

By the Committee on Community Colleges & Career Prep and Representatives Sindler, Fasano, Wise, Diaz de la Portilla, Gay, Casey, Kelly, Futch, D. Prewitt, Miller, Chestnut, Hafner, K. Pruitt, Crow, Greene, Logan, Betancourt, Frankel, (Additional Sponsors on Last Printed Page)

1                                   A bill to be entitled  
2           An act relating to postsecondary education;  
3           amending s. 229.551, F.S., relating to  
4           educational management; revising  
5           responsibilities of the Commissioner of  
6           Education and the Articulation Coordinating  
7           Committee; revising provisions relating to the  
8           offering of certain courses; providing for the  
9           classifying of degree vocational education  
10          programs; amending s. 229.8075, F.S., relating  
11          to the Florida Education and Training Placement  
12          Information Program; requiring job retention  
13          data; amending s. 236.081, F.S.; providing  
14          funding for the co-enrollment of secondary  
15          students; amending s. 239.105, F.S.; revising  
16          and adding definitions relating to adult and  
17          vocational education; amending s. 239.115,  
18          F.S., relating to funds for operation of adult  
19          general education and vocational education  
20          programs; revising provisions relating to  
21          workforce development education programs;  
22          changing the name of the associate in applied  
23          technology degree to the applied technology  
24          diploma; revising funding for adults with  
25          disabilities; revising provisions relating to  
26          funding through the Workforce Development  
27          Education Fund; providing duties relating to  
28          workforce development programs and funding;  
29          providing for use of funds; creating the  
30          Workforce Development Capitalization Incentive  
31          Grant Program and providing requirements;

1 requiring audits and reviews of workforce  
2 development programs; amending s. 239.117,  
3 F.S.; revising provisions relating to  
4 postsecondary student fees; conforming  
5 provisions; revising certain requirements  
6 relating to student fee exemptions; revising  
7 provisions relating to fee schedules; amending  
8 s. 239.213, F.S., relating to  
9 vocational-preparatory instruction; deleting  
10 obsolete language; amending s. 239.229, F.S.,  
11 relating to vocational standards; conforming  
12 provisions; amending s. 239.233, F.S.;  
13 requiring job retention data; amending s.  
14 239.249, F.S., relating to performance-based  
15 funding for vocational and technical programs;  
16 amending s. 239.301, F.S.; revising adult  
17 general education provisions; amending s.  
18 240.115, F.S.; providing for the statewide  
19 articulation of workforce development  
20 coursework and certain degree programs;  
21 requiring the Articulation Coordinating  
22 Committee to establish standards; amending s.  
23 240.301, F.S., relating to mission and  
24 responsibilities of community colleges;  
25 conforming provisions; amending s. 240.35,  
26 F.S., relating to community college student  
27 fees; clarifying the inclusion of  
28 college-preparatory fee requirements; providing  
29 for fees relating to degree career education  
30 programs; revising certain requirements  
31 relating to student fee exemptions; revising

1 provisions relating to the use of financial aid  
2 fee revenues; amending s. 240.359, F.S.;  
3 providing for the funding of  
4 college-preparatory programs and certain degree  
5 programs through the community college program  
6 fund; amending s. 246.013, F.S., relating to  
7 participation in the common course designation  
8 and numbering system; revising certain  
9 requirements; requiring timely review of course  
10 inclusion and maintenance; amending s. 446.052,  
11 F.S., relating to preapprenticeship programs;  
12 conforming to the duties of the Division of  
13 Workforce Development; requiring the State  
14 Board of Community Colleges and the  
15 Commissioner of Education to investigate  
16 specified issues; providing duties of the  
17 commissioner, the Jobs and Education  
18 Partnership, the State Board of Community  
19 Colleges, and the Board of Regents; requiring  
20 establishment of an Employment Task Force for  
21 Adults with Disabilities and providing duties;  
22 providing effective dates.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Paragraphs (f) and (g) of subsection (1) of  
27 section 229.551, Florida Statutes, are amended to read:

28 229.551 Educational management.--

29 (1) The department is directed to identify all  
30 functions which under the provisions of this act contribute  
31 to, or comprise a part of, the state system of educational

1 accountability and to establish within the department the  
2 necessary organizational structure, policies, and procedures  
3 for effectively coordinating such functions. Such policies  
4 and procedures shall clearly fix and delineate  
5 responsibilities for various aspects of the system and for  
6 overall coordination of the total system. The commissioner  
7 shall perform the following duties and functions:

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

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

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

31

1 identify these courses as upper-division level or  
2 lower-division level.

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

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

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

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

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

30           1. Adopt guidelines for the participation of public  
31 school districts and community colleges in offering ~~college~~

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

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

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

29         4. Classify degree vocational education programs as  
30 either associate in science or associate in applied science  
31 degree programs.

1 Section 2. Subsection (1) of section 229.8075, Florida  
2 Statutes, is amended to read:

3 229.8075 Florida Education and Training Placement  
4 Information Program.--

5 (1) The Department of Education shall develop and  
6 maintain a continuing program of information management named  
7 the "Florida Education and Training Placement Information  
8 Program," the purpose of which is to compile, maintain, and  
9 disseminate information concerning the educational histories,  
10 placement and employment, enlistments in the United States  
11 armed services, and other measures of success of former  
12 participants in state educational and workforce development  
13 programs. Placement and employment information, where  
14 appropriate, shall contain data relevant to job retention,  
15 including retention rates.

16 Section 3. Paragraph (h) of subsection (1) of section  
17 236.081, Florida Statutes, is amended to read:

18 236.081 Funds for operation of schools.--If the annual  
19 allocation from the Florida Education Finance Program to each  
20 district for operation of schools is not determined in the  
21 annual appropriations act or the substantive bill implementing  
22 the annual appropriations act, it shall be determined as  
23 follows:

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

28 (h) Instruction outside required number of school  
29 days.--Students in grades 9 through 12 may be counted as  
30 full-time equivalent students for instruction provided outside  
31 the required number of school days if such instruction counts



1 as credit toward a high school diploma. However, if a high  
2 school student wishes to earn additional high school credits  
3 from an adult education program in a community college or  
4 school district, and enrolls in one or more adult secondary  
5 education courses offered by either ~~at the community college,~~  
6 including courses conducted at the high school, then the  
7 student's co-enrollment shall be funded by the proportional  
8 share of full-time equivalent enrollment generated through the  
9 Florida Education Finance Program for the student's enrollment  
10 at the high school. For co-enrollment instruction provided by  
11 a community college, enrollment funds shall be provided from  
12 the Florida Education Finance Program in a direct allocation  
13 to the Division of Community Colleges for distribution to the  
14 appropriate colleges. ~~school district must pay the community~~  
15 ~~college for the costs incurred because of the high school~~  
16 ~~student's co-enrollment.~~

17 Section 4. Section 239.105, Florida Statutes, is  
18 amended to read:

19 239.105 Definitions.--As used in this chapter, the  
20 term:

21 (1) "Adult basic education" means courses of  
22 instruction designed to improve the employability of the  
23 state's workforce through instruction in mathematics, reading,  
24 language, and workforce readiness skills at grade level  
25 equivalency 0-8.9. ~~at or below a fifth grade educational level~~  
26 ~~in the language arts, including English for speakers of other~~  
27 ~~languages, mathematics, natural and social sciences, consumer~~  
28 ~~education and other courses that enable an adult to attain~~  
29 ~~basic or functional literacy.~~

30 (2) "Adult ESOL" or "adult ESL" means noncredit  
31 English language courses designed to improve the employability

1 of the state's workforce through acquisition of communication  
2 skills and cultural competencies which enhance ability to  
3 read, write, speak, and listen in English. ESOL means English  
4 for Speaker of Other Languages. ESL means English as a Second  
5 Language. The two terms are interchangeable.

6 (3)(2) "Adult general education" means ~~a~~ comprehensive  
7 instructional programs designed to improve the employability  
8 of the state's workforce through ~~program of~~ adult basic  
9 education, adult secondary education, English for Speaker of  
10 Other Languages, vocational preparatory instruction, and  
11 instruction for adults with disabilities.~~general educational~~  
12 ~~development test instruction, and vocational preparatory~~  
13 ~~instruction.~~

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

20 (5)(3) "Adult secondary education" means courses  
21 through which a person receives high school credit that leads  
22 to the award of a high school diploma or courses of  
23 instruction through which a student prepares to take the  
24 general educational development test. ~~This includes grade~~  
25 ~~levels 9.0 through 12.9.~~

26 (6) "Adult student" is a student who is beyond the  
27 compulsory school age and who has legally left elementary or  
28 secondary school, or a high school student who is taking an  
29 adult course required for high school graduation.

30 (7) "Adult with disability," for the purpose of  
31 funding, means an individual who has a physical or mental

1 impairment that substantially limits one or more major life  
2 activities, has a record of such impairment, or is regarded as  
3 having such an impairment, and who requires modifications to  
4 the educational program, adaptive equipment, or specialized  
5 instructional methods and services in order to participate in  
6 workforce development programs that lead to competitive  
7 employment.

8 (8) "Applied technology diploma" means a document  
9 conferring completion of a program of study that is part of an  
10 associate in applied science degree or an associate in science  
11 degree, is less than 60 credit hours, and leads to employment  
12 in a specific occupation. Diploma programs may be delivered  
13 by community colleges only and shall be governed by a  
14 statewide articulation agreement in accordance with s.  
15 240.115. Articulation to a degree program is subject to  
16 guidelines and standards adopted by the Articulation  
17 Coordinating Committee pursuant to s. 229.551(1)(g).

18 (9)(4) "Basic literacy," which is also referred to as  
19 "beginning adult basic education," means the demonstration of  
20 academic competence from 2.0 through 5.9 educational grade  
21 levels as measured by means approved for this purpose by the  
22 State Board of Education.

23 (10)(5) "Beginning literacy" means the demonstration  
24 of academic competence from 0 through 1.9 educational grade  
25 levels as measured by means approved for this purpose by the  
26 State Board of Education.

27 (11) "Co-enrollment" means current enrollment of a  
28 high school student, 16 years of age or older, in both a high  
29 school and a postsecondary education institution in order to  
30 earn additional high school credit through adult education.

31

1        (12)~~(6)~~ "College-preparatory instruction" means  
2 courses through which a high school graduate who applies for  
3 an associate in arts degree program or an associate in science  
4 ~~a~~ degree program may attain the communication and computation  
5 skills necessary to enroll in college credit instruction.

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

8        (14)~~(8)~~ "Community education" means the use of a  
9 school or other public facility as a community center operated  
10 in conjunction with other public, private, and governmental  
11 organizations for the purpose of providing educational,  
12 recreational, social, cultural, health, and community services  
13 for persons in the community in accordance with the needs,  
14 interests, and concerns of that community, including lifelong  
15 learning.

16        (15) "Continuing workforce education" means  
17 instruction that does not result in a vocational certificate,  
18 diploma, associate in applied science degree, or associate in  
19 science degree. Continuing workforce education is for:

20        (a) Individuals who are required to have training for  
21 licensure renewal or certification renewal by a regulatory  
22 agency or credentialing body;

23        (b) New or expanding businesses as described in  
24 chapter 288;

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

29        (d) Individuals who are enhancing occupational skills  
30 necessary to maintain current employment, to cross train, or  
31 to upgrade employment.

1           (16)~~(18)~~ "Degree vocational education program" means a  
2 program course of study that leads to an associate in applied  
3 science technology degree or an associate in science degree.  
4 A degree vocational education program may contain courses that  
5 ~~within it one or more occupational completion points and may~~  
6 lead to certificates or diplomas within the program course of  
7 study. The term is interchangeable with the term "degree  
8 career education program."

9           (17)~~(9)~~ "Department" means the Department of  
10 Education.

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

14           (18)~~(11)~~ "Family literacy" means a program for adults  
15 with a literacy component for parents and children or other  
16 intergenerational literacy components.

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

22           (20)~~(13)~~ "General educational development(GED)test  
23 preparation instruction" means courses of instruction designed  
24 to prepare adults for success on the five GED subject area  
25 tests leading to qualification for a State of Florida high  
26 school diploma.~~noncredit courses through which persons~~  
27 ~~prepare to take the general educational development test.~~

28           (21)~~(14)~~ "Lifelong learning" means a noncredit course  
29 or activity offered by a school district or community college  
30 which seeks to address community social and economic issues  
31 related to health and human relations, government, parenting,

1 consumer economics, and senior citizens. The course or  
2 activity must have specific expected outcomes that relate to  
3 one or more of these areas.

4 (22)~~(15)~~ "Local educational agency" means a community  
5 college or school district.

6 (23)~~(16)~~ "Local sponsor" means a school board,  
7 community college board of trustees, public library, other  
8 public entity, or private nonprofit entity, or any combination  
9 of these entities, that provides adult literacy instruction.

10 (24)~~(17)~~ "Vocational certificate program"~~"Certificate~~  
11 ~~vocational education program"~~ means a program ~~course~~ of study  
12 ~~that leads to at least one occupational completion point. The~~  
13 ~~program may also confer credit that~~ may articulate with a  
14 diploma or degree career education program, if authorized by  
15 rules of the Department of Education. Any ~~college~~ credit  
16 instruction designed to articulate to a degree program is  
17 subject to guidelines and standards adopted by the  
18 Articulation Coordinating Committee pursuant to s.  
19 229.551(1)(g). The term is interchangeable with the term  
20 "certificate career education program."

21 ~~(19)~~ "~~Occupational completion point~~" means the  
22 ~~vocational competencies that qualify a person to enter an~~  
23 ~~occupation that is linked to a vocational program.~~

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

27 ~~(21)~~ "~~Quantitative literacy~~" means the demonstration  
28 ~~of competence in the application of arithmetic operations to~~  
29 ~~materials such as loan documents, sale advertisements, order~~  
30 ~~forms, and checking accounts.~~

31

1           ~~(25)~~~~(22)~~ "Vocational education planning region" means  
2 the geographic area in which career or adult education is  
3 provided. Each vocational region is contiguous with one of  
4 the 28 community college service areas. The term may be used  
5 interchangeably with the term "career education planning  
6 region."

7           ~~(26)~~~~(23)~~ "Vocational-preparatory instruction" means  
8 adult general education through which persons attain academic  
9 and workforce readiness skills at the level of functional  
10 literacy(grade levels 6.0-8.9)or higher so that such persons  
11 may pursue certificate career education or higher-level career  
12 education.

13           ~~(27)~~ "Vocational program" means a group of identified  
14 competencies leading to occupations identified by a  
15 classification or instruction program number. Program  
16 completion means a student has successfully completed all  
17 coursework and mastered appropriate competencies in a  
18 particular vocational or adult education program to qualify  
19 for a certificate, diploma, or degree.

20           ~~(28)~~~~(25)~~ "Workforce development education" means adult  
21 general education or vocational education and may consist of a  
22 continuing workforce education course ~~single course~~ or a  
23 program ~~course~~ of study leading to ~~an occupational completion~~  
24 ~~point~~, a vocational certificate, an applied technology  
25 diploma, or a vocational education ~~an associate in applied~~  
26 ~~technology degree, or an associate in science degree.~~

27           ~~(29)~~~~(24)~~ "Workforce literacy" means the basic skills  
28 necessary to perform in entry-level occupations or the skills  
29 necessary to adapt to technological advances in the workplace.

30           Section 5. Section 239.115, Florida Statutes, is  
31 amended to read:

1           239.115 Funds for operation of adult general education  
2 and vocational education programs.--

3           (1) As used in this section, the terms "workforce  
4 development education" and "workforce development program"  
5 include:

6           (a) Adult general education programs designed to  
7 improve the employability skills of the state's workforce  
8 through adult basic education, adult secondary education, GED  
9 preparation, and vocational-preparatory education.†

10           ~~(b) Certificate Vocational certificate education~~  
11 ~~programs, including courses that lead to an occupational~~  
12 ~~completion point within a program that terminates in either a~~  
13 ~~certificate or a degree;~~

14           (c) Applied technology diploma programs.

15           (d) Continuing workforce education courses.

16           ~~(e)(d)~~ Apprenticeship and preapprenticeship programs  
17 as defined in s. 446.021.

18           ~~(f)(c)~~ Degree vocational education programs ~~that lead~~  
19 ~~to an associate in applied technology degree or an associate~~  
20 ~~in science degree; and~~

21           (2) An applied technology diploma and degree  
22 vocational education may be offered at community colleges  
23 only. Any other workforce development education program may be  
24 offered by a community college or a school district. However,  
25 if a workforce development education program offered at a  
26 community college contains within it a certificate ~~Any~~  
27 ~~workforce development education program may be conducted by a~~  
28 ~~community college or a school district, except that an~~  
29 ~~associate in science degree may be awarded only by a community~~  
30 ~~college. However, if an associate in science degree program~~  
31 ~~contains within it an occupational completion point that~~



1 ~~confers a certificate or an associate in applied technology~~  
2 ~~degree~~, that portion of the program may be conducted by a  
3 school district technical center, community college, or other  
4 authorized entity. Any ~~college credit~~ instruction designed to  
5 articulate to a degree program is subject to guidelines and  
6 standards adopted by the Articulation Coordinating Committee  
7 pursuant to s. 229.551(1)(g).

8 (3) Workforce development education, as defined in  
9 this section, for adults with disabilities, as defined in s.  
10 239.105, shall include a continuum of services including the  
11 provision of modifications and accommodations. For adults with  
12 disabilities who require more specialized services or  
13 programs, such services and programs shall also be available.  
14 Workforce development education for adults with disabilities  
15 shall be funded as provided in this section, except for the  
16 following:

17 (a) Adults with disabilities, as defined in s.  
18 239.105, who complete a workforce development program shall be  
19 weighted double for the achievement of performance outputs and  
20 outcomes.

21 (b) For adults with disabilities who require more  
22 specialized services or programs, funding in this section  
23 shall be supplemented with programming or funding available  
24 from other agencies serving adults with disabilities to  
25 support the cost of these specialized services or programs.

26 (c) For adults with disabilities who do not meet the  
27 definition in s. 239.105, appropriate programs and services,  
28 other than workforce development programs, shall be provided  
29 by the appropriate agency. The smooth transition of these  
30 persons to more appropriate programs funded by other agencies  
31

1 shall be addressed in recommendations of the Employment Task  
2 Force for Adults with Disabilities.

3  
4 This subsection shall take effect July 1, 1999. For fiscal  
5 year 1998-1999, the funding level supporting individuals  
6 affected by this subsection shall not be reduced, in order to  
7 support the continuance of this current program. School  
8 districts and community colleges shall not discriminate  
9 against individuals currently receiving services and must  
10 continue to serve these individuals.~~if a program for disabled~~  
11 ~~adults pursuant to s. 239.301 is a workforce development~~  
12 ~~program as defined in this section it must be funded as~~  
13 ~~provided in this section.~~

14 (4) The Florida Workforce Development Education Fund  
15 is created to provide performance-based funding for ~~all~~  
16 workforce development programs, whether the programs are  
17 offered by a school district or a community college. Funding  
18 for ~~all~~ workforce development education programs defined in  
19 paragraphs (1)(a)-(e) must be from the Workforce Development  
20 Education Fund and must be based on cost categories,  
21 performance output measures, and performance outcome measures.  
22 This subsection takes effect July 1, 1999 ~~1998~~.

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

29 (b)1. The performance output measure for ~~a~~ vocational  
30 education programs ~~course~~ of study funded through the  
31 Workforce Development Education Fund is student completion of

1 ~~the vocational a single course; a program of study that leads~~  
2 ~~to an occupational completion point associated with a~~  
3 ~~certificate; an apprenticeship program; or a program that~~  
4 ~~leads to an associate in applied technology degree or an~~  
5 ~~associate in science degree.~~

6         2. The performance output measure for an adult general  
7 education course of study is measurable improvement in student  
8 skills. This measure shall include improvement in literacy  
9 skills, grade level improvement as measured by an approved  
10 test, or attainment of a general educational development  
11 diploma or an adult high school diploma.

12         (c) The performance outcome measures for programs  
13 funded through the Workforce Development Education Fund are  
14 associated with placement and retention of students after  
15 completion of a program course of study. These measures  
16 include placement or retention in employment that is related  
17 to the program course of study; placement into or retention in  
18 employment in an occupation on the Occupational Forecasting  
19 Conference list of high-wage, high-skill occupations with  
20 sufficient openings; and placement and retention of WAGES  
21 clients or former WAGES clients; ~~and retention in employment~~  
22 ~~of former WAGES clients.~~ Placement and retention must be  
23 reported pursuant to ss. 229.8075 and 239.233.

24         (5) State funding and student fees for workforce  
25 development instruction funded through the Workforce  
26 Development Education Fund shall be established as follows:

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

31

1       (b) For all other workforce development education  
2 funded through the Workforce Development Education Fund, state  
3 funding shall equal 75 percent of the average cost of  
4 instruction with the remaining 25 percent made up from student  
5 fees. Fees for courses within a program shall not vary  
6 according to the cost of the individual program, but instead  
7 shall be based on a uniform fee calculated and set at the  
8 state level within the General Appropriations Act.

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

12       (6) The Jobs and Education Partnership, in  
13 consultation with the Division of Community Colleges and the  
14 Division of Workforce Development, shall provide advice to  
15 improve the outcomes of courses and programs designed for  
16 workforce development provided by public school districts and  
17 community colleges. Annually, the Jobs and Education  
18 Partnership shall make recommendations to the Legislature  
19 regarding programs and funding incentives designed to improve  
20 postsecondary vocational and adult education programs.

21       (7) Beginning fiscal year 1999-2000, a school district  
22 or a community college that provides workforce development  
23 education funded through the Workforce Development Education  
24 Fund shall receive funds in accordance with distributions for  
25 base and performance funding established by the Legislature in  
26 the General Appropriations Act, pursuant to the following  
27 conditions:

28       (a) Base funding shall not exceed 85 percent of the  
29 current fiscal year total Workforce Development Education Fund  
30 allocation, which shall be distributed by the Legislature in  
31 the General Appropriations Act based on the previous fiscal

1 year enrollment data, after application of program cost  
2 factors, standardized program lengths, and school district and  
3 community college district cost differentials. The cost  
4 category of a course that is part of a vocational program or  
5 an adult general education program is the same as that of the  
6 program. For years 1999-2000, school districts and community  
7 colleges shall be awarded base funding on 1998-1999  
8 enrollment.

9 (b) Performance funding shall be at least 15 percent  
10 of the current fiscal year total Workforce Development  
11 Education Fund allocation, which shall be distributed by the  
12 Legislature in the General Appropriations Act based on  
13 previous fiscal year achievement of output and outcomes in  
14 accordance with formulas adopted pursuant to subsection (9).  
15 In implementing this section, performance funds set aside from  
16 the Workforce Development Education Fund shall not be  
17 commingled with funds from the Community College Program Fund  
18 or the Florida Education Finance Program. For fiscal year  
19 1999-2000, school districts and community colleges shall be  
20 awarded funds pursuant to this paragraph based on performance  
21 output and outcome data for fiscal year 1998-1999.

22 (8) A school district or community college that earns  
23 performance funding must use the money to benefit the  
24 postsecondary vocational and adult education programs it  
25 provides. The money may be used for equipment upgrades,  
26 program expansions, or any other use that would result in  
27 workforce development program improvement. The school board or  
28 community college board of trustees may not withhold any  
29 portion of the performance funding for indirect costs. Funds  
30 awarded pursuant to this section may be carried across fiscal  
31

1 years and shall not revert to any other fund maintained by the  
2 school board or community college board of trustees.

3 (9) The Department of Education, in conjunction with  
4 the Jobs and Education Partnership and the Florida Education  
5 and Training Placement Information Program office, shall  
6 provide the Legislature with recommended formulas, criteria,  
7 timeframes, and mechanisms for distributing performance funds.

8 The Legislature shall adopt a formula and distribute the  
9 performance funds to the Division of Community Colleges and  
10 the Division of Workforce Development through the General  
11 Appropriations Act. These recommendations shall be based on  
12 formulas that would discourage low-performing or low-demand  
13 programs and encourage through performance funding awards:

14 (a) Programs that prepare people to enter high-wage  
15 occupations identified by the Occupational Forecasting  
16 Conference created by s. 216.136 and other programs as  
17 approved by the Jobs and Education Partnership. At a minimum,  
18 performance incentives shall be calculated for adults who  
19 complete programs that lead to specified high-wage employment  
20 and to their placement in that employment.

21 (b) Programs that successfully prepare adults who are  
22 eligible for public assistance, economically disadvantaged,  
23 disabled, not proficient in English, or dislocated workers for  
24 high-wage occupations. At a minimum, performance incentives  
25 shall be calculated for the program completion of adults  
26 identified in this paragraph and job placement of such adults  
27 upon program completion.

28 (c) Programs identified by the Jobs and Education  
29 Partnership as increasing the effectiveness and cost  
30 efficiency of education.

31

1       (10) The Jobs and Education Partnership, upon the  
2 recommendation of a regional workforce development board, may  
3 expand the occupations that are included in performance  
4 funding. Occupations so identified must meet needs created by  
5 local emergencies, plant closings, or other measurable  
6 regional needs or demands. The Jobs and Education Partnership  
7 may also add occupations to the list of recommendations  
8 produced by the Occupational Forecasting Conference if the  
9 Quick-Response Advisory Committee recommends them as emerging  
10 occupations according to s. 288.047.

11       ~~(5) Initial state funding is generated by student~~  
12 ~~enrollment in a course of study. When the student completes~~  
13 ~~the course of study or the program, the agency may collect the~~  
14 ~~remaining state funding. This subsection takes effect July 1,~~  
15 ~~1998.~~

16       ~~(6) The total state funding entitlement for each~~  
17 ~~course of study is determined by its length, the output~~  
18 ~~measures, and its cost category. The district cost~~  
19 ~~differential, as established annually in the General~~  
20 ~~Appropriations Act, must be applied to the appropriation for~~  
21 ~~the workforce development education fund.~~

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

27       ~~2. For a program that results in an occupational~~  
28 ~~completion point, an educational agency may collect 100~~  
29 ~~percent of the cost of the program, with 85 percent generated~~  
30 ~~from a combination of student fees and state support during a~~  
31 ~~student's enrollment, and the remaining 15 percent generated~~

1 ~~upon the student's reaching an occupational completion point~~  
2 ~~or completing the program.~~

3 ~~(b) Student output measures for adult education~~  
4 ~~instruction consist of improvement in literacy skills, grade~~  
5 ~~level improvement as measured by an approved test, or~~  
6 ~~attainment of a general education development diploma or an~~  
7 ~~adult high school diploma.~~

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

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

22 ~~(8) For each course of study, an educational agency~~  
23 ~~that serves students in workforce education programs shall~~  
24 ~~submit an enrollment count each semester, which shall replace~~  
25 ~~the full-time equivalent student enrollment used by the~~  
26 ~~Florida Education Finance Program and the enrollment~~  
27 ~~calculation used by the Community College Program Fund. The~~  
28 ~~Division of Workforce Development shall calculate the funding~~  
29 ~~entitlement for that semester by a date established by the~~  
30 ~~Department of Education. This subsection takes effect July 1,~~  
31 ~~1998.~~



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

17           (11) The Legislature recognizes that the need for  
18 school districts and community colleges to be able to respond  
19 to emerging local or statewide economic development needs is  
20 critical to the workforce development system. The Workforce  
21 Development Capitalization Incentive Grant Program is created  
22 to provide grants to school districts and community colleges  
23 on a competitive basis to fund some or all of the costs  
24 associated with the creation or expansion of workforce  
25 development programs which serve specific employment workforce  
26 needs.

27           (a) Funds awarded for a workforce development  
28 capitalization incentive grant may be used for instructional  
29 equipment, laboratory equipment, supplies, personnel, student  
30 services, or other expenses associated with the creation or  
31 expansion of a workforce development program. Expansion of a

1 program may include either the expansion of enrollments in a  
2 program or expansion into new areas of specialization within a  
3 program. No grant funds may be used for recurring  
4 instructional costs.

5 (b) The Jobs and Education Partnership shall accept  
6 applications from school districts or community colleges for  
7 workforce development capitalization incentive grants.  
8 Applications from school districts or community colleges shall  
9 contain projected enrollments for the new or expanded  
10 workforce development program and projected costs of the new  
11 or expanded workforce development program. The Jobs and  
12 Education Partnership shall review each application for a  
13 grant according to the criteria provided in paragraph (c) and  
14 shall submit to the Legislature a list of all applications  
15 that are recommended for the award of grants arranged in order  
16 of priority. The Division of Workforce Development shall  
17 administer grants only for projects that are approved by the  
18 Jobs and Education Partnership and for which funds are  
19 appropriated by the Legislature.

20 (c) Top priority shall be given to programs that train  
21 people to enter high-skill, high-wage occupations as  
22 identified by the Occupational Forecasting Conference;  
23 programs that train people to enter occupations on the WAGES  
24 list; or programs that train targeted student populations to  
25 enter the workforce pursuant to paragraph (9)(b). The Jobs and  
26 Education Partnership shall consider the statewide geographic  
27 dispersion of grant funds in ranking the applications.  
28 Priority shall be assigned to those institutions which are  
29 maximizing their allocation from the Workforce Development  
30 Education Fund by offering programs which are not  
31 low-performing or low-demand in nature.

1           (d) The Jobs and Education Partnership shall recommend  
2 to the State Board of Education rules necessary to implement  
3 this subsection.

4           ~~(12)(10)~~ A high school student dually enrolled under  
5 s. 240.116 in a workforce development program funded through  
6 the Workforce Development Education Fund and operated by a  
7 community college or school district technical center  
8 generates the amount calculated by the Workforce Development  
9 Education Fund, including any payment of performance funding  
10 ~~incentives~~, and the proportional share of full-time equivalent  
11 enrollment generated through the Florida Education Finance  
12 Program for the student's enrollment in a high school. If a  
13 high school student is dually enrolled in a community college  
14 program, including a program conducted at a high school, the  
15 community college earns the funds generated through the  
16 Workforce Development Education Fund and the school district  
17 earns the proportional share of full-time equivalent funding  
18 from the Florida Education Finance Program. If a student is  
19 dually enrolled in a technical center operated by the same  
20 district as the district in which the student attends high  
21 school, that district earns the funds generated through the  
22 Workforce Development Education Fund and also earns the  
23 proportional share of full-time equivalent funding from the  
24 Florida Education Finance Program. If a student is dually  
25 enrolled in a workforce development program provided by a  
26 technical center operated by a different school district, the  
27 funds must be divided between the two school districts  
28 proportionally from the two funding sources. A student may not  
29 be reported for funding in a dual enrollment workforce  
30 development program unless the student has completed the basic  
31 skills assessment pursuant to s. 239.213.

1        (13)~~(11)~~ The Department of Education may adopt rules  
2 to administer this section.

3        (14) The Auditor General shall annually audit the  
4 Workforce Development Education Fund. The Office of Program  
5 Policy Analysis and Government Accountability shall review the  
6 workforce development program and provide a report to the  
7 Legislature by December 31, 2000, and thereafter at the  
8 direction of the Joint Legislative Auditing Committee. Such  
9 audits and reviews shall be based on source data at the  
10 community colleges and school districts. The Auditor General  
11 must audit calculations and distributions in conjunction with  
12 the funding unit audit of the Division of Workforce  
13 Development of the Department of Education.

14        Section 6. Section 239.117, Florida Statutes, as  
15 amended by chapter 97-383, Laws of Florida, is amended to  
16 read:

17        239.117 Workforce development postsecondary student  
18 fees.--

19        (1) This section applies to students enrolled in  
20 workforce development programs, ~~including programs and courses~~  
21 ~~leading to an associate in applied technology degree or an~~  
22 ~~associate in science degree~~ who are reported for funding  
23 through the Workforce Development Education Fund.

24        (2) All students shall be charged fees except students  
25 who are exempt from fees or students whose fees are waived.

26        (3) The following students are exempt from any  
27 requirement for the payment of registration, matriculation,  
28 and laboratory fees for adult basic, adult secondary, or  
29 vocational-preparatory instruction:

30        (a) A student who does not have a high school diploma  
31 or its equivalent.

1           (b) A student who has a high school diploma or its  
2 equivalent and who has academic skills at or below the eighth  
3 grade level pursuant to state board rule. A student is  
4 eligible for this exemption from fees if the student's skills  
5 are at or below the eighth grade level as measured by a test  
6 administered in the English language and approved by the  
7 Department of Education, even if the student has skills above  
8 that level when tested in the student's native language.

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

11           (a) A student enrolled in a dual enrollment or early  
12 admission program pursuant to s. 239.241.

13           (b) A student enrolled in an approved apprenticeship  
14 program, as defined in s. 446.021.

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

29           (d) A student enrolled in an employment and training  
30 program under the WAGES Program. ~~Such a student may receive a~~  
31 ~~fee exemption only if the student applies for and does not~~

1 ~~receive student financial aid, including Job Training~~  
2 ~~Partnership Act or Family Support Act funds. Schools and~~  
3 ~~community colleges shall help such students apply for~~  
4 ~~financial aid, but may not deny such students program~~  
5 ~~participation during the financial aid application process.~~  
6 ~~Such a student may not be required to incur debt within the~~  
7 ~~financial aid package.~~The local WAGES coalition shall pay the  
8 community college or school district for costs incurred for  
9 WAGES clients.

10 (e) A student who lacks a fixed, regular, and adequate  
11 nighttime residence or whose primary nighttime residence is a  
12 public or private shelter designed to provide temporary  
13 residence for individuals intended to be institutionalized, or  
14 a public or private place not designed for, or ordinarily used  
15 as, a regular sleeping accommodation for human beings.

16 (5) School districts and community colleges may waive  
17 fees for any fee-nonexempt student. The total value of fee  
18 waivers granted by the school district or community college  
19 may not exceed the amount established annually in the General  
20 Appropriations Act. Any student whose fees are waived in  
21 excess of the authorized amount may not be reported for state  
22 funding purposes. Any school district or community college  
23 that waives fees and requests state funding for a student in  
24 violation of the provisions of this section shall be penalized  
25 at a rate equal to 2 times the value of the full-time student  
26 enrollment reported.

27 (6)(a) The Commissioner of Education shall provide  
28 ~~recommend~~ to the State Board of Education no later than  
29 December 31 of each year a schedule of fees for workforce  
30 development education funded through the Workforce Development  
31 Education Fund. For students who are residents for tuition

1 purposes, the fee schedule shall be based on the amount of  
2 student fees necessary to produce 25 percent of the prior  
3 year's average cost of a program ~~course~~ of study ~~leading to a~~  
4 ~~certificate or degree~~ and 50 percent of the prior year's  
5 average cost of a continuing workforce education course ~~that~~  
6 ~~does not lead to an occupational completion point~~. At the  
7 discretion of a school board or a community college, this fee  
8 schedule may be implemented over a 3-year period, with full  
9 implementation in the 1999-2000 school year. In years  
10 preceding that year, if fee increases are necessary for some  
11 programs or courses, the fees shall be raised in increments  
12 designed to lessen their impact upon students already  
13 enrolled. Fees for students who are not residents for tuition  
14 purposes must offset the full cost of instruction.  
15 Fee-nonexempt students enrolled in vocational-preparatory  
16 instruction shall be charged fees equal to the fees charged  
17 for certificate career education instruction. Each community  
18 college that conducts college-preparatory and  
19 vocational-preparatory instruction in the same class section  
20 may charge a single fee for both types of instruction.

21 (b) The State Board of Education shall adopt a fee  
22 schedule for school districts and community colleges that  
23 produces the fee revenues calculated pursuant to paragraph  
24 (a). The schedule so calculated shall take effect, unless  
25 otherwise specified in the General Appropriations Act.

26 (c) The State Board of Education shall adopt, by rule,  
27 the definitions and procedures that school boards and  
28 community colleges shall use in the calculation of cost borne  
29 by students. ~~Such rule must define the cost of educational~~  
30 ~~programs as the product of semester enrollment counts times~~  
31 ~~the average instructional cost for the course of study,~~

1 ~~divided by the number of semesters in the course of study. A~~  
2 ~~course of study is a single course or a series of two or more~~  
3 ~~courses leading to an occupational completion point, an~~  
4 ~~associate in applied technology degree, or an associate in~~  
5 ~~science degree. The rule shall be developed in consultation~~  
6 ~~with the Legislature.~~

7 ~~(7)(a) Each year the State Board of Community Colleges~~  
8 ~~shall review and evaluate the percentage of the cost of adult~~  
9 ~~programs and certificate career education programs supported~~  
10 ~~through student fees. If this review indicates that student~~  
11 ~~fees generate less than the percentage targeted for the~~  
12 ~~program, the State Board of Community Colleges shall adopt a~~  
13 ~~schedule of fee increases by December 31 for the following~~  
14 ~~fall semester. For students who are residents for tuition~~  
15 ~~purposes, the schedule so adopted must produce revenues equal~~  
16 ~~to 25 percent of the prior year's program cost for~~  
17 ~~college preparatory and supplemental vocational programs and~~  
18 ~~10 percent of the prior year's program cost for certificate~~  
19 ~~career education and vocational preparatory programs. The fee~~  
20 ~~schedule for lifelong learning programs shall be based on~~  
21 ~~student fees and nonstate funds necessary to produce 50~~  
22 ~~percent of the prior year's cost of lifelong learning~~  
23 ~~programs. State funds may not exceed 50 percent of the prior~~  
24 ~~year's cost of lifelong learning programs. The state board~~  
25 ~~may not increase fees more than 10 percent for students who~~  
26 ~~are residents for tuition purposes. Unless otherwise specified~~  
27 ~~in the General Appropriations Act, the fee schedule shall take~~  
28 ~~effect and the college shall expend student fees on~~  
29 ~~instruction. If the Legislature enacts a calculation~~  
30 ~~different than that adopted by the state board, the state~~  
31 ~~board shall adopt a fee schedule that generates the same~~



1 ~~revenues as the calculation contained in the General~~  
2 ~~Appropriations Act. Each community college board of trustees~~  
3 ~~shall establish matriculation, tuition, and noncredit fees~~  
4 ~~that may vary no more than 10 percent from the schedule~~  
5 ~~approved by the State Board of Education. Fees for students~~  
6 ~~who are not residents for tuition purposes must offset the~~  
7 ~~full cost of instruction.~~

8 ~~(b) Students enrolled in college-preparatory~~  
9 ~~instruction shall pay fees equal to the fees charged for~~  
10 ~~college credit courses. Students enrolled in the same~~  
11 ~~college-preparatory class within a skill area more than one~~  
12 ~~time shall pay fees at 100 percent of the full cost of~~  
13 ~~instruction and shall not be included in calculations of~~  
14 ~~full-time equivalent enrollments for state funding purposes;~~  
15 ~~however, students who withdraw or fail a class due to~~  
16 ~~extenuating circumstances may be granted an exception only~~  
17 ~~once for each class, provided approval is granted according to~~  
18 ~~policy established by the board of trustees. Each community~~  
19 ~~college shall have the authority to review and reduce payment~~  
20 ~~for increased fees due to continued enrollment in a~~  
21 ~~college-preparatory class on an individual basis, contingent~~  
22 ~~upon a student's financial hardship, pursuant to definitions~~  
23 ~~and fee levels established by the State Board of Community~~  
24 ~~Colleges. Fee-nonexempt students enrolled in~~  
25 ~~vocational-preparatory instruction shall be charged fees equal~~  
26 ~~to the fees charged for certificate career education~~  
27 ~~instruction. Each community college that conducts~~  
28 ~~college-preparatory and vocational-preparatory instruction in~~  
29 ~~the same class section may charge a single fee for both types~~  
30 ~~of instruction.~~

31

1           ~~(7)~~(8) Each school board and community college board  
2 of trustees may collect, for financial aid purposes, up to an  
3 additional 10 percent of the student fees collected for  
4 workforce development programs funded through the Workforce  
5 Development Education Fund. All fees collected shall be  
6 deposited into the student financial aid fee trust fund of the  
7 district or community college. Any undisbursed balance  
8 remaining in the trust fund and interest income accruing to  
9 investments from the trust fund shall increase the total funds  
10 available for distribution to certificate career education  
11 students. Awards shall be based on student financial need and  
12 distributed in accordance with a nationally recognized system  
13 of need analysis approved by the State Board for Career  
14 Education. Fees collected pursuant to this subsection shall  
15 be allocated in an expeditious manner.

16           ~~(8)~~(9) A district school board or a community college  
17 board of trustees may charge other fees only as authorized by  
18 rule of the State Board of Education or the State Board of  
19 Community Colleges.

20           ~~(9)~~(10) The State Board of Education and the State  
21 Board of Community Colleges shall adopt rules to allow the  
22 deferral of registration and tuition fees for students  
23 receiving financial aid from a federal or state assistance  
24 program when such aid is delayed in being transmitted to the  
25 student through circumstances beyond the control of the  
26 student. The failure to make timely application for such aid  
27 is an insufficient reason to receive a deferral of fees. The  
28 rules must provide for the enforcement and collection or other  
29 settlement of delinquent accounts.

30           ~~(10)~~(11) Any veteran or other eligible student who  
31 receives benefits under chapter 30, chapter 31, chapter 32,

1 chapter 34, or chapter 35 of Title 38, U.S.C., or chapter 106  
2 of Title 10, U.S.C., is entitled to one deferment each  
3 academic year and an additional deferment each time there is a  
4 delay in the receipt of benefits.

5 (11)~~(12)~~ Each school district and community college  
6 shall be responsible for collecting all deferred fees. If a  
7 school district or community college has not collected a  
8 deferred fee, the student may not earn state funding for any  
9 course for which the student subsequently registers until the  
10 fee has been paid.

11 (12)~~(13)~~ Any school district or community college that  
12 reports students who have not paid fees in an approved manner  
13 in calculations of full-time equivalent enrollments for state  
14 funding purposes shall be penalized at a rate equal to 2 times  
15 the value of such enrollments. Such penalty shall be charged  
16 against the following year's allocation from the Florida  
17 Workforce Development Education Fund or the Community College  
18 Program Fund and shall revert to the General Revenue Fund.  
19 The State Board of Education shall specify, in rule, approved  
20 methods of student fee payment. Such methods must include,  
21 but need not be limited to, student fee payment; payment  
22 through federal, state, or institutional financial aid; and  
23 employer fee payments.

24 (13)~~(14)~~ Each school district and community college  
25 shall report only those students who have actually enrolled in  
26 instruction provided or supervised by instructional personnel  
27 under contract with the district or community college in  
28 calculations of actual full-time enrollments for state funding  
29 purposes. A student who has been exempted from taking a  
30 course or who has been granted academic or vocational credit  
31 through means other than actual coursework completed at the

1 granting institution may not be calculated for enrollment in  
2 the course from which the student has been exempted or for  
3 which the student has been granted credit. School districts  
4 and community colleges that report enrollments in violation of  
5 this subsection shall be penalized at a rate equal to 2 times  
6 the value of such enrollments. Such penalty shall be charged  
7 against the following year's allocation from the Workforce  
8 Development Education Fund and shall revert to the General  
9 Revenue Fund.

10 (14)~~(15)~~ School boards and community college boards of  
11 trustees may establish scholarship funds using donations. If  
12 such funds are established, school boards and community  
13 college boards of trustees shall adopt rules that provide for  
14 the criteria and methods for awarding scholarships from the  
15 fund.

16 (15)~~(16)~~ School boards and community college boards of  
17 trustees may establish, by rule, a consumable supply fee for  
18 postsecondary students enrolled in certificate career  
19 education or supplemental courses.

20 (16)~~(17)~~ Each school board and community college board  
21 of trustees may establish a separate fee for capital  
22 improvements, technology enhancements, or equipping buildings  
23 which may not exceed 5 percent of the matriculation fee for  
24 resident students or 5 percent of the matriculation and  
25 tuition fee for nonresident students. Funds collected by  
26 community colleges through these fees may be bonded only for  
27 the purpose of financing or refinancing new construction of  
28 educational facilities. The fee shall be collected as a  
29 component part of the registration and tuition fees, paid into  
30 a separate account, and expended only to construct and equip,  
31 maintain, improve, or enhance the certificate career education

1 or adult education facilities of the school district or  
2 community college. Projects funded through the use of the  
3 capital improvement fee must meet the survey and construction  
4 requirements of chapter 235. Pursuant to s. 216.0158, each  
5 school board and community college board of trustees shall  
6 identify each project, including maintenance projects,  
7 proposed to be funded in whole or in part by such fee. Capital  
8 improvement fee revenues may be pledged by a board of trustees  
9 as a dedicated revenue source to the repayment of debt,  
10 including lease-purchase agreements and revenue bonds, with a  
11 term not to exceed 20 years, only for the new construction of  
12 educational facilities. Community colleges may use the  
13 services of the Division of Bond Finance of the State Board of  
14 Administration to issue any bonds authorized through the  
15 provisions of this subsection. Any such bonds issued by the  
16 Division of Bond Finance shall be in compliance with the  
17 provisions of the State Bond Act. Bonds issued pursuant to the  
18 State Bond Act shall be validated in the manner provided by  
19 chapter 75. The complaint for such validation shall be filed  
20 in the circuit court of the county where the seat of state  
21 government is situated, the notice required to be published by  
22 s. 75.06 shall be published only in the county where the  
23 complaint is filed, and the complaint and order of the circuit  
24 court shall be served only on the state attorney of the  
25 circuit in which the action is pending. A maximum of 15 cents  
26 per credit hour may be allocated from the capital improvement  
27 fee for child care centers conducted by the school board or  
28 community college board of trustees.

29 Section 7. Subsection (2) of section 239.213, Florida  
30 Statutes, is amended to read:

31 239.213 Vocational-preparatory instruction.--

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

16           Section 8. Subsection (2) of section 239.229, Florida  
17 Statutes, is amended to read:

18           239.229 Vocational standards.--

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

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

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

28           3. Student development of individual career plans.

29           4. Integration of academic and vocational skills in  
30 the secondary curriculum.

31

1           5. Student preparation to enter the workforce and  
2 enroll in postsecondary education without being required to  
3 complete college-preparatory or vocational-preparatory  
4 instruction.

5           6. Student retention in school through high school  
6 graduation.

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

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

14           1. Student demonstration of the academic skills  
15 necessary to enter an occupation.

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

18           3. Vocational program articulation with other  
19 corresponding postsecondary programs and job training  
20 experiences.

21           4. Employer satisfaction with the performance of  
22 students who complete workforce development education reach  
23 ~~occupational completion points.~~

24           5. Student completion, and placement, and retention  
25 rates as defined in s. 239.233.

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

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

30  
31

1           2. The provision of timely, accurate information to  
2 the State Board for Career Education, the Legislature, and the  
3 public.

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

8           4. The development of program standards and  
9 industry-driven benchmarks for vocational, adult, and  
10 community education programs.

11           5. Overseeing school district and community college  
12 compliance with the provisions of this chapter.

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

21           Section 9. Paragraph (a) of subsection (1) of section  
22 239.233, Florida Statutes, is amended to read:

23           239.233 Reporting requirements.--

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



1 Education shall adopt by rule the specific measures and any  
2 definitions needed to establish the system of performance  
3 measures.

4 Section 10. Subsection (2) of section 239.249, Florida  
5 Statutes, is amended to read:

6 239.249 Market-driven, performance-based incentive  
7 funding for vocational and technical education programs.--

8 (2) The Jobs and Education Partnership shall provide  
9 oversight and advice to improve the outcomes of courses and  
10 programs designed for degree education and workforce  
11 development provided by public school districts and community  
12 colleges. Annually, the partnership shall make recommendations  
13 to the State Board of Education and the Legislature regarding  
14 grant programs and funding incentives designed to improve  
15 vocational and technical education programs.

16 Section 11. Paragraph (c) of subsection (4) and  
17 paragraph (a) of subsection (5) of section 239.301, Florida  
18 Statutes, are amended to read:

19 239.301 Adult general education.--

20 (4)

21 (c) The State Board of Education shall define, by  
22 rule, the levels and courses of instruction to be funded  
23 through the college-preparatory program. The state board shall  
24 coordinate the establishment of costs for college-preparatory  
25 courses, the establishment of statewide standards that define  
26 required levels of competence, acceptable rates of student  
27 progress, and the maximum amount of time to be allowed for  
28 completion of college-preparatory instruction.  
29 College-preparatory instruction is part of an associate in  
30 arts or an associate in science degree program and may not be  
31 funded as a workforce development education program.

1           (5)(a) An educational program for disabled adults may  
2 be conducted within and funded through the Workforce  
3 Development Education Fund,~~or~~ the Community College Program  
4 Fund, or as otherwise provided in law. Each school board or  
5 community college board of trustees that has an educational  
6 program for disabled adults shall submit a plan to the  
7 commissioner which includes, at a minimum:

8           1. A description of the population to be served and an  
9 estimation of the number of such students. The description and  
10 estimation must be provided for adults with disabilities as  
11 defined in s. 239.105 and for adults with disabilities who do  
12 not meet that definition.

13           2. A description of the courses and programs in the  
14 program, including corresponding expected student outputs and  
15 outcomes.

16           3. Provision for individualized educational plans and  
17 periodic student evaluation.

18           4. An interagency memorandum of agreement that  
19 provides for the coordination of adult education, career  
20 education, exceptional student education, the Department of  
21 Children and Family Services, vocational rehabilitation, and  
22 other local organizations whose adult disabled clients  
23 participate in the program.

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

27           6. Provision for a single administrator for adult  
28 courses and programs for the disabled.

29           Section 12. Subsections (1) and (2) of section  
30 240.115, Florida Statutes, are amended to read:

31

1           240.115 Articulation agreement; acceleration  
2 mechanisms.--  
3           (1)(a) Articulation between secondary and  
4 postsecondary education; admission of associate in arts degree  
5 graduates from Florida community colleges and state  
6 universities; admission of applied technology diploma program  
7 graduates from Florida community colleges; admission of  
8 associate in science degree and associate in applied science  
9 degree graduates from Florida community colleges;the use of  
10 acceleration mechanisms, including nationally standardized  
11 examinations through which students may earn credit; general  
12 education requirements and common course code numbers as  
13 provided for in s. 229.551(1)~~(f)4.~~; and articulation among  
14 programs in nursing shall be governed by the articulation  
15 agreement, as established by the Department of Education.  
16           **(b)** The articulation agreement must specifically  
17 provide that every associate in arts graduate of a Florida  
18 community college shall have met all general education  
19 requirements and must be granted admission to the upper  
20 division of a state university except to a limited access or  
21 teacher certification program or a major program requiring an  
22 audition. After admission has been granted to students under  
23 provisions of this section and to university students who have  
24 successfully completed 60 credit hours of coursework,  
25 including 36 hours of general education, and met the  
26 requirements of s. 240.107, admission shall be granted to  
27 State University System and Florida community college students  
28 who have successfully completed 60 credit hours of work,  
29 including 36 hours of general education. Community college  
30 associate in arts graduates shall receive priority for  
31 admission to a state university over out-of-state students.

1 Orientation programs and student handbooks provided to  
2 freshman enrollees and transfer students at state universities  
3 must include an explanation of this provision of the  
4 articulation agreement.

5 (c) The articulation agreement must guarantee the  
6 statewide articulation of appropriate workforce development  
7 programs and courses between school districts and community  
8 colleges and specifically provide that every applied  
9 technology diploma graduate must be granted admission to an  
10 associate in science degree or associate in applied science  
11 degree program unless it is a limited access program.  
12 Preference for admission shall be given to graduates who are  
13 residents of the State of Florida.

14 (d) By fall semester 1998, the articulation agreement  
15 must guarantee the statewide articulation of appropriate  
16 courses within associate in science degree programs to  
17 baccalaureate degree programs, according to standards  
18 established by the Articulation Coordinating Committee after  
19 consultation with the Board of Regents and the State Board of  
20 Community Colleges. Courses within an associate in applied  
21 science degree program may articulate into a baccalaureate  
22 degree program on an individual or block basis as provided for  
23 in local interinstitutional articulation agreements.

24 (e)~~(b)~~ Any student who transfers among regionally  
25 accredited postsecondary institutions that are fully  
26 accredited by a regional or national accrediting agency  
27 recognized by the United States Department of Education, and  
28 that participate in the common course designation and  
29 numbering system, shall be awarded credit by the receiving  
30 institution for courses satisfactorily completed by the  
31 student at the previous institutions. Credit shall be awarded

1 only if the courses are judged by the appropriate common  
2 course designation and numbering system faculty task force  
3 representing school district technical centers, community  
4 colleges, public universities, and participating private  
5 postsecondary education institutions to be academically  
6 equivalent to courses offered at the receiving institution,  
7 including consideration of faculty credentials, regardless of  
8 the public or nonpublic control of the previous institution.  
9 The award of credit may be limited to courses that are entered  
10 in the common course designation and numbering system. Credits  
11 awarded pursuant to this subsection shall satisfy  
12 institutional requirements on the same basis as credits  
13 awarded to native students.

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

1           Section 13. Paragraph (b) of subsection (3) of section  
2 240.301, Florida Statutes, is amended to read:

3           240.301 Community colleges; definition, mission, and  
4 responsibilities.--

5           (3) The primary mission and responsibility of public  
6 community colleges is responding to community needs for  
7 postsecondary academic education and degree career education.  
8 This mission and responsibility includes being responsible  
9 for:

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

23           Section 14. Section 240.35, Florida Statutes, as  
24 amended by chapter 97-383, Laws of Florida, is amended to  
25 read:

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

1           (1) The State Board of Community Colleges shall  
2 establish the matriculation and tuition fees for  
3 college-preparatory instruction and for credit instruction  
4 which may be counted toward an associate in arts degree, an  
5 associate in applied science degree, or an associate in  
6 science degree. ~~This instruction includes advanced programs~~  
7 ~~and professional programs.~~

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

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

1 eligible to receive a fee exemption for a maximum of 3  
2 consecutive years or 6 semesters.

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

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

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

27 (b) Community colleges may waive fees for any  
28 fee-nonexempt student. A student whose fees are waived in  
29 excess of the amount authorized annually in the General  
30 Appropriations Act may not be included in calculations of  
31 full-time equivalent enrollments for state funding purposes.



1 Any community college that waives fees and requests state  
2 funding for a student in violation of the provisions of this  
3 subsection shall be penalized at a rate equal to two times the  
4 value of the full-time equivalent student enrollment reported  
5 served. Such penalty shall be charged against the following  
6 year's allocation from the Community College Program Fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 Section 15. Paragraph (b) of subsection (1) of section  
28 240.359, Florida Statutes, is amended to read:

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

1 state financial support and the annual apportionment to each  
2 community college district authorized to operate a community  
3 college under the provisions of s. 240.313 shall be as  
4 follows:

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

8 (b) The allocation of funds for community colleges  
9 shall be based on advanced and professional disciplines,  
10 college-preparatory programs, associate in applied science  
11 degree programs, associate in science degree programs,and on  
12 other programs for adults funded pursuant to s. 239.115.

13 Section 16. Subsection (1) of section 246.013, Florida  
14 Statutes, is amended to read:

15 246.013 Participation in the common course designation  
16 and numbering system.--

17 (1) Nonpublic college credit granting postsecondary  
18 colleges and schools that have been issued a regular license  
19 pursuant to s. 246.081(2) or (3) or s. 246.215(1), or  
20 nonpublic college credit granting postsecondary colleges that  
21 are exempt from state licensure pursuant to s. 246.085(1)(a),  
22 and that are fully accredited by a regional or national  
23 accrediting agency recognized by the United States Department  
24 of Education, or nonpublic college credit granting  
25 postsecondary colleges that are exempt from state licensure  
26 pursuant to s. 246.085(1)(b),~~member of the Commission on~~  
27 ~~Colleges of the Southern Association of Colleges and Schools~~  
28 ~~and accredited nonpublic postsecondary colleges exempt from~~  
29 ~~state licensure pursuant to s. 246.085(1)(a)~~may participate  
30 in the common course designation and numbering system pursuant  
31 to s. 229.551. Participating colleges and schools shall bear

1 the costs associated with inclusion in the system and shall  
2 meet the terms and conditions for institutional participation  
3 in the system. The department shall adopt a fee schedule that  
4 includes the expenses incurred through data processing,  
5 faculty task force travel and per diem, and staff and clerical  
6 support time. Such fee schedule may differentiate between the  
7 costs associated with initial course inclusion in the system  
8 and costs associated with subsequent course maintenance in the  
9 system. Decisions regarding initial course inclusion and  
10 subsequent course maintenance shall be made within 120 days  
11 after submission of the required materials and fees by the  
12 institution. Any college currently participating in the  
13 system, and that participated in the system prior to July 1,  
14 1986, shall not be required to pay the costs associated with  
15 initial course inclusion in the system. Fees collected for  
16 participation in the common course designation and numbering  
17 system pursuant to the provisions of this section shall be  
18 deposited in the Institutional Assessment Trust Fund created  
19 by s. 246.31. The Legislature finds and declares that  
20 independent nonprofit colleges and universities eligible to  
21 participate in the Florida resident access grant program  
22 pursuant to s. 240.605 are an integral part of the higher  
23 education system in this state and that a significant number  
24 of state residents choose this form of higher education. Any  
25 independent college or university that is eligible to  
26 participate in the Florida resident access grant program shall  
27 not be required to pay the costs associated with participation  
28 in the common course designation and numbering system.

29 Section 17. Subsections (2) and (3) of section  
30 446.052, Florida Statutes, are amended to read:

31 446.052 Preapprenticeship program.--



1           (2) The Division of Workforce Development ~~Public~~  
2 ~~Schools and Community Education~~ of the Department of  
3 Education, under regulations established by the State Board of  
4 Education, is authorized to administer the provisions of ss.  
5 446.011-446.092 that relate to preapprenticeship programs in  
6 cooperation with district school boards and community college  
7 district boards of trustees. District school boards, community  
8 college district boards of trustees, and registered program  
9 sponsors shall cooperate in developing and establishing  
10 programs that include vocational instruction and general  
11 education courses required to obtain a high school diploma.

12           (3) The Division of Workforce Development ~~Public~~  
13 ~~Schools and Community Education~~, the district school boards,  
14 the community college district boards of trustees, and the  
15 Division of Jobs and Benefits shall work together with  
16 existing registered apprenticeship programs so that  
17 individuals completing such preapprenticeship programs may be  
18 able to receive credit towards completing a registered  
19 apprenticeship program.

20           Section 18. (1) The State Board of Community Colleges  
21 shall investigate issues associated with the encouragement of  
22 a joint-use facilities model for workforce development  
23 programs by community colleges and school districts which  
24 mirrors the joint-use facilities model utilized by the State  
25 University System in conjunction with the State Community  
26 College System.

27           (2) The board shall report findings and  
28 recommendations to the Legislature by December 1, 1998.

29           Section 19. (1) The Commissioner of Education shall  
30 investigate issues associated with:

31

1       (a) The dissemination of information to all  
2 stakeholders concerning the new workforce development system.

3       (b) The design of a system that will enable local  
4 institutions to respond rapidly to the needs of business and  
5 industry for the development of new programs.

6       (c) The adoption of common reporting formats,  
7 consistent Workforce Development Information System data  
8 element definitions, a single database, and reporting window  
9 time periods.

10       (d) The establishment of a workforce development  
11 information system review committee which shall review and  
12 recommend adoption of, and changes to, Workforce Development  
13 Information System data elements; edit or report data; and  
14 develop methods to be used in reporting workforce development  
15 performances for funding and overall performance reviews. The  
16 work of the review committee shall coordinate with the  
17 performance tiers developed by the Jobs and Education  
18 Partnership.

19       (e) The expansion of the electronic transcript system  
20 to include new elements related to workforce development.

21       (f) Data collection and the implementation of funding  
22 mechanisms that fund performance outputs and outcomes for  
23 occupational completion points and literacy completion points.

24       (2) The Commissioner of Education and the Jobs and  
25 Education Partnership shall investigate the feasibility of the  
26 consolidation of state and federal workforce development funds  
27 into one common administrative entity.

28       (3) The Commissioner of Education, the State Board of  
29 Community Colleges, and the Board of Regents shall petition  
30 and work with accrediting agencies to ensure acceptance of  
31

1 Florida's articulation process, the applied technology  
2 diploma, and the associate in science degree.

3 (4) The Commissioner of Education and the State Board  
4 of Community Colleges shall review statutes and rules related  
5 to workforce development education with the intent of  
6 eliminating duplicative reporting of vocational and adult  
7 education data.

8 (5) The Commissioner of Education shall report to the  
9 Legislature before December 31, 1998, on the progress of the  
10 implementation of the provisions of this section and any final  
11 recommendations for statutory or policy changes.

12 Section 20. The Employment Task Force for Adults with  
13 Disabilities shall be established.

14 (1) The task force shall be composed of:

15 (a) The Secretary of Children and Family Services, or  
16 an appointed designee.

17 (b) The Secretary of Labor and Employment Security, or  
18 an appointed designee.

19 (c) The Commissioner of Education, or an appointed  
20 designee.

21 (d) The executive director of the State Board of  
22 Community Colleges, or an appointed designee.

23 (e) The president of the Jobs and Education  
24 Partnership.

25 (f) The executive director of the WAGES Program State  
26 Board of Directors.

27 (g) Three individuals with disabilities who currently  
28 receive adult basic education instruction and vocational  
29 education instruction, to be selected by the Advocacy Center  
30 for Persons with Disabilities.

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1       (h) Three vocational education instructors, to be  
2 selected by the Commissioner of Education.

3       (i) A representative of a local educational agency, to  
4 be selected by the Commissioner of Education.

5       (j) A representative from two community organizations  
6 that serve individuals with disabilities and provide  
7 vocational education to adults with disabilities through  
8 contract with local educational agencies. These  
9 representatives shall be selected by the Commissioner of  
10 Education.

11       (k) The executive director of the Florida  
12 Developmental Disabilities Council.

13  
14 The selections made by the Commissioner of Education shall  
15 ensure representation on the task force with a broad spectrum  
16 of persons, or organizations serving persons, with  
17 disabilities, including, but not limited to, persons who are  
18 developmentally delayed, blind, deaf, physically challenged,  
19 and persons with multiple disabilities.

20       (2) The task force shall be housed in the Department  
21 of Education which shall provide the necessary staffing to  
22 support the mission of the task force.

23       (3) Members of the task force shall not be entitled to  
24 compensation for their services, but shall be reimbursed for  
25 travel expenses as provided in s. 112.061, Florida Statutes.

26       (4) The Commissioner of Education, or the  
27 commissioner's designee, shall serve as the chair of the task  
28 force.

29       (5) The task force shall review available data on  
30 funding for adults with disabilities, as defined in s.  
31 239.105, Florida Statutes. If current data is insufficient,

1 the task force shall develop and initiate the collection of  
2 accurate data. Once accurate data is acquired, and a cost for  
3 servicing this population has been identified, the task force  
4 shall recommend the best source of funding to serve this  
5 vulnerable population in the future.

6 (6) The task force shall evaluate issues regarding the  
7 appropriate funding for the delivery of adult general  
8 education and postsecondary vocational education for adults  
9 with disabilities.

10 (7) The task force shall evaluate the recommendations  
11 made in the final report to the Legislature by the  
12 Commissioner's Task Force on Workforce Development relating to  
13 curriculum and outcomes, eligibility criteria, teacher  
14 requirements, and student-to-staff ratios of the adults with  
15 disabilities workforce program. The task force shall evaluate  
16 these recommendations to ensure that the levels are consistent  
17 with the abilities of the defined population and do not  
18 preclude any individual capable of working toward competitive  
19 employment from participating in workforce programs.

20 (8) Prior to completing its mission, the task force  
21 shall hold public hearings in a minimum of four locations,  
22 geographically spread out through Florida, to allow affected  
23 parties the opportunity for input. These meetings must be held  
24 at locations that are accessible to individuals with  
25 disabilities, as defined under the Americans with Disabilities  
26 Act.

27 (9) The task force shall submit a final report to the  
28 Commissioner of Education no later than December 1, 1998.

29 (10) Based on the task force report, the commissioner  
30 shall submit a final report, including a summary of the task  
31 force conclusions and recommended funding and substantive

1 statutory changes, to the President of the Senate, the Speaker  
2 of the House of Representatives, and the appropriate  
3 committees of both houses no later than January 1, 1999.

4 Section 21. Except as otherwise provided herein, this  
5 act shall take effect July 1 of the year in which enacted.

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8 HOUSE SUMMARY

9  
10 Revises and adds provisions relating to postsecondary  
11 education, including workforce development education. See  
12 bill for details.

13 \*\*\*\*\*

14 ADDITIONAL SPONSORS

15 Jacobs, Edwards, Meek, Rojas, Roberts-Burke, Bush, Bullard,  
16 Barreiro, Lynn, Fuller, Murman, Dockery, Argenziano, Mackey,  
17 Smith, Culp, Andrews, Turnbull, Thrasher, Warner,  
18 Rodriguez-Chomat and Mackenzie

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