Fund.

5 (5) Subject to review and final approval by the State
6 Board of Education, the State Board of Community Colleges
7 shall adopt by December 31 of each year a resident fee
8 schedule for the following fall for advanced and professional,
9 associate in science degree, and college-preparatory programs
10 that produce revenues in the amount of 25 percent of the full
11 prior year's cost of these programs. However, the board may
12 not adopt an annual fee increase in any program for resident
13 students which exceeds 10 percent. Fees for courses in
14 college-preparatory programs and associate in arts and
15 associate in science degree programs may be established at the
16 same level.In the absence of a provision to the contrary in
17 an appropriations act, the fee schedule shall take effect and
18 the colleges shall expend the funds on instruction. If the
19 Legislature provides for an alternative fee calculation in an
20 appropriations act, the board shall establish a fee schedule
21 that produces the fee revenue established in the
22 appropriations act based on the assigned enrollment.

23 (6) Each community college board of trustees shall
24 establish matriculation and tuition fees, which may vary no
25 more than 10 percent from the fee schedule adopted by the
26 State Board of Community Colleges.

27 (7) The sum of nonresident student matriculation and
28 tuition fees must be sufficient to defray the full cost of
29 each program. The annual fee increases for nonresident
30 students established by the board, in the absence of
31

1 legislative action to the contrary in an appropriations act,
2 may not exceed 25 percent.

3 (8) The State Board of Community Colleges shall adopt
4 a rule specifying the definitions and procedures to be used in
5 the calculation of the percentage of cost paid by students.
6 The rule must provide for the calculation of the full cost of
7 educational programs based on the allocation of all funds
8 provided through the general current fund to programs of
9 instruction, and other activities as provided in the annual
10 expenditure analysis. The rule shall be developed in
11 consultation with the Legislature.

12 (9) Each community college district board of trustees
13 may establish a separate activity and service fee not to
14 exceed 10 percent of the matriculation fee, according to rules
15 of the State Board of Education. The student activity and
16 service fee shall be collected as a component part of the
17 registration and tuition fees. The student activity and
18 service fees shall be paid into a student activity and service
19 fund at the community college and shall be expended for lawful
20 purposes to benefit the student body in general. These
21 purposes include, but are not limited to, student publications
22 and grants to duly recognized student organizations, the
23 membership of which is open to all students at the community
24 college without regard to race, sex, or religion.

25 (10)(a) Each community college is authorized to
26 collect for financial aid purposes an additional amount up to,
27 but not to exceed, 5 percent of the total student tuition or
28 matriculation fees collected. Each community college may
29 collect up to an additional 2 percent if the amount generated
30 by the total financial aid fee is less than \$250,000. If the
31 amount generated is less than \$250,000, a community college

1 that charges tuition and matriculation fees at least equal to
2 the average fees established by rule may transfer from the
3 general current fund to the scholarship fund an amount equal
4 to the difference between \$250,000 and the amount generated by
5 the total financial aid fee assessment. No other transfer
6 from the general current fund to the loan, endowment, or
7 scholarship fund, by whatever name known, is authorized.

8 (b) All funds collected under this program shall be
9 placed in the loan and endowment fund or scholarship fund of
10 the college, by whatever name known. Such funds shall be
11 disbursed to students as quickly as possible. An amount not
12 greater than 40 percent of the fees collected in a fiscal year
13 may be carried forward unexpended to the following fiscal
14 year. However, funds collected prior to July 1, 1989, and
15 placed in an endowment fund may not be considered part of the
16 balance of funds carried forward unexpended to the following
17 fiscal year.

18 (c) Up to 25 percent or \$300,000~~\$250,000~~, whichever
19 is greater, of the fees collected may be used to assist
20 students who demonstrate academic merit, who participate in
21 athletics, public service, cultural arts, and other
22 extracurricular programs as determined by the institution, or
23 who are identified as members of a targeted gender or ethnic
24 minority population. The financial aid fee revenues allocated
25 for athletic scholarships and fee exemptions provided pursuant
26 to subsection (14) for athletes shall be distributed equitably
27 as required by s. 228.2001(3)(d). A minimum of 50 percent of
28 the balance of these funds shall be used to provide financial
29 aid based on absolute need, and the remainder of the funds
30 shall be used for academic merit purposes and other purposes
31 approved by the district boards of trustees. Such other

1 purposes shall include the payment of child care fees for
2 students with financial need. The State Board of Community
3 Colleges shall develop criteria for making financial aid
4 awards. Each college shall report annually to the Department
5 of Education on the criteria used to make awards, the amount
6 and number of awards for each criterion, and a delineation of
7 the distribution of such awards. Awards which are based on
8 financial need shall be distributed in accordance with a
9 nationally recognized system of need analysis approved by the
10 State Board of Community Colleges. An award for academic merit
11 shall require a minimum overall grade point average of 3.0 on
12 a 4.0 scale or the equivalent for both initial receipt of the
13 award and renewal of the award.

14 (d) These funds may not be used for direct or indirect
15 administrative purposes or salaries.

16 (11) Any community college that reports students who
17 have not paid fees in an approved manner in calculations of
18 full-time equivalent enrollments for state funding purposes
19 shall be penalized at a rate equal to two times the value of
20 such enrollments. Such penalty shall be charged against the
21 following year's allocation from the Community College Program
22 Fund and shall revert to the General Revenue Fund. The State
23 Board of Education shall specify, as necessary, by rule,
24 approved methods of student fee payment. Such methods shall
25 include, but not be limited to, student fee payment; payment
26 through federal, state, or institutional financial aid; and
27 employer fee payments. A community college may not charge any
28 fee except as authorized by law or rules of the State Board of
29 Education.

30 (12) Each community college shall report only those
31 students who have actually enrolled in instruction provided or

1 supervised by instructional personnel under contract with the
2 community college in calculations of actual full-time
3 equivalent enrollments for state funding purposes. No student
4 who has been exempted from taking a course or who has been
5 granted academic or vocational credit through means other than
6 actual coursework completed at the granting institution shall
7 be calculated for enrollment in the course from which he or
8 she has been exempted or granted credit. Community colleges
9 that report enrollments in violation of this subsection shall
10 be penalized at a rate equal to two times the value of such
11 enrollments. Such penalty shall be charged against the
12 following year's allocation from the Community College Program
13 Fund and shall revert to the General Revenue Fund.

14 (13) Each community college board of trustees may
15 establish a separate fee for capital improvements or equipping
16 student buildings which may not exceed \$1 per credit hour or
17 credit-hour equivalent for residents and which equals or
18 exceeds \$3 per credit hour for nonresidents. Funds collected
19 by community colleges through these fees may be bonded only
20 for the purpose of financing or refinancing new construction
21 of educational facilities. The fee shall be collected as a
22 component part of the registration and tuition fees, paid into
23 a separate account, and expended only to construct and equip,
24 maintain, improve, or enhance the educational facilities of
25 the community college. Projects funded through the use of the
26 capital improvement fee shall meet the survey and construction
27 requirements of chapter 235. Pursuant to s. 216.0158, each
28 community college shall identify each project, including
29 maintenance projects, proposed to be funded in whole or in
30 part by such fee. Capital improvement fee revenues may be
31 pledged by a board of trustees as a dedicated revenue source

1 to the repayment of debt, including lease-purchase agreements
2 and revenue bonds, with a term not to exceed 20 years, only
3 for the new construction of educational facilities. Community
4 colleges may use the services of the Division of Bond Finance
5 of the State Board of Administration to issue any bonds
6 authorized through the provisions of this subsection. Any such
7 bonds issued by the Division of Bond Finance shall be in
8 compliance with the provisions of the State Bond Act. Bonds
9 issued pursuant to the State Bond Act shall be validated in
10 the manner provided by chapter 75. The complaint for such
11 validation shall be filed in the circuit court of the county
12 where the seat of state government is situated, the notice
13 required to be published by s. 75.06 shall be published only
14 in the county where the complaint is filed, and the complaint
15 and order of the circuit court shall be served only on the
16 state attorney of the circuit in which the action is pending.
17 A maximum of 15 cents per credit hour may be allocated from
18 the capital improvement fee for child care centers conducted
19 by the community college.

20 (14) Each community college is authorized to grant
21 student fee exemptions from all fees adopted by the State
22 Board of Community Colleges and the community college board of
23 trustees for up to 40 full-time equivalent students at each
24 institution.

25 Section 18. Paragraph (b) of subsection (1) of section
26 240.359, Florida Statutes, is amended to read:

27 240.359 Procedure for determining state financial
28 support and annual apportionment of state funds to each
29 community college district.--The procedure for determining
30 state financial support and the annual apportionment to each
31 community college district authorized to operate a community

1 college under the provisions of s. 240.313 shall be as
2 follows:

3 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE STATE
4 COMMUNITY COLLEGE PROGRAM FUND FOR THE CURRENT OPERATING
5 PROGRAM.--

6 Section 19. Subsection (1) of section 246.013, Florida
7 Statutes, is amended to read:

8 246.013 Participation in the common course designation
9 and numbering system.--

10 (1) Nonpublic colleges and schools that have been
11 issued a regular license pursuant to s. 246.081(2), or
12 nonpublic postsecondary colleges that are exempt from state
13 licensure pursuant to s. 246.085(1)(a) and that are fully
14 accredited by a regional or national accrediting agency
15 recognized by the United States Department of Education, by a
16 member of the Commission on Colleges of the Southern
17 Association of Colleges and Schools and accredited nonpublic
18 postsecondary colleges exempt from state licensure pursuant to
19 s. 246.085(1)(a) may participate in the common course
20 designation and numbering system pursuant to s. 229.551.
21 Participating colleges and schools shall bear the costs
22 associated with inclusion in the system and shall meet the
23 terms and conditions for institutional participation in the
24 system. The department shall adopt a fee schedule that
25 includes the expenses incurred through data processing,
26 faculty task force travel and per diem, and staff and clerical
27 support time. Such fee schedule may differentiate between the
28 costs associated with initial course inclusion in the system
29 and costs associated with subsequent course maintenance in the
30 system. Decisions regarding initial course inclusion and
31 subsequent course maintenance must be made within 360 days

1 after submission of the required materials and fees by the
2 institution. The Department of Education may select a date by
3 which colleges must submit requests for new courses to be
4 included, and may delay review of courses submitted after that
5 date until the next year's cycle.Any college that currently
6 participates in the system, and that participated in the
7 system prior to July 1, 1986, shall not be required to pay the
8 costs associated with initial course inclusion in the system.
9 Fees collected for participation in the common course
10 designation and numbering system pursuant to the provisions of
11 this section shall be deposited in the Institutional
12 Assessment Trust Fund created by s. 246.31. Any nonpublic,
13 nonprofit college or university that is eligible to
14 participate in the common course designation and numbering
15 system shall not be required to pay the costs associated with
16 participation in the system.~~The Legislature finds and~~
17 ~~declares that independent nonprofit colleges and universities~~
18 ~~eligible to participate in the Florida resident access grant~~
19 ~~program pursuant to s. 240.605 are an integral part of the~~
20 ~~higher education system in this state and that a significant~~
21 ~~number of state residents choose this form of higher~~
22 ~~education. Any independent college or university that is~~
23 ~~eligible to participate in the Florida resident access grant~~
24 ~~program shall not be required to pay the costs associated with~~
25 ~~participation in the common course designation and numbering~~
26 ~~system.~~

27 Section 20. Subsection (2) of section 446.011, Florida
28 Statutes, is amended to read:

29 446.011 Declaration of legislative intent with respect
30 to apprenticeship training.--

31

1 (2) It is the intent of the Legislature that the
2 Division of Jobs and Benefits of the Department of Labor and
3 Employment Security have responsibility for the development of
4 the apprenticeship and preapprenticeship uniform minimum
5 standards for the apprenticeable trades and that the Division
6 of Workforce Development ~~and the Division of Public Schools~~
7 ~~and Community Education~~ of the Department of Education have
8 responsibility for assisting district school boards and
9 community college district boards of trustees in developing
10 preapprenticeship programs in compliance with the standards
11 established by the Division of Jobs and Benefits.

12 Section 21. Subsection (8) of section 446.041, Florida
13 Statutes, is amended to read:

14 446.041 Apprenticeship program, duties of
15 division.--The Division of Jobs and Benefits shall:

16 (8) Cooperate with and assist the Division of
17 Workforce Development ~~and the Division of Public Schools and~~
18 ~~Community Education~~ of the Department of Education and
19 appropriate education institutions in the development of
20 viable apprenticeship and preapprenticeship programs.

21 Section 22. Subsections (2) and (3) of section
22 446.052, Florida Statutes, is amended to read:

23 446.052 Preapprenticeship program.--

24 (2) The Division of Workforce Development ~~Public~~
25 ~~Schools and Community Education~~ of the Department of
26 Education, under regulations established by the State Board of
27 Education, is authorized to administer the provisions of ss.
28 446.011-446.092 that relate to preapprenticeship programs in
29 cooperation with district school boards and community college
30 district boards of trustees. District school boards, community
31 college district boards of trustees, and registered program

1 sponsors shall cooperate in developing and establishing
2 programs that include vocational instruction and general
3 education courses required to obtain a high school diploma.

4 (3) The Division of Workforce Development ~~Public~~
5 ~~Schools and Community Education~~, the district school boards,
6 the community college district boards of trustees, and the
7 Division of Jobs and Benefits shall work together with
8 existing registered apprenticeship programs so that
9 individuals completing such preapprenticeship programs may be
10 able to receive credit towards completing a registered
11 apprenticeship program.

12 Section 23. This act shall take effect July 1, 1998.

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 1124, SB 2048, SB 1120

4 The committee substitute makes the following provisions:

- 5 1. Delays implementation of the workforce development
6 funding formula for 1 year more and amends it so that
7 funding is based on the amount generated in the previous
8 year rather than on the length and cost of a program.
- 9 2. Creates the Workforce Development Capitalization Grant
10 Program administered by the Commissioner of Education.
- 11 3. Clarifies issues of articulation from vocational
12 certificate programs to vocational degree programs by:
13 -- Creating the Applied Technology Diploma(ATD).
14 -- Authorizing a technical center to offer the ATD for
15 college credit if its accreditation is at the degree
16 level. If it is not, a student who earns a diploma
17 will be granted the same amount of credit toward the
18 AS degree at every community college if he or she
19 wishes to earn one.
- 20 4. Requires extra funding for adults with disabilities
21 either in regular workforce development programs or from
22 a categorical program in addition to the workforce
23 development funds.
- 24 5. Provides for funding from the FEFP for high school
25 students who attend community colleges' adult education
26 programs, authorizes additional funding for
27 apprenticeship outputs, and raises by \$50,000 the amount
28 a small community college can use for scholarships.
- 29 6. Authorizes nonpublic colleges to participate in the
30 common course numbering system and have their credits
31 transfer automatically to state universities and
community colleges if they meet certain requirements
essential to the accreditation of the receiving
institution.