

1
2 An act relating to postsecondary education;
3 requiring the Division of Community Colleges
4 and the Department of Education to conduct a
5 study; amending s. 229.551, F.S.; authorizing
6 certain courses to be designated as
7 upper-division and lower-division; amending s.
8 229.595, F.S.; requiring the inclusion of
9 student postsecondary preparedness information
10 in manuals and handbooks; amending s. 229.601,
11 F.S.; providing for recommended high school
12 coursework information; creating s. 232.2466,
13 F.S.; providing requirements for a
14 college-ready diploma program; requiring a task
15 force to recommend incentives for pursuit of a
16 college-ready diploma; amending s. 239.301,
17 F.S.; deleting conflicting provisions; amending
18 s. 240.1161, F.S.; requiring implementation
19 strategies for reducing the incidence of
20 postsecondary remediation; requiring an
21 assessment of activities and the presentation
22 of outcomes; providing for the promotion of
23 "tech prep" activities; amending s. 240.107,
24 F.S.; revising provisions relating to the
25 college-level communication and computation
26 skills examination; providing exemptions from a
27 required test; amending s. 240.605, F.S.;
28 revising language with respect to Florida
29 resident access grants; revising dates;
30 amending s. 240.117, F.S.; requiring the
31 administration of the common placement test or

1 an equivalent test during the tenth grade;
2 requiring the administration of an
3 institutionally developed test in lieu of the
4 common placement test as an exit exam from
5 remedial instruction; clarifying language
6 regarding the offering of college-preparatory
7 instruction; amending s. 240.319, F.S.;
8 authorizing community colleges to adopt rules;
9 amending s. 240.321, F.S.; applying entrance
10 requirements to all degree programs; permitting
11 a demonstration of competency as an alternative
12 degree program admission requirement; providing
13 an exemption from the testing requirement under
14 certain circumstances; requiring the
15 establishment of institutional policies
16 regarding alternatives to traditional
17 college-preparatory instructional methods;
18 amending s. 240.404, F.S.; deleting a
19 requirement for participation in a testing
20 program; requiring achievement of certain
21 academic requirements as a condition for
22 receiving state student financial aid; deleting
23 a requirement; amending s. 240.412, F.S.;
24 amending s. 240.437, F.S.; deleting a CLAST
25 requirement; amending s. 231.17, F.S.;
26 authorizing rulemaking; amending s. 240.235,
27 F.S.; amending s. 240.36, F.S.; revising
28 provisions relating to the Florida Academic
29 Improvement Trust Fund for Community Colleges;
30 amending ss. 228.041, 231.1725, 232.246,
31 233.067 and 236.081, F.S.; renaming home

1 economics courses as family and consumer
2 sciences courses; amending s. 239.105, F.S.;
3 revising definitions of the terms "adult
4 secondary education," "basic literacy," and
5 "functional literacy"; defining the terms
6 "beginning literacy" and "family literacy";
7 amending s. 239.205, F.S.; deleting a
8 rulemaking requirement regarding career
9 education programs; amending s. 239.213, F.S.;
10 revising provisions relating to standards of
11 basic skills mastery; providing for the use of
12 adult basic education to meet certain needs;
13 amending s. 239.229, F.S.; requiring the
14 identification of vocational standards related
15 to work experience; requiring the development
16 of additional program standards and benchmarks;
17 amending s. 239.305, F.S., relating to adult
18 literacy; conforming provisions to revised
19 definitions; removing a State Board of
20 Education rule requirement; removing specific
21 annual reporting requirements; providing for
22 status reports in lieu of annual reports;
23 deleting a requirement for the submission of a
24 plan to the Commissioner of Education;
25 repealing ss. 240.3575(5), 240.3815(1),
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. 240.6045, F.S.;
31 amending requirements for qualifying; amending

1 s. 240.116, F.S.; authorizing exceptions to
2 grades required for participation in
3 articulated acceleration; creating s. 240.4041,
4 F.S.; permitting part-time attendance for
5 students with a disability who receive
6 financial assistance; amending ss. 239.117,
7 240.235, 240.35, F.S.; exempting children
8 adopted from the Department of Children and
9 Family Services from certain postsecondary
10 student fees; amending s. 236.081, F.S.;
11 establishing full-time equivalent student
12 membership in the program; amending s. 240.116,
13 F.S.; directing the Department of Education to
14 create a pilot of the Advanced International
15 Certificate of Education Program; requiring a
16 report and recommendations; amending s.
17 239.117, F.S.; authorizing payment for costs
18 incurred in certain instances; amending s.
19 239.301, F.S.; authorizing a contract for
20 certain adult education services; amending s.
21 240.313, F.S.; providing for an odd number of
22 members on the Florida Community College at
23 Jacksonville Board of Trustees; amending s.
24 240.35, F.S.; authorizing payment for costs
25 incurred in certain instances; amending s.
26 414.065, F.S.; adding activities related to
27 education and training to certain requirements
28 for WAGES participants; amending s. 414.055,
29 F.S.; replacing jobs and benefits offices with
30 one-stop career centers to provide services for
31 the WAGES program, employment services, and

1 workforce development; providing legislative
2 intent; requiring local WAGES coalitions and
3 regional workforce boards to coordinate efforts
4 to avoid unnecessary duplication of services
5 and facilities; providing restrictions and
6 requirements for the centers; providing duties
7 of the Department of Children and Family
8 Services and the Department of Labor and
9 Employment Security; amending ss. 239.117,
10 239.301, and 240.117, F.S.; requiring the
11 payment of fees for the continuous enrollment
12 of students in college-preparatory instruction;
13 providing an exception; creating s. 240.124,
14 F.S.; providing for an increase in fees for
15 undergraduate students who continually enroll
16 in the same college credit courses; providing
17 for exceptions; providing appropriations to
18 Florida A & M University for specified
19 purposes; providing an effective date.
20

21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. The Legislature intends to authorize an
24 alternative to the College Level Academic Skills Test only for
25 students who demonstrate mastery of those skills through an
26 equally reliable method. To investigate whether or not the
27 alternatives currently authorized are demonstrations of such
28 mastery, the Division of Community Colleges and each community
29 college shall collaborate to conduct a study of the
30 relationship between student grade point averages, scores on
31 the Scholastic Assessment Test or the American College Test,

1 and passing rates on the College Level Academic Skills Test
2 prior to January 1996. The purpose of the study is to discover
3 the student test scores and grade point averages in courses
4 identified by the Postsecondary Education Planning Commission
5 which correlate with earning a passing score on the College
6 Level Academic Skills Test. Specifically, the study must
7 identify the proportion of students who failed the College
8 Level Academic Skills Test on the initial attempt to pass it
9 and who achieved a grade point average of 2.5 or above in
10 courses identified by the Postsecondary Education Planning
11 Commission as necessary for a student to become eligible for
12 an alternative to the College Level Academic Skills Test. The
13 results of the study must be presented to the Legislature by
14 January 1, 1998.

15 Section 2. The Department of Education shall conduct a
16 study of the success of students who enroll in college
17 preparatory instruction. For purposes of the study, success is
18 defined as completing all required remediation within 4 years
19 after enrolling in a community college associate-in-science
20 degree program or associate-in-arts degree program, and
21 continuing enrollment in the college-credit program. The
22 purpose of the study is to identify test scores and other
23 information, such as courses taken and grades earned in high
24 school, which identify a student who is unlikely to succeed in
25 college work, including college-preparatory work, without
26 prior remediation. In addition, the study should be designed
27 to identify instructional procedures used by colleges in which
28 a significant number of students are successful in remediation
29 even though they fit the profile of a student who is unlikely
30 to succeed. The department shall use historical data provided
31 by the automated student data base, individual high schools,

1 the State Board of Community Colleges, and individual
2 community colleges to develop this profile. The study shall
3 recommend an incentive program that will encourage students
4 and colleges to persevere in their efforts to remediate skills
5 of students whose preparation for college is very inadequate,
6 rather than continuing in an accountability program that
7 discourages student perseverance. The results of the study
8 must be presented to the Legislature by January 1, 1998.

9 Section 3. Subsection (1) of section 229.551, Florida
10 Statutes, 1996 Supplement, is amended to read:

11 229.551 Educational management.--

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

22 (a) Coordination of department plans for meeting
23 educational needs and for improving the quality of education
24 provided by the state system of public education;

25 (b) Coordination of management information system
26 development for all levels of education and for all divisions
27 of the department, to include the development and utilization
28 of cooperative education computing networks for the state
29 system of public education;

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31

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

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

6 (e) Coordination of all cost accounting and cost
7 reporting activities for all levels of education, including
8 public schools, vocational programs, community colleges, and
9 institutions in the State University System;

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

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

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

30 3. Appoint faculty committees representing both
31 community college and university faculties to recommend a

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

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

1 colleges and state universities shall accept these general
2 education courses.

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

20 (g) Development of common definitions necessary for
21 managing a uniform coordinated system of career education for
22 all levels of the state system of public education.

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

25 229.595 Implementation of state system of education
26 accountability for school-to-work transition.--

27 (2) School accountability efforts shall include
28 information regarding the provision of accurate, timely career
29 and curricular counseling to students. Such accountability
30 shall include a delineation of the information available to
31 students regarding career opportunities, educational

1 requirements associated with each career, educational
2 institutions that prepare students to enter each career, and
3 student financial aid available to enable students to pursue
4 any postsecondary instruction required to enter that career.
5 Such accountability shall also delineate school procedures for
6 identifying individual student interests and aptitudes which
7 enable students to make informed decisions about the
8 curriculum that best addresses their individual interests and
9 aptitudes while preparing them to enroll in postsecondary
10 education and enter the workforce. Information shall include
11 recommended high school coursework that prepares students for
12 success in college-level work. Such information shall be made
13 known to parents and students annually through inclusion in
14 the institution's handbook, manual, or other similar documents
15 regularly provided to parents and students. Schools are
16 encouraged to implement innovative methods for the
17 communication of information to parents and students.

18 Section 5. Paragraph (b) of subsection (2) of section
19 229.601, Florida Statutes, is amended to read:

20 229.601 Career education program.--

21 (2) There is hereby established a career education
22 program in the state educational system. The Commissioner of
23 Education and his or her designated staff shall administer
24 this program. In developing and administering the career
25 education program, the purpose of which is to promote positive
26 career opportunities for all students regardless of their
27 race, color, creed, national origin, ancestry, socioeconomic
28 status, or gender, the commissioner shall:

29 (b) Assemble, develop, and distribute instructional
30 materials for use in career education. Such materials shall
31 include information regarding recommended high school

1 coursework that prepares students for success in college-level
2 coursework.

3 Section 6. Section 232.2466, Florida Statutes, is
4 created to read:

5 232.2466 College-ready diploma program.--

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

9 (a) Successfully completes the requirements for a
10 standard high school diploma as prescribed by s. 232.246.

11 Among courses taken to fulfill the 24-academic-credit
12 requirement, a student must take:

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

15 2. One credit in biology, one credit in chemistry, and
16 one credit in physics, or their equivalents, as determined by
17 the state board.

18 3. Two credits in the same foreign language, taken for
19 elective credit. A student whose native language is not
20 English is exempt from this requirement if the student
21 demonstrates proficiency in the native language. American sign
22 language constitutes a foreign language.

23 (b) Takes the postsecondary education common placement
24 test prescribed in s. 240.117, or an equivalent test
25 identified by the State Board of Education, before graduation
26 and scores at or above the established statewide passing score
27 in each test area.

28 (2) A college-ready diploma entitles a student to
29 admission without placement testing to a public postsecondary
30 education program that terminates in a technical certificate,
31 an associate in science degree, or an associate in arts

1 degree, if the student enters postsecondary education within 2
2 years after earning the college-ready diploma.

3 (3) The Department of Education shall convene a task
4 force of educators and employers to recommend additional
5 incentives for students to pursue a college-ready diploma.
6 The incentives may include awards and recognition, preference
7 for positions in firms, and early registration privileges in
8 postsecondary education institutions.

9 Section 7. Subsection (4) of section 239.301, Florida
10 Statutes, 1996 Supplement, is amended to read:

11 239.301 Adult general education.--

12 (4) Both community colleges and school districts may
13 conduct adult basic and secondary and vocational-preparatory
14 courses within the same service area. ~~Any state university in~~
15 ~~which the percentage of incoming students who require~~
16 ~~college-preparatory instruction equals or exceeds 25 percent~~
17 ~~may conduct college-preparatory instruction.~~ Area technical
18 centers and community colleges may contract with each other
19 for the provision of vocational-preparatory instruction.

20 Section 8. Subsections (7) and (9) of section 240.107,
21 Florida Statutes, are amended to read:

22 240.107 College-level communication and computation
23 skills examination.--

24 (7) The State Board of Education, by rule, shall
25 establish fees for the administration of the examination to
26 private postsecondary students. The examination may be
27 administered to students other than those receiving financial
28 aid ~~as required in s. 240.404(1)(a)2.~~, provided that the
29 appropriate fees are paid.

30 (9) ~~Beginning January 1, 1996,~~Any student fulfilling
31 one or both ~~more~~ of the following requirements before

1 completion of associate in arts degree requirements or
2 baccalaureate degree requirements is exempt from the testing
3 requirements of this section:

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

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

14 (b)(c) Demonstrates successful remediation of any
15 academic deficiencies identified by the college placement test
16 and achieves a passing score on the college placement test,
17 required pursuant to s. 240.117, and a cumulative grade point
18 average of 2.5 or above, on a 4.0 scale, in
19 postsecondary-level coursework identified by the Postsecondary
20 Education Planning Commission. The Department of Education
21 shall specify the means by which a student may demonstrate
22 successful remediation.

23
24 Any student denied a degree prior to January 1, 1996, based on
25 the failure of at least one subtest of the CLAST may use
26 either any of the alternatives specified in this subsection
27 for receipt of a degree if such student meets all degree
28 program requirements at the time of application for the degree
29 under the exemption provisions of this subsection. This
30 section does not require a student to take the CLAST before
31 being given the opportunity to use any of the alternatives

1 specified in this subsection. The exemptions provided herein
2 do not apply to requirements for certification as provided in
3 s. 231.17.

4 Section 9. Subsections (1) and (2) of section
5 240.1161, Florida Statutes, are amended to read:

6 240.1161 District interinstitutional articulation
7 agreements.--

8 (1) Each superintendent of schools and community
9 college president shall be responsible for the development and
10 implementation of a comprehensive articulated acceleration
11 program for the students enrolled in their respective school
12 districts and service areas. Within this general
13 responsibility, the superintendent and president shall develop
14 a comprehensive interinstitutional articulation agreement for
15 the school district and community college that serves the
16 school district. The superintendent and president shall are
17 ~~encouraged to~~ establish an articulation committee for the
18 purpose of developing this agreement. Each state university
19 president is encouraged to designate a university
20 representative to participate in the development of the
21 interinstitutional articulation agreements for each school
22 district within the university service area.

23 (2) The district interinstitutional articulation
24 agreement for any school year shall be completed prior to high
25 school registration for the fall term of the following school
26 year. ~~The initial agreement drafted pursuant to this section~~
27 ~~shall be completed no later than April 1, 1988.~~ The initial
28 ~~agreement and each subsequent~~ agreement shall include, but not
29 be limited to, the following components:

30 (a) A ratification or modification of all existing
31 articulation agreements.

1 (b)~~1~~. A delineation of courses and programs composed
2 of dual enrollment students.

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

5 ~~3.(d)~~ A delineation of institutional responsibilities
6 regarding student screening prior to enrollment and monitoring
7 student performance subsequent to enrollment in dual
8 enrollment courses and programs.

9 ~~4.(e)~~ An identification of the criteria by which the
10 quality of dual enrollment courses and programs are to be
11 judged and a delineation of institutional responsibilities for
12 the maintenance of instructional quality.

13 ~~5.(f)~~ A delineation of institutional responsibilities
14 for assuming the cost of dual enrollment courses and programs
15 that includes such responsibilities for student instructional
16 materials.

17 ~~6.(g)~~ An identification of responsibility for
18 providing student transportation if the dual enrollment
19 instruction is conducted at a facility other than the high
20 school campus.

21 (c) Mechanisms and strategies for reducing the
22 incidence of postsecondary remediation in math, reading, and
23 writing for first-time-enrolled recent high school graduates,
24 based upon the findings in the postsecondary readiness for
25 college report produced pursuant to s. 240.118. Each
26 articulation committee shall annually analyze and assess the
27 effectiveness of the mechanisms toward meeting the goal of
28 reducing postsecondary remediation needs. Results of the
29 assessment shall be annually presented to participating
30 district school boards and community college boards of
31 trustees and shall include, but not be limited to:

- 1 1. Mechanisms currently being initiated.
2 2. An analysis of problems and corrective actions.
3 3. Anticipated outcomes.
4 4. Strategies for the better preparation of students
5 upon graduation from high school.
6 5. An analysis of costs associated with the
7 implementation of postsecondary remedial education and
8 secondary-level corrective actions.
9 6. The identification of strategies for reducing costs
10 of the delivery of postsecondary remediation for recent high
11 school graduates, including the consideration and assessment
12 of alternative instructional methods and services such as
13 those produced by private providers.
14
15 Wherever possible, public schools and community colleges are
16 encouraged to share resources, form partnerships with private
17 industries, and implement innovative strategies and mechanisms
18 such as distance learning, summer student and faculty
19 workshops, parental involvement activities, and the
20 distribution of information over the Internet.
21 (d) Mechanisms and strategies for promoting "tech
22 prep" programs of study. Such mechanisms should raise
23 awareness about the programs, promote enrollment in the
24 programs, and articulate students from a secondary portion
25 into a planned, related postsecondary portion of a sequential
26 program of study that leads to a terminal postsecondary
27 vocational or technical education degree or certificate.
28 Section 10. Paragraph (c) of subsection (5) of section
29 240.605, Florida Statutes, 1996 Supplement, is amended to
30 read:
31 240.605 Florida resident access grants.--

1 (5)

2 (c) For the 1997-1998 ~~1996-1997~~ fiscal year only,
3 funding for the Florida resident access grant shall be the
4 amount set forth in the General Appropriations Act. This
5 paragraph is repealed on July 1, 1998 ~~1997~~.

6 Section 11. Subsections (3), (4), and (5) of section
7 240.117, Florida Statutes, as amended by section 15 of
8 Committee Substitute for Senate Bill 458, which was enacted in
9 the 1997 Regular Session of the Legislature, are amended to
10 read:

11 240.117 Common placement testing for public
12 postsecondary education.--

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

23 (4)(a) Community college or state university students
24 who have been identified as requiring additional preparation
25 pursuant to subsection (1) shall enroll in college-preparatory
26 or other adult education pursuant to s. 239.301 in community
27 colleges to develop needed college-entry skills. These
28 students shall be permitted to take courses within their
29 degree program concurrently in other curriculum areas for
30 which they are qualified while enrolled in college-preparatory
31 instruction courses. A student enrolled in a

1 college-preparatory course may concurrently enroll only in
2 college credit courses that do not require the skills
3 addressed in the college-preparatory course. The State Board
4 of Community Colleges shall specify the college credit courses
5 that are acceptable for students enrolled in each
6 college-preparatory skill area, pursuant to s. 240.311(3)(q).
7 A student who wishes to earn an associate in arts or a
8 baccalaureate degree, but who is required to complete a
9 college-preparatory course, must successfully complete the
10 required college-preparatory studies by the time the student
11 has accumulated 12 hours of lower-division college credit
12 degree coursework; however, a student may continue enrollment
13 in degree-earning coursework provided the student maintains
14 enrollment in college-preparatory coursework for each
15 subsequent semester until college-preparatory coursework
16 requirements are completed, and the student demonstrates
17 satisfactory performance in degree-earning coursework. A
18 passing score on a standardized, institutionally developed ~~all~~
19 ~~subtests of the common placement~~ test must be achieved before
20 a student is considered to have met basic computation and
21 communication skills requirements; however, no student shall
22 be required to retake any test or subtest ~~that~~ ~~which~~ was
23 previously passed by said student. A student shall be funded
24 to enroll in the same college-preparatory skill area only
25 twice, after which time no state funds shall be used to
26 support continuous enrollment of that student in the same
27 class; however, each community college shall have the
28 authority to review and reduce fees paid by students on an
29 individual basis contingent upon the student's financial
30 hardship, pursuant to definitions and fee levels established
31 by the State Board of Community Colleges. Credit awarded for

1 college-preparatory instruction may not be counted towards
2 fulfilling the number of credits required for a degree.

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

14 (5) A student may not be enrolled in a college credit
15 mathematics or English course on a dual enrollment basis
16 unless the student has demonstrated adequate precollegiate
17 preparation on the section of the basic computation and
18 communication skills assessment required pursuant to
19 subsection ~~subsections~~ (1) and ~~(2)~~ that is appropriate for
20 successful student participation in the course.

21 Section 12. Present subsection (3) of section 240.319,
22 Florida Statutes, is redesignated as subsection (4), and a new
23 subsection (3) is added to that section, to read:

24 240.319 Community college district boards of trustees;
25 duties and powers.--

26 (3) Each community college district board of trustees
27 is specifically authorized to adopt rules, procedures, and
28 policies, consistent with law and rules of the State Board of
29 Education and State Board of Community Colleges, related to
30 mission and responsibilities as set forth in s. 240.301,
31 governance, personnel, budget and finance, administration,

1 programs, curriculum and instruction, buildings and grounds,
2 travel and purchasing, technology, students, contracts and
3 grants, or college property.

4 Section 13. Section 240.321, Florida Statutes, is
5 amended to read:

6 240.321 Community college district board of trustees;
7 rules for admissions of students.--

8 ~~(1)~~ The board of trustees shall make rules governing
9 admissions of students. These rules shall include the
10 following:

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

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

19 (a)~~1.~~ A high school diploma, a high school equivalency
20 diploma as prescribed in s. 229.814, previously demonstrated
21 competency in college-credit postsecondary coursework, or, in
22 the case of a student who is home educated, a signed affidavit
23 submitted by the student's parent or legal guardian attesting
24 that the student has completed a home education program
25 pursuant to the requirements of s. 232.02(4)~~or its~~
26 ~~equivalent~~. Students who are enrolled in a dual enrollment or
27 early admission program pursuant to s. 240.116 and secondary
28 students enrolled in college-level instruction creditable
29 toward the associate degree, but not toward the high school
30 diploma, shall be exempt from this requirement.

31

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

7 **(c)3-** Any other requirements established by the board
8 of trustees.

9 **(3)(e)** Admission to other programs within the
10 community college shall include education requirements as
11 established by the board of trustees.

12
13 Each board of trustees shall establish policies that notify
14 students about, and place students into, adult basic
15 education, adult secondary education, or other instructional
16 programs that provide students with alternatives to
17 traditional college-preparatory instruction, including private
18 provider instruction.

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

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

23 ~~(a) No Florida high school graduate shall be admitted~~
24 ~~to the associate in arts degree program if he or she has not~~
25 ~~successfully completed the requirements set forth in s.~~
26 ~~232.246 or unless he or she has been awarded a general~~
27 ~~education development diploma, provided the examination~~
28 ~~completed for such diploma was in the English language.~~

29 ~~(b) Nonresident students may be admitted to the~~
30 ~~community college upon such terms as the college may~~
31 ~~establish. However, effective August 1, 1987, such terms for~~

1 ~~nonresidents admitted to the associate in arts degree program~~
2 ~~shall include, but shall not be limited to:~~

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

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

12 Section 14. Paragraph (a) of subsection (1) of section
13 240.404, Florida Statutes, is amended to read:

14 240.404 General requirements for student eligibility
15 for state financial aid.--

16 (1)(a) The general requirements for eligibility of
17 students for state financial aid awards consist of the
18 following:

19 1. Achievement of the academic requirements of and
20 acceptance at a state university or community college; a
21 nursing diploma school approved by the Florida Board of
22 Nursing; a Florida college, university, or community college
23 which is accredited by a member of the Commission on
24 Recognition of Postsecondary Accreditation; any Florida
25 institution the credits of which are acceptable for transfer
26 to state universities; any area technical center; or any
27 private vocational-technical institution accredited by a
28 member of the Commission on Recognition of Postsecondary
29 Accreditation.

30
31

1 ~~2. Participation in the college-level communication~~
2 ~~and computation skills testing program. This requirement is~~
3 ~~limited to students seeking associate's or bachelor's degrees.~~

4 2.3. Residency in this state for no less than 1 year
5 preceding the award of aid for a program established pursuant
6 to s. 240.402, s. 240.4021, s. 240.4085, s. 240.409, s.
7 240.4093, s. 240.4095, s. 240.4097, s. 240.412, s. 240.4125,
8 s. 240.413, s. 240.4987, s. 240.605, or s. 240.606. Residency
9 in this state must be for purposes other than to obtain an
10 education. Resident status for purposes of receiving state
11 financial aid awards shall be determined in the same manner as
12 resident status for tuition purposes pursuant to s. 240.1201
13 and rules of the State Board of Education.

14 ~~4. Compliance with Selective Service System~~
15 ~~registration requirements pursuant to s. 240.4045.~~

16 3.5. Submission of certification attesting to the
17 accuracy, completeness, and correctness of information
18 provided to demonstrate a student's eligibility to receive
19 state financial aid awards. Falsification of such information
20 shall result in the denial of any pending application and
21 revocation of any award currently held to the extent that no
22 further payments shall be made. Additionally, students who
23 knowingly make false statements in order to receive state
24 financial aid awards shall be guilty of a misdemeanor of the
25 second degree subject to the provisions of s. 837.06 and shall
26 be required to return all state financial aid awards
27 wrongfully obtained.

28 Section 15. Paragraph (b) of subsection (5) of section
29 240.412, Florida Statutes, as amended by section 21 of chapter
30 95-376, Laws of Florida, is amended to read:

31

1 240.412 Jose Marti Scholarship Challenge Grant
2 Program.--
3 (5)
4 (b) In order to renew a scholarship awarded pursuant
5 to this section, a student must ~~shall~~:
6 1. Earn a grade point average of at least 3.0 on a 4.0
7 scale for the previous term, maintain at least a 3.0 average
8 for college work, or have an average below 3.0 only for the
9 previous term and be eligible for continued enrollment at the
10 institution.
11 2. Maintain full-time enrollment.
12 3. ~~Participate in the college-level communication and~~
13 ~~computation skills testing program. Graduate recipients shall~~
14 ~~be exempt from this requirement.~~
15 Section 16. Subsection (2) of section 240.437, Florida
16 Statutes, is amended to read:
17 240.437 Student financial aid planning and
18 development.--
19 (2) The objective of a state program is the
20 maintenance of a state student financial aid program to
21 supplement a basic national program which will provide equal
22 access to postsecondary education to citizens of this state
23 who have the ability and motivation to benefit from a
24 postsecondary education. In the development of a state program
25 to achieve this objective, it shall be the policy that:
26 (a) State student financial aid be provided primarily
27 on the basis of financial need;
28 (b) Students receiving need-based financial aid be
29 expected to contribute toward their cost of education through
30 self-help resources such as savings, work, and loans;
31

1 (c) Student financial aid be available to state
2 residents for attendance at accredited public or private
3 institutions of higher education in this state;

4 (d) Student financial aid be provided for all levels
5 of postsecondary education; and

6 (e) State student financial aid be administered by a
7 central state agency.

8 ~~(f) Effective August 1, 1985, students enrolled in~~
9 ~~associate in arts degree programs and bachelor's degree~~
10 ~~programs in independent institutions in this state who receive~~
11 ~~state aid pursuant to s. 240.402, s. 240.4063, s. 240.4085, s.~~
12 ~~240.4095, s. 240.4097, s. 240.412, s. 240.605, or s. 240.606~~
13 ~~participate in the college-level communication and computation~~
14 ~~skills testing program provided in s. 229.551. The department~~
15 ~~and the eligible institutions shall negotiate an agreement~~
16 ~~that will assure that the test is available to students either~~
17 ~~directly through the independent institutions or on a~~
18 ~~contractual basis with a state community college or~~
19 ~~university. Before August 1, 1985, all independent~~
20 ~~institutions subject to this provision shall have an~~
21 ~~opportunity to participate in preliminary testing activities~~
22 ~~similar to those afforded the public institutions before the~~
23 ~~initiation of formal testing; and the independent sector shall~~
24 ~~be afforded appropriate representation on all committees and~~
25 ~~commissions charged with responsibilities for developing,~~
26 ~~administering, and evaluating the tests.~~

27
28 Planning and development must ~~shall~~ be in accordance with the
29 foregoing objective and policies.

30 Section 17. Subsection (6) of section 231.17, Florida
31 Statutes, 1996 Supplement, is amended to read:

1 (6) STATE BOARD RULES.--~~By January 1, 1991,~~The State
2 Board of Education shall adopt ~~promulgate~~ rules as necessary
3 to implement this section for initial certification
4 ~~specifically covering ages birth through 4 years and grade~~
5 ~~spans prekindergarten or age 3 through grade 3, grades 5~~
6 ~~through 9, and others as designated by the State Board of~~
7 ~~Education.~~

8 Section 18. Section 240.36, Florida Statutes, is
9 amended to read:

10 240.36 Dr. Philip Benjamin ~~Florida~~ Academic
11 Improvement Trust Fund for Community Colleges.--

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

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

30 (3) For every year in which there is a legislative
31 appropriation to the trust fund, no less than \$25,000 must be

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

29 (4) Challenge grants shall be proportionately
30 allocated from the trust fund on the basis of matching each \$4
31 of state funds with \$6 of local or private funds. The matching

1 funds shall come from contributions made after July 1, 1983,
2 for the purposes of matching this grant. To be eligible, a
3 minimum of \$4,500 must be raised from private sources, and
4 such contributions must be in excess of the total average
5 annual cash contributions made to the foundation at each
6 community college in the 3 fiscal years before July 1, 1983.

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

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

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

- 25 1. Scientific and technical equipment.
- 26 2. Other activities that will benefit future students
27 as well as students currently enrolled at the community
28 college and that will improve the quality of education at the
29 community college or in the community college system.
- 30 3. Scholarships, which are the lowest priority for use
31 of these funds.

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

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

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 19. Paragraph (a) of subsection (22) of
11 section 228.041, Florida Statutes, 1996 supplement, is amended
12 to read:

13 228.041 Definitions.--Specific definitions shall be as
14 follows, and wherever such defined words or terms are used in
15 the Florida School Code, they shall be used as follows:

16 (22) CAREER EDUCATION.--

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

20 1. Job-preparatory instruction in the minimum
21 competencies necessary for effective entry into an occupation,
22 including diversified cooperative education, work experience,
23 and job entry programs which coordinate directed study and
24 on-the-job training;

25 2. Exploratory courses designed to give students
26 initial exposure to the skills and aptitudes associated with a
27 broad range of occupations in order to assist them in making
28 informed decisions regarding their future academic and
29 occupational goals;

30 3. Supplemental programs designed to enable persons
31 who are or have been employed in an occupation to upgrade

1 their competencies in order to reenter or maintain employment
2 or advance within their current occupation;

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

9 5. Instruction which integrates the basic academic
10 skills and vocational skills.

11 Section 20. Paragraph (c) of subsection (1) of section
12 231.1725, Florida Statutes, is amended to read:

13 231.1725 Employment of substitute teachers, teachers
14 of adult education, nondegreed teachers of career education,
15 and noncertificated teachers in critical teacher shortage
16 areas.--

17 (1) Notwithstanding the provisions of ss. 231.02,
18 231.15, 231.17, and 231.172 or any other provision of law or
19 rule to the contrary, each school board shall establish the
20 minimal qualifications for:

21 (c) Part-time and full-time nondegreed teachers of
22 vocational programs. Qualifications shall be established for
23 agriculture, business, health occupations, family and consumer
24 sciences ~~home economics~~, industrial, marketing, and public
25 service education teachers, based primarily on successful
26 occupational experience rather than academic training. The
27 qualifications for such teachers shall require:

28 1. The filing of a complete set of fingerprints in the
29 same manner as required by s. 231.02. Faculty employed solely
30 to conduct postsecondary instruction may be exempted from this
31 requirement.

1 2. Documentation of education and successful
2 occupational experience including documentation of:
3 a. A high school diploma or the equivalent.
4 b. Completion of 6 years of full-time successful
5 occupational experience or the equivalent of part-time
6 experience in the teaching specialization area. Alternate
7 means of determining successful occupational experience may be
8 established by the school board.
9 c. Completion of career education training conducted
10 through the local school district inservice master plan.
11 d. For full-time teachers, completion of professional
12 education training in teaching methods, course construction,
13 lesson planning and evaluation, and teaching special needs
14 students. This training may be completed through coursework
15 from a standard institution or an approved district teacher
16 education program.
17 e. Demonstration of successful teaching performance.

18 Section 21. Paragraph (c) of subsection (7) of section
19 232.246, Florida Statutes, is amended to read:
20 232.246 General requirements for high school
21 graduation.--
22 (7) No student may be granted credit toward high
23 school graduation for enrollment in the following courses or
24 programs:
25 (c) More than three credits in practical arts family
26 and consumer sciences ~~home economics~~ classes as defined in s.
27 228.041(22)(a)4.

28 Section 22. Paragraph (c) of subsection (4) of section
29 233.067, Florida Statutes, 1996 Supplement, is amended to
30 read:
31

1 233.067 Comprehensive health education and substance
2 abuse prevention.--

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

5 (c) The comprehensive health education and substance
6 abuse prevention program shall include the following in all
7 public and laboratory schools:

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

28 2. Implementation of management training programs
29 consistent with the provisions of s. 231.087 for principals
30 and other school leaders on the identification, prevention,
31

1 and treatment of substance abuse and the availability of local
2 and regional referral resources.

3 3. Instruction in nutrition education as a specific
4 area of health education instruction. Nutrition education
5 shall include, but not be limited to, sound nutritional
6 practices, wise food selection, analysis of advertising claims
7 about food, proper food preparation, and food storage
8 procedures. The purpose of such nutrition education programs
9 shall be to educate students in the overall area of nutrition
10 education and significantly reduce health problems associated
11 with poor or improper nutrition practices.

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

25 5. Instruction in the causes, transmission, and
26 prevention of human immunodeficiency virus infection and
27 acquired immune deficiency syndrome and other sexually
28 transmissible diseases for students. Such instruction shall
29 be included in appropriate middle school or junior high school
30 health and science courses and in life management skills and
31 other high school courses. Any student whose parent makes

1 written request to the school principal shall be exempt from
2 reproductive health or AIDS instructional activities, as
3 requested. Curriculum frameworks for comprehensive health
4 education shall not interfere with the local determination of
5 appropriate curriculum which reflects local values and
6 concerns.

7 6. Upon approval by the district school board, an
8 opportunity for 9th-12th grade students to receive instruction
9 in cardiopulmonary resuscitation in order to become certified
10 in that technique. A school district may enter a cooperative
11 arrangement with a local government or nonprofit association
12 to provide training in cardiopulmonary resuscitation through
13 instructors certified in that technique.

14 7. Design and development of programs for the
15 selection and training of health education instructors from
16 existing teaching staff and the orientation to teaching roles
17 for persons employed in appropriate health fields and
18 community volunteers.

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

21 9. Instruction in reproductive health, interpersonal
22 skills, and parenting to reduce teenage pregnancy and to
23 promote healthy behavior in Florida's children for all
24 students in kindergarten through grade 12, beginning with the
25 1991-1992 school year. In order that children make informed
26 and constructive decisions about their lives, complete and
27 accurate comprehensive health education shall be made
28 available to all young people. Curriculum shall be developed
29 to reduce destructive behavior in children, including early
30 sexual involvement, substance abuse, suicide, and activities
31 which result in sexually transmitted diseases, acquired immune

1 deficiency syndrome, and early teenage pregnancy, with subject
2 materials appropriate to the grade level and values consistent
3 with those of the community. Instruction shall also include an
4 understanding of the body and its systems and identification
5 and prevention of child abuse in the lower grades and
6 decisionmaking in the middle and higher grades. Instruction
7 in human sexuality shall take into account the whole person,
8 shall present ethical and moral dimensions, shall not be an
9 expression of any one sectarian or secular philosophy, and
10 shall respect the conscience and rights of students and
11 parents. School districts and laboratory schools are
12 encouraged to provide written materials on reproductive health
13 to parents, as well as opportunities for parents to become
14 informed about the instruction their children are receiving
15 and to receive instruction themselves. All course materials
16 and oral or visual instruction shall conform to the requisites
17 and intent of all Florida law and the State Constitution. All
18 instructional materials, including teachers' manuals, films,
19 tapes, or other supplementary instructional material shall be
20 available for inspection by parents or guardians of the
21 children engaged in such classes.

22 10. Instruction in the benefits of sexual abstinence
23 and consequences of teenage pregnancy, sexually transmitted
24 diseases, and acquired immune deficiency syndrome in
25 appropriate middle school or junior high school health,
26 science, and family and consumer sciences ~~home economics~~
27 courses and in life management skills and other appropriate
28 high school courses. Curriculum frameworks shall be created
29 or modified as necessary to help ensure such instruction.

30
31

1 Section 23. Paragraph (1) of subsection (1) of section
2 236.081, Florida Statutes, 1996 Supplement, is amended to
3 read:

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

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

14 (1) Instruction in family and consumer sciences ~~home~~
15 ~~economics~~.--Students in grades K through 12 who are enrolled
16 for more than six semesters in practical arts family and
17 consumer sciences ~~home economics~~ courses as defined in s.
18 228.041(22)(a)4. may not be counted as full-time equivalent
19 students for this instruction.

20 Section 24. Subsections (3) through (10) of section
21 239.105, Florida Statutes, are amended to read:

22 239.105 Definitions.--As used in this chapter, the
23 term:

24 (3) "Adult secondary education" means courses through
25 which a person receives high school credit that leads to the
26 award of a high school diploma or programs of instruction
27 through which a student prepares to take the general
28 educational development test. This includes grade levels 9.0
29 through 12.9.

30 (4) "Basic literacy" which is also referred to as
31 "beginning adult basic education" means the demonstration of

1 academic competence from 2.0 through 5.9 ~~at a fifth grade~~
2 educational grade levels level as measured by means approved
3 for this purpose by the State Board of Education.

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

8 (6)(5) "College-preparatory instruction" means courses
9 through which a high school graduate who applies for a degree
10 program may attain the communication and computation skills
11 necessary to enroll in college credit instruction.

12 (7)(6) "Commissioner" means the Commissioner of
13 Education.

14 (8)(7) "Community education" means the use of a school
15 or other public facility as a community center operated in
16 conjunction with other public, private, and governmental
17 organizations for the purpose of providing educational,
18 recreational, social, cultural, health, and community services
19 for persons in the community in accordance with the needs,
20 interests, and concerns of that community.

21 (9)(8) "Department" means the Department of Education.

22 (10)(9) "Document literacy" means the demonstration of
23 competence in identifying and using information located in
24 materials such as charts, forms, tables, and indexes.

25 (11) "Family literacy" means a program for adults with
26 a literacy component for parents and children or other
27 intergenerational literacy components.

28 (12)(10) "Functional literacy" which is also referred
29 to as "intermediate adult basic education" means the
30 demonstration of academic competence from 6.0 through 8.9 ~~at~~
31 ~~an eighth grade~~ educational grade levels level as measured by

1 means approved for this purpose by the State Board of
2 Education.

3 Section 25. Section 239.205, Florida Statutes, is
4 amended to read:

5 239.205 State Board of Education rules regarding
6 career education programs; common definitions; criteria for
7 determining program level; ~~basic skills standards.~~--

8 (1) The State Board of Education shall adopt, by rule,
9 common definitions for associate in science degrees and for
10 certificates.

11 (2) The State Board of Education shall develop
12 guidelines to determine the criteria by which the level of
13 degree or certificate is assigned to a vocational program.
14 The guidelines must ensure that assignments are made at the
15 lowest level possible commensurate with sound professional
16 practice; however, the guidelines must also ensure that
17 assignments are updated for programs that increase in
18 technical complexity or general education requirements beyond
19 the parameters of a certificate program. Institutions may
20 continue to offer existing programs that are assigned to a
21 lower level; however, such programs shall be funded at the
22 assigned level. The State Board of Education shall adopt
23 rules regarding reporting requirements for vocational
24 programs.

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

28 Section 26. Subsections (1) and (2) of section
29 239.213, Florida Statutes, are amended to read:

30 239.213 Vocational-preparatory instruction.--

31

1 (1) The State Board for Career Education shall adopt,
2 by rule, standards of basic skill mastery for certificate
3 career education programs ~~of less than 1,800 hours~~. Each
4 school district and community college that conducts
5 certificate career education programs shall provide
6 vocational-preparatory instruction through which students
7 receive the basic skills instruction required pursuant to this
8 section.

9 (2) Students who enroll in a certificate career
10 education program of 450 hours or more shall complete an
11 entry-level examination within the first 6 weeks of admission
12 into the program. The state board shall designate
13 examinations that are currently in existence, the results of
14 which are comparable across institutions, to assess student
15 mastery of basic skills. Any student deemed to lack a minimal
16 level of basic skills for such program shall be referred to
17 vocational-preparatory instruction or adult basic education
18 for a structured program of basic skills instruction. Such
19 instruction may include English for speakers of other
20 languages. A student may not receive a certificate of
21 vocational program completion prior to demonstrating the basic
22 skills required in the state curriculum frameworks for the
23 vocational program.

24 Section 27. Subsection (2) of s. 240.313, Florida
25 Statutes, is amended to read:

26 (2) Community college district boards of trustees
27 shall be comprised of five members when a community college
28 district is confined to one school board district; seven
29 members when a community college district is confined to one
30 school board district and the board of trustees so elects; and
31 not more than nine members when the district contains two or

1 more school board districts, as provided by regulations of the
2 state board. However, Florida Community College at
3 Jacksonville shall have an odd number of trustees.

4 Section 28. Paragraphs (b) and (d) of subsection (2)
5 of section 239.229, Florida Statutes, are amended to read:

6 239.229 Vocational standards.--

7 (2)

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

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

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

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

19 4. Employer satisfaction with the performance of
20 vocational program completers.

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

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

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

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

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

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

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

6 ~~5.4.~~ Overseeing school district and community college
7 compliance with the provisions of this chapter.

8 Section 29. Section 239.305, Florida Statutes, is
9 amended to read:

10 239.305 Adult literacy.--

11 (1)(a) An adult, individualized literacy instruction
12 program is created for adults who ~~do not~~ possess ~~basic~~
13 literacy skills below the ninth grade level. The purpose of
14 the program is to provide self-paced, competency-based,
15 individualized tutorial instruction. The commissioner shall
16 administer this section in coordination with the State Board
17 of Community Colleges, local school boards, and the Division
18 of Library and Information Services of the Department of State
19 ~~pursuant to State Board of Education rule.~~

20 (b) Local adult, individualized literacy instruction
21 programs may be coordinated with local public library systems
22 and with public or private nonprofit agencies, organizations,
23 or institutions. A local public library system and a public
24 or private nonprofit agency, organization, or institution may
25 use funds appropriated for the purposes of this section to
26 hire program coordinators. Such coordinators shall offer
27 training activities to volunteer tutors and oversee the
28 operation of local literacy programs. A local public library
29 system and a public or private nonprofit agency, organization,
30 or institution may also purchase student instructional
31 materials and modules that instruct tutors in the teaching of

1 basic and functional literacy and English for speakers of
2 other languages. To the extent funds are appropriated,
3 cooperating local library systems shall purchase, and make
4 available for loan, reading materials of high interest and
5 with a vocabulary appropriate for use by students who possess
6 literacy skills below the ninth grade level ~~in basic and~~
7 ~~functional literacy instruction~~ and students of English for
8 speakers of other languages.

9 (2)(a) The adult literacy program is intended to
10 increase ~~reduce~~ adult literacy ~~illiteracy~~ as prescribed in the
11 agency functional plan of the Department of Education. The
12 commissioner shall establish guidelines for the purpose of
13 determining achievement of this goal.

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

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

19 2. ~~The~~ progress toward increasing the percentage of
20 adults within the service area who possess literacy skills.
21 ~~As evidence of such progress, the report must include~~
22 ~~information regarding the number of students enrolled in adult~~
23 ~~basic education programs and the number of students who~~
24 ~~completed, separated from, or continued in the programs.~~

25 (c) Based on the information provided from the local
26 reports, the commissioner shall develop an annual status
27 report on literacy and adult education. ~~The commissioner shall~~
28 ~~review the annual reports of local sponsors and submit to the~~
29 ~~State Board of Education a county-by-county summary of the~~
30 ~~information.~~

31

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

12 (4)(a) The commissioner shall submit a state adult
13 literacy plan to the State Board of Education to serve as a
14 reference for school boards and community colleges to increase
15 ~~reduce~~ adult literacy ~~illiteracy~~ in their service areas as
16 prescribed in the agency functional plan of the Department of
17 Education. The plan must include, at a minimum:

18 1. Policies and objectives for adult literacy
19 programs, including evaluative criteria.

20 2. Strategies for coordinating adult literacy
21 activities with programs and services provided by other state
22 and local nonprofit agencies, as well as strategies for
23 maximizing other funding, resources, and expertise.

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

27 4. Sources of relevant demographic information and
28 methods of projecting the number of adults who ~~do not~~ possess
29 ~~basic or functional~~ literacy skills below the ninth grade
30 level.

31

1 5. Acceptable methods of demonstrating compliance with
2 the provisions of this section.

3 6. Guidelines for the development and implementation
4 of local adult literacy plans. At a minimum, such guidelines
5 must address:

6 a. The recruitment and preparation of volunteer
7 tutors.

8 b. Interagency and intraagency cooperation and
9 coordination, especially with public libraries and other
10 sponsors of literacy programs.

11 c. Desirable learning environments, including class
12 size.

13 d. Program evaluation standards.

14 e. Methods for identifying, recruiting, and retaining
15 adults in literacy programs.

16 f. ~~Prevention of~~ Adult literacy illiteracy through
17 family literacy and workforce literacy ~~parenting education~~
18 programs.

19 (b) Every 3 years, the school board or community
20 college board of trustees shall develop and maintain ~~submit~~ a
21 local adult literacy plan ~~to the commissioner for review and~~
22 ~~subsequent approval or disapproval. The commissioner shall~~
23 ~~notify the superintendent of schools or the president of the~~
24 ~~community college, as applicable, of the approval or~~
25 ~~disapproval of the plan. If the plan is not brought into~~
26 ~~compliance by the school district or community college within~~
27 ~~60 days after receiving notice of disapproval by the~~
28 ~~commissioner, the school district or community college may not~~
29 ~~receive any funds from appropriations for the purposes of this~~
30 ~~section for the subsequent fiscal year.~~

31

1 Section 30. Subsection (5) of section 240.3575 and
2 subsection (1) of section 240.3815, Florida Statutes, and
3 subsection (5) of section 240.382, Florida Statutes, as
4 created by chapter 94-220, Laws of Florida, are repealed.

5 Section 31. Section 240.6045, Florida Statutes, is
6 amended to read:

7 240.6045 Limited access competitive grant program.--

8 (1) There is established a limited access competitive
9 grant program which shall be administered by the Department of
10 Education. The purpose of the program is ~~shall be~~ to provide
11 enrollment opportunities for qualified applicants in ~~unable to~~
12 ~~obtain admission to selected state university~~ limited access
13 programs or equivalent academic tracks.

14 (2) The Postsecondary Education Planning Commission
15 shall annually identify for the State Board of Education
16 selected high priority employment fields that are designated,
17 ~~commonly referred to as~~ limited access programs, that ~~which~~
18 require a baccalaureate degree, and for which one or more
19 state universities have insufficient capacity to serve all
20 qualified applicants.

21 (3) Program applicants must ~~shall~~ be Florida
22 residents, either community college graduates or state
23 university students, who are qualified for admission to a
24 selected independent college or university ~~because of lack of~~
25 ~~space are denied admission to a state university~~ program
26 directly related to a high priority employment field
27 identified by the State Board of Education.

28 (4) A limited access competitive grant may be awarded
29 ~~in a competitive grant~~ which equals 50 percent of the cost to
30 the state per academic year of funding an undergraduate
31 student in public postsecondary education if the recipient

1 chooses to enroll in a comparable program provided by an
2 eligible independent college or university in Florida.
3 Eligible independent institutions shall be designated by the
4 Department of Education and shall be selected from among
5 institutions accredited by the Commission on Colleges of the
6 Southern Association of Colleges and Schools. Priority shall
7 be given to state residents who graduate from a Florida high
8 school or community college.

9 (5) The admissions and graduation requirements of the
10 receiving independent college or university shall apply to the
11 grant recipient.

12 (6) The State Board of Education shall adopt any rules
13 necessary for the implementation of this grant program.

14 (7) The Postsecondary Education Planning Commission,
15 in consultation with the Board of Regents, the State Board of
16 Community Colleges, the Independent Colleges and Universities
17 of Florida, and the State Board of Education, shall recommend
18 to the Legislature an accountability process for the limited
19 access competitive grant program. The process shall make use
20 of existing information submitted by the respective system in
21 conjunction with the establishment of the program. The
22 process shall demonstrate an emphasis on assessment of the
23 benefits and cost-effectiveness of the limited access
24 competitive grant program in providing state residents with
25 uninterrupted access to their major field of study leading to
26 the successful completion of a baccalaureate degree in the
27 shortest time possible. The Legislature shall provide
28 oversight of this accountability process.

29 Section 32. Paragraph (a) of subsection (2) of section
30 240.116, Florida Statutes, 1996 Supplement, as amended by
31

1 Committee Substitute for Senate Bill 458, 1997 Regular
2 Session, is amended to read:

3 240.116 Articulated acceleration.--

4 (2)(a)1. The dual enrollment program is the enrollment
5 of an eligible secondary student in a postsecondary course
6 creditable toward a vocational certificate or an associate or
7 baccalaureate degree. For the purpose of this subparagraph,
8 an eligible secondary student is a student who is enrolled in
9 a Florida public secondary school or in a Florida nonpublic
10 secondary school which is in compliance with s. 229.808 and
11 conducts a secondary curriculum pursuant to s. 232.246.
12 Students enrolled in postsecondary instruction that is not
13 creditable toward the high school diploma shall ~~may~~ not be
14 classified as dual enrollments. Students who are permitted to
15 enroll in dual enrollment courses may take courses conducted
16 during school hours, after school hours, and during the summer
17 term. Any student so enrolled is exempt from the payment of
18 registration, matriculation, and laboratory fees. With the
19 exception of vocational-preparatory instruction,
20 college-preparatory instruction and other forms of
21 precollegiate instruction, as well as physical education
22 courses that focus on the physical execution of a skill rather
23 than the intellectual attributes of the activity, are
24 ineligible for inclusion in the dual enrollment program.
25 Recreation and leisure studies courses shall be evaluated
26 individually in the same manner as physical education courses
27 for potential inclusion in the program.

28 2. The Department of Education shall adopt guidelines
29 designed to achieve comparability across school districts of
30 both student qualifications and teacher qualifications for
31 dual enrollment courses. Student qualifications must

1 demonstrate readiness for college-level coursework if the
2 student is to be enrolled in college courses. Student
3 qualifications must demonstrate readiness for vocational-level
4 coursework if the student is to be enrolled in vocational
5 courses. In addition to the common placement examination,
6 student qualifications for college credit dual enrollment
7 courses must include a 3.0 unweighted grade point average, and
8 student qualifications for vocational certificate dual
9 enrollment courses must include a 2.0 unweighted grade point
10 average. Exceptions to the required grade point averages may
11 be granted if the educational entities agree and the terms of
12 the agreement are contained within the dual enrollment
13 interinstitutional articulation agreement.

14 Section 33. Section 240.4041, Florida Statutes, is
15 created to read:

16 240.4041 State financial aid; students with a
17 disability.--Notwithstanding the provisions of s.
18 240.404(1)(b)1.b. regarding the number of credits earned per
19 term, or other financial aid eligibility requirements related
20 to the number of required credits earned per term, a student
21 with a documented disability, as defined by the Americans with
22 Disabilities Act, shall be eligible to be considered for state
23 financial aid while attending an eligible postsecondary
24 institution on a part-time basis. The State Board of
25 Education shall establish the necessary criteria for
26 documentation of the student's disability and the
27 postsecondary institution shall make the determination as to
28 whether or not the disability is such that part-time status is
29 a necessary accommodation. For the purposes of this section,
30 financial aid funds may be pro-rated based on the number of
31 credit hours taken.

1 Section 34. Paragraph (e) of subsection (2) of section
2 239.117, Florida Statutes, 1996 Supplement, is amended to
3 read:

4 239.117 Postsecondary student fees.--

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

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

22 Section 35. Paragraph (a) of subsection (5) of section
23 240.235, Florida Statutes, is amended to read:

24 240.235 Fees.--

25 (5)(a) Any student for whom the state is paying a
26 foster care board payment pursuant to s. 409.145(3) or parts
27 III and V of chapter 39, for whom the permanency planning goal
28 pursuant to part V of chapter 39 is long-term foster care or
29 independent living, or who is adopted from the Department of
30 Children and Family Services after December 31, 1997, shall be
31 exempt from the payment of all undergraduate fees, including

1 fees associated with enrollment in college-preparatory
2 instruction or completion of college-level communication and
3 computation skills testing programs. Before a fee exemption
4 can be given, the student shall have applied for and been
5 denied financial aid, pursuant to s. 240.404, which would have
6 provided, at a minimum, payment of all undergraduate fees.
7 Such exemption shall be available to any student adopted from
8 the Department of Children and Family Services after December
9 31, 1997; however, the exemption shall be valid for no more
10 than 4 years after the date of graduation from high school.

11 Section 36. Paragraph (a) of subsection (2) of section
12 240.35, Florida Statutes, 1996 Supplement, is amended to read:

13 240.35 Student fees.--Unless otherwise provided, the
14 provisions of this section apply only to fees charged for
15 college credit instruction.

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

1 exemption shall be valid for no more than 4 years after the
2 date of graduation from high school.

3 Section 37. Paragraph (n) of subsection (1) of section
4 236.081, Florida Statutes, 1996 Supplement, is amended to
5 read:

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

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

16 (n) Calculation of additional full-time equivalent
17 membership based on international baccalaureate examination
18 scores of students.--A value of 0.24 full-time equivalent
19 student membership shall be calculated for each student
20 enrolled in an international baccalaureate course who receives
21 a score of 4 or higher on a subject examination. A value of
22 0.3 full-time equivalent student membership shall be
23 calculated for each student who receives an international
24 baccalaureate diploma. Such value shall be added to the total
25 full-time equivalent student membership in basic programs for
26 grades 9 through 12 in the subsequent fiscal year. During the
27 1997-1998, 1998-1999, and 1999-2000 school years of the pilot
28 program authorized in s. 240.116, students enrolled in the
29 Advanced International Certificate of Education Program shall
30 generate full-time equivalent student membership in a manner
31 that is equitable to the manner in which students enrolled in

1 the International Baccalaureate Program generate full-time
2 equivalent student membership. During 1997-1998, a maximum of
3 40 students in each participating school district are
4 authorized to generate full-time equivalent student membership
5 in the pilot program, and in 1998-1999 and 1999-2000 a maximum
6 of 80 students per year in each participating school district
7 are authorized to generate full-time equivalent student
8 membership in the pilot program.

9 Section 38. Subsection (6) of section 240.16, Florida
10 Statutes, 1996 Supplement, is amended to read:

11 240.116 Articulated acceleration.--

12 (6) The International Baccalaureate Program shall be
13 the curriculum in which eligible secondary students are
14 enrolled in a program of studies offered through the
15 International Baccalaureate Program administered by the
16 International Baccalaureate Office. The State Board of
17 Education shall establish rules which specify the cutoff
18 scores and International Baccalaureate Examinations which will
19 be used to grant postsecondary credit at community colleges
20 and universities. Any such rules, which have the effect of
21 raising the required cutoff score or of changing the
22 International Baccalaureate Examinations which will be used to
23 grant postsecondary credit, shall only apply to students
24 taking International Baccalaureate Examinations after such
25 rules are adopted by the State Board of Education. Students
26 shall be awarded a maximum of 30 semester credit hours
27 pursuant to this subsection. The specific course for which a
28 student receives such credit shall be determined by the
29 community college or university that accepts the student for
30 admission. Students enrolled pursuant to this subsection
31 shall be exempt from the payment of any fees for

1 administration of the examinations. During the 1997-1998,
2 1998-1999, and 1999-2000 school years, the Department of
3 Education shall assist up to three school districts in
4 conducting a pilot of the Advanced International Certificate
5 of Education Program administered by the University of
6 Cambridge Local Examinations Syndicate. The department shall
7 produce an evaluation report and recommendations regarding the
8 comparability of the Advanced International Certificate of
9 Education Program to the International Baccalaureate Program
10 and submit the report to the President of the Senate and the
11 Speaker of the House of Representatives on or before October
12 1, 2000.

13 Section 39. Paragraph (f) of subsection (2) of section
14 239.117, Florida Statutes, 1996 Supplement, is amended to
15 read:

16 239.117 Postsecondary student fees.--

17 (2)

18 (f) A student enrolled in an employment and training
19 program under the WAGES Program. Such a student may receive a
20 fee exemption only if the student applies for and does not
21 receive student financial aid, including Job Training
22 Partnership Act or Family Support Act funds. Schools and
23 community colleges shall help such students apply for
24 financial aid, but may not deny such students program
25 participation during the financial aid application process.
26 Such a student may not be required to incur debt within the
27 financial aid package. The local WAGES coalition shall pay the
28 community college or school district for costs incurred for
29 WAGES clients. Other fee-exempt instruction provided at
30 community colleges pursuant to this subsection generates an
31 additional one-fourth of a full-time equivalent enrollment.

1 Section 40. 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) A district school board or a community college
7 board of trustees may negotiate a contract with the local
8 WAGES coalition for specialized services for WAGES clients,
9 beyond what is routinely provided for the general public, to
10 be funded by the WAGES coalition pursuant to s. 414.065.

11 Section 41. Subsection (3) of section 240.35, Florida
12 Statutes, 1996 Supplement, is amended to read:

13 240.35 Student fees.--Unless otherwise provided, the
14 provisions of this section apply only to fees charged for
15 college credit instruction.

16 (3) Students enrolled in dual enrollment and early
17 admission programs under ~~pursuant to~~ s. 240.116 and students
18 enrolled in employment and training programs under the WAGES
19 Program are exempt from the payment of registration,
20 matriculation, and laboratory fees; however, such students may
21 not be included within calculations of fee-waived enrollments.

22 <U>The community college shall assist a student under the WAGES
23 program in obtaining financial aid as it would any other
24 student. A student under the WAGES program may not be denied
25 participation in programs during the application process for
26 financial aid. If financial aid is denied, the local WAGES
27 coalition shall pay the community college for costs incurred
28 by that WAGES participant related to that person's classes or
29 ~~program. Students enrolled in programs under the WAGES Program~~
30 ~~shall be granted a fee exemption only if they have applied for~~
31 ~~student financial aid including Job Training Partnership Act~~

1 ~~or Family Support Act funds and did not receive financial~~
2 ~~assistance. Colleges shall assist these students in applying~~
3 ~~for financial aid, and these students may not be denied~~
4 ~~participation in programs during the application process for~~
5 ~~financial aid. These students may not be required to obtain~~
6 ~~loans as a part of their financial aid package.~~Other
7 fee-exempt instruction provided under ~~pursuant to this~~
8 subsection generates ~~shall generate~~ an additional one-fourth
9 full-time equivalent enrollment.

10 Section 42. Subsections (1) and (2) of section
11 414.065, Florida Statutes, 1996 Supplement, are amended to
12 read:

13 414.065 Work requirements.--

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

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

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

28 1. Work supplementation.--A work supplementation
29 subsidy diverts a participant's assistance under the program
30 to the employer. The employer must pay the participant wages
31 that equal or exceed the applicable federal minimum wage. Work

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

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

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

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

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

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

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

5 (d) Community service work experience.--Community
6 service work experience is job training experience at a
7 supervised public or private not-for-profit agency. A
8 participant shall receive temporary assistance in the form of
9 wages that are proportional to the amount of time worked. A
10 participant assigned to community service work experience
11 shall be deemed an employee of the state for purposes of
12 workers' compensation coverage and is subject to the
13 requirements of the drug-free workplace program. Community
14 service work experience may be selected as an activity for a
15 participant who needs to increase employability by improving
16 his or her interpersonal skills, job-retention skills, stress
17 management, and job problem solving, and by learning to attain
18 a balance between job and personal responsibilities. Community
19 service is intended to:

20 1. Assess WAGES program compliance before referral of
21 the participant to costly services such as career education;

22 2. Maintain work activity status while the participant
23 awaits placement into paid employment or training;

24 3. Fulfill a clinical practicum or internship
25 requirement related to employment; or

26 4. Provide work-based mentoring.

27
28 As used in this paragraph, the terms "community service
29 experience," "community work," and "workfare" are synonymous.

30 (e) Work experience.--Work experience is an
31 appropriate work activity for participants who lack

1 preparation for or experience in the workforce. It must
2 combine a job training activity in a public or private
3 not-for-profit agency with education and training related to
4 an employment goal. To qualify as a work activity, work
5 experience must include education and training in addition to
6 the time required by the work activity, and the work activity
7 must be intensively supervised and structured. The WAGES
8 program shall contract for any services provided for clients
9 who are assigned to this activity and shall require
10 performance benchmarks, goals, outcomes, and time limits
11 designed to assure that the participant moves toward full-time
12 paid employment. A participant shall receive temporary cash
13 assistance proportional to the time worked. A participant
14 assigned to work experience is an employee of the state for
15 purposes of worker's compensation coverage and is subject to
16 the requirements of the drug-free workplace program.

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

- 21 1. Orientation to the world of work and basic
- 22 job-seeking and job retention skills.
- 23 2. Instruction in completing an application for
- 24 employment and writing a resume.
- 25 3. Instruction in conducting oneself during a job
- 26 interview, including appropriate dress.
- 27 4. Instruction in how to retain a job, plan a career,
- 28 and perform successfully in the workplace.

29
30 Job readiness assistance may also include providing a
31 participant with access to an employment resource center that

1 contains job listings, telephones, facsimile machines,
2 typewriters, and word processors. Job search and job readiness
3 activities may be used in conjunction with other program
4 activities, such as work experience, but may not be the
5 primary work activity, may not be used in conjunction with
6 other program activities such as work experience, and may not
7 continue longer than the length of time permitted under
8 federal law.

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

24 1. Vocational education shall not be used as the
25 primary program activity for a period which exceeds 12 months.
26 The 12-month restriction applies to instruction in a career
27 education program and does not include remediation of basic
28 skills through adult general education if remediation is
29 necessary to enable a WAGES participant to benefit from a
30 career education program. Any necessary remediation must be
31 completed before a participant is referred to vocational

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

8 2. ~~When To the maximum extent~~ possible, a provider of
9 vocational education or training shall use funds provided by
10 funding sources other than the department. The department may
11 provide additional funds to a vocational education or training
12 provider only if payment is made pursuant to a
13 performance-based contract. Under a performance-based
14 contract, the provider may be partially paid when a
15 participant completes education or training, but the majority
16 of payment shall be made following the participant's
17 employment at a specific wage or job retention for a specific
18 duration. Performance-based payments made under this
19 subparagraph are limited to education or training for targeted
20 occupations identified by the Occupational Forecasting
21 Conference under s. 216.136, or other programs identified by
22 the Enterprise Florida Jobs and Education Partnership as
23 beneficial to meet the needs of designated groups, such as
24 WAGES participants, who are hard to place. If the contract
25 pays the full cost of training, the community college or
26 school district may not report the participants for other
27 state funding, except that the college or school district may
28 report WAGES clients for performance incentives or bonuses
29 authorized for student enrollment, completion, and placement.
30 ~~A contract with a community college or school district must~~
31 ~~conform to the provisions of ss. 239.249 and 240.40685.~~

1 ~~(h)(g)~~ Job skills training directly related to
2 employment.--Job skills training directly related to
3 employment provides job skills training in a specific
4 occupation for which there is a written commitment by the
5 employer to offer employment to a participant who successfully
6 completes the training. Job skills training includes
7 customized training designed to meet the needs of a specific
8 employer or a specific industry. A participant may be required
9 to complete an entrance assessment or test before entering
10 into job skills training if assessments or tests are required
11 for employment upon completion of the training. Job skills
12 training includes literacy instruction in the workplace if
13 necessary to enable a participant to perform in a specific job
14 or job training program.

15 ~~(i)(h)~~ Education services related to employment for
16 participants 19 years of age or younger.--Education services
17 provided under this paragraph are designed to prepare a
18 participant for employment in an occupation. The Department of
19 Labor and Employment Security shall coordinate education
20 services with the school-to-work activities provided under s.
21 229.595. Activities provided under this paragraph are
22 restricted to participants 19 years of age or younger who have
23 not completed high school or obtained a high school
24 equivalency diploma.

25 ~~(j)(i)~~ School attendance.--Attendance at a high school
26 or attendance at a program designed to prepare the participant
27 to receive a high school equivalency diploma is a required
28 program activity for each participant 19 years of age or
29 younger who:

30 1. Has not completed high school or obtained a high
31 school equivalency diploma;

1 2. Is a dependent child or a head of household; and

2 3. For whom it has not been determined that another
3 program activity is more appropriate.

4 (k)~~(j)~~ Teen parent services.--Participation in
5 medical, educational, counseling, and other services that are
6 part of a comprehensive program is a required activity for
7 each teen parent who participates in the WAGES Program.

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

16 (a) A participant in a work activity may also be
17 required to enroll in and attend a course of instruction
18 designed to increase literacy skills to a level necessary for
19 obtaining or retaining employment, provided that the
20 instruction plus the work activity does not require more than
21 40 hours per week.

22 (b) WAGES program funds may be used, as available, to
23 support the efforts of a participant who meets the work
24 activity requirements and who wishes to enroll in or continue
25 enrollment in an adult general education program or a career
26 education program.

27 Section 43. Section 414.055, Florida Statutes, 1996
28 Supplement, is amended to read:

29 414.055 One-stop career centers ~~Jobs and benefits~~
30 ~~offices.~~--

31

1 (1) It is the intent of the Legislature that one-stop
2 career centers developed by community coalitions or
3 public/private partnerships that involve the business
4 community, educational institutions, governmental entities,
5 and community-based organizations should be the principal
6 service-delivery mechanism for services associated with the
7 WAGES program, employment services, and workforce development.

8 (2) Local WAGES coalitions and regional workforce
9 boards must coordinate the planning and implementation of
10 one-stop career centers and services so as to avoid
11 unnecessary duplication of services and facilities.

12 (3) If a one-stop career center as described in
13 subsection (1) has been established, neither the Department of
14 Children and Family Services nor the Department of Labor and
15 Employment Security may establish a one-stop career center to
16 serve the same population or geographic area. The Department
17 of Children and Family Services and the Department of Labor
18 and Employment Security must assign to the established
19 one-stop career center the number and classification of staff
20 which is appropriate and necessary for effective operation of
21 the one-stop career center.

22 (4)(1) Staff of the Division of Jobs and Benefits of
23 the Department of Labor and Employment Security, staff of the
24 Department of Children and Family Services, and staff of other
25 public and private agencies and institutions shall establish
26 jobs and benefits offices in this state, which shall function
27 as one-stop centers to provide a central location at which the
28 staff of the Department of Labor and Employment Security and
29 the staff of the department shall deliver services to
30 applicants for and participants in the WAGES Program at
31 one-stop career centers.

1 ~~(5)(2)~~ At the one-stop career centers, staff of the
2 Department of Children and Family Services shall:

3 (a) Accept applications and determine or redetermine
4 the eligibility of a family to participate in the WAGES
5 Program.

6 (b) Accept applications and determine or redetermine
7 the eligibility of an individual or family to receive
8 subsidized child care or emergency assistance, including
9 housing assistance.

10 (c) Assess need and arrange for providing diversion
11 assistance or emergency assistance.

12 ~~(6)(3)~~ At the one-stop career centers ~~center~~, staff of
13 the Department of Labor and Employment Security shall assign a
14 participant in the WAGES Program to an approved ~~a~~ work
15 activity.

16 ~~(4) A public employment office established by the~~
17 ~~Division of Jobs and Benefits of the Department of Labor and~~
18 ~~Employment Security under s. 443.181, or a one-stop career~~
19 ~~center approved by the jobs and education regional board, may~~
20 ~~function as a jobs and benefits office established under this~~
21 ~~section.~~

22 Section 44. Paragraph (b) of subsection (5) of section
23 239.117, Florida Statutes, 1996 Supplement, is amended to
24 read:

25 239.117 Postsecondary student fees.--

26 (5)

27 (b) Students enrolled in college-preparatory
28 instruction shall pay fees equal to the fees charged for
29 college credit courses. Students enrolled in the same
30 college-preparatory class within a skill area more than one
31 time ~~two times~~ shall pay fees at 100 percent of the full cost

1 of instruction and shall not be included in calculations of
2 full-time equivalent enrollments for state funding purposes
3 direct instructional cost; however, students who withdraw or
4 fail a class due to extenuating circumstances may be granted
5 an exception only once for each class, provided approval is
6 granted according to policy established by the board of
7 trustees. Each community college shall have the authority to
8 review and reduce ~~such~~ payment for increased fees due to
9 continued enrollment in a college-preparatory class on an
10 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 45. Paragraph (d) of subsection (5) of section
20 239.301, Florida Statutes, 1996 Supplement, is amended to
21 read:

22 239.301 Adult general education.--

23 (5)

24 (d) Expenditures for college-preparatory and lifelong
25 learning students shall be reported separately. Allocations
26 for college-preparatory courses shall be based on proportional
27 full-time equivalent enrollment. Program review results shall
28 be included in the determination of subsequent allocations. A
29 student shall be funded to enroll in the same
30 college-preparatory class within a skill area only once ~~twice~~,
31 after which time the student shall pay 100 percent of the full

1 ~~cost of instruction no state funds shall be used~~ to support
2 the continuous enrollment of that student in the same class;
3 however, students who withdraw or fail a class due to
4 extenuating circumstances may be granted an exception only
5 once for each class, provided approval is granted according to
6 policy established by the board of trustees. Each community
7 college shall have the authority to review and reduce ~~such~~
8 payment for increased fees due to continued enrollment in a
9 college-preparatory class on an individual basis contingent
10 upon the student's financial hardship, pursuant to definitions
11 and fee levels established by the State Board of Community
12 Colleges. College-preparatory and lifelong learning courses do
13 not generate credit toward an associate or baccalaureate
14 degree.

15 Section 46. Paragraph (a) of Subsection (4) of section
16 240.117, Florida Statutes, is amended to read:

17 240.117 Common placement testing for public
18 postsecondary education.--

19 (4)(a) Community college or state university students
20 who have been identified as requiring additional preparation
21 pursuant to subsection (1) shall enroll in college-preparatory
22 adult education pursuant to s. 239.301 in community colleges
23 to develop needed college-entry skills. These students shall
24 be permitted to take courses within their degree program
25 concurrently in other curriculum areas for which they are
26 qualified while enrolled in college-preparatory instruction
27 courses. A student enrolled in a college-preparatory course
28 may concurrently enroll only in college credit courses that do
29 not require the skills addressed in the college-preparatory
30 course. The State Board of Community Colleges shall specify
31 the college credit courses that are acceptable for students

1 enrolled in each college-preparatory skill area, pursuant to
2 s. 240.311(3)(q). A student who wishes to earn an associate
3 in arts or a baccalaureate degree, but who is required to
4 complete a college-preparatory course, must successfully
5 complete the required college-preparatory studies by the time
6 the student has accumulated 12 hours of lower-division college
7 credit degree coursework; however, a student may continue
8 enrollment in degree-earning coursework provided the student
9 maintains enrollment in college-preparatory coursework for
10 each subsequent semester until college-preparatory coursework
11 requirements are completed, and the student demonstrates
12 satisfactory performance in degree-earning coursework. A
13 passing score on all subtests of the common placement test
14 must be achieved before a student is considered to have met
15 basic computation and communication skills requirements;
16 however, no student shall be required to retake any subtest
17 which was previously passed by said student. A student shall
18 be funded to enroll in the same college-preparatory class
19 within a skill area only once ~~twice~~, after which time the
20 student shall pay 100 percent of the full cost of instruction
21 ~~no state funds shall be used~~ to support continuous enrollment
22 of that student in the same class and such student shall not
23 be included in calculations of full-time equivalent
24 enrollments for state funding purposes; however, students who
25 withdraw or fail a class due to extenuating circumstances may
26 be granted an exception only once for each class, provided
27 approval is granted according to policy established by the
28 board of trustees. Each community college shall have the
29 authority to review and reduce fees paid by students due to
30 continued enrollment in a college-preparatory class on an
31 individual basis contingent upon the student's financial

1 hardship, pursuant to definitions and fee levels established
2 by the State Board of Community Colleges. Credit awarded for
3 college-preparatory instruction may not be counted towards
4 fulfilling the number of credits required for a degree.

5 Section 47. Section 240.124, Florida Statutes, is
6 created to read:

7 240.124 Funding for continuous enrollment in college
8 credit courses.--Beginning fall semester, 1997, a student
9 enrolled in the same undergraduate college credit course more
10 than two times shall pay matriculation at 100 percent of the
11 full cost of instruction and shall not be included in
12 calculations of full-time equivalent enrollments for state
13 funding purposes. For purposes of this section, first-time
14 enrollment in a class shall mean enrollment in a class
15 beginning fall semester 1997, and calculations of the full
16 cost of instruction shall be based on the systemwide average
17 of the prior year's cost of undergraduate programs for the
18 Community College System and the State University System. The
19 Board of Regents and the State Board of Community Colleges may
20 make exceptions to this section for individualized study,
21 elective coursework, courses that are repeated as a
22 requirement of a major, and courses that are intended as
23 continuing over multiple semesters, excluding the repeat of
24 coursework more than two times to increase grade point average
25 or meet minimum course grade requirements.

26 Section 48. For the 1997-1998 fiscal year, the sum of
27 \$276,659 is appropriated from the General Revenue Fund and the
28 sum of \$223,341 is appropriated from the Educational and
29 General Student and Other Fees Trust Fund for implementing the
30 master's in Public Health Program at Florida Agricultural and
31 Mechanical University.

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Section 49. This act shall take effect July 1, 1997.