

By the Committee on Community Colleges & Career Prep and  
Representatives Sindler, Fasano, Diaz de la Portilla,  
Harrington, Gay, Wise and Kelly

1                                   A bill to be entitled  
2           An act relating to education; amending ss.  
3           239.117, 240.235, and 240.35, F.S.; allowing  
4           children adopted from the Department of  
5           Children and Family Services to be exempt from  
6           certain student fees; amending s. 240.334,  
7           F.S.; conforming provisions; amending s.  
8           240.36, F.S.; renaming the Florida Academic  
9           Improvement Trust Fund for Community Colleges;  
10          providing the community college system with the  
11          opportunity to receive and match challenge  
12          grants; specifying the State Board of Community  
13          Colleges as an eligible community college  
14          entity; providing for matching funds by any  
15          community college entity; requiring transfer of  
16          state matching funds to foundations; requiring  
17          each community college entity to establish its  
18          own academic improvement trust fund for the  
19          deposit of funds; specifying the use of funds;  
20          deleting certain requirements restricting the  
21          use of money for specified scholarship  
22          purposes; creating s. 240.4041, F.S.;  
23          permitting part-time students with a disability  
24          to be eligible for state financial aid;  
25          amending s. 240.6045, F.S.; revising provisions  
26          relating to a limited access competitive grant  
27          program; amending s. 229.551, F.S.; providing  
28          an exception to the course leveling  
29          requirement; amending s. 240.107, F.S., and  
30          reenacting s. 239.213(3), F.S., relating to  
31          vocational-preparatory instruction, to

1 incorporate said amendment in a reference;  
2 deleting an alternative to the College Level  
3 Academic Skills Test; deleting a testing  
4 requirement; amending s. 240.1163, F.S.;  
5 providing limitations for calculating dual  
6 enrollment grades; authorizing the approval of  
7 dual enrollment agreements for limited course  
8 offerings with statewide appeal; creating s.  
9 240.65, F.S.; providing a short title;  
10 providing legislative intent; creating the  
11 Institute on Public Postsecondary Distance  
12 Learning; providing for a governing board of  
13 the institute; assigning the institute to the  
14 Florida Gulf Coast University for purposes of  
15 administration; specifying duties of the  
16 institute; creating s. 240.66, F.S.; directing  
17 the State Board of Community Colleges to  
18 establish the Florida Community College  
19 Distance Learning Consortium; providing for  
20 consortium membership; providing duties of the  
21 consortium; amending s. 120.81, F.S.; providing  
22 for exceptions to rule requirements, notice  
23 requirements, filing requirements, and public  
24 workshop requirements; providing an exemption  
25 to certain proceeding requirements; providing  
26 for retroactive effect; amending s. 120.545,  
27 F.S.; correcting a cross reference; amending  
28 ss. 228.041, 231.1725, 232.246, 233.067 and  
29 236.081, F.S.; renaming home economics courses  
30 as family and consumer sciences courses;  
31 amending s. 239.105, F.S.; revising definitions

1 of the terms "adult secondary education,"  
2 "basic literacy," and "functional literacy";  
3 defining the terms "beginning literacy" and  
4 "family literacy"; amending s. 239.205, F.S.;  
5 deleting a rulemaking requirement regarding  
6 career education programs; amending s. 239.213,  
7 F.S.; revising provisions relating to standards  
8 of basic skills mastery; providing for the use  
9 of adult basic education to meet certain needs;  
10 amending s. 239.229, F.S.; requiring the  
11 identification of vocational standards related  
12 to work experience; requiring the development  
13 of additional program standards and benchmarks;  
14 amending s. 239.305, F.S., relating to adult  
15 literacy; conforming language to revised  
16 definitions; removing a State Board of  
17 Education rule requirement; removing specific  
18 annual reporting requirements; providing for  
19 status reports in lieu of annual reports;  
20 deleting a requirement for the submission of a  
21 plan to the Commissioner of Education; amending  
22 s. 240.319, F.S., relating to duties and powers  
23 of community college district boards of  
24 trustees; providing for specific authority;  
25 repealing ss. 240.3575(5), 240.3815(1), and  
26 240.382(5), F.S., relating to annual reports of  
27 economic development centers, annual reports of  
28 community college campus crime statistics, and  
29 rules for the operation of child development  
30 training centers; amending s. 229.595, F.S.;  
31 requiring the inclusion of student

1 postsecondary preparedness information in  
2 manuals and handbooks; amending s. 229.601,  
3 F.S.; providing for recommended high school  
4 coursework information; creating s. 232.2466,  
5 F.S.; providing requirements for a  
6 college-ready diploma program; requiring a task  
7 force to recommend incentives for pursuit of a  
8 college-ready diploma; amending s. 239.117,  
9 F.S.; requiring the payment of fees for the  
10 continuous enrollment of students in  
11 college-preparatory instruction; amending s.  
12 239.301, F.S.; deleting conflicting language;  
13 requiring the payment of fees for the  
14 continuous enrollment of students in  
15 college-preparatory instruction; amending s.  
16 240.1161, F.S.; requiring implementation  
17 strategies for reducing the incidence of  
18 postsecondary remediation; requiring an  
19 assessment of activities and the presentation  
20 of outcomes; providing for the promotion of  
21 "tech prep" activities; amending s. 240.117,  
22 F.S.; requiring the administration of the  
23 common placement test or an equivalent test  
24 during the tenth grade; requiring the  
25 administration of an institutionally developed  
26 test in lieu of the common placement test as an  
27 exit exam from remedial instruction; clarifying  
28 language regarding the offering of  
29 college-preparatory instruction; requiring  
30 payment of fees for the continuous enrollment  
31 of students in college-preparatory instruction;

1           creating s. 240.124, F.S.; providing for an  
2           increase in fees for undergraduate students who  
3           continually enroll in the same college credit  
4           courses; providing for exceptions; amending s.  
5           240.321, F.S.; applying entrance requirements  
6           to all degree programs; permitting a  
7           demonstration of competency as an alternative  
8           degree program admission requirement; providing  
9           an exemption from the testing requirement under  
10          certain circumstances; requiring the  
11          establishment of institutional policies  
12          regarding alternatives to traditional  
13          college-preparatory instructional methods;  
14          amending s. 239.117, F.S., relating to  
15          postsecondary student fees; allowing payment  
16          for the cost of fee exemptions to be made  
17          through a contract with the local WAGES board;  
18          deleting full-time equivalent enrollment  
19          funding; amending s. 239.249, F.S.; providing  
20          an appeal process for school districts and  
21          community colleges to allow exemption from  
22          participation in performance-based incentive  
23          funding; amending s. 239.301, F.S.; providing  
24          for services for WAGES clients negotiated  
25          through the jobs and education regional board  
26          by school districts and community colleges to  
27          be funded by the local WAGES coalition;  
28          amending s. 240.35, F.S., relating to student  
29          fees; allowing payment for the cost of fee  
30          exemptions to be made through a contract with  
31          the local WAGES board; amending s. 414.027,

1 F.S.; providing an alternative payment  
2 structure for job training services; amending  
3 s. 414.065, F.S., relating to work requirements  
4 for participation in the WAGES Program;  
5 including paid apprenticeship activities,  
6 cooperative education activities, and  
7 work-study activities in work activities;  
8 permitting educational institutions to provide  
9 training and receive subsidies to offset the  
10 cost of the training; providing reasons for  
11 placement in community service; defining work  
12 experience; clarifying the role of remedial or  
13 basic skills training; revising requirements  
14 for payment to a provider of vocational  
15 education or training; requiring the  
16 development of programs to address the needs of  
17 "hard-to-place" recipients; expanding the  
18 definition of job skills training; providing  
19 additional literacy or basic skills  
20 requirements related to work activity  
21 requirements; requiring the establishment of a  
22 task force to investigate issues associated  
23 with job training and workforce development;  
24 providing effective dates.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28 Section 1. Paragraph (e) of subsection (2) of section  
29 239.117, Florida Statutes, 1996 Supplement, is amended to  
30 read:

31 239.117 Postsecondary student fees.--

1           (2) The following students are exempt from any  
2 requirement for the payment of registration, matriculation,  
3 and laboratory fees for instruction:

4           (e) A student for whom the state is paying a foster  
5 care board payment pursuant to s. 409.145(3) or pursuant to  
6 parts III and V of chapter 39, for whom the permanency  
7 planning goal pursuant to part V of chapter 39 is long-term  
8 foster care or independent living, or who is adopted from the  
9 Department of Children and Family Services after December 31,  
10 1997. Such exemption includes fees associated with enrollment  
11 in college-preparatory instruction and completion of the  
12 college-level communication and computation skills testing  
13 program. Such exemption shall be available to any student  
14 adopted from the Department of Children and Family Services  
15 after December 31, 1997, no more than 4 years after the date  
16 of graduation from high school.

17           Section 2. Paragraph (a) of subsection (5) of section  
18 240.235, Florida Statutes, is amended to read:

19           240.235 Fees.--

20           (5)(a) Any student for whom the state is paying a  
21 foster care board payment pursuant to s. 409.145(3) or parts  
22 III and V of chapter 39, for whom the permanency planning goal  
23 pursuant to part V of chapter 39 is long-term foster care or  
24 independent living, or who is adopted from the Department of  
25 Children and Family Services after December 31, 1997, shall be  
26 exempt from the payment of all undergraduate fees, including  
27 fees associated with enrollment in college-preparatory  
28 instruction or completion of college-level communication and  
29 computation skills testing programs. Before a fee exemption  
30 can be given, the student shall have applied for and been  
31 denied financial aid, pursuant to s. 240.404, which would have

1 provided, at a minimum, payment of all undergraduate fees.  
2 Such exemption shall be available to any student adopted from  
3 the Department of Children and Family Services after December  
4 31, 1997, no more than 4 years after the date of graduation  
5 from high school.

6 Section 3. Paragraph (a) of subsection (2) of section  
7 240.35, Florida Statutes, 1996 Supplement, is amended to read:

8 240.35 Student fees.--Unless otherwise provided, the  
9 provisions of this section apply only to fees charged for  
10 college credit instruction.

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

28 Section 4. Subsection (5) of section 240.334, Florida  
29 Statutes, 1996 Supplement, is amended to read:

30 240.334 Technology transfer centers at community  
31 colleges.--



1           (5) A technology transfer center shall be financed  
2 from the Dr. Philip Benjamin Academic Improvement Trust Fund  
3 for Community Colleges or from moneys of a community college  
4 which are on deposit or received for use in the activities  
5 conducted in the center. Such moneys shall be deposited by the  
6 community college in a permanent technology transfer fund in a  
7 depository or depositories approved for the deposit of state  
8 funds and shall be accounted for and disbursed subject to  
9 regular audit by the Auditor General.

10           Section 5. Section 240.36, Florida Statutes, is  
11 amended to read:

12           240.36 Dr. Philip Benjamin ~~Florida~~ Academic  
13 Improvement Trust Fund for Community Colleges.--

14           (1) There is created the Dr. Philip Benjamin ~~Florida~~  
15 Academic Improvement Trust Fund for Community Colleges to be  
16 administered according to rules of the State Board of  
17 Community Colleges. This trust fund shall be used to  
18 encourage private support in enhancing public community  
19 colleges by providing the community college system ~~colleges~~  
20 with the opportunity to receive and match challenge grants.

21           (2) Funds appropriated shall be deposited in the trust  
22 fund and shall be invested pursuant to s. 18.125.  
23 Notwithstanding the provisions of s. 216.301 and pursuant to  
24 s. 216.351, any undisbursed balance remaining in the trust  
25 fund and interest income accruing to that portion of the trust  
26 fund not matched shall remain in the trust fund and shall  
27 increase the total funds available for challenge grants. At  
28 the end of a fiscal year, any unexpended balance of an  
29 appropriation in the trust fund will not revert to the fund  
30 from which appropriated, but will remain in the trust fund  
31 until used for the purposes specified in this section.

1           (3) For every year in which there is a legislative  
2 appropriation to the trust fund, no less than \$25,000 must be  
3 reserved to permit each community college and the State Board  
4 of Community Colleges, which shall be an eligible community  
5 college entity for the purposes of this section,an  
6 opportunity to match challenge grants. The balance of the  
7 funds shall be available for matching by any eligible  
8 community college entity. Trust funds which remain unmatched  
9 by contribution on March 1 of any year shall also be available  
10 for matching by any community college entity. The State Board  
11 of Community Colleges shall adopt rules providing all  
12 community college entities ~~colleges~~ with an opportunity to  
13 apply for excess trust funds prior to the awarding of such  
14 funds. However, no community college may receive more than  
15 its percentage of the total full-time equivalent enrollment or  
16 15 percent, whichever is greater, of the funds appropriated to  
17 the trust fund for that fiscal year and, likewise, the State  
18 Board of Community Colleges may not receive more than 15  
19 percent of the funds appropriated to the trust fund for that  
20 fiscal year. A community college entity shall place all funds  
21 it receives in excess of the first challenge grant and its  
22 matching funds in its endowment fund and only the earnings on  
23 that amount may be spent for approved projects. A community  
24 college entity may spend the first challenge grant and its  
25 matching funds as cash for any approved project, except  
26 scholarships. If a community college entity proposes to use  
27 any amount of the grant or the matching funds for  
28 scholarships, it must deposit that amount in its endowment in  
29 its academic improvement trust fund and use the earnings of  
30 the endowment to provide scholarships.  
31

1           (4) Challenge grants shall be proportionately  
2 allocated from the trust fund on the basis of matching each \$4  
3 of state funds with \$6 of local or private funds. The matching  
4 funds shall come from contributions made after July 1, 1983,  
5 for the purposes of matching this grant. To be eligible, a  
6 minimum of \$4,500 must be raised from private sources, and  
7 such contributions must be in excess of the total average  
8 annual cash contributions made to the foundation at each  
9 community college in the 3 fiscal years before July 1, 1983.

10           (5) Funds sufficient to provide the match shall be  
11 transferred from the state trust fund to the local community  
12 college foundation or the statewide community college  
13 foundation in increments of \$3,000 upon notification that a  
14 proportionate amount has been received and deposited by the  
15 community college entity in its own trust fund.

16           (6) Each community college entity shall establish its  
17 own academic improvement trust fund as a depository for the  
18 private contributions and matching state fund established  
19 herein. The foundations of the ~~foundation at each~~ community  
20 college entities are ~~is~~ responsible for the maintenance,  
21 investment, and administration of their ~~its~~ academic  
22 improvement trust funds ~~fund~~.

23           (7)(a) The board of trustees of the community college  
24 and the State Board of Community Colleges are ~~is~~ responsible  
25 for determining the uses for the proceeds of their respective  
26 trust funds ~~the trust fund~~. Such uses of the proceeds shall  
27 be limited to expenditure of the funds for ~~may include~~:

- 28           1. Scientific and technical equipment.  
29           2. Other activities that will benefit future students  
30 as well as students currently enrolled at the community  
31

1 college and that will improve the quality of education at the  
2 community college or in the community college system.

3 3. Scholarships, ~~which are the lowest priority for use~~  
4 ~~of these funds.~~

5 ~~(b) If a community college includes scholarships in~~  
6 ~~its proposal, it shall create an endowment in its academic~~  
7 ~~improvement trust fund and use the earnings of the endowment~~  
8 ~~to provide scholarships. Such scholarships must be program~~  
9 ~~specific and require high academic achievement for students to~~  
10 ~~qualify for or retain the scholarship. A scholarship program~~  
11 ~~may be used for minority recruitment but may not be used for~~  
12 ~~athletic participants. The board of trustees must have~~  
13 ~~designated the program as a program of emphasis for quality~~  
14 ~~improvement, a designation that should be restricted to a~~  
15 ~~limited number of programs at the community college. In~~  
16 ~~addition, the board of trustees must have adopted a specific~~  
17 ~~plan that details how the community college will improve the~~  
18 ~~quality of the program designated for emphasis and that~~  
19 ~~includes quality measures and outcome measures. Over a period~~  
20 ~~of time, the community college operating budget should show~~  
21 ~~additional financial commitment to the program of emphasis~~  
22 ~~above and beyond the average increases to other programs~~  
23 ~~offered by the community college. Fundraising activities must~~  
24 ~~be specifically identified as being for the program of~~  
25 ~~emphasis or scholarship money. The community college must~~  
26 ~~fully levy the amount for financial aid purposes provided by~~  
27 ~~s. 240.35(10) in addition to the tuition and matriculation fee~~  
28 ~~before any scholarship funds are awarded to the community~~  
29 ~~college as part of its approved request.~~

30 (b)(c) Proposals for use of the trust fund shall be  
31 submitted to the State Board of Community Colleges for

1 approval. Any proposal not acted upon in 60 days shall be  
2 considered not approved.

3 (8) The State Board of Community Colleges shall  
4 establish rules to provide for the administration of this  
5 fund. Such rules shall establish the minimum challenge grant  
6 reserved for each community college entity and the maximum  
7 amount which a community college entity may receive from a  
8 legislative appropriation in any fiscal year in accordance  
9 with the provisions of the General Appropriations Act.

10 Section 6. Section 240.4041, Florida Statutes, is  
11 created to read:

12 240.4041 State financial aid; students with a  
13 disability.--Notwithstanding the provisions of s.  
14 240.404(1)(b)1.b. regarding the number of credits earned per  
15 term, a student with a disability, as defined by the Americans  
16 with Disabilities Act, shall be eligible for state financial  
17 aid while attending an eligible postsecondary institution on a  
18 part-time basis upon certification of the student's disability  
19 by a licensed physician in this state or by the Division of  
20 Vocational Rehabilitation of the Department of Labor and  
21 Employment Security. The State Board of Education shall adopt  
22 any rules necessary to implement the provisions of this  
23 section.

24 Section 7. Subsections (1), (2), (3), and (4) of  
25 section 240.6045, Florida Statutes, are amended to read:

26 240.6045 Limited access competitive grant program.--

27 (1) There is established a limited access competitive  
28 grant program which shall be administered by the Department of  
29 Education. The purpose of the program shall be to provide  
30 enrollment opportunities for qualified applicants in ~~unable to~~

31

1 ~~obtain admission to selected state university~~ limited access  
2 programs or equivalent academic tracks.

3 (2) The Postsecondary Education Planning Commission  
4 shall annually identify for the State Board of Education  
5 selected high priority employment fields that are designated,  
6 ~~commonly referred to as limited access~~ programs, which require  
7 a baccalaureate degree and for which one or more state  
8 universities have insufficient capacity to serve all qualified  
9 applicants.

10 (3) Program applicants shall be Florida residents,  
11 either community college graduates or state university  
12 students, who are qualified for admission to a selected  
13 independent college or university ~~because of lack of space are~~  
14 ~~denied admission to a state university~~ program directly  
15 related to a high priority employment field identified by the  
16 State Board of Education.

17 (4) A limited access competitive grant may be awarded  
18 ~~in a competitive grant~~ which equals 50 percent of the cost to  
19 the state per academic year of funding an undergraduate  
20 student in public postsecondary education if the recipient  
21 chooses to enroll in a comparable program provided by an  
22 eligible independent college or university in Florida.  
23 Eligible independent institutions shall be designated by the  
24 Department of Education and shall be selected from among  
25 institutions accredited by the Commission on Colleges of the  
26 Southern Association of Colleges and Schools. Priority shall  
27 be given to state residents who graduate from a Florida high  
28 school or community college.

29 Section 8. Paragraph (f) of subsection (1) of section  
30 229.551, Florida Statutes, 1996 Supplement, is amended to  
31 read:

1           229.551 Educational management.--

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

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

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

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

1           3. Appoint faculty committees representing both  
2 community college and university faculties to recommend a  
3 single level for each course included in the common course  
4 numbering and designation system. Any course designated as an  
5 upper-division level course must be characterized by a need  
6 for advanced academic preparation and skills that a student  
7 would be unlikely to achieve without significant prior  
8 coursework. Courses with the same prefix and last three digits  
9 required for both associate in science and baccalaureate  
10 degrees shall be exceptions to the leveling requirement and  
11 may be offered at both the lower and upper divisions. The  
12 course transfer policy as defined in s. 240.115(1)(b) shall  
13 apply to these courses. Of the courses required for each  
14 baccalaureate degree, at least half of the credit hours  
15 required for the degree shall be achievable through courses  
16 designated as lower-division courses, except in degree  
17 programs approved by the Board of Regents pursuant to s.  
18 240.209(5)(e). A course designated as lower-division may be  
19 offered by any community college. ~~By January 1, 1996,~~The  
20 Articulation Coordinating Committee shall recommend to the  
21 State Board of Education the levels for the courses. ~~By~~  
22 ~~January 1, 1996,~~The common course numbering and designation  
23 system shall include the courses at the recommended levels,  
24 and ~~by fall semester of 1996,~~the registration process at each  
25 state university and community college shall include the  
26 courses at their designated levels and common course numbers.

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



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

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

24           Section 9. Subsection (9) of section 240.107, Florida  
25 Statutes, is amended to read:

26           240.107 College-level communication and computation  
27 skills examination.--

28           (9) ~~Beginning January 1, 1996~~,Any student fulfilling  
29 one or both ~~more~~ of the following requirements before  
30 completion of associate in arts degree requirements or  
31

1 baccalaureate degree requirements is exempt from the testing  
2 requirements of this section:

3 (a) Achieves a score that meets or exceeds a minimum  
4 score on a nationally standardized examination ~~listed in the~~  
5 ~~articulation agreement~~, as established by the Articulation  
6 Coordinating Committee; or

7 ~~(b) Achieves a passing score on the college placement~~  
8 ~~test, required pursuant to s. 240.117, and, as certified on~~  
9 ~~the high school transcript, a cumulative grade point average~~  
10 ~~of 3.0 or above, on a 4.0 scale, in college-preparatory high~~  
11 ~~school coursework identified by the Articulation Coordinating~~  
12 ~~Committee; or~~

13 (b)(c) Achieves a ~~passing score on the college~~  
14 ~~placement test, required pursuant to s. 240.117, and a~~  
15 cumulative grade point average of 2.5 or above, on a 4.0  
16 scale, in postsecondary-level coursework identified by the  
17 Postsecondary Education Planning Commission.

18  
19 Any student denied a degree prior to January 1, 1996, based on  
20 the failure of at least one subtest of the CLAST may use  
21 either any of the alternatives specified in this subsection  
22 for receipt of a degree if such student meets all degree  
23 program requirements at the time of application for the degree  
24 under the exemption provisions of this subsection. This  
25 section does not require a student to take the CLAST before  
26 being given the opportunity to use either any of the  
27 alternatives specified in this subsection. The exemptions  
28 provided herein do not apply to requirements for certification  
29 as provided in s. 231.17.

30 Section 10. Subsections (4) and (5) are added to  
31 section 240.1163, Florida Statutes, to read:

1           240.1163 Joint dual enrollment and advanced placement  
2 instruction.--

3           (4) No student enrolled in any dual enrollment course  
4 shall in any way be discriminated against for grading purposes  
5 or subjected to an alternative grade or weighting system by  
6 either the school district, community college, or university.

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 11. For the purpose of incorporating the  
12 amendment to section 240.107, Florida Statutes, in a reference  
13 thereto, subsection (3) of section 239.213, Florida Statutes,  
14 is reenacted to read:

15           239.213 Vocational-preparatory instruction.--

16           (3) Exceptional students, as defined in s. 228.041,  
17 may be exempted from the provisions of this section. A  
18 student who possesses an associate in arts, baccalaureate, or  
19 graduate-level degree, who has completed the college-level  
20 communication and computation skills examination pursuant to  
21 s. 240.107, or who is exempt from the college entry-level  
22 examination pursuant to s. 240.107 may be exempted from the  
23 provisions of this section.

24           Section 12. Section 240.65, Florida Statutes, is  
25 created to read:

26           240.65 Institute on Public Postsecondary Distance  
27 Learning.--

28           (1) SHORT TITLE.--This section may be cited as the  
29 "Institute on Public Postsecondary Distance Learning Act."

30           (2) LEGISLATIVE INTENT.--It is the finding of the  
31 Legislature that:

1       (a) The integration of the use of distance learning  
2 and other technologies as methods of delivering postsecondary  
3 instruction has been increasing in Florida.

4       (b) The coordination of separate and independent  
5 distance learning providers will help reduce unwarranted  
6 duplication and facilitate student transfer credit.

7       (c) Distance learning can provide postsecondary  
8 institutions with a mechanism by which they can:

9           1. Increase student access to education.

10           2. Reduce time needed to obtain a degree by allowing  
11 students to take required classes by distance learning which  
12 normally would not be available.

13           3. Reduce unwarranted duplication in course  
14 development.

15           4. Increase productivity.

16           5. Increase coordination in the development and  
17 delivery of distance learning instruction by the State  
18 University System and the State Community College System.

19       (3) INSTITUTE ON PUBLIC POSTSECONDARY DISTANCE  
20 LEARNING; CREATION AND COMPOSITION.--

21       (a) There is established the Institute on Public  
22 Postsecondary Distance Learning with a governing board  
23 comprised of the Chancellor of the State University System,  
24 the Executive Director of the State Community College System,  
25 the Secretary of Management Services or the designee of the  
26 secretary, the Commissioner of Education or the designee of  
27 the commissioner, the Secretary of State or the designee of  
28 the secretary, one member of the Board of Regents, four state  
29 university presidents, one member of the State Board of  
30 Community Colleges, and four community college presidents.  
31 The Chancellor of the State University System shall appoint

1 the member of the Board of Regents and the four state  
2 university presidents. The Executive Director of the State  
3 Board of Community Colleges shall appoint the member of the  
4 State Board of Community Colleges and the four community  
5 college presidents. Such appointments must be for staggered,  
6 rotating terms.

7 (b) Pursuant to bylaws, the governing board of the  
8 institute shall elect a chair to serve a 1-year term. The  
9 position of chair shall rotate between the State University  
10 System and the State Community College System.

11 (c) The governing board of the institute shall take  
12 official action by consensus only. For purposes of this  
13 section, consensus is defined as agreement by the Chancellor  
14 of the State University System and the Executive Director of  
15 the State Community College System.

16 (d) The institute shall be administratively assigned  
17 to Florida Gulf Coast University and may hire an executive  
18 director who will be responsible to the governing board and  
19 who will act on behalf of Florida's public postsecondary  
20 education systems to support distance learning activities.  
21 The institute may hire additional support staff as needed.  
22 The governing board of the institute shall review and approve  
23 all staff position descriptions. The institute shall also  
24 draw upon the expertise of the staff within their respective  
25 delivery systems to assist in the completion of duties and  
26 activities.

27 (4) DUTIES OF THE INSTITUTE ON PUBLIC POSTSECONDARY  
28 DISTANCE LEARNING.--

29 (a) The institute is responsible for developing and  
30 recommending, for review and adoption by the Board of Regents  
31

1 and the State Board of Community Colleges, policies and  
2 procedures that:  
3       1. Ensure cooperation and coordination within and  
4 between the State University System and the State Community  
5 College System in the development and delivery of distance  
6 learning instruction.  
7       2. Provide for the cooperative development and  
8 distribution of postsecondary distance learning programs and  
9 courses.  
10       3. Maximize the most efficient access to courses and  
11 programs.  
12       4. Ensure the transfer of distance learning course  
13 credits and the articulation of distance learning degree  
14 programs.  
15       5. Address the funding and cost of distance learning  
16 credit and noncredit courses and programs, including, but not  
17 limited to, recommended fees for distance learning courses and  
18 programs, subject to approval by the Legislature. The  
19 institute shall also identify and recommend to the respective  
20 boards specific issues to be included in each system's  
21 legislative budget request. Funds appropriated by the  
22 Legislature to the State University System and State Community  
23 College System specifically to support collaborative  
24 postsecondary distance learning must be expended by mutual  
25 agreement by the Board of Regents, the State Board of  
26 Community Colleges, and the institute.  
27       (b) The institute shall be responsible for monitoring  
28 the implementation and effectiveness of those policies and  
29 procedures that are adopted, for identifying emerging needs  
30 and issues in public postsecondary education distance  
31 learning, and for evaluating public postsecondary educational

1 institutions' success in meeting the systemwide and  
2 institutional goals and objectives established by the Florida  
3 Distance Learning Network, the Board of Regents, and the State  
4 Board of Community Colleges. By November 1 of each year, the  
5 institute shall submit a report of its findings and  
6 recommendations to the State Board of Education, the Florida  
7 Distance Learning Network, the Board of Regents, and the State  
8 Board of Community Colleges.

9 Section 13. Section 240.66, Florida Statutes, is  
10 created to read:

11 240.66 Florida Community College Distance Learning  
12 Consortium.--

13 (1) The State Board of Community Colleges is directed  
14 to establish the Florida Community College Distance Learning  
15 Consortium to be administered by the State Board of Community  
16 Colleges.

17 (a) The State Board of Community Colleges shall  
18 appoint the membership of the consortium, with the majority of  
19 members to be community college representatives. From the  
20 membership of the consortium, the Chairman of the State Board  
21 of Community Colleges shall appoint a chair to serve a 1-year  
22 term. The chair of the consortium shall appoint any  
23 appropriate subcommittees to complete the duties of the  
24 consortium.

25 (b) The powers and duties of the consortium shall be  
26 determined by the State Board of Community Colleges by rule.

27 (c) The Executive Director of the State Board of  
28 Community Colleges may hire appropriate support staff for the  
29 consortium.

30 (2) The consortium, in coordination with the Institute  
31 on Public Postsecondary Distance Learning, shall:

- 1       (a) Develop, for consideration and approval by the  
2 State Board of Community Colleges, plans for the State  
3 Community College System related to distance learning. Such  
4 plans shall address the following goals:
- 5           1. To increase student access.  
6           2. To reduce time needed for students to meet their  
7 educational goals through the provision of distance learning  
8 credit and noncredit programs and courses.
- 9           3. To reduce unwarranted duplication in the  
10 acquisition, development, and distribution of credit and  
11 noncredit programs and courses and improve coordination among  
12 the community colleges and other educational institutions.
- 13           4. To provide for coordination with the State  
14 University System for the development of articulated associate  
15 to baccalaureate degree programs to be offered exclusively  
16 through distance learning.
- 17       (b) Develop, for consideration and approval by the  
18 State Board of Community Colleges, procedures for the  
19 coordination and delivery of distance learning programs and  
20 courses statewide, including guidelines for colleges to  
21 deliver distance learning programs and courses across  
22 community college district service areas.
- 23       (c) Develop, for consideration and review by the State  
24 Board of Community Colleges, mechanisms to market for  
25 distribution distance learning credit and noncredit programs  
26 and courses offered by community colleges.
- 27       (d) Ensure that programs and courses coordinated by  
28 the consortium are in compliance with all accreditation  
29 requirements.
- 30       (e) Develop, for consideration and approval by the  
31 State Board of Community Colleges, mechanisms to provide for



1 consolidated and coordinated telecommunications infrastructure  
2 or program development acquisitions. These mechanisms must  
3 ensure maximum cost effectiveness while not interfering with  
4 the ability of community colleges to purchase items for which  
5 coordinated purchases are not available, effective, or  
6 beneficial to the college. These mechanisms must also provide  
7 for cooperative purchasing and leasing.

8 (f) Recommend, for consideration by the State Board of  
9 Community Colleges, agreements with community colleges or  
10 other state governmental providers for the development of  
11 credit and noncredit programs and courses to be coordinated  
12 through the consortium.

13 (g) Support the training efforts for faculty and staff  
14 members of the community colleges, including training required  
15 for all related academic and support services related to  
16 distance learning initiatives.

17 (h) Maintain an inventory of distance learning credit  
18 and noncredit programs and courses, staff development  
19 materials, and academic and student support services software  
20 available to support distance learning instruction.

21 (i) Serve as the point of coordination with the  
22 Institute on Public Postsecondary Distance Learning.

23 Section 14. Effective upon this act becoming a law and  
24 operating retroactively to July 1, 1996, subsection (1) of  
25 section 120.81, Florida Statutes, 1996 Supplement, is amended  
26 to read:

27 120.81 Exceptions and special requirements; general  
28 areas.--

29 (1) EDUCATIONAL UNITS.--

30 (a) The preparation or modification of curricula by an  
31 educational unit is not a rule as defined by this chapter.

1           (b) Notwithstanding s. 120.52(15), any tests, test  
2 scoring criteria, or testing procedures relating to student  
3 assessment which are developed or administered by the  
4 Department of Education pursuant to s. 229.57, s. 232.245, s.  
5 232.246, or s. 232.247, or any other statewide educational  
6 tests required by law, are not rules.

7           (c) Notwithstanding s. 120.54(1)(g), educational  
8 units, other than units of the State University System and the  
9 Florida School for the Deaf and the Blind, may adopt multiple  
10 subject rules such as catalogs, bulletins, handbooks, and  
11 personnel agendas.

12           (d) Notwithstanding s. 120.54(2), a notice of rule  
13 development by an educational unit need not include the  
14 preliminary text of the proposed rules and notice shall be  
15 made:

16           1. By publication in a newspaper of general  
17 circulation in the affected area;

18           2. By mail to all persons who have made requests of  
19 the educational unit for advance notice of its proceedings and  
20 to organizations representing persons affected by the proposed  
21 rule; and

22           3. By posting in appropriate places so that those  
23 particular classes of persons to whom the intended action is  
24 directed may be duly notified.

25           ~~(e)~~(c) Notwithstanding s. 120.54(3)(a), notice of  
26 intent by an educational unit to adopt, amend, or repeal a  
27 rule or notice by an educational unit of a petition for a  
28 declaratory statement need not include the full text of the  
29 proposed rule or amendment ~~be published in the Florida~~  
30 ~~Administrative Weekly or transmitted to the committee;~~  
31

1 however, the notice, for other than an emergency rule, shall  
2 be made at least 21 days prior to the intended action:

3 1. By publication in a newspaper of general  
4 circulation in the affected area;

5 2. By mail to all persons who have made requests of  
6 the educational unit for advance notice of its proceedings and  
7 to organizations representing persons affected by the proposed  
8 rule; and

9 3. By posting in appropriate places so that those  
10 particular classes of persons to whom the intended action is  
11 directed may be duly notified.

12 ~~(f)(d) Notwithstanding s. 120.54(3)(a)4., Educational~~  
13 ~~units, other than units of the State University System and the~~  
14 ~~Florida School for the Deaf and the Blind, shall not be~~  
15 ~~required to make filings with the committee of the documents~~  
16 ~~required to be filed by that subparagraph.~~

17 (g) Educational units, other than units of the State  
18 University System and the Florida School for the Deaf and the  
19 Blind, shall not be required to publish notices in the Florida  
20 Administrative Weekly.

21 ~~(h)(e)~~ Notwithstanding s. 120.57(1)(a), hearings which  
22 involve student disciplinary suspensions or expulsions may be  
23 conducted by educational units.

24 ~~(i)(f)~~ Sections 120.569 and 120.57 do not apply to any  
25 proceeding in which the substantial interests of a student are  
26 determined by a community college district or the State  
27 University System. The Board of Regents shall establish a  
28 committee, at least half of whom shall be appointed by the  
29 Council of Student Body Presidents, which shall establish  
30 rules and guidelines ensuring fairness and due process in  
31

1 judicial proceedings involving students in the State  
2 University System.

3 (j)~~(g)~~ Notwithstanding ss. 120.569 and 120.57, in a  
4 hearing involving a student disciplinary suspension or  
5 expulsion conducted by an educational unit, the 14-day notice  
6 of hearing requirement may be waived by the agency head or the  
7 hearing officer without the consent of parties.

8 (k)~~(h)~~ For purposes of s. 120.68, a district school  
9 board whose decision is reviewed under the provisions of s.  
10 231.36 and whose final action is modified by a superior  
11 administrative decision shall be a party entitled to judicial  
12 review of the final action.

13 (l)~~(i)~~ Notwithstanding s. 120.525(2), the agenda for a  
14 special meeting of a district school board under authority of  
15 s. 230.16 shall be prepared upon the calling of the meeting,  
16 but not less than 48 hours prior to the meeting.

17 (m) Notwithstanding s. 120.54(2)(c), educational  
18 units, other than units of the State University System and the  
19 Florida School for the Deaf and the Blind, shall not be  
20 required to hold public workshops outside their respective  
21 districts.

22 Section 15. Subsection (1) of section 120.545, Florida  
23 Statutes, 1996 Supplement, is amended to read:

24 120.545 Committee review of agency rules.--

25 (1) As a legislative check on legislatively created  
26 authority, the committee shall examine each proposed rule,  
27 except for those proposed rules exempted by s. 120.81(1)(f)~~(d)~~  
28 and (2), and its accompanying material, and each emergency  
29 rule, and may examine any existing rule, for the purpose of  
30 determining whether:

31

- 1           (a) The rule is an invalid exercise of delegated  
2 legislative authority.
- 3           (b) The statutory authority for the rule has been  
4 repealed.
- 5           (c) The rule reiterates or paraphrases statutory  
6 material.
- 7           (d) The rule is in proper form.
- 8           (e) The notice given prior to its adoption was  
9 sufficient to give adequate notice of the purpose and effect  
10 of the rule.
- 11           (f) The rule is consistent with expressed legislative  
12 intent pertaining to the specific provisions of law which the  
13 rule implements.
- 14           (g) The rule is necessary to accomplish the apparent  
15 or expressed objectives of the specific provision of law which  
16 the rule implements.
- 17           (h) The rule is a reasonable implementation of the law  
18 as it affects the convenience of the general public or persons  
19 particularly affected by the rule.
- 20           (i) The rule could be made less complex or more easily  
21 comprehensible to the general public.
- 22           (j) The rule does not impose regulatory costs on the  
23 regulated person, county, or city which could be reduced by  
24 the adoption of less costly alternatives that substantially  
25 accomplish the statutory objectives.
- 26           (k) The rule will require additional appropriations.
- 27           (l) If the rule is an emergency rule, there exists an  
28 emergency justifying the promulgation of such rule, the agency  
29 has exceeded the scope of its statutory authority, and the  
30 rule was promulgated in compliance with the requirements and  
31 limitations of s. 120.54(4).

1           Section 16. Paragraph (a) of subsection (22) of  
2 section 228.041, Florida Statutes, 1996 supplement, is amended  
3 to read:

4           228.041 Definitions.--Specific definitions shall be as  
5 follows, and wherever such defined words or terms are used in  
6 the Florida School Code, they shall be used as follows:

7           (22) CAREER EDUCATION.--

8           (a) "Career education" is defined as meaning that  
9 instruction not necessarily leading to a baccalaureate degree,  
10 either graded or ungraded, listed below:

11           1. Job-preparatory instruction in the minimum  
12 competencies necessary for effective entry into an occupation,  
13 including diversified cooperative education, work experience,  
14 and job entry programs which coordinate directed study and  
15 on-the-job training;

16           2. Exploratory courses designed to give students  
17 initial exposure to the skills and aptitudes associated with a  
18 broad range of occupations in order to assist them in making  
19 informed decisions regarding their future academic and  
20 occupational goals;

21           3. Supplemental programs designed to enable persons  
22 who are or have been employed in an occupation to upgrade  
23 their competencies in order to reenter or maintain employment  
24 or advance within their current occupation;

25           4. Practical arts courses designed to teach students  
26 practical generic skills which, though applicable to some  
27 occupations, are not designed to prepare students for entry  
28 into a specific occupation. Such courses may include, but may  
29 not be limited to, typing, industrial arts, and family and  
30 consumer sciences ~~home economics~~; or

31

1           5. Instruction which integrates the basic academic  
2 skills and vocational skills.

3           Section 17. Paragraph (c) of subsection (1) of section  
4 231.1725, Florida Statutes, is amended to read:

5           231.1725 Employment of substitute teachers, teachers  
6 of adult education, nondegreed teachers of career education,  
7 and noncertificated teachers in critical teacher shortage  
8 areas.--

9           (1) Notwithstanding the provisions of ss. 231.02,  
10 231.15, 231.17, and 231.172 or any other provision of law or  
11 rule to the contrary, each school board shall establish the  
12 minimal qualifications for:

13           (c) Part-time and full-time nondegreed teachers of  
14 vocational programs. Qualifications shall be established for  
15 agriculture, business, health occupations, family and consumer  
16 sciences ~~home economics~~, industrial, marketing, and public  
17 service education teachers, based primarily on successful  
18 occupational experience rather than academic training. The  
19 qualifications for such teachers shall require:

20           1. The filing of a complete set of fingerprints in the  
21 same manner as required by s. 231.02. Faculty employed solely  
22 to conduct postsecondary instruction may be exempted from this  
23 requirement.

24           2. Documentation of education and successful  
25 occupational experience including documentation of:

26           a. A high school diploma or the equivalent.

27           b. Completion of 6 years of full-time successful  
28 occupational experience or the equivalent of part-time  
29 experience in the teaching specialization area. Alternate  
30 means of determining successful occupational experience may be  
31 established by the school board.

1           c. Completion of career education training conducted  
2 through the local school district inservice master plan.

3           d. For full-time teachers, completion of professional  
4 education training in teaching methods, course construction,  
5 lesson planning and evaluation, and teaching special needs  
6 students. This training may be completed through coursework  
7 from a standard institution or an approved district teacher  
8 education program.

9           e. Demonstration of successful teaching performance.

10           Section 18. Paragraph (c) of subsection (7) of section  
11 232.246, Florida Statutes, is amended to read:

12           232.246 General requirements for high school  
13 graduation.--

14           (7) No student may be granted credit toward high  
15 school graduation for enrollment in the following courses or  
16 programs:

17           (c) More than three credits in practical arts family  
18 and consumer sciences ~~home economics~~ classes as defined in s.  
19 228.041(22)(a)4.

20           Section 19. Paragraph (c) of subsection (4) of section  
21 233.067, Florida Statutes, 1996 Supplement, is amended to  
22 read:

23           233.067 Comprehensive health education and substance  
24 abuse prevention.--

25           (4) ADMINISTRATION OF THE COMPREHENSIVE HEALTH  
26 EDUCATION AND SUBSTANCE ABUSE PREVENTION PROGRAM.--

27           (c) The comprehensive health education and substance  
28 abuse prevention program shall include the following in all  
29 public and laboratory schools:

30           1. Implementation of inservice education programs for  
31 teachers, counselors, and other persons, which programs deal



1 with comprehensive health education, substance abuse  
2 prevention, prevention of sexually transmissible diseases,  
3 especially human immunodeficiency virus infection and acquired  
4 immune deficiency syndrome, and the benefits of sexual  
5 abstinence and consequences of teenage pregnancy. Such  
6 inservice education programs shall be consistent with the  
7 master plan, as specified in s. 236.0811, and shall include  
8 training in substance abuse identification and prevention. The  
9 training plan may provide for the option of using teachers as  
10 trainers and shall include, but not be limited to: information  
11 on current theory, knowledge, and practice regarding substance  
12 abuse; identification and referral procedures; legal issues;  
13 peer counseling; and methods of teaching decisionmaking skills  
14 and building self-concept. Inservice teacher education  
15 materials and student materials which are based upon  
16 individual performance and designed for use with a minimum of  
17 supervision shall be developed and made available to all  
18 school districts and laboratory schools.

19         2. Implementation of management training programs  
20 consistent with the provisions of s. 231.087 for principals  
21 and other school leaders on the identification, prevention,  
22 and treatment of substance abuse and the availability of local  
23 and regional referral resources.

24         3. Instruction in nutrition education as a specific  
25 area of health education instruction. Nutrition education  
26 shall include, but not be limited to, sound nutritional  
27 practices, wise food selection, analysis of advertising claims  
28 about food, proper food preparation, and food storage  
29 procedures. The purpose of such nutrition education programs  
30 shall be to educate students in the overall area of nutrition  
31

1 education and significantly reduce health problems associated  
2 with poor or improper nutrition practices.

3 4. Instruction in substance abuse prevention in  
4 kindergarten through grade 12. Such instruction shall be  
5 designed to meet local needs and priorities and shall  
6 articulate clear instructional objectives aimed at the  
7 prevention of alcohol and substance abuse. The instruction  
8 shall be appropriate for the grade and age of the student and  
9 shall reflect current theory, knowledge, and practice  
10 regarding prevention of substance abuse and may contain  
11 instruction in such components as health, personal, and  
12 economic consequences of substance abuse and instruction in  
13 decisionmaking, resisting peer pressure, self-concept building  
14 skills, and identifying and dealing with situations that pose  
15 a risk to one's health and may lead to substance abuse.

16 5. Instruction in the causes, transmission, and  
17 prevention of human immunodeficiency virus infection and  
18 acquired immune deficiency syndrome and other sexually  
19 transmissible diseases for students. Such instruction shall  
20 be included in appropriate middle school or junior high school  
21 health and science courses and in life management skills and  
22 other high school courses. Any student whose parent makes  
23 written request to the school principal shall be exempt from  
24 reproductive health or AIDS instructional activities, as  
25 requested. Curriculum frameworks for comprehensive health  
26 education shall not interfere with the local determination of  
27 appropriate curriculum which reflects local values and  
28 concerns.

29 6. Upon approval by the district school board, an  
30 opportunity for 9th-12th grade students to receive instruction  
31 in cardiopulmonary resuscitation in order to become certified

1 in that technique. A school district may enter a cooperative  
2 arrangement with a local government or nonprofit association  
3 to provide training in cardiopulmonary resuscitation through  
4 instructors certified in that technique.

5 7. Design and development of programs for the  
6 selection and training of health education instructors from  
7 existing teaching staff and the orientation to teaching roles  
8 for persons employed in appropriate health fields and  
9 community volunteers.

10 8. Development of training programs to allow the use  
11 of school food service personnel as resource persons.

12 9. Instruction in reproductive health, interpersonal  
13 skills, and parenting to reduce teenage pregnancy and to  
14 promote healthy behavior in Florida's children for all  
15 students in kindergarten through grade 12, beginning with the  
16 1991-1992 school year. In order that children make informed  
17 and constructive decisions about their lives, complete and  
18 accurate comprehensive health education shall be made  
19 available to all young people. Curriculum shall be developed  
20 to reduce destructive behavior in children, including early  
21 sexual involvement, substance abuse, suicide, and activities  
22 which result in sexually transmitted diseases, acquired immune  
23 deficiency syndrome, and early teenage pregnancy, with subject  
24 materials appropriate to the grade level and values consistent  
25 with those of the community. Instruction shall also include an  
26 understanding of the body and its systems and identification  
27 and prevention of child abuse in the lower grades and  
28 decisionmaking in the middle and higher grades. Instruction  
29 in human sexuality shall take into account the whole person,  
30 shall present ethical and moral dimensions, shall not be an  
31 expression of any one sectarian or secular philosophy, and

1 shall respect the conscience and rights of students and  
2 parents. School districts and laboratory schools are  
3 encouraged to provide written materials on reproductive health  
4 to parents, as well as opportunities for parents to become  
5 informed about the instruction their children are receiving  
6 and to receive instruction themselves. All course materials  
7 and oral or visual instruction shall conform to the requisites  
8 and intent of all Florida law and the State Constitution. All  
9 instructional materials, including teachers' manuals, films,  
10 tapes, or other supplementary instructional material shall be  
11 available for inspection by parents or guardians of the  
12 children engaged in such classes.

13           10. Instruction in the benefits of sexual abstinence  
14 and consequences of teenage pregnancy, sexually transmitted  
15 diseases, and acquired immune deficiency syndrome in  
16 appropriate middle school or junior high school health,  
17 science, and family and consumer sciences ~~home economics~~  
18 courses and in life management skills and other appropriate  
19 high school courses. Curriculum frameworks shall be created  
20 or modified as necessary to help ensure such instruction.

21           Section 20. Paragraph (1) of subsection (1) of section  
22 236.081, Florida Statutes, 1996 Supplement, is amended to  
23 read:

24           236.081 Funds for operation of schools.--If the annual  
25 allocation from the Florida Education Finance Program to each  
26 district for operation of schools is not determined in the  
27 annual appropriations act or the substantive bill implementing  
28 the annual appropriations act, it shall be determined as  
29 follows:

30           (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
31 OPERATION.--The following procedure shall be followed in

1 determining the annual allocation to each district for  
2 operation:

3 (1) Instruction in family and consumer sciences ~~home~~  
4 ~~economics~~.--Students in grades K through 12 who are enrolled  
5 for more than six semesters in practical arts family and  
6 consumer sciences ~~home economics~~ courses as defined in s.  
7 228.041(22)(a)4. may not be counted as full-time equivalent  
8 students for this instruction.

9 Section 21. Subsections (3) through (10) of section  
10 239.105, Florida Statutes, are amended to read:

11 239.105 Definitions.--As used in this chapter, the  
12 term:

13 (3) "Adult secondary education" means courses through  
14 which a person receives high school credit that leads to the  
15 award of a high school diploma or programs of instruction  
16 through which a student prepares to take the general  
17 educational development test. This includes 9th through 12th  
18 grade levels.

19 (4) "Basic literacy" which is also referred to as  
20 "beginning adult basic education" means the demonstration of  
21 academic competence from 2.0 through 5.9 ~~at a fifth grade~~  
22 educational grade levels level as measured by means approved  
23 for this purpose by the State Board of Education.

24 (5) "Beginning literacy" means the demonstration of  
25 academic competence from 0 through 1.9 educational grade  
26 levels as measured by means approved for this purpose by the  
27 State Board of Education.

28 ~~(6)(5)~~ "College-preparatory instruction" means courses  
29 through which a high school graduate who applies for a degree  
30 program may attain the communication and computation skills  
31 necessary to enroll in college credit instruction.

1           (7)~~(6)~~ "Commissioner" means the Commissioner of  
2 Education.

3           (8)~~(7)~~ "Community education" means the use of a school  
4 or other public facility as a community center operated in  
5 conjunction with other public, private, and governmental  
6 organizations for the purpose of providing educational,  
7 recreational, social, cultural, health, and community services  
8 for persons in the community in accordance with the needs,  
9 interests, and concerns of that community.

10           (9)~~(8)~~ "Department" means the Department of Education.

11           (10)~~(9)~~ "Document literacy" means the demonstration of  
12 competence in identifying and using information located in  
13 materials such as charts, forms, tables, and indexes.

14           (11) "Family literacy" means a program for adults that  
15 includes a literacy component for parents and children or  
16 other intergenerational literacy components.

17           (12)~~(10)~~ "Functional literacy" which is also referred  
18 to as "intermediate adult basic education" means the  
19 demonstration of academic competence from 6.0 through 8.9 at  
20 an eighth grade educational grade levels level as measured by  
21 means approved for this purpose by the State Board of  
22 Education.

23           Section 22. Section 239.205, Florida Statutes, is  
24 amended to read:

25           239.205 State Board of Education rules regarding  
26 career education programs; common definitions; criteria for  
27 determining program level; ~~basic skills standards.~~--

28           (1) The State Board of Education shall adopt, by rule,  
29 common definitions for associate in science degrees and for  
30 certificates.

31

1           (2) The State Board of Education shall develop  
2 guidelines to determine the criteria by which the level of  
3 degree or certificate is assigned to a vocational program.  
4 The guidelines must ensure that assignments are made at the  
5 lowest level possible commensurate with sound professional  
6 practice; however, the guidelines must also ensure that  
7 assignments are updated for programs that increase in  
8 technical complexity or general education requirements beyond  
9 the parameters of a certificate program. Institutions may  
10 continue to offer existing programs that are assigned to a  
11 lower level; however, such programs shall be funded at the  
12 assigned level. The State Board of Education shall adopt  
13 rules regarding reporting requirements for vocational  
14 programs.

15           ~~(3) The State Board of Education shall adopt, by rule,~~  
16 ~~basic skills standards to be met by each vocational student~~  
17 ~~prior to completion of a certificate career education program.~~

18           Section 23. Subsections (1) and (2) of section  
19 239.213, Florida Statutes, are amended to read:

20           239.213 Vocational-preparatory instruction.--

21           (1) The State Board for Career Education shall adopt,  
22 by rule, standards of basic skill mastery for certificate  
23 career education programs ~~of less than 1,800 hours~~. Each  
24 school district and community college that conducts  
25 certificate career education programs shall provide  
26 vocational-preparatory instruction through which students  
27 receive the basic skills instruction required pursuant to this  
28 section.

29           (2) Students who enroll in a certificate career  
30 education program of 450 hours or more shall complete an  
31 entry-level examination within the first 6 weeks of admission

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

13 Section 24. Paragraphs (b) and (d) of subsection (2)  
14 of section 239.229, Florida Statutes, are amended to read:

15 239.229 Vocational standards.--

16 (2)

17 (b) School board, superintendent, and area technical  
18 center, and community college board of trustees and president,  
19 accountability for certificate career education programs  
20 includes, but is not limited to:

21 1. Student demonstration of the academic skills  
22 necessary to enter an occupation.

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

25 3. Vocational program articulation with other  
26 corresponding postsecondary programs and job training  
27 experiences.

28 4. Employer satisfaction with the performance of  
29 vocational program completers.

30 5. Student completion and placement rates as defined  
31 in s. 239.233.



1 (d) Department of Education accountability for career  
2 education includes, but is not limited to:

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

5 2. The provision of timely, accurate information to  
6 the State Board for Career Education, the Legislature, and the  
7 public.

8 3. The development of policies, rules, and procedures  
9 that facilitate institutional attainment of the accountability  
10 standards and coordinate the efforts of all divisions within  
11 the department.

12 4. The development of program standards and  
13 industry-driven benchmarks for vocational, adult, and  
14 community education programs.

15 ~~5.4.~~ Overseeing school district and community college  
16 compliance with the provisions of this chapter.

17 Section 25. Section 239.305, Florida Statutes, is  
18 amended to read:

19 239.305 Adult literacy.--

20 (1)(a) An adult, individualized literacy instruction  
21 program is created for adults who ~~do not possess basic~~  
22 literacy skills below the ninth grade level. The purpose of  
23 the program is to provide self-paced, competency-based,  
24 individualized tutorial instruction. The commissioner shall  
25 administer this section in coordination with the State Board  
26 of Community Colleges, local school boards, and the Division  
27 of Library and Information Services of the Department of State  
28 ~~or pursuant to State Board of Education rule.~~

29 (b) Local adult, individualized literacy instruction  
30 programs may be coordinated with local public library systems  
31 and with public or private nonprofit agencies, organizations,

1 or institutions. A local public library system and a public  
2 or private nonprofit agency, organization, or institution may  
3 use funds appropriated for the purposes of this section to  
4 hire program coordinators. Such coordinators shall offer  
5 training activities to volunteer tutors and oversee the  
6 operation of local literacy programs. A local public library  
7 system and a public or private nonprofit agency, organization,  
8 or institution may also purchase student instructional  
9 materials and modules that instruct tutors in the teaching of  
10 basic and functional literacy and English for speakers of  
11 other languages. To the extent funds are appropriated,  
12 cooperating local library systems shall purchase, and make  
13 available for loan, reading materials of high interest and  
14 with a vocabulary appropriate for use by students who possess  
15 literacy skills below the ninth grade level ~~in basic and~~  
16 ~~functional literacy instruction~~ and students of English for  
17 speakers of other languages.

18 (2)(a) The adult literacy program is intended to  
19 increase ~~reduce~~ adult literacy ~~illiteracy~~ as prescribed in the  
20 agency functional plan of the Department of Education. The  
21 commissioner shall establish guidelines for the purpose of  
22 determining achievement of this goal.

23 (b) Each participating local sponsor shall submit an  
24 annual report to the commissioner which must contain, ~~but need~~  
25 ~~not be limited to, the following~~ information to demonstrate  
26 the extent to which there has been

27 1. ~~The number of clients served.~~

28 2. ~~The~~ progress toward increasing the percentage of  
29 adults within the service area who possess literacy skills.

30 ~~As evidence of such progress, the report must include~~  
31 ~~information regarding the number of students enrolled in adult~~

1 ~~basic education programs and the number of students who~~  
2 ~~completed, separated from, or continued in the programs.~~

3 (c) Based on the information provided from the local  
4 reports, the commissioner shall develop an annual status  
5 report on literacy and adult education.~~The commissioner shall~~  
6 ~~review the annual reports of local sponsors and submit to the~~  
7 ~~State Board of Education a county-by-county summary of the~~  
8 ~~information.~~

9 (3) Funds appropriated for the purposes of this  
10 section shall be allocated as grants for implementing adult  
11 literacy programs. Such funds may not be used to supplant  
12 funds used for activities that would otherwise be conducted in  
13 the absence of literacy funding. A grant awarded pursuant to  
14 this section may not exceed \$50,000. Priority for the use of  
15 such funds shall be given to paying expenses related to the  
16 instruction of volunteer tutors, including materials and the  
17 salary of the program coordinator. Local sponsors may also  
18 accept funds from private sources for the purposes of this  
19 section.

20 (4)(a) The commissioner shall submit a state adult  
21 literacy plan to the State Board of Education to serve as a  
22 reference for school boards and community colleges to increase  
23 ~~reduce~~ adult literacy ~~illiteracy~~ in their service areas as  
24 prescribed in the agency functional plan of the Department of  
25 Education. The plan must include, at a minimum:

26 1. Policies and objectives for adult literacy  
27 programs, including evaluative criteria.

28 2. Strategies for coordinating adult literacy  
29 activities with programs and services provided by other state  
30 and local nonprofit agencies, as well as strategies for  
31 maximizing other funding, resources, and expertise.

1           3. Procedures for identifying, recruiting, and  
2 retaining adults who possess ~~lack basic and functional~~  
3 literacy skills below the ninth grade level.

4           4. Sources of relevant demographic information and  
5 methods of projecting the number of adults who ~~do not~~ possess  
6 ~~basic or functional~~ literacy skills below the ninth grade  
7 level.

8           5. Acceptable methods of demonstrating compliance with  
9 the provisions of this section.

10          6. Guidelines for the development and implementation  
11 of local adult literacy plans. At a minimum, such guidelines  
12 must address:

13           a. The recruitment and preparation of volunteer  
14 tutors.

15           b. Interagency and intraagency cooperation and  
16 coordination, especially with public libraries and other  
17 sponsors of literacy programs.

18           c. Desirable learning environments, including class  
19 size.

20           d. Program evaluation standards.

21           e. Methods for identifying, recruiting, and retaining  
22 adults in literacy programs.

23           f. ~~Prevention of Adult~~ literacy illiteracy through  
24 family literacy and workforce literacy ~~parenting education~~  
25 programs.

26           (b) Every 3 years, the school board or community  
27 college board of trustees shall develop and maintain ~~submit a~~  
28 local adult literacy plan ~~to the commissioner for review and~~  
29 ~~subsequent approval or disapproval. The commissioner shall~~  
30 ~~notify the superintendent of schools or the president of the~~  
31 ~~community college, as applicable, of the approval or~~

1 ~~disapproval of the plan. If the plan is not brought into~~  
2 ~~compliance by the school district or community college within~~  
3 ~~60 days after receiving notice of disapproval by the~~  
4 ~~commissioner, the school district or community college may not~~  
5 ~~receive any funds from appropriations for the purposes of this~~  
6 ~~section for the subsequent fiscal year.~~

7 Section 26. Subsection (3) of section 240.319, Florida  
8 Statutes, is amended to read:

9 240.319 Community college district boards of trustees;  
10 duties and powers.--

11 (3) Each community college district board of trustees  
12 is specifically authorized to adopt rules, procedures, and  
13 policies consistent with law and rules of the State Board of  
14 Education and the State Board of Community Colleges and  
15 related to mission and responsibilities as set forth in s.  
16 240.301, governance, personnel, budget and finance,  
17 administration, programs, curriculum and instruction,  
18 buildings and grounds, travel and purchasing, technology,  
19 students, college property, and contracts and grants. This  
20 shall constitute specific authority for such rules,  
21 procedures, and policies in accordance with and to the extent  
22 required by s. 120.536.Such rules, procedures, and policies  
23 for the boards of trustees include, but are not limited to,  
24 the following:

25 (a) Each board of trustees shall appoint, suspend, or  
26 remove the president of the community college. The board of  
27 trustees may appoint a search committee. Periodic evaluations  
28 of the president shall be conducted in accordance with rules  
29 of the State Board of Community Colleges; and such evaluations  
30 shall be submitted to the State Board of Community Colleges  
31 for review.

1           (b) Each board of trustees has responsibility for the  
2 establishment and discontinuance of program and course  
3 offerings; provision for instructional and noninstructional  
4 community services, location of classes, and services  
5 provided; and dissemination of information concerning such  
6 programs and services.

7           (c) Each board of trustees constitutes the contracting  
8 agent of the community college. It may when acting as a body  
9 make contracts, sue, and be sued in the name of the board of  
10 trustees. In any suit, a change in personnel of the board  
11 shall not abate the suit, which shall proceed as if such  
12 change had not taken place.

13           (d) Whenever the Department of Education finds it  
14 necessary for the welfare and convenience of any community  
15 college to acquire private property for the use of the  
16 community college and the property cannot be acquired by  
17 agreement satisfactory to the district board of trustees of  
18 such community college and the parties interested in, or the  
19 owners of, the private property, the district board of  
20 trustees may exercise the right of eminent domain after  
21 receiving approval therefor from the State Board of Education  
22 and may then proceed to condemn the property in the manner  
23 provided by chapters 73 and 74.

24           (e) Each board of trustees may enter into  
25 lease-purchase arrangements with private individuals or  
26 corporations for necessary grounds and buildings for community  
27 college purposes, other than dormitories, or for buildings  
28 other than dormitories to be erected for community college  
29 purposes. Such arrangements shall be paid from capital outlay  
30 and debt service funds as provided by s. 240.359(2), with  
31 terms not to exceed 30 years at a stipulated rate. The

1 provisions of such contracts, including building plans, are  
2 subject to approval by the Department of Education, and no  
3 such contract may be entered into without such approval. The  
4 State Board of Education is authorized to promulgate such  
5 rules as it deems necessary to implement the provisions of  
6 this paragraph.

7 (f) Each board of trustees may purchase, acquire,  
8 receive, hold, own, manage, lease, sell, dispose of, and  
9 convey title to real property, in the best interests of the  
10 college, pursuant to rules adopted by the State Board of  
11 Education.

12 (g) Each board of trustees is authorized to enter into  
13 agreements for, and accept, credit card payments as  
14 compensation for goods, services, tuition, and fees. Each  
15 community college is further authorized to establish accounts  
16 in credit card banks for the deposit of credit card sales  
17 invoices.

18 (h) Each board of trustees may adopt, by rule, a  
19 uniform code of appropriate penalties for violations of rules  
20 by students and employees. Such penalties, unless otherwise  
21 provided by law, may include fines, the withholding of  
22 diplomas or transcripts pending compliance with rules or  
23 payment of fines, and the imposition of probation, suspension,  
24 or dismissal.

25 (i) Each board of trustees may consider the past  
26 actions of any person applying for admission or employment and  
27 may provide, by board rule or procedure, for denying  
28 admission, enrollment, or employment to a person if past  
29 actions have been found to disrupt or interfere with the  
30 orderly conduct, processes, functions, or programs of any  
31 other university, college, or community college.

1           (j) Each board of trustees is authorized to develop  
2 and produce work products which relate to educational  
3 endeavors which are subject to trademark, copyright, or patent  
4 statutes. To this end, the board shall consider the relative  
5 contribution by the personnel employed in the development of  
6 such work products and shall enter into binding agreements  
7 with such personnel, organizations, corporations, or  
8 government entities, which agreements shall establish the  
9 percentage of ownership of such trademarks, copyrights, or  
10 patents. Any other law to the contrary notwithstanding, the  
11 board is authorized in its own name to:

12           1. Perform all things necessary to secure letters of  
13 patent, copyrights, and trademarks on any such work products  
14 and to enforce its rights therein.

15           2. License, lease, assign, or otherwise give written  
16 consent to any person, firm, or corporation for the  
17 manufacture or use thereof on a royalty basis or for such  
18 other consideration as the board deems proper.

19           3. Take any action necessary, including legal action,  
20 to protect the same against improper or unlawful use of  
21 infringement.

22           4. Enforce the collection of any sums due the board  
23 for the manufacture or use thereof by any other party.

24           5. Sell any of the same and execute all instruments  
25 necessary to consummate any such sale.

26           6. Do all other acts necessary and proper for the  
27 execution of powers and duties provided by this paragraph.

28           (k) Each board of trustees shall provide rules  
29 governing parking and the direction and flow of traffic within  
30 campus boundaries and may hire appropriate personnel to  
31 enforce campus parking rules. Such persons have no authority



1 to arrest or issue citations for moving traffic violations.  
2 The board of trustees may adopt, by rule, a uniform code of  
3 appropriate penalties for violations. Such penalties, unless  
4 otherwise provided by law, may include the levying of fines,  
5 the withholding of diplomas or transcripts pending compliance  
6 with rules or payment of fines, and the imposition of  
7 probation, suspension, or dismissal. Moneys collected from  
8 parking rule infractions shall be deposited in appropriate  
9 funds at each community college for student financial aid  
10 purposes.

11 (1)1. Each board of trustees shall provide for the  
12 appointment, employment, and removal of personnel. The board  
13 shall determine the compensation, including salaries and  
14 fringe benefits, and other conditions of employment for such  
15 personnel, including the president.

16 2. The board is authorized to enter into a contract  
17 with the president in accordance with the provisions of this  
18 chapter. Any such contract may fix the duration of employment  
19 and the compensation therefor and may contain any other terms  
20 and conditions the board deems appropriate. In addition, the  
21 board may furnish the president with the use of a motor  
22 vehicle or an allowance in lieu thereof. If any such vehicle  
23 is furnished, the board shall determine and fix the maximum  
24 noncollege use of the same. Each board of trustees shall, no  
25 later than July 1, 1984, adopt, by rule, procedures governing  
26 the employment and dismissal of the community college  
27 president. Such rule shall be incorporated into the contract  
28 for employment.

29 (m) Each board of trustees may provide for recognition  
30 of employees who have contributed outstanding and meritorious  
31 service in their fields and may adopt and implement a program

1 of meritorious service awards to employees who propose  
2 procedures or ideas which are adopted and which will result in  
3 eliminating or reducing community college expenditures or  
4 improving community college operations. The community college  
5 is authorized to expend funds for such recognition and awards.  
6 No award granted under the provisions of this paragraph may  
7 exceed \$2,000 or 10 percent of the first year's gross savings,  
8 whichever is greater.

9 (n) Each board of trustees may adopt rules to provide  
10 for loans, scholarships, and other student services.

11 (o) Each board of trustees is authorized to establish  
12 a policy for law enforcement operations. Each board of  
13 trustees is authorized to employ personnel to carry out the  
14 duties imposed by this paragraph.

15 (p) Each board of trustees is authorized to contract  
16 for the purchase, lease, or acquisition in any manner  
17 (including purchase by installment or lease-purchase contract  
18 which may provide for the payment of interest on the unpaid  
19 portion of the purchase price and for the granting of a  
20 security interest in the items purchased) of equipment  
21 required by the college. The board of trustees may choose to  
22 have such equipment contracts consolidated under master  
23 equipment financing agreements made pursuant to s. 287.064.

24 (q) Each board of trustees is authorized to establish  
25 and maintain a personnel exchange program, by which persons  
26 employed within the community college as vocational  
27 instructors and comparable administrative and professional  
28 staff may be exchanged with persons employed in like  
29 capacities by institutions of higher learning which are not  
30 under the jurisdiction of the community college, by units of  
31 government either within or without this state, or by private

1 industry. The salary and benefits of community college and  
2 state personnel participating in the exchange program shall be  
3 continued during the period of time they participate in the  
4 exchange program, and such personnel shall be deemed to have  
5 no break in creditable or continuous state service or  
6 employment during the period of time in which they participate  
7 in the exchange program. The salary and benefits of persons  
8 participating in the personnel exchange program who are  
9 employed by institutions, units of government, or private  
10 industry shall be paid by the originating employers of those  
11 participants. The duties and responsibilities of a person  
12 participating in the exchange program shall be the same as  
13 those of the person he or she replaces.

14 (r) Each board of trustees is authorized to enter into  
15 contracts to provide a State Community College System Optional  
16 Retirement Program pursuant to s. 240.3195 and to enter into  
17 consortia with other boards of trustees for this purpose.

18 (s) Each board of trustees has responsibility for:  
19 ensuring that students have access to general education  
20 courses as identified in rule; requiring no more than 60  
21 semester hours of degree program coursework, including 36  
22 semester hours of general education coursework, for an  
23 associate in arts degree; notifying students that earned hours  
24 in excess of 60 semester hours may not be accepted by state  
25 universities; notifying students of unique program  
26 prerequisites identified pursuant to s. 240.209(5)(f); and  
27 ensuring that degree program coursework beyond general  
28 education coursework is consistent with degree program  
29 prerequisite requirements adopted pursuant to s.  
30 229.551(1)(f)5.

31

1           Section 27. Subsection (5) of section 240.3575,  
2 subsection (1) of section 240.3815, and subsection (5) of  
3 section 240.382, Florida Statutes, are repealed.

4           Section 28. Subsection (2) of section 229.595, Florida  
5 Statutes, is amended to read:

6           229.595 Implementation of state system of education  
7 accountability for school-to-work transition.--

8           (2) School accountability efforts shall include  
9 information regarding the provision of accurate, timely career  
10 and curricular counseling to students. Such accountability  
11 shall include a delineation of the information available to  
12 students regarding career opportunities, educational  
13 requirements associated with each career, educational  
14 institutions that prepare students to enter each career, and  
15 student financial aid available to enable students to pursue  
16 any postsecondary instruction required to enter that career.  
17 Such accountability shall also delineate school procedures for  
18 identifying individual student interests and aptitudes which  
19 enable students to make informed decisions about the  
20 curriculum that best addresses their individual interests and  
21 aptitudes while preparing them to enroll in postsecondary  
22 education and enter the workforce. Information shall include  
23 recommended high school coursework that prepares students for  
24 success in college-level work. Such information shall be made  
25 known to parents and students annually through inclusion in  
26 the institution's handbook, manual, or other similar documents  
27 regularly provided to parents and students. Schools are  
28 encouraged to implement innovative methods for the  
29 communication of information to parents and students. School  
30 districts are encouraged to work with their local community

31

1 colleges to ensure information regarding all state and federal  
2 aid programs is provided on an accurate and timely basis.

3 Section 29. Paragraph (b) of subsection (2) of section  
4 229.601, Florida Statutes, is amended to read:

5 229.601 Career education program.--

6 (2) There is hereby established a career education  
7 program in the state educational system. The Commissioner of  
8 Education and his or her designated staff shall administer  
9 this program. In developing and administering the career  
10 education program, the purpose of which is to promote positive  
11 career opportunities for all students regardless of their  
12 race, color, creed, national origin, ancestry, socioeconomic  
13 status, or gender, the commissioner shall:

14 (b) Assemble, develop, and distribute instructional  
15 materials for use in career education. Such materials shall  
16 include information regarding recommended high school  
17 coursework that prepares students for success in college-level  
18 coursework.

19 Section 30. Section 232.2466, Florida Statutes, is  
20 created to read:

21 232.2466 College-ready diploma program.--

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

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

29 1. Two credits in algebra and one credit in geometry,  
30 or their equivalents, as determined by the state board.

31

1           2. One credit in biology, one credit in chemistry, and  
2 one credit in physics, or their equivalents, or equivalent  
3 credits in applied technology, as determined by the state  
4 board.

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

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

15           (2) A college-ready diploma entitles a student to  
16 admission without placement testing to a public postsecondary  
17 education program that terminates in a technical certificate,  
18 an associate in science degree, or an associate in arts  
19 degree, if the student enters postsecondary education within 2  
20 years after earning 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 31. Paragraph (b) of subsection (5) of section  
28 239.117, Florida Statutes, 1996 Supplement, is amended to  
29 read:

30           239.117 Postsecondary student fees.--

31           (5)

1           (b) Students enrolled in college-preparatory  
2 instruction shall pay fees equal to the fees charged for  
3 college credit courses. Students enrolled in the same  
4 college-preparatory class within a skill area more than one  
5 time ~~two times~~ shall pay fees at 100 percent of the full cost  
6 of instruction and shall not be included in calculations of  
7 full-time equivalent enrollments for state funding purposes  
8 ~~direct instructional cost~~; however, each community college  
9 shall have the authority to review and reduce such payment on  
10 an individual basis, contingent upon a student's financial  
11 hardship, pursuant to definitions and fee levels established  
12 by the State Board of Community Colleges. Fee-nonexempt  
13 students enrolled in vocational preparatory instruction shall  
14 be charged fees equal to the fees charged for certificate  
15 career education instruction. Each community college that  
16 conducts college-preparatory and vocational-preparatory  
17 instruction in the same class section may charge a single fee  
18 for both types of instruction.

19           Section 32. Subsection (4) and paragraph (d) of  
20 subsection (5) of section 239.301, Florida Statutes, 1996  
21 Supplement, are amended to read:

22           239.301 Adult general education.--

23           (4) Both community colleges and school districts may  
24 conduct adult basic and secondary and vocational-preparatory  
25 courses within the same service area. ~~Any state university in~~  
26 ~~which the percentage of incoming students who require~~  
27 ~~college-preparatory instruction equals or exceeds 25 percent~~  
28 ~~may conduct college-preparatory instruction.~~ Area technical  
29 centers and community colleges may contract with each other  
30 for the provision of vocational-preparatory instruction.

31           (5)

1           (d) Expenditures for college-preparatory and lifelong  
2 learning students shall be reported separately. Allocations  
3 for college-preparatory courses shall be based on proportional  
4 full-time equivalent enrollment. Program review results shall  
5 be included in the determination of subsequent allocations. A  
6 student shall be funded to enroll in the same  
7 college-preparatory class within a skill area only once ~~twice~~,  
8 after which time the student shall pay 100 percent of the full  
9 cost of instruction ~~no state funds shall be used~~ to support  
10 the continuous enrollment of that student in the same class;  
11 however, each community college shall have the authority to  
12 review and reduce fees paid by students on an individual basis  
13 contingent upon the student's financial hardship, pursuant to  
14 definitions and fee levels established by the State Board of  
15 Community Colleges. College-preparatory and lifelong learning  
16 courses do not generate credit toward an associate or  
17 baccalaureate degree.

18           Section 33. Subsections (1) and (2) of section  
19 240.1161, Florida Statutes, are amended to read:

20           240.1161 District interinstitutional articulation  
21 agreements.--

22           (1) Each superintendent of schools and community  
23 college president shall be responsible for the development and  
24 implementation of a comprehensive articulated acceleration  
25 program for the students enrolled in their respective school  
26 districts and service areas. Within this general  
27 responsibility, the superintendent and president shall develop  
28 a comprehensive interinstitutional articulation agreement for  
29 the school district and community college that serves the  
30 school district. The superintendent and president shall ~~are~~  
31 ~~encouraged to~~ establish an articulation committee for the



1 purpose of developing this agreement. Each state university  
2 president is encouraged to designate a university  
3 representative to participate in the development of the  
4 interinstitutional articulation agreements for each school  
5 district within the university service area.

6 (2) The district interinstitutional articulation  
7 agreement for any school year shall be completed by April 1  
8 and prior to high school registration for the fall term of the  
9 following school year. ~~The initial agreement drafted pursuant~~  
10 ~~to this section shall be completed no later than April 1,~~  
11 ~~1988.~~ ~~The initial agreement and each subsequent~~ agreement  
12 shall include, but not be limited to, the following  
13 components:

14 (a) A ratification or modification of all existing  
15 articulation agreements.

16 (b)1. A delineation of courses and programs composed  
17 of dual enrollment students.

18 ~~2.(c)~~ An identification of eligibility criteria for  
19 student participation in dual enrollment courses and programs.

20 ~~3.(d)~~ A delineation of institutional responsibilities  
21 regarding student screening prior to enrollment and monitoring  
22 student performance subsequent to enrollment in dual  
23 enrollment courses and programs.

24 ~~4.(e)~~ An identification of the criteria by which the  
25 quality of dual enrollment courses and programs are to be  
26 judged and a delineation of institutional responsibilities for  
27 the maintenance of instructional quality.

28 ~~5.(f)~~ A delineation of institutional responsibilities  
29 for assuming the cost of dual enrollment courses and programs  
30 that includes such responsibilities for student instructional  
31 materials.

1           ~~6.(g)~~ An identification of responsibility for  
2 providing student transportation if the dual enrollment  
3 instruction is conducted at a facility other than the high  
4 school campus.

5           (c) Mechanisms and strategies for reducing the  
6 incidence of postsecondary remediation in math, reading, and  
7 writing for first-time-enrolled recent high school graduates,  
8 based upon the findings in the postsecondary readiness for  
9 college report produced pursuant to s. 240.118. Each  
10 articulation committee shall annually analyze and assess the  
11 effectiveness of the mechanisms toward meeting the goal of  
12 reducing postsecondary remediation needs. Results of the  
13 assessment shall be annually presented to participating  
14 district school boards and community college boards of  
15 trustees and shall include, but not be limited to:

16           1. Mechanisms currently being initiated.

17           2. An analysis of problems and corrective actions.

18           3. Anticipated outcomes.

19           4. Strategies for the better preparation of students  
20 upon graduation from high school.

21           5. An analysis of costs associated with the  
22 implementation of postsecondary remedial education and  
23 secondary-level corrective actions.

24           6. The identification of strategies for reducing costs  
25 of the delivery of postsecondary remediation for recent high  
26 school graduates, including the consideration and assessment  
27 of alternative instructional methods and services such as  
28 those produced by private providers.

29  
30 Wherever possible, public schools and community colleges are  
31 encouraged to share resources, form partnerships with private

1 industries, and implement innovative strategies and mechanisms  
2 such as distance learning, summer student and faculty  
3 workshops, parental involvement activities, and the  
4 distribution of information over the Internet.

5 (d) Mechanisms and strategies for promoting "tech  
6 prep" programs of study. Such mechanisms should raise  
7 awareness about the programs, promote enrollment in the  
8 programs, and articulate students from a secondary portion  
9 into a planned, related postsecondary portion of a sequential  
10 program of study that leads to a terminal postsecondary  
11 vocational or technical education degree or certificate.

12 Section 34. Subsections (3) and (4) of section  
13 240.117, Florida Statutes, are amended to read:

14 240.117 Common placement testing for public  
15 postsecondary education.--

16 (3) ~~By January 15, 1996,~~The Articulation Coordinating  
17 Committee shall recommend and the State Board of Education  
18 shall adopt rules which would require high schools to give  
19 ~~offer students the opportunity to take~~ the common placement  
20 test prescribed in this section, or an equivalent test  
21 identified by the State Board of Education,at the beginning  
22 of the tenth grade year before enrollment in the eleventh  
23 grade year in public high school for the purpose of obtaining  
24 remedial instruction prior to entering public postsecondary  
25 education.

26 (4)(a) Community college or state university students  
27 who have been identified as requiring additional preparation  
28 pursuant to subsection (1) shall enroll in college-preparatory  
29 adult education pursuant to s. 239.301 in community colleges  
30 to develop needed college-entry skills. These students shall  
31 be permitted to take courses within their degree program

1 concurrently in other curriculum areas for which they are  
2 qualified while enrolled in college-preparatory instruction  
3 courses. A student enrolled in a college-preparatory course  
4 may concurrently enroll only in college credit courses that do  
5 not require the skills addressed in the college-preparatory  
6 course. The State Board of Community Colleges shall specify  
7 the college credit courses that are acceptable for students  
8 enrolled in each college-preparatory skill area, pursuant to  
9 s. 240.311(3)(q). A student who wishes to earn an associate  
10 in arts or a baccalaureate degree, but who is required to  
11 complete a college-preparatory course, must successfully  
12 complete the required college-preparatory studies by the time  
13 the student has accumulated 12 hours of lower-division college  
14 credit degree coursework; however, a student may continue  
15 enrollment in degree-earning coursework provided the student  
16 maintains enrollment in college-preparatory coursework for  
17 each subsequent semester until college-preparatory coursework  
18 requirements are completed, and the student demonstrates  
19 satisfactory performance in degree-earning coursework. A  
20 passing score on a standardized institutionally developed ~~all~~  
21 ~~subtests of the common placement~~ test must be achieved before  
22 a student is considered to have met basic computation and  
23 communication skills requirements; however, no student shall  
24 be required to retake any test or subtest which was previously  
25 passed by said student. A student shall be funded to enroll  
26 in the same college-preparatory class within a skill area only  
27 ~~<U>once twice~~, after which time the student shall pay 100 percent  
28 of the full cost of instruction ~~no state funds shall be used~~  
29 to support continuous enrollment of that student in the same  
30 class and such student shall not be included in calculations  
31 of full-time equivalent enrollments for state funding

1 purposes; however, each community college shall have the  
2 authority to review and reduce fees paid by students on an  
3 individual basis contingent upon the student's financial  
4 hardship, pursuant to definitions and fee levels established  
5 by the State Board of Community Colleges. Credit awarded for  
6 college-preparatory instruction may not be counted towards  
7 fulfilling the number of credits required for a degree.

8 (b) The administrators of a state university may  
9 contract with a community college board of trustees for the  
10 community college to provide such instruction on the state  
11 university campus. Any state university in which the  
12 percentage of incoming students requiring college-preparatory  
13 instruction equals or exceeds the average percentage of such  
14 students for the community college system may offer  
15 college-preparatory instruction without contracting with a  
16 community college; however, any state university offering  
17 college-preparatory instruction as of January 1, 1996, may  
18 continue to provide such services.

19 Section 35. Section 240.124, Florida Statutes, is  
20 created to read:

21 240.124 Funding for continuous enrollment in college  
22 credit courses.--A student enrolled in the same undergraduate  
23 college credit course more than two times shall pay  
24 matriculation at 100 percent of the full cost of instruction  
25 and shall not be included in calculations of full-time  
26 equivalent enrollments for state funding purposes. For  
27 purposes of this section, calculations of the full cost of  
28 instruction shall be based on the systemwide average of the  
29 prior year's cost of undergraduate programs for the Community  
30 College System and the State University System. The Board of  
31 Regents and the State Board of Community Colleges may make

1 exceptions to this section for individualized study, elective  
2 coursework, courses that are repeated as a requirement of a  
3 major, and courses that are intended as continuing over  
4 multiple semesters, excluding the repeat of coursework more  
5 than two times to increase grade point average or meet minimum  
6 course grade requirements.

7 Section 36. Section 240.321, Florida Statutes, is  
8 amended to read:

9 240.321 Community college district board of trustees;  
10 rules for admissions of students.--

11 ~~(1)~~ The board of trustees shall make rules governing  
12 admissions of students. These rules shall include the  
13 following:

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

19 (2)~~(b)~~ Admission to ~~the~~ associate ~~in arts~~ degree  
20 programs ~~program~~ is subject to minimum standards adopted by  
21 the State Board of Education and shall require:

22 (a)~~1.~~ A high school diploma, a high school equivalency  
23 diploma as prescribed in s. 229.814, previously demonstrated  
24 competency in college-credit postsecondary coursework, or, in  
25 the case of a student who is home educated, a signed affidavit  
26 submitted by the student's parent or legal guardian attesting  
27 that the student has completed a home education program  
28 pursuant to the requirements of s. 232.02(4)~~or its~~  
29 ~~equivalent~~. Students who are enrolled in a dual enrollment or  
30 early admission program pursuant to s. 240.116 and secondary  
31 students enrolled in college-level instruction creditable

1 toward the associate degree, but not toward the high school  
2 diploma, shall be exempt from this requirement.

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

9 (c)3- Any other requirements established by the board  
10 of trustees.

11 (3)(c) Admission to other programs within the  
12 community college shall include education requirements as  
13 established by the board of trustees.

14  
15 Each board of trustees shall establish policies that ensure  
16 the rapid progression of students through college-preparatory  
17 instructional courses that are appropriate for the skill level  
18 of each student. Institutional policies shall also provide  
19 for the timely notification of students about available  
20 alternatives to traditional college-preparatory instruction,  
21 including private provider instruction. Such notification  
22 shall include an analysis of cost comparisons, including  
23 consideration of the state's contribution to the total cost of  
24 the instruction.

25 ~~(d) Nonresident students may be admitted to the~~  
26 ~~community college upon such terms as the board may establish.~~

27 ~~(2) For students who are awarded a high school diploma~~  
28 ~~after August 1, 1987:~~

29 ~~(a) No Florida high school graduate shall be admitted~~  
30 ~~to the associate in arts degree program if he or she has not~~  
31 ~~successfully completed the requirements set forth in s.~~

1 ~~232.246 or unless he or she has been awarded a general~~  
2 ~~education development diploma, provided the examination~~  
3 ~~completed for such diploma was in the English language.~~

4 ~~(b) Nonresident students may be admitted to the~~  
5 ~~community college upon such terms as the college may~~  
6 ~~establish. However, effective August 1, 1987, such terms for~~  
7 ~~nonresidents admitted to the associate in arts degree program~~  
8 ~~shall include, but shall not be limited to:~~

9 ~~1. Completion of a secondary school curriculum which~~  
10 ~~includes 4 years of English and 3 years each of mathematics,~~  
11 ~~science, and social studies; however, in lieu of the English~~  
12 ~~requirement, a foreign student may use 4 years of instruction~~  
13 ~~in his or her native language or another language which was~~  
14 ~~the language of instruction in the secondary school attended,~~  
15 ~~or~~

16 ~~2. Achievement of the minimum scores on the test~~  
17 ~~required in s. 240.117(1).~~

18 Section 37. Paragraph (f) of subsection (2) of section  
19 239.117, Florida Statutes, 1996 Supplement, is amended to  
20 read:

21 239.117 Postsecondary student fees.--

22 (2) The following students are exempt from any  
23 requirement for the payment of registration, matriculation,  
24 and laboratory fees for instruction:

25 (f) A student enrolled in an employment and training  
26 program under the WAGES Program. Such a student may receive a  
27 fee exemption only if the student applies for and does not  
28 receive student financial aid, including Job Training  
29 Partnership Act or Family Support Act funds. Schools and  
30 community colleges shall help such students apply for  
31 financial aid, but may not deny such students program



1 participation during the financial aid application process.  
2 Such a student may not be required to incur debt within the  
3 financial aid package. If local WAGES boards, established  
4 pursuant to s. 414.028, choose to contract with a public  
5 postsecondary institution for education and training services,  
6 payment for the cost of such fee exemptions must be made by  
7 the local WAGES boards.~~Fee-exempt instruction provided at~~  
8 ~~community colleges pursuant to this subsection generates an~~  
9 ~~additional one-fourth of a full-time equivalent enrollment.~~  
10 Section 38. Subsections (9) through (13) of section  
11 239.249, Florida Statutes, 1996 Supplement, are renumbered as  
12 subsections (10) through (14), respectively, and a new  
13 subsection (9) is added to said section to read:  
14 239.249 Market-driven, performance-based incentive  
15 funding for vocational and technical education programs.--  
16 (9) The Jobs and Education Partnership Board shall  
17 develop an appeal process, to be implemented by the regional  
18 workforce development boards, that may allow an exemption of  
19 certain school districts and community colleges from  
20 participation in the performance-based incentive funding  
21 provisions of this section. School districts and community  
22 colleges shall be eligible to use the appeal process if they  
23 meet one or both of the following criteria:  
24 (a) Generate less than 50 unweighted FTE in  
25 certificate career education and in career degree education.  
26 (b) Provide a written report documenting the direct  
27 costs incurred due to the implementation of performance-based  
28 incentive funding and how mandatory participation in the  
29 program will adversely affect the school district or community  
30 college.  
31

1           Section 39. Paragraph (e) is added to subsection (5)  
2 of section 239.301, Florida Statutes, 1996 Supplement, to  
3 read:

4           239.301 Adult general education.--

5           (5)

6           (e) School districts and community colleges may  
7 negotiate through the jobs and education regional boards for  
8 specialized services for WAGES clients, beyond what is  
9 routinely provided for the general public, to be funded by the  
10 local WAGES coalition pursuant to s. 414.065(10). Under any  
11 contract with the local WAGES coalition, attendance may be  
12 required of clients.

13           Section 40. Subsection (3) of section 240.35, Florida  
14 Statutes, 1996 Supplement, is amended to read:

15           240.35 Student fees.--Unless otherwise provided, the  
16 provisions of this section apply only to fees charged for  
17 college credit instruction.

18           (3) Students enrolled in dual enrollment and early  
19 admission programs pursuant to s. 240.116 and students  
20 enrolled in employment and training programs under the WAGES  
21 Program are exempt from the payment of registration,  
22 matriculation, and laboratory fees; however, such students may  
23 not be included within calculations of fee-waived enrollments.  
24 Students enrolled in programs under the WAGES Program shall be  
25 granted a fee exemption only if they have applied for student  
26 financial aid including Job Training Partnership Act or Family  
27 Support Act funds and did not receive financial assistance.  
28 Colleges shall assist these students in applying for financial  
29 aid, and these students may not be denied participation in  
30 programs during the application process for financial aid.  
31 These students may not be required to obtain loans as a part

1 of their financial aid package. If local WAGES boards,  
2 established pursuant to s. 414.028, choose to contract with a  
3 public postsecondary institution for education and training  
4 services, payment for the cost of such fee exemptions must be  
5 made by the local WAGES boards. Other fee-exempt instruction  
6 provided pursuant to this subsection shall generate an  
7 additional one-fourth full-time equivalent enrollment.

8 Section 41. Paragraph (g) of subsection (1) of section  
9 414.027, Florida Statutes, 1996 Supplement, is amended to  
10 read:

11 414.027 WAGES Program statewide implementation plan.--

12 (1) By December 31, 1996, the WAGES Program State  
13 Board of Directors shall submit to the Governor, the President  
14 of the Senate, and the Speaker of the House of Representatives  
15 a statewide plan for implementing the WAGES Program  
16 established under this chapter. At a minimum, the statewide  
17 implementation plan must include:

18 (g) The development of a performance-based payment  
19 structure to be used for all WAGES Program services, which  
20 takes into account the following:

21 1. The degree of difficulty associated with placing a  
22 WAGES Program participant in a job;

23 2. The quality of the placement with regard to salary,  
24 benefits, and opportunities for advancement; and

25 3. The employee's retention of the placement.  
26

27 The payment structure shall provide not more than 40 percent  
28 of the cost of services provided to a WAGES participant prior  
29 to placement, 50 percent upon employment placement, and 10  
30 percent if employment is retained for at least 6 months. The  
31 payment structure should provide bonus payments to providers

1 that experience notable success in achieving long-term job  
2 retention with WAGES Program participants. The board shall  
3 consult with Enterprise Florida Jobs and Education Partnership  
4 in developing the WAGES Program statewide implementation plan.  
5 For job training services, an alternative payment structure  
6 shall provide for the distribution of not more than 40 percent  
7 of the cost of services upon admission and not more than an  
8 additional 30 percent for retention and progress toward  
9 completion, with the remaining percent divided between  
10 placement and employment retention for at least 6 months, with  
11 the majority based on placement.

12 Section 42. Subsections (1) and (2), and paragraph (b)  
13 of subsection (10) of section 414.065, Florida Statutes, 1996  
14 Supplement, are amended to read:

15 414.065 Work requirements.--

16 (1) WORK ACTIVITIES.--The following activities may be  
17 used individually or in combination to satisfy the work  
18 requirements for a participant in the WAGES Program:

19 (a) Unsubsidized employment.--Unsubsidized employment  
20 is full-time employment or part-time employment that is not  
21 directly supplemented by federal or state funds. Paid  
22 apprenticeship and cooperative education activities are  
23 included in this activity.

24 (b) Subsidized private sector employment.--Subsidized  
25 private sector employment is employment in a private  
26 for-profit enterprise or a private not-for-profit enterprise  
27 which is directly supplemented by federal or state funds. A  
28 subsidy may be provided in one or more of the forms listed in  
29 this paragraph.

30 1. Work supplementation.--A work supplementation  
31 subsidy diverts a participant's assistance under the program

1 to the employer. The employer must pay the participant wages  
2 that equal or exceed the applicable federal minimum wage. Work  
3 supplementation may not exceed 6 months. At the end of the  
4 supplementation period, the employer is expected to retain the  
5 participant as a regular employee without receiving a subsidy  
6 for at least 12 months. The work supplementation agreement  
7 must provide that if the employee is dismissed at any time  
8 within 12 months after termination of the supplementation  
9 period due in any part to loss of the supplement, the employer  
10 shall repay some or all of the supplement previously paid as a  
11 subsidy to the employer under the WAGES Program.

12 2. On-the-job training.--On-the-job training is  
13 full-time, paid employment in which the employer or  
14 educational institution in cooperation with the employer  
15 provides training needed for the participant to perform the  
16 skills required for the position. The employer or educational  
17 institution on behalf of the employer receives a subsidy to  
18 offset the cost of the training provided to the participant.  
19 Upon satisfactory completion of the training, the employer is  
20 expected to retain the participant as a regular employee  
21 without receiving a subsidy. The on-the-job training agreement  
22 must provide that in the case of dismissal of a participant  
23 due to loss of the subsidy, the employer shall repay some or  
24 all of the subsidy previously provided by the department.

25 3. Incentive payments.--The department may provide  
26 additional incentive payments to encourage employers to employ  
27 program participants. Incentive payments may include payments  
28 to encourage the employment of hard-to-place participants, in  
29 which case the amount of the payment shall be weighted  
30 proportionally to the extent to which the participant has  
31 limitations associated with the long-term receipt of welfare

1 and difficulty in sustaining employment. In establishing  
2 incentive payments, the department shall consider the extent  
3 of prior receipt of welfare, lack of employment experience,  
4 lack of education, lack of job skills, and other appropriate  
5 factors. A participant who has complied with program  
6 requirements and who is approaching the time limit for  
7 receiving temporary assistance may be defined as  
8 "hard-to-place." Incentive payments may include payments in  
9 which an initial payment is made to the employer upon the  
10 employment of a participant, and the majority of the incentive  
11 payment is made after the employer retains the participant as  
12 a full-time employee for at least 12 months. The incentive  
13 agreement must provide that if the employee is dismissed at  
14 any time within 12 months after termination of the incentive  
15 payment period due in any part to loss of the incentive, the  
16 employer shall repay some or all of the payment previously  
17 paid as an incentive to the employer under the WAGES Program.

18 4. Tax credits.--An employer who employs a program  
19 participant may qualify for enterprise zone property tax  
20 credits under s. 220.182, the tax refund program for qualified  
21 target industry businesses under s. 288.106, or other federal  
22 or state tax benefits. The department shall provide  
23 information and assistance, as appropriate, to use such  
24 credits to accomplish program goals.

25 (c) Subsidized public sector employment.--Subsidized  
26 public sector employment is employment by an agency of the  
27 federal, state, or local government which is directly  
28 supplemented by federal or state funds. The applicable  
29 subsidies provided under paragraph (b) may be used to  
30 subsidize employment in the public sector, except that  
31 priority for subsidized employment shall be employment in the

1 private sector. Public sector employment is distinguished from  
2 work experience in that the participant is paid wages and  
3 receives the same benefits as a nonsubsidized employee who  
4 performs similar work. Work-study activities administered by  
5 educational institutions are included in this activity.

6 (d) Community service work experience.--Community  
7 service work experience is job training experience at a  
8 supervised public or private not-for-profit agency. A  
9 participant shall receive temporary assistance in the form of  
10 wages that are proportional to the amount of time worked. A  
11 participant assigned to community service work experience  
12 shall be deemed an employee of the state for purposes of  
13 workers' compensation coverage and is subject to the  
14 requirements of the drug-free workplace program. As used in  
15 this paragraph, the terms "community service experience,"  
16 "community work," and "workfare" are synonymous. Participants  
17 involved in community service work may be assigned to this  
18 activity to increase their work maturity and job  
19 problem-solving and critical thinking skills, as well as  
20 develop skills in balancing job and personal responsibilities.  
21 Participants may be placed in community service for one or  
22 more of the following reasons which include, but are not  
23 limited to:

- 24 1. Assessing WAGES Program compliance prior to  
25 referral to costly services such as vocational education.
- 26 2. Maintaining work activity status while awaiting  
27 placement into paid employment or training.
- 28 3. Fulfilling clinical practicum or internship  
29 requirements related to training.
- 30 4. Participating in work-based mentoring programs.

31

1           (e) Work experience.--Work experience is a structured,  
2 supervised, job training activity in a public or private  
3 not-for-profit agency. Work experience is appropriate for  
4 participants who are the least prepared for entry into the  
5 workforce. This work activity involves intensive supervision  
6 and training of the participant that leads to the development  
7 of work maturity, employability, and basic job skills. This  
8 activity requires 20 hours of work and an additional 10 hours  
9 of education and training related to a vocational goal. The  
10 WAGES Program shall pay for this activity through a  
11 performance-based contract which shall include benchmarks,  
12 goals, outcomes, and timeframes designed to move the  
13 participant toward full-time paid employment. A participant  
14 shall receive temporary assistance proportional to the time  
15 worked. A participant assigned to work experience shall be  
16 deemed an employee of the state for purposes of workers'  
17 compensation coverage and is subject to the requirements of  
18 the drug-free workplace program.

19           ~~(f)~~(e) Job search and job readiness assistance.--Job  
20 search assistance may include supervised or unsupervised  
21 job-seeking activities. Job readiness assistance provides  
22 support for job-seeking activities, which may include:

- 23           1. Orientation to the world of work and basic
- 24           job-seeking and job retention skills.
- 25           2. Instruction in completing an application for
- 26           employment and writing a resume.
- 27           3. Instruction in conducting oneself during a job
- 28           interview, including appropriate dress.
- 29           4. Instruction in retaining a job, success in the
- 30           workplace, and career planning.

31



1 Job readiness assistance may also include providing a  
2 participant with access to an employment resource center that  
3 contains job listings, telephones, facsimile machines,  
4 typewriters, and word processors. Job search and job readiness  
5 activities may be used in conjunction with other program  
6 activities, such as work experience, but may not be the  
7 primary work activity, may not be used in conjunction with  
8 other program activities such as work experience, and may not  
9 continue longer than the length of time permitted under  
10 federal law.

11 (g)~~(f)~~ Vocational education or training.--Vocational  
12 education or training is education or training designed to  
13 provide participants with the skills and certification  
14 necessary for employment in an occupational area. Vocational  
15 education or training may be used as a primary program  
16 activity for participants when it has been determined that the  
17 individual has demonstrated compliance with other phases of  
18 program participation and successful completion of the  
19 vocational education or training is likely to result in  
20 employment entry at a higher wage than the participant would  
21 have been likely to attain without completion of the  
22 vocational education or training. Vocational education or  
23 training may be combined with other program activities and  
24 also may be used to upgrade skills or prepare for a higher  
25 paying occupational area for a participant who is employed.

26 1. Vocational education shall not be used as the  
27 primary program activity for a period which exceeds 12 months.  
28 The 12-month restriction, however, only includes actual  
29 vocational education instruction. Remedial or basic skills  
30 training shall not count towards the 12 months.In addition,  
31 use of vocational education or training shall be restricted to

1 not more than 20 percent of adult participants in the WAGES  
2 region, or subject to other limitation as established in  
3 federal law. Vocational education included in a program  
4 leading to a high school diploma shall not be considered  
5 vocational education for purposes of this section.

6         2. When ~~To the maximum extent~~ possible, a provider of  
7 vocational education or training shall use funds provided by  
8 funding sources other than the department. The department may  
9 provide additional funds to a vocational education or training  
10 provider only if payment is made pursuant to a  
11 performance-based contract. Under a performance-based  
12 contract, the provider may be partially paid when a  
13 participant enters, continues, and completes education or  
14 training, but at least 25 percent ~~the majority~~ of payment  
15 shall be made following the participant's employment at a  
16 specific wage or job retention for a specific duration.  
17 Performance-based payments made under this subparagraph are  
18 limited to education or training for targeted occupations  
19 identified by the Occupational Forecasting Conference under s.  
20 216.136, or other programs identified by the Enterprise  
21 Florida Jobs and Education Partnership, to include specially  
22 developed programs to address the needs of "hard-to-place"  
23 recipients. ~~A contract with a community college or school~~  
24 ~~district must conform to the provisions of ss. 239.249 and~~  
25 ~~240.40685.~~

26         (h)~~(g)~~ Job skills training directly related to  
27 employment.--Job skills training directly related to  
28 employment provides job skills training in a specific  
29 occupation for which there is a written commitment by the  
30 employer to offer employment to a participant who successfully  
31 completes the training. Job skills training includes

1 customized training designed to meet the needs of a specific  
2 employer or a specific industry. A participant may be required  
3 to complete an entrance assessment or test before entering  
4 into job skills training if assessments or tests are required  
5 for employment upon completion of the training. Jobs skills  
6 training may include work place literacy instruction as a  
7 secondary activity for those participants with a high school  
8 diploma or equivalent, but without the literacy skills  
9 necessary for a specific job or job training program.

10 (i)~~(h)~~ Education services related to employment for  
11 participants 19 years of age or younger.--Education services  
12 provided under this paragraph are designed to prepare a  
13 participant for employment in an occupation. The Department of  
14 Labor and Employment Security shall coordinate education  
15 services with the school-to-work activities provided under s.  
16 229.595. Activities provided under this paragraph are  
17 restricted to participants 19 years of age or younger who have  
18 not completed high school or obtained a high school  
19 equivalency diploma.

20 (j)~~(i)~~ School attendance.--Attendance at a high school  
21 or attendance at a program designed to prepare the participant  
22 to receive a high school equivalency diploma is a required  
23 program activity for each participant 19 years of age or  
24 younger who:

- 25 1. Has not completed high school or obtained a high  
26 school equivalency diploma;
- 27 2. Is a dependent child or a head of household; and
- 28 3. For whom it has not been determined that another  
29 program activity is more appropriate.

30 (k)~~(j)~~ Teen parent services.--Participation in  
31 medical, educational, counseling, and other services that are

1 part of a comprehensive program is a required activity for  
2 each teen parent who participates in the WAGES Program.

3 (2) WORK ACTIVITY REQUIREMENTS.--Each adult  
4 participant who is not otherwise exempt must participate in a  
5 work activity for the maximum number of hours allowable under  
6 federal law provided that no participant be required to work  
7 more than 40 hours per week or less than the minimum number of  
8 hours required by federal law. An applicant shall be referred  
9 for employment at the time of application if the applicant is  
10 eligible to participate in the WAGES Program.

11 (a) Participants with literacy or basic skills below  
12 that necessary to obtain or retain employment may be required  
13 to obtain instruction to increase those skills, so long as  
14 such requirement does not require more than 40 hours per week  
15 of total activity. Attendance at such instruction may be  
16 required for continued WAGES support.

17 (b) Participants who meet the work activity  
18 requirements and who wish to avail themselves of educational  
19 services that will enhance their ability to be self sufficient  
20 should be supported by WAGES funds to the greatest extent  
21 possible.

22 (10) USE OF CONTRACTS.--The department shall provide  
23 work activities, training, and other services, as appropriate,  
24 through contracts. In contracting for work activities,  
25 training, or services, the following applies:

26 (b) A contract must be performance-based. Wherever  
27 possible, payment shall be tied to performance outcomes that  
28 include factors such as, but not limited to, job entry, job  
29 entry at a target wage, and job retention, ~~rather than tied to~~  
30 ~~completion of training or education or any other phase of the~~  
31 ~~program participation process.~~

1           Section 43. The Commissioner of Education is hereby  
2 directed to convene a task force to investigate issues  
3 associated with postsecondary education's role in Florida's  
4 job training, WAGES, and workforce development activities.  
5 The task force shall consist of members representing public  
6 schools, community colleges, private postsecondary  
7 institutions, workforce development boards, and WAGES boards,  
8 two members of the House of Representatives appointed by the  
9 Speaker of the House of Representatives, two members of the  
10 Senate appointed by the President of the Senate, and other  
11 appropriate parties. The task force shall investigate,  
12 evaluate, and make recommendations regarding, but not limited  
13 to, restructured governance, reporting, funding, and  
14 accountability mechanisms needed to effectively meet  
15 increasing demands and improve the services of postsecondary  
16 institutions, particularly with respect to adult and  
17 vocational education. The task force shall make both  
18 substantive and fiscal recommendations to the Governor and the  
19 Legislature no later than January 1, 1998.

20           Section 44. Except as otherwise provided herein, this  
21 act shall take effect July 1, 1997.  
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HOUSE SUMMARY

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4 Provides that children adopted from the Department of  
5 Children and Family Services shall be exempt from the  
6 payment of certain postsecondary student fees. Renames  
7 the Florida Academic Improvement Trust Fund for Community  
8 Colleges and provides the community college system with  
9 the opportunity to receive and match challenge grants  
10 through the trust fund by specifying the State Board of  
11 Community Colleges as an eligible community college  
12 entity. Specifies the use of proceeds. Provides  
13 eligibility for state financial aid for a part-time  
14 student with a disability. Revises provisions relating to  
15 a limited access competitive grant program. Provides an  
16 exception to the course leveling requirement with respect  
17 to courses included in the common course numbering and  
18 designation system for community colleges and state  
19 universities. Revises alternatives to the College Level  
20 Academic Skills Test. Prohibits discrimination for  
21 grading purposes with respect to students in dual  
22 enrollment courses. Authorizes the Commissioner of  
23 Education to approve dual enrollment agreements for  
24 limited course offerings with statewide appeal.  
25 Establishes the Institute on Public Postsecondary  
26 Distance Learning to recommend for adoption by the Board  
27 of Regents and the State Board of Community Colleges  
28 policies and procedures that ensure coordination of  
29 distance learning instruction. Directs the State Board  
30 of Community Colleges to establish the Florida Community  
31 College Distance Learning Consortium to develop plans and  
procedures for the delivery of distance learning. With  
respect to the Administrative Procedure Act, provides for  
exceptions to rule, notice, filing, and public workshop  
requirements for educational units. Provides an exemption  
to certain proceeding requirements. Renames home  
economics courses as family and consumer sciences  
courses. Revises definitions of the terms "adult  
secondary education," "basic literacy," and "functional  
literacy," and provides definitions for the terms  
"beginning literacy" and "family literacy." Revises  
provisions relating to standards of basic skills mastery.  
Provides for the use of adult basic education to meet  
certain needs. Requires the identification and  
development of vocational standards. Deletes certain  
reporting requirements relating to the adult literacy  
program. Provides specific authority for certain  
community college district board of trustees' rules,  
procedures, and policies. Repeals certain reporting and  
rulemaking requirements. Provides for the distribution of  
recommended high school coursework information. Provides  
requirements for a college-ready diploma program.  
Requires the payment of fees for the continuous  
enrollment of students in college-preparatory  
instruction. Requires strategies for reducing the  
incidence of postsecondary remediation and assessment of  
activities. Provides for the promotion of "tech prep"  
programs of study. Requires administration of the common  
placement test or an equivalent test in the tenth grade.  
Requires administration of an institutionally developed

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1 test as a remedial instruction exit exam. Clarifies  
2 provisions relating to the offering of  
3 college-preparatory instruction. Provides for an increase  
4 in fees for undergraduate students who continually enroll  
5 in the same college credit courses. Revises entrance  
6 requirements for community college degree programs.  
7 Requires policies regarding alternatives to  
8 college-preparatory instructional methods. With respect  
9 to postsecondary education student fees, provides for  
10 payment for the cost of fee exemptions by local WAGES  
11 boards that contract with public postsecondary  
12 institutions for education and training services.  
13 Provides an appeal process for school districts and  
14 community colleges to allow exemption from participation  
15 in performance-based incentive funding. Provides for  
16 services for WAGES clients negotiated through the jobs  
17 and education regional board by school districts and  
18 community colleges to be funded by the local WAGES  
19 coalition. Provides an alternative payment structure for  
20 job training services. Revises provisions relating to  
21 work requirements for participation in the WAGES Program.  
22 Includes paid apprenticeship activities, cooperative  
23 education activities, and work-study activities in work  
24 activities. Permits educational institutions to provide  
25 training and receive subsidies to offset the cost of the  
26 training. Provides reasons for participants to be placed  
27 in community service. Defines work experience and  
28 clarifies the role of remedial or basic skills training.  
29 Revises requirements for payment to a provider of  
30 vocational education or training. Requires the  
31 development of programs to address the needs of  
"hard-to-place" recipients. Expands the definition of job  
skills training and provides additional literacy or basic  
skills requirements related to work activity  
requirements. Requires establishment of a task force to  
investigate issues associated with job training and  
workforce development.