

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.; removing
14 reference to funding for the co-enrollment of
15 secondary students; amending s. 239.105, F.S.;
16 revising and adding definitions relating to
17 adult and vocational education; amending s.
18 239.115, F.S., relating to funds for operation
19 of adult general education and vocational
20 education programs; revising provisions
21 relating to workforce development education
22 programs; changing the name of the associate in
23 applied technology degree to the applied
24 technology diploma; revising funding for adults
25 with disabilities; revising provisions relating
26 to 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.7
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 a community college and enrolls in one or more adult~~
4 ~~secondary education courses at the community college, the~~
5 ~~student's school district must pay the community college for~~
6 ~~the costs incurred because of the high school student's~~
7 ~~co-enrollment.~~

8 Section 4. Section 239.105, Florida Statutes, is
9 amended to read:

10 239.105 Definitions.--As used in this chapter, the
11 term:

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

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

28 (3)~~(2)~~ "Adult general education" means ~~a~~ comprehensive
29 instructional programs designed to improve the employability
30 of the state's workforce through ~~program~~ of adult basic
31 education, adult secondary education, English for Speaker of

1 Other Languages, vocational preparatory instruction, and
2 instruction for adults with disabilities.~~general educational~~
3 ~~development test instruction, and vocational preparatory~~
4 ~~instruction.~~

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

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

17 (6) "Adult student" is a student who is beyond the
18 compulsory school age and who has legally left elementary or
19 secondary school, or a high school student who is taking an
20 adult course required for high school graduation.

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

30 (8) "Applied technology diploma" means a document
31 conferring completion of a program of study that is part of an

1 associate in applied science degree or an associate in science
2 degree, is less than 60 credit hours, and leads to employment
3 in a specific occupation. Diploma programs may be delivered
4 by community colleges only and shall be governed by a
5 statewide articulation agreement in accordance with s.
6 240.115. Articulation to a degree program is subject to
7 guidelines and standards adopted by the Articulation
8 Coordinating Committee pursuant to s. 229.551(1)(g).

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

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

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

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

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

1 interests, and concerns of that community, including lifelong
2 learning.

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

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

10 (b) New or expanding businesses as described in
11 chapter 288;

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

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

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

27 (16)(9) "Department" means the Department of
28 Education.

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

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

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

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

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

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

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

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

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

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

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

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

18 (24)~~(22)~~ "Vocational education planning region" means
19 the geographic area in which career or adult education is
20 provided. Each vocational region is contiguous with one of
21 the 28 community college service areas. The term may be used
22 interchangeably with the term "career education planning
23 region."

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

30 (26) "Vocational program" means a group of identified
31 competencies leading to occupations identified by a

1 classification or instruction program number. Program
2 completion means a student has successfully completed all
3 coursework and mastered appropriate competencies in a
4 particular vocational or adult education program to qualify
5 for a certificate, diploma, or degree.

6 (27)~~(25)~~ "Workforce development education" means adult
7 general education or vocational education and may consist of a
8 continuing workforce education course ~~single course~~ or a
9 program ~~course~~ of study leading to ~~an occupational completion~~
10 ~~point,~~ a vocational certificate, an applied technology
11 diploma, or a vocational education ~~an associate in applied~~
12 ~~technology degree, or an associate in science degree.~~

13 (28)~~(24)~~ "Workforce literacy" means the basic skills
14 necessary to perform in entry-level occupations or the skills
15 necessary to adapt to technological advances in the workplace.

16 Section 5. Section 239.115, Florida Statutes, is
17 amended to read:

18 239.115 Funds for operation of adult general education
19 and vocational education programs.--

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

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

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

31 (c) Applied technology diploma programs.

1 (d) Continuing workforce education courses.

2 ~~(e)(d)~~ Apprenticeship and preapprenticeship programs
3 as defined in s. 446.021.

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

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

25 (3) Workforce development education, as defined in
26 this section, for adults with disabilities, as defined in s.
27 239.105, shall include a continuum of services including the
28 provision of modifications and accommodations. For adults with
29 disabilities who require more specialized services or
30 programs, such services and programs shall also be available.
31 Workforce development education for adults with disabilities

1 shall be funded as provided in this section, except for the
2 following:

3 (a) Adults with disabilities, as defined in s.
4 239.105, who complete a workforce development program shall be
5 weighted double for the achievement of performance outputs and
6 outcomes.

7 (b) For adults with disabilities who require more
8 specialized services or programs, funding in this section
9 shall be supplemented with programming or funding available
10 from other agencies serving adults with disabilities to
11 support the cost of these specialized services or programs.

12 (c) For adults with disabilities who do not meet the
13 definition in s. 239.105, appropriate programs and services,
14 other than workforce development programs, shall be provided
15 by the appropriate agency. The smooth transition of these
16 persons to more appropriate programs funded by other agencies
17 shall be addressed in recommendations of the Employment Task
18 Force for Adults with Disabilities.

19
20 This subsection shall take effect July 1, 1999. For fiscal
21 year 1998-1999, the funding level supporting individuals
22 affected by this subsection shall not be reduced, in order to
23 support the continuance of this current program. School
24 districts and community colleges shall not discriminate
25 against individuals currently receiving services and must
26 continue to serve these individuals.~~if a program for disabled~~
27 ~~adults pursuant to s. 239.301 is a workforce development~~
28 ~~program as defined in this section it must be funded as~~
29 ~~provided in this section.~~

30 (4) The Florida Workforce Development Education Fund
31 is created to provide performance-based funding for ~~all~~

1 workforce development programs, whether the programs are
 2 offered by a school district or a community college. Funding
 3 for ~~all~~ workforce development education programs defined in
 4 paragraphs (1)(a)-(e) must be from the Workforce Development
 5 Education Fund and must be based on cost categories,
 6 performance output measures, and performance outcome measures.
 7 This subsection takes effect July 1, 1999 ~~1998~~.

8 (a) The cost categories must be calculated to identify
 9 high-cost programs, medium-cost programs, and low-cost
 10 programs. The cost analysis used to calculate and assign a
 11 program ~~course~~ of study to a cost category must include at
 12 least both direct and indirect instructional costs, consumable
 13 supplies, equipment, and standard ~~optimum~~ program length.

14 (b)1. The performance output measure for ~~a~~ vocational
 15 education programs ~~course~~ of study funded through the
 16 Workforce Development Education Fund is student completion of
 17 the vocational ~~a single course; a program of study that leads~~
 18 ~~to an occupational completion point associated with a~~
 19 ~~certificate; an apprenticeship program; or a program that~~
 20 ~~leads to an associate in applied technology degree or an~~
 21 ~~associate in science degree.~~ Performance output measures for
 22 registered apprenticeship programs shall be based on program
 23 lengths that coincide with lengths established pursuant to the
 24 requirements of chapter 446.

25 2. The performance output measure for an adult general
 26 education course of study is measurable improvement in student
 27 skills. This measure shall include improvement in literacy
 28 skills, grade level improvement as measured by an approved
 29 test, or attainment of a general educational development
 30 diploma or an adult high school diploma.

31

1 (c) The performance outcome measures for programs
 2 funded through the Workforce Development Education Fund are
 3 associated with placement and retention of students after
 4 completion of a program ~~course~~ of study. These measures
 5 include placement or retention in employment that is related
 6 to the program ~~course~~ of study; placement into or retention in
 7 employment in an occupation on the Occupational Forecasting
 8 Conference list of high-wage, high-skill occupations with
 9 sufficient openings; and placement and retention of WAGES
 10 clients or former WAGES clients; ~~and retention~~ in employment
 11 ~~of former WAGES clients~~. Placement and retention must be
 12 reported pursuant to ss. 229.8075 and 239.233.

13 (5) Effective July 1, 1998, for school districts
 14 providing adult basic education for the elderly to at least
 15 10,000 students during fiscal year 1996-97, and to at least
 16 10,000 students during subsequent fiscal years, funds for
 17 these adult basic education courses for the elderly shall not
 18 be provided from the Workforce Development Education Fund, but
 19 shall be provided in a separate categorical subject to
 20 provisions defined in the General Appropriations Act. Unless
 21 exempt pursuant to s. 239.117, fees for these courses shall be
 22 set at no less than 10 percent of the average cost of
 23 instruction.

24 (6) 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, as adopted by the State Board of Education,
9 unless otherwise specified in the General Appropriations Act.

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

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

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

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

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

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

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

31

1 (10) The Department of Education, in conjunction with
2 the Jobs and Education Partnership and the Florida Education
3 and Training Placement Information Program office, shall
4 provide the Legislature with recommended formulas, criteria,
5 timeframes, and mechanisms for distributing performance funds.
6 The Legislature shall adopt a formula and distribute the
7 performance funds to the Division of Community Colleges and
8 the Division of Workforce Development through the General
9 Appropriations Act. These recommendations shall be based on
10 formulas that would discourage low-performing or low-demand
11 programs and encourage through performance funding awards:

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

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

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

29 (11) The Jobs and Education Partnership, upon the
30 recommendation of a regional workforce development board, may
31 expand the occupations that are included in performance

1 funding. Occupations so identified must meet needs created by
2 local emergencies, plant closings, or other measurable
3 regional needs or demands. The Jobs and Education Partnership
4 may also add occupations to the list of recommendations
5 produced by the Occupational Forecasting Conference if the
6 Quick-Response Advisory Committee recommends them as emerging
7 occupations according to s. 288.047.

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

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

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

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

31

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

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

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

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

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

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

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

25 (a) Funds awarded for a workforce development
26 capitalization incentive grant may be used for instructional
27 equipment, laboratory equipment, supplies, personnel, student
28 services, or other expenses associated with the creation or
29 expansion of a workforce development program. Expansion of a
30 program may include either the expansion of enrollments in a
31 program or expansion into new areas of specialization within a

1 program. No grant funds may be used for recurring
2 instructional costs or for institutional indirect costs.

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

18 (c) Top priority shall be given to programs that train
19 people to enter high-skill, high-wage occupations as
20 identified by the Occupational Forecasting Conference;
21 programs that train people to enter occupations on the WAGES
22 list; or programs that train targeted student populations to
23 enter the workforce pursuant to paragraph (10)(b). The Jobs
24 and Education Partnership shall consider the statewide
25 geographic dispersion of grant funds in ranking the
26 applications. Priority shall be assigned to those institutions
27 which are maximizing their allocation from the Workforce
28 Development Education Fund by offering programs which are not
29 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 (13)~~(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 ~~(14)~~~~(11)~~ The Department of Education may adopt rules
2 to administer this section.

3 (15) 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 a separate workforce development ~~the~~ student
7 financial aid fee trust fund of the district or community
8 college for the purpose of supporting students enrolled in
9 workforce development programs. Any undisbursed balance
10 remaining in the trust fund and interest income accruing to
11 investments from the trust fund shall increase the total funds
12 available for distribution to certificate career education
13 students. Awards shall be based on student financial need and
14 distributed in accordance with a nationally recognized system
15 of need analysis approved by the State Board for Career
16 Education. Fees collected pursuant to this subsection shall
17 be allocated in an expeditious manner.

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

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

1 (10)~~(11)~~ Any veteran or other eligible student who
2 receives benefits under chapter 30, chapter 31, chapter 32,
3 chapter 34, or chapter 35 of Title 38, U.S.C., or chapter 106
4 of Title 10, U.S.C., is entitled to one deferment each
5 academic year and an additional deferment each time there is a
6 delay in the receipt of benefits.

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

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

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

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

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

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

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

1 a separate account, and expended only to construct and equip,
2 maintain, improve, or enhance the certificate career education
3 or adult education facilities of the school district or
4 community college. Projects funded through the use of the
5 capital improvement fee must meet the survey and construction
6 requirements of chapter 235. Pursuant to s. 216.0158, each
7 school board and community college board of trustees shall
8 identify each project, including maintenance projects,
9 proposed to be funded in whole or in part by such fee. Capital
10 improvement fee revenues may be pledged by a board of trustees
11 as a dedicated revenue source to the repayment of debt,
12 including lease-purchase agreements and revenue bonds, with a
13 term not to exceed 20 years, only for the new construction of
14 educational facilities. Community colleges may use the
15 services of the Division of Bond Finance of the State Board of
16 Administration to issue any bonds authorized through the
17 provisions of this subsection. Any such bonds issued by the
18 Division of Bond Finance shall be in compliance with the
19 provisions of the State Bond Act. Bonds issued pursuant to the
20 State Bond Act shall be validated in the manner provided by
21 chapter 75. The complaint for such validation shall be filed
22 in the circuit court of the county where the seat of state
23 government is situated, the notice required to be published by
24 s. 75.06 shall be published only in the county where the
25 complaint is filed, and the complaint and order of the circuit
26 court shall be served only on the state attorney of the
27 circuit in which the action is pending. A maximum of 15 cents
28 per credit hour may be allocated from the capital improvement
29 fee for child care centers conducted by the school board or
30 community college board of trustees.
31

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

3 239.213 Vocational-preparatory instruction.--

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

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

21 239.229 Vocational standards.--

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

25 1. Student exposure to a variety of careers and
26 provision of instruction to explore specific careers in
27 greater depth.

28 2. Student awareness of available vocational programs
29 and the corresponding occupations into which such programs
30 lead.

31 3. Student development of individual career plans.

1 4. Integration of academic and vocational skills in
2 the secondary curriculum.

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

7 6. Student retention in school through high school
8 graduation.

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

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

16 1. Student demonstration of the academic skills
17 necessary to enter an occupation.

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

20 3. Vocational program articulation with other
21 corresponding postsecondary programs and job training
22 experiences.

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

26 5. Student completion, and placement, and retention
27 rates as defined in s. 239.233.

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

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

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 college-preparatory programs and associate in arts and
18 associate in science degree programs may be established at the
19 same level.In the absence of a provision to the contrary in
20 an appropriations act, the fee schedule shall take effect and
21 the colleges shall expend the funds on instruction. If the
22 Legislature provides for an alternative fee calculation in an
23 appropriations act, the board shall establish a fee schedule
24 that produces the fee revenue established in the
25 appropriations act based on the assigned enrollment.

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

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

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

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

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

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

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

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

20 (c) Up to 25 percent or \$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 Executive Office of the Governor and the Legislature before
10 December 31, 1998, on the progress of the implementation of
11 the provisions of this section and any final recommendations
12 for statutory or policy changes.

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

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

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

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

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

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

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

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

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

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 serving 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 Executive Office of the Governor,
2 the President of the Senate, the Speaker of the House of
3 Representatives, and the appropriate committees of both houses
4 no later than January 1, 1999.

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

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