

By Senator Gutman

34-591B-98

1 A bill to be entitled
2 An act relating to postsecondary education;
3 amending s. 216.136, F.S.; creating the
4 Workforce Development Estimating Conference;
5 providing duties and principals; amending s.
6 229.551, F.S.; revising duties of the
7 Commissioner of Education with respect to
8 common course designation and numbering;
9 revising membership and duties of the
10 Articulation Coordinating Committee; amending
11 s. 236.081, F.S.; providing funding for the
12 co-enrollment of secondary students; amending
13 s. 239.105, F.S.; revising terms defined for
14 the purposes of vocational, adult, and
15 community education; amending s. 239.115, F.S.;
16 prescribing additional courses that will be
17 considered "workforce development education" or
18 "workforce development programs"; providing
19 funding guidelines for programs for disabled
20 students and for other programs; requiring an
21 annual audit of the Florida Workforce
22 Development Education Fund; amending s.
23 239.117, F.S.; conforming terminology to
24 changes made by the act; providing standards
25 for fee schedules, revenues, and courses of
26 study with respect to literacy completion
27 points; amending s. 239.229, F.S.; conforming
28 terminology to changes made by the act;
29 providing for standards and accountability with
30 respect to literacy completion points; amending
31 s. 239.249, F.S.; providing duties of the Jobs

1 and Education Partnership with respect to
2 degree education courses and programs; amending
3 s. 239.301, F.S.; revising provisions relating
4 to adult general education and to educational
5 programs for disabled adults; amending s.
6 240.115, F.S.; providing for the statewide
7 articulation of workforce development courses
8 and programs; amending s. 240.301, F.S.;
9 conforming terminology to changes made by the
10 act; amending s. 240.35, F.S.; providing
11 applicability of provisions relating to student
12 fees to non-college-credit courses; exempting
13 certain persons from registration,
14 matriculation, and laboratory fees; amending s.
15 240.359, F.S.; providing for allocating funds
16 to community colleges for college-preparatory
17 programs and degree vocational education
18 programs; requiring the Commissioner of
19 Education to study issues relating to workforce
20 development and report to the Legislature;
21 creating s. 240.3345, F.S.; providing for the
22 creation of charter colleges by community
23 colleges; providing limitations, duties, and
24 eligibility requirements; authorizing adoption
25 of rules; providing for renewal or termination
26 of charters; providing for revenues; creating
27 s. 240.524, F.S.; prescribing conditions under
28 which community colleges may award
29 baccalaureate degrees; amending s. 240.147,
30 F.S.; providing duties of the Postsecondary
31 Education Planning Commission with respect to

1 community college baccalaureate degrees;
2 amending s. 240.301, F.S.; revising the mission
3 of community colleges to account for the
4 authorization to award baccalaureate degrees;
5 amending s. 240.311, F.S.; prescribing duties
6 of the State Board of Community Colleges with
7 respect to charter colleges and community
8 college baccalaureate degrees; amending s.
9 240.319, F.S.; prescribing powers of community
10 college boards of trustees with respect to
11 offering baccalaureate degrees; amending s.
12 232.2466, F.S.; revising requirements for the
13 college-ready diploma; amending s. 240.1163,
14 F.S.; providing requirements for school
15 districts and community colleges with respect
16 to weighting dual enrollments; amending s.
17 240.321, F.S.; prescribing additional content
18 for notice given to students by community
19 college boards of trustees; amending s.
20 240.4097, F.S.; requiring application deadlines
21 for postsecondary student assistance grants;
22 amending s. 246.013, F.S.; revising
23 requirements for institutions to participate in
24 the common course designation and numbering
25 system; amending ss. 239.117, 240.235, F.S.;
26 exempting certain persons from registration,
27 matriculation, and laboratory fees; amending s.
28 240.319, F.S.; requiring community colleges to
29 operate on a 5-day work week; amending s.
30 246.207, F.S.; requiring specified moneys to be
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1 transferred to the Institutional Assessment
2 Trust Fund; providing an effective date.

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

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6 Section 1. Subsection (11) is added to section
7 216.136, Florida Statutes, to read:

8 216.136 Consensus estimating conferences; duties and
9 principals.--

10 (11) WORKFORCE DEVELOPMENT ESTIMATING CONFERENCE.--

11 (a) Duties.--The Workforce Development Estimating
12 Conference shall develop such official information on the
13 workforce development education system with respect to the
14 state public adult and postsecondary vocational educational
15 system as the conference determines is needed for the state
16 planning and budgeting system. Such estimates must include at
17 least: estimates of workforce needs and student enrollments;
18 performance outputs, including program completion; and
19 performance outcomes, including employment placement and
20 retention, for the Workforce Development Education Fund and
21 program. The estimating conference must also consider the
22 impact of increased fees on enrollments and program outputs
23 and outcomes. The estimating conference shall use estimates
24 and data from the Occupational Estimating Conference as
25 integral components in the production of workforce development
26 estimates.

27 (b) Principals.--The Commissioner of Education, the
28 Executive Office of the Governor, the Secretary of Labor, the
29 director of the Division of Economic and Demographic Research
30 of the Joint Legislative Management Committee, and the
31 professional staff of the Senate and the House of

1 Representatives who have forecasting expertise, or their
2 designees, are the principals of the workforce Development
3 Estimating Conference. The Commissioner of Education, or the
4 commissioner's designee, shall preside over the sessions of
5 the conference.

6 Section 2. Subsection (1) of section 229.551, Florida
7 Statutes, is amended to read:

8 229.551 Educational management.--

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

19 (a) Coordination of department plans for meeting
20 educational needs and for improving the quality of education
21 provided by the state system of public education.‡

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

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

30 (d) Coordination of all planning functions for all
31 levels and divisions within the department.‡

1 (e) Coordination of all cost accounting and cost
2 reporting activities for all levels of education, including
3 public schools, vocational programs, community colleges, and
4 institutions in the State University System.†

5 (f) Development and coordination of a common course
6 designation and numbering system for community colleges,
7 school districts, nonpublic postsecondary education
8 institutions,and the State University System which will
9 improve program planning, increase communication among
10 community colleges, school districts,~~and~~ universities, and
11 nonpublic institutions and facilitate the transfer of students.
12 The system shall ~~not~~ encourage and ~~or~~ require common course
13 content ~~prescription or standardization~~ for all courses with a
14 common number ~~or uniform course testing,~~ and the continuing
15 maintenance of the system shall be accomplished by appropriate
16 faculty committees representing public and nonpublic
17 institutions. Also, the system shall be applied to all
18 postsecondary and certificate career education programs and
19 courses offered in school districts, nonpublic postsecondary
20 institutions,and community colleges. The Articulation
21 Coordinating Committee whose membership represents public and
22 nonpublic postsecondary institutions shall:

23 1. Identify the highest demand degree programs within
24 the State University System.

25 2. Conduct a study of courses offered by universities
26 and accepted for credit toward a degree. The study shall
27 identify courses designated as either general education or
28 required as a prerequisite for a degree. The study shall also
29 identify these courses as upper-division level or
30 lower-division level.

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

26 4. Appoint faculty committees representing school
27 district, both community college, and university faculties, as
28 appropriate, to recommend those courses identified to meet
29 general education requirements within the subject areas of
30 communication, mathematics, social sciences, humanities, and
31 natural sciences. ~~By January 1, 1996,~~The Articulation

1 Coordinating Committee shall recommend to the State Board of
2 Education those courses identified to meet these general
3 education requirements by their common course code number. ~~By~~
4 ~~fall semester, 1996,~~All community colleges and state
5 universities shall accept these general education courses.

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

23 (g) Expansion and ongoing maintenance of the common
24 course designation and numbering system to include the
25 numbering and designation of college credit postsecondary
26 vocational courses and facilitate the transfer of credits
27 between public schools and community colleges. The
28 Articulation Coordinating Committee shall:

29 1. Adopt guidelines for the participation of public
30 school districts and community colleges in offering ~~college~~
31 ~~credit~~ courses that may be transferred to a certificate,

1 diploma, or degree program. These guidelines shall establish
2 standards addressing faculty qualifications, admissions,
3 program curricula, participation in the common course
4 designation and numbering system, and other issues identified
5 by the ~~Task Force on Workforce Development and the~~
6 Commissioner of Education. Guidelines should also address the
7 role of accreditation in the designation of courses as
8 transferable college credit. Such guidelines must not
9 jeopardize the accreditation status of educational
10 institutions and must be based on data related to the history
11 of credit transfer among institutions in this state and
12 others.

13 2. Identify ~~Conduct a study identifying~~ postsecondary
14 vocational programs and postsecondary adult vocational
15 programs offered by community colleges and public school
16 districts. ~~The study shall also identify postsecondary~~
17 Vocational courses designated as college credit courses
18 applicable toward a vocational diploma or degree shall also be
19 identified. Such college credit courses must be identified
20 within the common course numbering and designation system.

21 3. Appoint faculty committees representing both
22 community college and public school faculties to recommend a
23 standard program length and appropriate occupational
24 completion points for each postsecondary adult vocational
25 certificate program, diploma, and degree. A course designated
26 as college credit may be offered by a public school district
27 or community college, provided the standards established in
28 subparagraph 1. are met.

29 (h) Development of common definitions necessary for
30 managing a uniform coordinated system of career education for
31 all levels of the state system of public education.

1 Section 3. Paragraph (h) of subsection (1) of section
2 236.081, Florida Statutes, is amended to read:

3 236.081 Funds for operation of schools.--If the annual
4 allocation from the Florida Education Finance Program to each
5 district for operation of schools is not determined in the
6 annual appropriations act or the substantive bill implementing
7 the annual appropriations act, it shall be determined as
8 follows:

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

13 (h) Instruction outside required number of school
14 days.--Students in grades 9 through 12 may be counted as
15 full-time equivalent students for instruction provided outside
16 the required number of school days if such instruction counts
17 as credit toward a high school diploma. However, if a high
18 school student wishes to earn additional high school credits
19 from a community college or school district postsecondary
20 educational facility, including an institution located in the
21 school district in which the student resides or in a
22 neighboring school district,and enrolls in one or more adult
23 secondary education courses at the community college,
24 including courses conducted at the high school,the student's
25 enrollment at the community college or school district shall
26 be funded by the proportional share of full-time equivalent
27 enrollment generated through the Florida Education Finance
28 Program for the student's enrollment at the high school,
29 through funds provided by the school district to the community
30 college on a contractual basis ~~school district must pay the~~

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1 ~~community college for the costs incurred because of the high~~
2 ~~school student's coenrollment.~~

3 Section 4. 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 courses in the English language designed to improve the
18 employability of the state's workforce through acquisition of
19 communication skills and cultural competencies that enhance
20 the ability to read English, write in English, speak English,
21 and understand spoken English.

22 (3)~~(2)~~ "Adult general education" means ~~a~~ comprehensive
23 instructional programs designed to improve the employability
24 of the state's workforce through ~~program of~~ adult basic
25 education, adult secondary education, English for speakers of
26 other languages, vocational preparatory instruction, and
27 instruction for adults with disabilities ~~general educational~~
28 ~~development test instruction, and vocational preparatory~~
29 ~~instruction.~~

30 (4) "Adult high school credit program" means the award
31 of credits upon completion of courses and passing of

1 state-mandated assessments necessary to qualify for a
2 high-school diploma. Except as otherwise provided by law, the
3 graduation standards for adults shall be the same as those for
4 secondary students.

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

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

15 (7) "Adult with disability" means an individual who:

16 (a) Has a physical or mental impairment,

17 (b) Has a record of having a physical or mental
18 impairment, or

19 (c) Is regarded as having a physical or mental
20 impairment

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22 that substantially limits one or more major life activities
23 and who requires modifications to the educational program,
24 adaptive equipment, or specialized instructional methods and
25 services.

26 (8) "Adults with disabilities workforce development"
27 means a mainstreamed or specialized educational training
28 program, service, or accommodation, designed to move an adult
29 with disability through a progression of competencies leading
30 to competitive employment in the workforce.

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1 (9) "Applied technology diploma" means a course of
2 study that is part of an A.S. degree, is less than 60 credit
3 hours, and leads to employment in a specific occupation.
4 Diploma programs will be delivered by both school districts
5 and community colleges and will be governed by a statewide
6 articulation agreement. Articulation to a degree program is
7 subject to guidelines and standards adopted by the
8 Articulation Coordinating Committee under s. 229.551(1)(g).

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

14 ~~(11)(5)~~ "Beginning literacy" means the demonstration
15 of academic competence from 0 through 1.9 educational grade
16 levels as measured by means approved for this purpose by the
17 State Board of Education.

18 (12) "Co-enrollee" means a currently enrolled high
19 school student 16 years of age or older who is taking
20 additional high school credit courses through adult education.

21 ~~(13)(6)~~ "College-preparatory instruction" means
22 courses through which a high school graduate who applies for a
23 degree program may attain the communication and computation
24 skills necessary to enroll in college credit instruction.

25 ~~(14)(7)~~ "Commissioner" means the Commissioner of
26 Education.

27 ~~(15)(8)~~ "Community education" means the use of a
28 school or other public facility as a community center operated
29 in conjunction with other public, private, and governmental
30 organizations for the purpose of providing educational,
31 recreational, social, cultural, health, and community services

1 for persons in the community in accordance with the needs,
2 interests, and concerns of that community, including lifelong
3 learning.

4 (16) "Continuing workforce education" means
5 instruction that does not result in a literacy completion
6 point, occupational completion point, vocational certificate,
7 diploma, or A.S. degree. Continuing workforce education is
8 for:

9 (a) Individuals who are required to have training for
10 licensure renewal or certification renewal by a regulatory
11 agency or credentialing body;

12 (b) New or expanding businesses as described in ch.
13 288;

14 (c) Business, industry, and government agencies whose
15 products or services are changing so that retraining of
16 employees is necessary or who need their employees trained in
17 specific skills to increase efficiency and productivity; or

18 (d) Individuals who are enhancing occupational skills
19 necessary to maintain current employment, to cross train, or
20 to upgrade employment.

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

28 (18)~~(9)~~ "Department" means the Department of
29 Education.

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

4 (19)~~(11)~~ "Family literacy" means a program for adults
5 with a literacy component for parents and children or other
6 intergenerational literacy components.

7 (20)~~(12)~~ "Functional literacy," which is also referred
8 to as "intermediate adult basic education," means the
9 demonstration of academic competence from 6.0 through 8.9
10 educational grade levels as measured by means approved for
11 this purpose by the State Board of Education.

12 (21)~~(13)~~ "General educational development test
13 preparation instruction" means courses of instruction designed
14 to prepare adults for success on the five GED subject area
15 tests leading to qualification for a state of Florida high
16 school diploma noncredit courses through which persons prepare
17 to take the general educational development test.

18 (22)~~(14)~~ "Lifelong learning" means a noncredit course
19 or activity offered by a school district or community college
20 which seeks to address community social and economic issues
21 related to health and human relations, government, parenting,
22 consumer economics, and senior citizens. The course or
23 activity must have specific expected outcomes that relate to
24 one or more of these areas.

25 (23) "Literacy completion point" or "LCP" means the
26 attainment of academic or workforce readiness skills that
27 qualify the participant for further basic education,
28 vocational education, or employment. Completion of a literacy
29 completion point means that a student has successfully
30 mastered the competencies needed to progress to the next
31 educational level or employment.

1 ~~(24)(15)~~ "Local educational agency" means a community
2 college or school district.

3 ~~(25)(16)~~ "Local sponsor" means a school board,
4 community college board of trustees, public library, other
5 public entity, or private nonprofit entity, or any combination
6 of these entities, that provides adult literacy instruction.

7 ~~(17)~~ "Certificate vocational education program" means
8 a course of study that leads to at least one occupational
9 completion point. The program may also confer credit that may
10 articulate with a degree career education program, if
11 authorized by rules of the Department of Education. Any
12 college credit instruction designed to articulate to a degree
13 program is subject to guidelines and standards adopted by the
14 Articulation Coordinating Committee pursuant to s.
15 229.551(1)(g). The term is interchangeable with the term
16 "certificate career education program."

17 ~~(18)~~ "Degree vocational education program" means a
18 course of study that leads to an associate in applied
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
22 within the course of study. The term is interchangeable with
23 the term "degree career education program."

24 ~~(26)(19)~~ "Occupational completion point" means the
25 vocational competencies that qualify a person to enter an
26 occupation that is linked to a vocational program. Completion
27 of an occupational completion point means that a student has
28 successfully mastered competencies associated with a specific
29 occupation.

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

4 ~~(21) "Quantitative literacy" means the demonstration~~
5 ~~of competence in the application of arithmetic operations to~~
6 ~~materials such as loan documents, sale advertisements, order~~
7 ~~forms, and checking accounts.~~

8 (27)~~(22)~~ "Vocational education planning region" means
9 the geographic area in which career or adult education is
10 provided. Each vocational region is contiguous with one of
11 the 28 community college service areas. The term may be used
12 interchangeably with the term "career education planning
13 region."

14 (28) "Vocational certificate program" means a course
15 of study that leads to at least one occupational completion
16 point. The program may also confer credit that may articulate
17 with a degree college career education program, if authorized
18 by rules of the Department of Education. Any college credit
19 instruction designed to articulate to a degree program is
20 subject to guidelines and standards adopted by the
21 Articulation Coordination Committee under s. 229.551(1)(g).
22 The term is interchangeable with the term "certificate career
23 education program."

24 (29)~~(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 (30) "Vocational program" means a group of identified
31 competencies leading to an occupation identified by a

1 classification of instruction program number. A program may
2 lead to a single occupational completion point or multiple
3 occupational points depending on the career ladder. Program
4 completion means that a student has successfully completed all
5 course work and mastered appropriate competencies in a
6 particular vocational or adult education program to qualify
7 for a certificate, diploma, or degree.

8 (31)~~(24)~~ "Workforce literacy" means the basic skills
9 necessary to perform in entry-level occupations or the skills
10 necessary to adapt to technological advances in the workplace.

11 (32)~~(25)~~ "Workforce development education" means adult
12 general education or vocational education and may consist of a
13 continuing workforce education ~~single~~ course or a course of
14 study leading to an occupational completion point, a
15 vocational certificate, an applied technology diploma an
16 associate in applied technology degree, or an associate in
17 science degree.

18 Section 5. Section 239.115, Florida Statutes, is
19 amended to read:

20 239.115 Funds for operation of adult general education
21 and vocational education programs.--

22 (1) As used in this section, the terms "workforce
23 development education" and "workforce development program"
24 include:

25 (a) Adult general education programs designed to
26 improve the employability skills of the state's workforce
27 through adult basic education, adult secondary education, GED
28 preparation, and vocational-preparatory education, including
29 courses that lead to a literacy completion point;

30 (b) Certificate vocational education programs,
31 including courses that lead to an occupational completion

1 point within a program that terminates in either a certificate
2 or a diploma degree;

3 (c) Degree vocational education programs that lead to
4 an associate in applied technology degree, an applied
5 technology diploma, or an associate in science degree; ~~and~~

6 (d) Continuing workforce education courses that do not
7 result in an occupational completion point or a literacy
8 completion point; and

9 (e)~~(d)~~ Apprenticeship programs as defined in s.
10 446.021.

11 (2) Any workforce development education program may be
12 conducted by a community college or a school district. An
13 associate in science degree or applied technology diploma may
14 be awarded by a community college, school district, or other
15 authorized entity, provided the institution is accredited by
16 an agency recognized by the U.S. Department of Education to
17 offer an associate in science degree, ~~except that an associate~~
18 ~~in science degree may be awarded only by a community college.~~

19 ~~However,~~ If an associate in science degree program contains
20 within it an occupational completion point that confers a
21 certificate, ~~or an associate in applied technology diploma~~
22 degree, or an associate in applied technology degree, that
23 portion of the program may be conducted by a school district
24 technical center, community college, or other authorized
25 entity. Any ~~college credit~~ instruction designed to articulate
26 to a degree program is subject to guidelines and standards
27 adopted by the Articulation Coordinating Committee pursuant to
28 s. 229.551(1)(g).

29 (3) If a program for disabled adults pursuant to s.
30 239.301 is a workforce development program as defined in this
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1 section it must be funded as provided in this section except
2 that:-

3 (a) Adult disabled students that are classified as
4 students that cannot reasonably complete a program or be
5 placed in employment due to their disabilities, as defined by
6 the Department of Education, shall be funded pursuant to the
7 General Appropriations Act;

8 (b) All other adult students with disabilities, as
9 defined by the Department of Education, completing a program
10 pursuant to this subsection shall be weighted double for the
11 funding of program completion, placement, and retention; and

12 (c) Elderly students and students incarcerated in a
13 county or municipal detention facility who are classified as
14 students that cannot reasonably complete a program or be
15 placed in employment due to their circumstances shall be
16 funded pursuant to the General Appropriations Act at 100
17 percent of program cost.

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

26 (a) The cost categories must be calculated to identify
27 high-cost programs, medium-cost programs, and low-cost
28 programs. The cost analysis used to calculate and assign a
29 course of study to a cost category must include at least both
30 direct and indirect instructional costs, consumable supplies,
31 equipment, and optimum program length.

1 (b)1. The performance output measure for a vocational
2 education course of study is student completion of ~~a single~~
3 ~~course~~ a program that leads to an occupational completion
4 point associated with a certificate; an apprenticeship
5 program; or a program that leads to an associate in applied
6 technology diploma, associate in applied technology degree, or
7 an associate in science degree. In a registered apprenticeship
8 program, program completion payments must be made at the end
9 of each year up to a maximum of 4 years.

10 2. The performance output measure for an adult general
11 education course of study is measurable improvement in student
12 skills, including attainment of a literacy completion point.

13 (c) The performance outcome measures are associated
14 with placement of students after completion of a course of
15 study. These measures include placement in employment that is
16 related to the course of study; placement into employment in
17 an occupation on the Occupational Forecasting Conference list
18 of high-wage, high-skill occupations with sufficient openings;
19 placement of WAGES clients or former WAGES clients; and
20 retention in employment of former WAGES clients. Registered
21 apprenticeship programs are eligible for placement incentive
22 payments after 1 year and for retention incentive payments for
23 up to 3 years. Placement must be reported pursuant to ss.
24 229.8075 and 239.233.

25 (5) Initial state funding is generated by student
26 enrollment in a course of study after the course/program
27 drop/add period. When the student completes the course of
28 study or the program, the agency may collect the remaining
29 state funding. ~~This subsection takes effect July 1, 1998.~~

30 (6) The total state funding entitlement for each
31 course of study is determined by its length, the output

1 measures, and its cost category. The district cost
2 differential, as established annually in the General
3 Appropriations Act, must be applied to the appropriation for
4 the workforce development education fund.

5 (a)1. For a course that does not result in an
6 occupational completion point or a literacy completion point,
7 state funding equals 50 percent of the cost of the course,
8 with student fees, business support, quick-response training
9 funds, or other means making up the remaining 50 percent.
10 Coursework within this category is considered continuing
11 workforce education.

12 2. For a program that results in an occupational
13 completion point or a literacy completion point, an
14 educational agency may collect 100 percent of the cost of the
15 program, regardless of whether the student completes the
16 program through acceleration or in the prescribed amount of
17 time with 85 percent generated from a combination of student
18 fees and state support based upon the ~~during a~~ student's
19 enrollment, and the remaining 15 percent generated upon the
20 student's reaching an occupational completion point or a
21 literacy completion point or completing the program. For
22 fee-exempt students pursuant to s. 239.117, the state shall
23 pay a full 85 percent of the cost of enrollment. In programs
24 with multiple occupational or literacy completion points, the
25 sum of the payments for the occupational or literacy
26 completion points may not exceed the payment for the
27 completion of the program.

28 (b) Student output measures for adult education
29 instruction consist of improvement in literacy skills, grade
30 level improvement as measured by an approved test, attainment
31

1 of a literacy completion point, or attainment of a general
2 education development diploma or an adult high school diploma.

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

7 (7) When a student reaches an occupational completion
8 point, a literacy completion point, or completes a program,
9 the educational agency shall first collect the remainder of
10 the total state funding entitlement and may be eligible for
11 additional incentive funds generated by student outcome
12 measures. However, the total funding earned by an educational
13 institution ~~agency~~ under the formula, including state funding
14 and student fees, may not exceed 125 percent of the calculated
15 program cost. Any funds earned in excess of program cost must
16 be expended to improve the program. ~~This subsection takes~~
17 ~~effect July 1, 1998.~~

18 (8) For each course of study, an educational
19 institution ~~agency~~ that serves students in workforce education
20 programs shall submit an enrollment count in accordance with
21 the reporting and validation schedule established by the
22 Department of Education ~~each semester~~, which shall replace the
23 full-time equivalent student enrollment used by the Florida
24 Education Finance Program and the enrollment calculation used
25 by the Community College Program Fund. The Division of
26 Workforce Development shall calculate the funding entitlement
27 for each period ~~that semester~~ by a date established by the
28 Department of Education. ~~This subsection takes effect July 1,~~
29 ~~1998.~~

30 (9) A school district or a community college that
31 provides workforce development education shall receive initial

1 funding for each student in the semester in which the student
2 enrolls. During each subsequent funding period ~~semester~~, a
3 funding entitlement shall be calculated for each student by
4 subtracting the student fee amount from the total funding
5 amount for the course of study in its assigned cost category.
6 However, fees shall not vary according to the cost of the
7 individual program, but shall instead be based on a uniform
8 fee calculated and set at the state level within the General
9 Appropriations Act. The enrollment funding amount is based on
10 85 percent of the cost of the program, including student fees,
11 equal to the cost of the program a student is enrolled in ~~The~~
12 ~~semester funding amount is 85 percent of the cost of the~~
13 ~~program, including student fees,~~ divided by the number of
14 semesters in the course of study. When a student reaches an
15 occupational completion point or a literacy completion point
16 or completes a continuing workforce education course, the
17 educational agency shall collect the difference between the
18 total state funding entitlement and the amount in state
19 funding already paid. For fee-exempt students pursuant to s.
20 239.117, the state shall pay a full 85 percent of the cost of
21 enrollment. A student may not generate funding for any funding
22 period ~~semester~~ in which the student is not enrolled. ~~This~~
23 ~~subsection takes effect July 1, 1998.~~

24 (10) A high school student dually enrolled under s.
25 240.116 in a workforce development program operated by a
26 community college or school district technical center
27 generates the amount calculated by the Workforce Development
28 Education Fund, including any payment of performance
29 incentives, and the proportional share of full-time equivalent
30 enrollment generated through the Florida Education Finance
31 Program for the student's enrollment in a high school. If a

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

20 (11) The Department of Education may adopt rules to
21 administer this section.

22 (12) The Auditor General shall annually audit the
23 Florida Workforce Development Education Fund and the Office of
24 Program Policy Analysis and Government Accountability shall
25 review the workforce development program once every 3 years.
26 Such audits and reviews shall be based on electronic source
27 data at the community colleges and school districts. The
28 Auditor General must audit calculations and distributions in
29 conjunction with the funding unit audit of the Division of
30 Workforce Development of the Department of Education.

31

1 Section 6. Subsections (1), (6), and (7) of section
2 239.117, Florida Statutes, as amended by section 1 of chapter
3 97-383, Laws of Florida, are amended to read:

4 239.117 Postsecondary student fees.--

5 (1) This section applies to students enrolled in
6 workforce development programs, including adult education and
7 programs and courses leading to an ~~associate in applied~~
8 technology diploma, associate of applied technology degree, or
9 an associate in science degree who are reported for funding
10 through the Workforce Development Education Fund.

11 (6)(a) The Commissioner of Education shall recommend
12 to the State Board of Education no later than December 31 of
13 each year a schedule of fees for workforce development
14 education. The fee schedule shall be based on the amount of
15 student fees necessary to produce 25 percent of the prior
16 year's cost of a course of study leading to a certificate or
17 diploma or a literacy completion point ~~degree~~ and 50 percent
18 of the prior year's cost of a course that does not lead to an
19 occupational completion point. At the discretion of a school
20 board or a community college, this fee schedule may be
21 implemented over a 3-year period, with full implementation in
22 the 1999-2000 school year. In years preceding that year, if
23 fee increases are necessary for some programs or courses, the
24 fees shall be raised in increments designed to lessen their
25 impact upon students already enrolled. Fees for students who
26 are not residents for tuition purposes must offset the full
27 cost of instruction.

28 (b) The State Board of Education shall adopt a fee
29 schedule for school districts that produces the fee revenues
30 calculated pursuant to paragraph (a). The schedule so
31

1 calculated shall take effect, unless otherwise specified in
2 the General Appropriations Act.

3 (c) The State Board of Education shall adopt, by rule,
4 the definitions and procedures that school boards shall use in
5 the calculation of cost borne by students. Such rule must
6 define the cost of educational programs as the product of
7 ~~semester~~ enrollment counts times the average instructional
8 cost for the course of study, divided by the number of
9 semesters in the course of study. A course of study is a
10 single continuing workforce education course or a series of
11 two or more courses leading to an occupational completion
12 point or literacy completion point, an applied technology
13 diploma, an ~~associate in~~ applied technology degree, or an
14 associate in science degree. The rule shall be developed in
15 consultation with the Legislature.

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 program cost for workforce
26 development programs that lead to an occupational completion
27 point or literacy completion point and 50 percent of the prior
28 year's cost for student enrollment in continuing workforce
29 education course not leading to a certificate or diploma.
30 ~~college-preparatory and supplemental vocational programs and~~
31 ~~10 percent of the prior year's program cost for certificate~~

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

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

1 college shall have the authority to review and reduce payment
2 for increased fees due to continued enrollment in a
3 college-preparatory class on an individual basis, contingent
4 upon a student's financial hardship, pursuant to definitions
5 and fee levels established by the State Board of Community
6 Colleges. Fee-nonexempt students enrolled in
7 vocational-preparatory instruction shall be charged fees equal
8 to the fees charged for certificate career education
9 instruction. Each community college that conducts
10 college-preparatory and vocational-preparatory instruction in
11 the same class section may charge a single fee for both types
12 of instruction.

13 Section 7. Subsection (2) of section 239.229, Florida
14 Statutes, is amended to read:

15 239.229 Vocational standards.--

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

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

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

25 3. Student development of individual career plans.

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

28 5. Student preparation to enter the workforce and
29 enroll in postsecondary education without being required to
30 complete college-preparatory or vocational-preparatory
31 instruction.

1 6. Student retention in school through high school
2 graduation.

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

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

10 1. Student demonstration of the academic skills
11 necessary to enter an occupation.

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

14 3. Vocational program articulation with other
15 corresponding postsecondary programs and job training
16 experiences.

17 4. Employer satisfaction with the performance of
18 students who reach occupational completion points or literacy
19 completion points.

20 5. Student completion and placement rates as defined
21 in s. 239.233.

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

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

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

29 3. The development of policies, rules, and procedures
30 that facilitate institutional attainment of the accountability
31

1 standards and coordinate the efforts of all divisions within
2 the department.

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

6 5. Overseeing school district and community college
7 compliance with the provisions of this chapter.

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

16 Section 8. Subsection (2) of section 239.249, Florida
17 Statutes, is amended to read:

18 239.249 Market-driven, performance-based incentive
19 funding for vocational and technical education programs.--

20 (2) The Jobs and Education Partnership shall provide
21 oversight and advice to improve the outcomes of courses and
22 programs designed for degree education and workforce
23 development provided by public school districts and community
24 colleges. Annually, the partnership shall make recommendations
25 to the State Board of Education and the Legislature regarding
26 grant programs and funding incentives designed to improve
27 vocational and technical education programs.

28 Section 9. Paragraph (c) of subsection (4) and
29 paragraph (a) of subsection (5) of section 239.301, Florida
30 Statutes, are amended to read:

31 239.301 Adult general education.--

1 (4)

2 (c) The State Board of Education shall define, by
3 rule, the levels and courses of instruction to be funded
4 through the college-preparatory program. The state board shall
5 coordinate the establishment of costs for college-preparatory
6 courses, the establishment of statewide standards that define
7 required levels of competence, acceptable rates of student
8 progress, and the maximum amount of time to be allowed for
9 completion of college-preparatory instruction.
10 College-preparatory instruction is part of an associate ~~in~~
11 ~~arts~~ degree program and may not be funded as a workforce
12 development education program.

13 (5)(a) An educational program for disabled adults may
14 be conducted within and funded through the Workforce
15 Development Education Fund, through ~~or~~ the Community College
16 Program Fund, or as otherwise provided by law. Each school
17 board or community college board of trustees that has an
18 educational program for disabled adults shall submit a plan to
19 the commissioner which includes, at a minimum:

20 1. A description of the population to be served and an
21 estimation of the number of such students. The description
22 must include identification of the number of adult disabled
23 students that are classified as students that cannot
24 reasonably complete a program or be placed in employment due
25 to their disability, as defined by the Department of
26 Education.

27 2. A description of the courses and programs in the
28 program, including corresponding expected student outputs and
29 outcomes.

30 3. Provision for individualized educational plans and
31 periodic student evaluation.

1 4. An interagency memorandum of agreement that
2 provides for the coordination of adult education, career
3 education, exceptional student education, the Department of
4 Children and Family Services, vocational rehabilitation, and
5 other local organizations whose adult disabled clients
6 participate in the program.

7 5. Provision for coordination of services, if both the
8 community college and one or more school districts within the
9 service area have approved programs for disabled adults.

10 6. Provision for a single administrator for adult
11 courses and programs for the disabled.

12 Section 10. Subsections (1) and (2) of section
13 240.115, Florida Statutes, are amended to read:

14 240.115 Articulation agreement; acceleration
15 mechanisms.--

16 (1)(a) Articulation between secondary and
17 postsecondary education; admission of associate in arts degree
18 graduates from Florida community colleges and state
19 universities; admission of workforce development program
20 graduates from Florida public schools, community colleges, and
21 state universities;the use of acceleration mechanisms,
22 including nationally standardized examinations through which
23 students may earn credit; general education requirements and
24 common course code numbers as provided for in s. 229.551(1)~~s.~~
25 ~~229.551(1)(f)4.~~; and articulation among programs in nursing
26 shall be governed by the articulation agreement, as
27 established by the Department of Education.

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

1 division of a state university except to a limited access or
2 teacher certification program or a major program requiring an
3 audition. After admission has been granted to students under
4 provisions of this section and to university students who have
5 successfully completed 60 credit hours of coursework,
6 including 36 hours of general education, and met the
7 requirements of s. 240.107, admission shall be granted to
8 State University System and Florida community college students
9 who have successfully completed 60 credit hours of work,
10 including 36 hours of general education. Community college
11 associate in arts graduates shall receive priority for
12 admission to a state university over out-of-state students.
13 Orientation programs and student handbooks provided to
14 freshman enrollees and transfer students at state universities
15 must include an explanation of this provision of the
16 articulation agreement.

17 (c) The articulation agreement must guarantee the
18 statewide articulation of workforce development programs and
19 courses between school districts and community colleges and
20 specifically provide that every applied technology diploma or
21 associate of applied technology degree graduate must be
22 granted admission to an associate in science degree program.
23 By fall semester 1998, the articulation agreement shall
24 guarantee the statewide articulation of appropriate courses
25 within associate in science degree programs to baccalaureate
26 degree programs according to standards established by the
27 Articulation Coordinating Committee after consultation with
28 the Board of Regents and the State Board of Community
29 Colleges.

30 (d)(b) Any student who transfers among regionally
31 accredited postsecondary institutions that are fully

1 accredited by an agency recognized by the United States
2 Department of Education and that participate in the common
3 course designation and numbering system shall be awarded
4 credit by the receiving institution for courses satisfactorily
5 completed by the student at the previous institutions. Credit
6 will be awarded only if the courses are judged by the
7 appropriate common course designation and numbering system
8 faculty task force representing community colleges, public
9 universities, and school district/private postsecondary
10 education institutions/agencies to be academically equivalent
11 to courses offered at the receiving institution, regardless of
12 the public or nonpublic control of the previous institution.
13 The award of credit may be limited to courses that are entered
14 in the common course designation and numbering system. Credits
15 awarded pursuant to this subsection shall satisfy
16 institutional requirements on the same basis as credits
17 awarded to native students.

18 (2) The universities, community college district
19 boards of trustees, and district school boards are authorized
20 to establish intrainstitutional and interinstitutional
21 programs to maximize this articulation. Programs may include
22 upper-division-level courses offered at the community college,
23 distance learning, transfer agreements that facilitate the
24 transfer of credits between public and nonpublic postsecondary
25 institutions,and the concurrent enrollment of students at a
26 community college and a state university to enable students to
27 take any level of baccalaureate degree coursework. Should the
28 establishment of these programs necessitate the waiver of
29 existing State Board of Education rules, reallocation of
30 funds, or revision or modification of student fees, each
31 college or university shall submit the proposed articulation

1 program to the State Board of Education for review and
2 approval. The State Board of Education is authorized to waive
3 its rules and make appropriate reallocations, revisions, or
4 modifications in accordance with the above.

5 Section 11. Paragraph (b) of subsection (3) of section
6 240.301, Florida Statutes, is amended to read:

7 240.301 Community colleges; definition, mission, and
8 responsibilities.--

9 (3) The primary mission and responsibility of public
10 community colleges is responding to community needs for
11 postsecondary academic education and degree career education.
12 This mission and responsibility includes being responsible
13 for:

14 (b) Preparing students directly for vocations
15 requiring less than baccalaureate degrees. This may include
16 preparing for job entry, supplementing of skills and
17 knowledge, and responding to needs in new areas of technology.
18 Career education in the community college shall consist of
19 certificate career education programs leading to certificates
20 for occupational completion points, applied technology
21 diplomas, associate in applied technology degree credit
22 courses leading to associate in science degrees ~~and associate~~
23 ~~in applied technology degrees~~, and other programs in fields
24 requiring substantial academic work, background, or
25 qualifications. A community college may offer vocational
26 programs in fields having lesser academic or technical
27 requirements.

28 Section 12. Section 240.35, Florida Statutes, as
29 amended by section 3 of chapter 97-383, Laws of Florida, is
30 amended to read:

31

1 240.35 Student fees.--Unless otherwise provided, the
2 provisions of this section apply only to fees charged for
3 college credit instruction leading to an associate degree and
4 non-college-credit, ~~including~~ college-preparatory courses as
5 defined in s. 239.105.

6 (1) The State Board of Community Colleges shall
7 establish the matriculation and tuition fees for
8 college-preparatory and credit instruction which may be
9 counted toward an associate degree, including instruction in-
10 ~~This instruction includes~~ advanced programs, and professional
11 programs, and degree vocational education programs.

12 (2)(a) Any student for whom the state is paying a
13 foster care board payment pursuant to s. 409.145(3) or parts
14 III and V of chapter 39, for whom the permanency planning goal
15 pursuant to part V of chapter 39 is long-term foster care or
16 independent living, or who is adopted from the Department of
17 Children and Family Services after December 31, 1997, shall be
18 exempt from the payment of all undergraduate fees, including
19 fees associated with enrollment in college-preparatory
20 instruction or completion of the college-level communication
21 and computation skills testing program. Before a fee exemption
22 can be given, the student shall have applied for and been
23 denied financial aid, pursuant to s. 240.404, which would have
24 provided, at a minimum, payment of all student fees. Such
25 exemption shall be available to any student adopted from the
26 Department of Children and Family Services after December 31,
27 1997; however, the exemption shall be valid for no more than 4
28 years after the date of graduation from high school.

29 (b) Any student qualifying for a fee exemption under
30 this subsection shall receive such an exemption for not more
31 than 2 consecutive years or 4 semesters, unless the student is

1 participating in college-preparatory instruction or requires
2 additional time to complete the college-level communication
3 and computation skills testing program. Such a student is
4 eligible to receive a fee exemption for a maximum of 3
5 consecutive years or 6 semesters.

6 (c) As a condition for continued fee exemption, a
7 student shall earn a grade point average of at least 2.0 on a
8 4.0 scale for the previous term, maintain at least an overall
9 2.0 average for college work, or have an average below 2.0 for
10 only the previous term and be eligible for continued
11 enrollment in the institution.

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

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

30 (b) Community colleges may waive fees for any
31 fee-nonexempt student. A student whose fees are waived in

1 excess of the amount authorized annually in the General
2 Appropriations Act may not be included in calculations of
3 full-time equivalent enrollments for state funding purposes.
4 Any community college that waives fees and requests state
5 funding for a student in violation of the provisions of this
6 subsection shall be penalized at a rate equal to two times the
7 value of the full-time equivalent student enrollment reported
8 served. Such penalty shall be charged against the following
9 year's allocation from the Community College Program Fund.

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

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

30 (7) The sum of nonresident student matriculation and
31 tuition fees must be sufficient to defray the full cost of

1 each program. The annual fee increases for nonresident
2 students established by the board, in the absence of
3 legislative action to the contrary in an appropriations act,
4 may not exceed 25 percent.

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (15) Any proprietor, owner, or worker of a company
28 whose business has been at least 50 percent negatively
29 financially impacted by the buy-out of property around Lake
30 Apopka by the state is exempt from the payment of
31 registration, matriculation, and laboratory fees. A student

1 receiving a fee exemption in accordance with this subsection
2 must not have received compensation because of the buy-out,
3 must be designated a Florida resident for tuition purposes
4 pursuant to s. 240.1201, and must first have applied for and
5 been denied financial aid, pursuant to s. 240.404, which would
6 have provided, at a minimum, payment of all student fees.

7 Section 13. Paragraph (b) of subsection (1) of section
8 240.359, Florida Statutes, is amended to read:

9 240.359 Procedure for determining state financial
10 support and annual apportionment of state funds to each
11 community college district.--The procedure for determining
12 state financial support and the annual apportionment to each
13 community college district authorized to operate a community
14 college under the provisions of s. 240.313 shall be as
15 follows:

16 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE STATE
17 COMMUNITY COLLEGE PROGRAM FUND FOR THE CURRENT OPERATING
18 PROGRAM.--

19 (b) The allocation of funds for community colleges
20 shall be based on advanced and professional disciplines,
21 college-preparatory programs, degree vocational education
22 programs, and on other programs for adults funded pursuant to
23 s. 239.115.

24 Section 14. (1) The Commissioner of Education shall
25 further investigate issues associated with:

26 (a) The dissemination of information to all
27 stakeholders concerning the new workforce development system;

28 (b) The creation of a 2-year terminal associate degree
29 in addition to an associate in science degree that articulates
30 into a baccalaureate degree program;

31

1 (c) The design of a system that will enable local
2 institutions to respond rapidly to the needs of business and
3 industry for the development of new programs;

4 (d) The adoption of common reporting formats and
5 consistent Workforce Development Information System data
6 element definitions, a single data base, and reporting window
7 time periods;

8 (e) The establishment of a Workforce Development
9 Information System Review Committee to work in coordination
10 with the Jobs and Education Partnership's development of
11 performance tiers in reviewing and recommending adoption of
12 and changes to Workforce Development Information System data
13 elements, editing or reporting data, and developing methods to
14 be used in reporting workforce development performances for
15 funding and overall performance reviews;

16 (f) The expansion of the electronic transcript system
17 to include new elements related to workforce development; and

18 (g) The consolidation of state and federal workforce
19 development funds into one common administrative entity.

20 (2) The Commissioner of Education, the State Board of
21 Community Colleges, and the Board of Regents shall petition
22 and work with accrediting agencies to ensure acceptance of
23 Florida's articulation process, the Applied Technology
24 Diploma, and the Associate in Science degree.

25 (3) The Commissioner of Education and the State Board
26 of Community Colleges shall review statutes and rules related
27 to workforce development education with the intent of
28 eliminating duplicative reporting of vocational and adult
29 education data.

30 (4) The Commissioner of Education shall report to the
31 Legislature before November 1, 1998, on the progress on the

1 implementation of these provisions and any final
2 recommendations for statutory or policy changes.

3 Section 15. Section 240.3345, Florida Statutes, is
4 created to read:

5 240.3345 Charter colleges.--

6 (1) AUTHORIZATION.--The creation of charter colleges
7 by community colleges is authorized. Each community college is
8 specifically authorized to develop policies and rules for the
9 implementation of this section.

10 (2) SPONSOR.--A community college district board of
11 trustees may sponsor a charter college in a county over which
12 the board has jurisdiction.

13 (a) A district board of trustees shall receive and
14 review all proposals consistent with the processes established
15 by the State Board of Community Colleges pursuant to
16 subsection (9). Approval of a proposal shall be based on
17 criteria established by the board of trustees. Any application
18 denial shall be accompanied with a response that includes
19 justification for the denial. The district board of trustees
20 is not required to issue a charter to any person or entity.

21 (b) The Department of Education shall provide
22 technical assistance to an applicant upon written request.

23 (c) The terms and conditions for the operation of a
24 charter college shall be set forth by the sponsor and the
25 applicant in a written contractual agreement. The sponsor may
26 not impose unreasonable rules or regulations that violate the
27 intent of giving charter colleges greater flexibility to meet
28 education goals.

29 (d) The sponsor shall monitor and review the charter
30 college in its progress toward the goals and performance
31 standards established in the charter.

1 (e) The sponsor shall monitor the revenues of the
2 charter college.

3 (3) PROGRAMS.--Programs of instruction eligible to be
4 granted a charter include:

5 (a) Non-college-credit instruction, including
6 postsecondary adult vocational, adult general education,
7 general education diploma, vocational-preparatory, and
8 college-preparatory instruction; and

9 (b) College-credit instruction in workforce
10 development programs of study.

11 (4) REQUIREMENTS.--A charter college must:

12 (a) Be nonsectarian in its programs, admission
13 policies, employment practices, and operations;

14 (b) Be accountable to its sponsor for performance as
15 provided in subsection (7);

16 (c) Meet all applicable state and local health,
17 safety, and civil rights requirements; and

18 (d) Not violate the antidiscrimination provisions of
19 s. 228.2001.

20 (5) STUDENT ELIGIBILITY.--

21 (a) A charter college may limit enrollment to target
22 student populations identified for such purposes in the
23 proposal for the charter.

24 (b) A student may withdraw from a charter college at
25 any time and transfer to the sponsoring community college as
26 determined by board of trustees' policy.

27 (6) PROPOSAL.--A proposal for a charter college may be
28 made by a profit or nonprofit corporation organized under the
29 laws of this state. The proposal shall address all components
30 of the charter, including a proposed funding structure as
31 specified in subsection (10).

1 (7) CHARTER.--The major issues involving the operation
2 of a charter college shall be considered in advance and
3 written into the charter. The charter shall be signed by a
4 representative of the charter college and the sponsoring
5 community college, following a public hearing to ensure
6 community input.

7 (a) The charter shall address, and criteria for
8 approval of the charter shall be based on:

9 1. The charter college's mission, the students to be
10 served, and the programs to be included.

11 2. The focus of the curriculum, the instructional
12 methods to be used, and any distinctive instructional
13 techniques to be employed.

14 3. The performance standards of achievement, including
15 the current baseline standard of achievement, the outcomes to
16 be achieved, the method of measurement that will be used, and
17 the payments for achieving the outcomes.

18 a. In secondary adult education or general education
19 diploma charter colleges, a method for determining that a
20 student has satisfied the requirements for graduation
21 specified in s. 232.246 or a diploma in s. 229.814,
22 respectively, must be provided.

23 b. In workforce development charter colleges, a method
24 for determining that a student has satisfied completion,
25 placement, and retention requirements for funding purposes, in
26 accordance with s. 239.115, must be provided.

27 c. In college-preparatory charter colleges, a method
28 for determining that a student has satisfied minimum
29 communication and computation competency requirements pursuant
30 to ss. 240.117 and 240.321 must be provided.

31

1 4. The eligibility criteria that will be required for
2 student admission into the charter college.

3 5. The manner in which the charter college will be
4 funded, including the funding agreement reached and any
5 administrative fee imposed pursuant to subsection (10),
6 methods for the allocation of funds, and any additional
7 methods of fiscal accountability.

8 6. The manner in which the accreditation status of the
9 charter program will be assessed, when applicable. The
10 transfer of course work and the articulation of students
11 between the charter college and other state postsecondary
12 programs and institutions must be ensured. The accreditation
13 status of the sponsoring community college must not be
14 jeopardized.

15 7. A method for resolving conflicts between the
16 charter college and the sponsor.

17 8. The admissions procedures and dismissal procedures,
18 including the charter college's code of student conduct.

19 9. The financial and administrative management of the
20 charter college.

21 10. The manner in which the college will be insured,
22 including whether or not the charter college will be required
23 to have liability insurance and, if so, the terms and
24 conditions thereof and the amounts of coverage.

25 11. The term of the charter, not to exceed 3 years,
26 which shall provide for cancellation of the charter if
27 insufficient progress has been made in attaining the
28 performance standards agreed upon and if it is not likely that
29 such performance standards can be achieved before expiration
30 of the charter.

31 12. The facilities to be used and their location.

1 13. The qualifications to be required of the teachers.

2 14. The governance and administrative structure of the
3 charter college.

4 15. A timetable for implementing the charter which
5 addresses the implementation of each performance standard
6 thereof and the date by which the charter shall be awarded in
7 order to meet this timetable.

8 (b) A charter may be renewed in increments of 1, 2, or
9 3 school years by a mutual agreement of the parties.

10 (c) A charter may be modified during its initial term
11 or any renewal term upon the recommendation of the sponsor and
12 the approval of both parties to the agreement.

13 (d) The charter college shall make, at a minimum,
14 annual progress reports to its sponsor, which upon
15 verification shall be forwarded to the State Board of
16 Community Colleges at the same time as annual community
17 college accountability reports. The report shall contain, at a
18 minimum, the following information:

19 1. The charter college's progress towards achieving
20 the performance standards outlined in its charter.

21 2. Appropriate applicable information required for
22 preparation of the annual accountability report submitted
23 pursuant to s. 240.324.

24 (e) A sponsor shall ensure that the charter is
25 consistent with the state education goals established by s.
26 229.591.

27 (f) Upon receipt of the report required by paragraph
28 (d), the State Board of Community Colleges shall provide to
29 the State Board of Education, the Commissioner of Education,
30 the President of the Senate, and the Speaker of the House of
31

1 Representatives a report on the overall performance of the
2 charter college.

3 (8) CAUSES FOR NONRENEWAL OR TERMINATION.--

4 (a) At the end of the term of a charter, the sponsor
5 may choose not to renew the charter for any of the following
6 reasons:

7 1. Failure to meet the requirements for student
8 performance stated in the charter.

9 2. Failure to meet performance standards stated in the
10 charter.

11 3. Violation of law.

12 4. Other good cause shown.

13 (b) During the term of a charter, the sponsor may
14 terminate the charter for any of the reasons listed in
15 paragraph (a).

16 (9) PROCESS.--The State Board of Community Colleges
17 shall establish systemwide approval, denial, and appeal
18 processes and response plans; application and notification
19 deadlines; and the role and responsibilities, if any, of the
20 appropriate governing and coordinating boards that may be
21 involved in the review, approval, and appeal process. Final
22 decisionmaking authority in an appeal rests with the State
23 Board of Education.

24 (10) REVENUE.--Students enrolled in a charter college
25 shall generate the same funds as other students enrolled in a
26 comparable workforce development program or
27 college-preparatory program within the sponsoring community
28 college.

29 (a) Each charter college shall propose to the
30 sponsoring community college an agreement for funding the
31 charter based primarily on student performance, such as

1 program completion, job placement, and job retention, rather
2 than student enrollment in the charter college. The final
3 funding agreement shall be specified within the charter
4 contract pursuant to subsection (7).

5 (b) Any administrative fee charged by the community
6 college district board of trustees relating to a charter
7 college shall be limited to no more than 10 percent of the
8 available funds generated by students in the charter program.
9 The administrative fee shall be specified as a component of
10 the funding agreement reached pursuant to paragraph (a) and
11 shall be subsequently specified within the charter contract
12 pursuant to subsection (7).

13 (c) Fees charged students attending a charter college
14 shall be the same as fees charged students attending
15 comparable programs within the sponsoring community college.

16 (11) RULES.--The State Board of Community Colleges
17 shall recommend to the State Board of Education rules to
18 implement this section. Such rules shall require minimum
19 paperwork and shall not limit charter college flexibility.

20 Section 16. Section 240.524, Florida Statutes, is
21 created to read:

22 240.524 Community colleges; baccalaureate degrees.--

23 (1) CONDITIONS.--Upon review and favorable
24 recommendation by the Postsecondary Education Planning
25 Commission and approval by the State Board of Community
26 Colleges, pursuant to subsection (2), each community college
27 board of trustees may offer baccalaureate degrees provided at
28 least one of the following conditions for the proposal exists:

29 (a) The district board of trustees acts in partnership
30 with a public university, a licensed college or university, or
31 a college or university exempt from licensure by the State

1 Board of Independent Colleges and Universities pursuant to
2 chapter 246 to offer the degree. Before implementation, such
3 partnership shall require an interinstitutional articulation
4 agreement approved by the participating institution and the
5 state-level governing board of the respective college or
6 university.

7 (b) The degree is in a limited access program area, as
8 defined by the Board of Regents pursuant to s. 240.2097, at
9 the state university within the service district of the
10 sponsoring community college. A community college may offer a
11 program based on this paragraph only if the state university
12 within the same service district as the sponsoring community
13 college does not actively offer the program or enrollment in
14 that program at the state university is at or near full
15 capacity.

16 (c) The degree is in a workforce development program
17 area identified as a "high skill/high wage" occupation as
18 listed by the Occupational Forecasting Conference for the
19 region served by the sponsoring community college in
20 accordance with s. 239.249. For such programs, the
21 upper-division course work required for an approved
22 baccalaureate degree shall be based on a continuation of
23 course work required for progression from an associate in
24 science degree or an associate in arts degree to a
25 baccalaureate degree in a related program area. A community
26 college may offer a program based on this paragraph only if
27 the state university within the same service district as the
28 sponsoring community college does not actively offer the
29 program or enrollment in that program at the state university
30 is at or near full capacity.

31

1 (2) For implementation by fall semester 1999, the
2 Postsecondary Education Planning Commission, in cooperation
3 with the State Board of Community Colleges and the Board of
4 Regents, shall establish uniform systemwide policies governing
5 the following:

6 (a) Necessary proposal components, requirements, and
7 guidelines consistent with the condition for the degree
8 proposal pursuant to subsection (1). Considerations should
9 include, but are not limited to, requirements for program and
10 institutional accreditation status, student fees, and program
11 admission.

12 (b) A process in which a proposal for a baccalaureate
13 degree at a community college is brought before the
14 Postsecondary Education Planning Commission by the sponsoring
15 community college's board of trustees for review and
16 consideration for recommendation, consistent with the
17 provisions of s. 240.147. The State Board of Community
18 Colleges may then approve only those programs reviewed and
19 favorably recommended by the Postsecondary Education Planning
20 Commission.

21 (c) Approval, denial, and appeal processes and
22 response plans; deadlines; and the role and responsibilities,
23 if any, of the appropriate governing and coordinating boards
24 that may be involved in the review, approval, and appeal
25 process. Final decisionmaking authority in an appeal rests
26 with the State Board of Education.

27 (d) Modified accountability data to be reported in the
28 annual accountability report submitted pursuant to subsection

29 (3).

30 (e) A program review process to justify or determine
31 the need for the continuation of the baccalaureate degree at

1 the community college. This process shall be consistent with
2 the requirements of s. 240.147.

3 (3) REQUIREMENTS.--Community colleges granted approval
4 to offer a baccalaureate degree program pursuant to this
5 section shall:

6 (a) Adhere to degree program course work and length
7 requirements established pursuant to chapter 95-243, Laws of
8 Florida, as enacted and as amended thereafter.

9 (b) Submit modified accountability data, in accordance
10 with requirements established by the Postsecondary Education
11 Planning Commission in its annual accountability report
12 prepared pursuant to s. 240.324.

13 (4) RULES.--The State Board of Education is granted
14 specific authority to adopt any rules necessary for the fair
15 and consistent implementation of this section.

16 Section 17. Subsection (17) is added to section
17 240.147, Florida Statutes, to read:

18 240.147 Powers and duties of the commission.--The
19 commission shall:

20 (17) Review and recommend proposals for establishing
21 baccalaureate degrees at community colleges to the State Board
22 of Community Colleges for consideration in accordance with s.
23 240.524.

24 Section 18. Subsections (4) and (6) of section
25 240.301, Florida Statutes, are amended to read:

26 240.301 Community colleges; definition, mission, and
27 responsibilities.--

28 (4) A separate and secondary role for community
29 colleges includes the offering of ~~programs in:~~

30 (a) Programs in community services which are not
31 directly related to academic or occupational advancement.

1 (b) Programs in adult general education.
2 (c) Programs in recreational and leisure services.
3 (d) Baccalaureate degree programs, when authorized
4 under s. 240.319.
5 (6) Community colleges are authorized to offer such
6 programs and courses as are necessary to fulfill their mission
7 and are authorized to grant associate in arts degrees,
8 associate in science degrees, associate in applied science
9 degrees, certificates, awards, ~~and~~ diplomas, and baccalaureate
10 degrees, when approved in accordance with s. 240.524. Each
11 community college is also authorized to make provisions for
12 the general educational development examination.
13 Section 19. Paragraphs (r) and (s) are added to
14 subsection (3) of section 240.311, Florida Statutes, to read:
15 240.311 State Board of Community Colleges; powers and
16 duties.--
17 (3) The State Board of Community Colleges shall:
18 (r) Perform the specified responsibilities and provide
19 the necessary assistance and information required for the
20 creation and operation of charter colleges in accordance with
21 s. 240.3345.
22 (s) Establish systemwide processes and approve or deny
23 proposals for baccalaureate degrees at community colleges once
24 favorably recommended by the Postsecondary Education Planning
25 Commission in accordance with s. 240.524.
26 Section 20. Paragraph (u) is added to subsection (4)
27 of section 240.319, Florida Statutes, as amended by section 2
28 of chapter 97-383, Laws of Florida, to read:
29 240.319 Community college district boards of trustees;
30 duties and powers.--
31

1 (4) Such rules, procedures, and policies for the
2 boards of trustees include, but are not limited to, the
3 following:

4 (u) Each board of trustees is authorized to offer
5 certain baccalaureate degree programs in accordance with s.
6 240.524. A participating board of trustees shall develop
7 policies and procedures for the implementation of such
8 responsibility.

9 Section 21. Section 232.2466, Florida Statutes, is
10 amended to read:

11 232.2466 College-ready diploma program.--

12 (1) Beginning with the 1997-1998 school year, each
13 school district shall award a differentiated college-ready
14 diploma to each student who:

15 (a) Successfully completes the requirements for a
16 standard high school diploma as prescribed by s. 232.246.
17 Among courses taken to fulfill the 24-academic-credit
18 requirement, a student must take:

19 1. Three credits in math that must include a
20 combination of classes in algebra, geometry, calculus, or
21 other higher-level math, or their equivalents, as determined
22 by the state board ~~Two credits in algebra and one credit in~~
23 ~~geometry, or their equivalents, as determined by the state~~
24 ~~board.~~

25 2. Three credits in science that must include a
26 combination of classes in biology, chemistry, physics, or
27 other higher-level science, or their equivalents, as
28 determined by the state board. At least two of these credits
29 must have lab requirements ~~One credit in biology, one credit~~
30 ~~in chemistry, and one credit in physics, or their equivalents,~~
31 ~~as determined by the state board.~~

1 3. Two credits in the same foreign language, taken for
2 elective credit. A student whose native language is not
3 English is exempt from this requirement if the student
4 demonstrates proficiency in the native language. American sign
5 language constitutes a foreign language.

6 4. Four credits in English, three of which must have a
7 substantial writing requirement.

8 5. Three credits in social science.

9 (b) Takes the postsecondary education common placement
10 test prescribed in s. 240.117, or an equivalent test
11 identified by the State Board of Education, before graduation
12 and scores at or above the established statewide passing score
13 in each test area.

14 (2) A college-ready diploma entitles a student to
15 admission without additional placement testing to a public
16 postsecondary education program that terminates in a technical
17 certificate, an applied technology diploma, an associate in
18 science degree, or an associate in arts degree, if the student
19 enters postsecondary education within 2 years after earning
20 the college-ready diploma.

21 (3) The Department of Education shall convene a task
22 force of educators and employers to recommend additional
23 incentives for students to pursue a college-ready diploma.
24 The incentives may include awards and recognition, preference
25 for positions in firms, and early registration privileges in
26 postsecondary education institutions.

27 Section 22. Subsections (4) and (5) are added to
28 section 240.1163, Florida Statutes, to read:

29 240.1163 Joint dual enrollment and advanced placement
30 instruction.--

31

1 (4) School districts and community colleges must weigh
2 dual enrollment courses the same as honors courses and
3 advanced placement courses when grade point averages are
4 calculated. Alternative grade calculation or weighting systems
5 that discriminate against dual enrollment courses are
6 prohibited.

7 (5) The Commissioner of Education may approve dual
8 enrollment agreements for limited course offerings that have
9 statewide appeal. Such programs shall be limited to a single
10 site with multiple-county participation.

11 Section 23. Section 240.321, Florida Statutes, is
12 amended to read:

13 240.321 Community college district board of trustees;
14 rules for admissions of students.--The board of trustees shall
15 make rules governing admissions of students. These rules
16 shall include the following:

17 (1) Admissions counseling shall be provided to all
18 students entering college credit programs, which counseling
19 shall utilize tests to measure achievement of college-level
20 communication and computation competencies by all students
21 entering college credit programs.

22 (2) Admission to associate degree programs is subject
23 to minimum standards adopted by the State Board of Education
24 and shall require:

25 (a) A standard high school diploma, a high school
26 equivalency diploma as prescribed in s. 229.814, previously
27 demonstrated competency in college credit postsecondary
28 coursework, or, in the case of a student who is home educated,
29 a signed affidavit submitted by the student's parent or legal
30 guardian attesting that the student has completed a home
31 education program pursuant to the requirements of s.

1 232.02(4). Students who are enrolled in a dual enrollment or
2 early admission program pursuant to s. 240.116 and secondary
3 students enrolled in college-level instruction creditable
4 toward the associate degree, but not toward the high school
5 diploma, shall be exempt from this requirement.

6 (b) A demonstrated level of achievement of
7 college-level communication and computation skills. Students
8 entering a postsecondary education program within 2 years of
9 graduation from high school with an earned college-ready
10 diploma issued pursuant to s. 232.2466 shall be exempt from
11 this testing requirement.

12 (c) Any other requirements established by the board of
13 trustees.

14 (3) Admission to other programs within the community
15 college shall include education requirements as established by
16 the board of trustees.

17
18 Each board of trustees shall establish policies that notify
19 students about, and place students into, adult basic
20 education, adult secondary education, or other instructional
21 programs that provide students with alternatives to
22 traditional college-preparatory instruction, including private
23 provider instruction. Such notification shall include a
24 written listing of alternative remedial options that must be
25 provided to each student who scores below college level in any
26 area on the college placement test. The list shall include,
27 but is not limited to, options provided by the community
28 college, adult education programs, and programs provided by
29 private-sector providers. The list shall not endorse,
30 recommend, evaluate, or rank any of the entries. The list of
31 providers shall be developed from all those providers that

1 request to be included and shall provide students with
2 specific contact information and must disclose the full costs
3 of the course tuition, lab fees, and course instructional
4 materials of each option listed. Regardless of the option
5 selected by a student for required remediation, the student
6 shall not be denied the opportunity to concurrently enroll in
7 up to 12 credits of college level courses other than those for
8 the skills in which the student is being remediated.

9 Section 24. Subsection (2) of section 240.4097,
10 Florida Statutes, is amended to read:

11 240.4097 Florida Postsecondary Student Assistance
12 Grant Program; eligibility for grants.--

13 (2)(a) Florida postsecondary student assistance grants
14 through the State Student Financial Assistance Trust Fund may
15 be made only to full-time degree-seeking students who meet the
16 general requirements for student eligibility as provided in s.
17 240.404, except as otherwise provided in this section. Such
18 grants shall be awarded for the amount of demonstrated unmet
19 need for tuition and fees and may not exceed a total of \$1,500
20 per academic year, or as specified in the General
21 Appropriations Act, to any applicant. A demonstrated unmet
22 need of less than \$200 shall render the applicant ineligible
23 for a Florida postsecondary student assistance grant.

24 Recipients of such grants must have been accepted at a
25 postsecondary institution that is located in ~~and chartered as~~
26 ~~a domestic corporation by~~ the state and that is:

27 1. A private nursing diploma school approved by the
28 Florida Board of Nursing; or

29 2. An institution either licensed by the State Board
30 of Independent Colleges and Universities or exempt from
31 licensure pursuant to s. 246.085(1)(a), excluding those

1 institutions the students of which are eligible to receive a
2 Florida private student assistance grant pursuant to s.
3 240.4095.

4
5 No student may receive an award for more than the equivalent
6 of 9 semesters or 14 quarters in a period of not more than 6
7 consecutive years, except as otherwise provided in s.
8 240.404(3).

9 (b) A student applying for a Florida postsecondary
10 student assistance grant shall be required to apply for the
11 Pell Grant. The Pell Grant entitlement shall be considered by
12 the department when conducting an assessment of the financial
13 resources available to each student.

14 (c) The criteria and procedure for establishing
15 standards of eligibility shall be determined by the
16 department. The department is directed to establish a rating
17 system upon which to base the approval of grants, including
18 the use of a nationally recognized system of need analysis.
19 The system shall include a certification of acceptability by
20 the school of the applicant's choice. Priority in the
21 distribution of grant moneys shall be given to students with
22 the lowest total family resources, as determined pursuant to
23 this subsection, taking into consideration the receipt of Pell
24 Grants and student contributions to educational costs.

25 (d) The department is directed to establish, for fall
26 enrollment, an initial application deadline for all students
27 attending eligible institutions and an additional application
28 deadline for all students who apply to eligible institutions
29 after the initial application deadline. The second deadline
30 shall be October 1 following the initial application deadline.
31 The department shall reserve an amount to be designated

1 annually in the General Appropriations Act for the purpose of
2 providing awards to postsecondary students who apply for a
3 student assistance grant after the initial application
4 deadline. Applicants who apply during the initial application
5 period and are eligible to receive an award, but do not
6 receive an award because of insufficient funds, shall have
7 their applications reconsidered with those applicants who
8 apply after the initial application deadline. This paragraph
9 shall take effect upon this act becoming a law.

10 Section 25. Subsection (1) of section 246.013, Florida
11 Statutes, is amended to read:

12 246.013 Participation in the common course designation
13 and numbering system.--

14 (1) Nonpublic colleges and schools that have been
15 issued a regular license pursuant to s. 246.081(2) or (3) or
16 s. 246.215(1), and nonpublic postsecondary colleges that are
17 exempt from state licensure pursuant to s. 246.085(1)(a), and
18 that are fully accredited by an agency recognized by the
19 United States Department of Education ~~a member of the~~
20 ~~Commission on Colleges of the Southern Association of Colleges~~
21 ~~and Schools and accredited nonpublic postsecondary colleges~~
22 ~~exempt from state licensure pursuant to s. 246.085(1)(a)~~ may
23 participate in the common course designation and numbering
24 system in s. 229.551. Participating colleges and schools shall
25 bear the costs associated with inclusion in the system and
26 shall meet the terms and conditions for institutional
27 participation in the system. The department shall adopt a fee
28 schedule that includes the expenses incurred through data
29 processing, faculty task force travel and per diem, and staff
30 and clerical support time. Such fee schedule may differentiate
31 between the costs associated with initial course inclusion in

1 the system and costs associated with subsequent course
2 maintenance in the system. Decisions regarding initial course
3 inclusion and subsequent course maintenance shall be made
4 within 120 days after submission of the required materials and
5 fees by the institution. If a decision is not rendered within
6 120 days after submission, then courses submitted shall be
7 awarded the requested common course code number. Any college
8 that participated in the system prior to July 1, 1986, shall
9 not be required to pay the costs associated with initial
10 course inclusion in the system. Fees collected for
11 participation in the common course designation and numbering
12 system pursuant to the provisions of this section shall be
13 deposited in the Institutional Assessment Trust Fund created
14 by s. 246.31. ~~The Legislature finds and declares that~~
15 ~~independent nonprofit colleges and universities eligible to~~
16 ~~participate in the Florida resident access grant program~~
17 ~~pursuant to s. 240.605 are an integral part of the higher~~
18 ~~education system in this state and that a significant number~~
19 ~~of state residents choose this form of higher education. Any~~
20 ~~independent college or university that is eligible to~~
21 ~~participate in the Florida resident access grant program shall~~
22 ~~not be required to pay the costs associated with participation~~
23 ~~in the common course designation and numbering system.~~

24 Section 26. Paragraph (f) is added to subsection (4)
25 of section 239.117, Florida Statutes, as amended by section 1
26 of chapter 97-383, Laws of Florida, to read:

27 239.117 Postsecondary student fees.--

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

30 (f) A student who is a proprietor, owner, or worker of
31 a company whose business has been at least 50 percent

1 negatively financially impacted by the buy-out of property
2 around Lake Apopka by the state. Such a student may receive a
3 fee exemption only if the student has not received
4 compensation because of the buy-out, the student is designated
5 a Florida resident for tuition purposes pursuant to s.
6 240.1201, and the student has applied for and been denied
7 financial aid, pursuant to s. 240.404, which would have
8 provided, at a minimum, payment of all student fees.

9 Section 27. Present subsections (6), (7), (8), and (9)
10 of section 240.235, Florida Statutes, are renumbered as
11 subsections (7), (8), (9), and (10), respectively, and a new
12 subsection (6) is added to that section, to read:

13 240.235 Fees.--

14 (6) Any proprietor, owner, or worker of a company
15 whose business has been at least 50 percent negatively
16 financially impacted by the buy-out of property around Lake
17 Apopka by the state is exempt from the payment of
18 registration, matriculation, and laboratory fees. A student
19 receiving a fee exemption in accordance with this subsection
20 must not have received compensation because of the buy-out,
21 must be designated a Florida resident for tuition purposes
22 pursuant to s. 240.1201, and must first have applied for and
23 been denied financial aid, pursuant to s. 240.404, which would
24 have provided, at a minimum, payment of all student fees.

25 Section 28. Paragraph (b) of subsection (4) of section
26 240.319, Florida Statutes, as amended by section 2 of chapter
27 97-383, Laws of Florida, is amended to read:

28 240.319 Community college district boards of trustees;
29 duties and powers.--

30
31

1 (4) Such rules, procedures, and policies for the
2 boards of trustees include, but are not limited to, the
3 following:

4 (b) Each board of trustees has responsibility for the
5 establishment and discontinuance of program and course
6 offerings; provision for instructional and noninstructional
7 community services, location of classes, and services
8 provided; and dissemination of information concerning such
9 programs and services. Policies governing schedules and course
10 offerings shall ensure the most efficient use of facilities,
11 including full 5-day work week and class schedule periods
12 during every semester of the academic year. Alternative
13 calendars that operate around a 4-day work week and class
14 schedule during the summer months are prohibited.

15 Section 29. Paragraph (k) of subsection (1) of section
16 246.207, Florida Statutes, is amended to read:

17 246.207 Powers and duties of board.--

18 (1) The board shall:

19 (k) Transmit all fees, donations, and other receipts
20 of money to the Institutional Assessment Trust ~~State Treasurer~~
21 ~~to be deposited in the General Revenue Fund.~~

22 Section 30. Except as otherwise expressly provided in
23 this act, this act shall take effect July 1, 1998.

24
25 *****

26 SENATE SUMMARY

27 Revises numerous provisions relating to vocational
28 education, career education, and workforce development.
29 Provides circumstances under which community colleges may
30 award baccalaureate degrees. Authorizes community
31 colleges to create charter colleges. (See bill for
details.)