

1                   A bill to be entitled  
2           An act relating to postsecondary education  
3           institutions; amending s. 239.115, F.S.;  
4           establishing legislative intent that funding  
5           formulas not penalize institutions for certain  
6           actions; workforce development education  
7           programs; amending s. 239.117, F.S., relating  
8           to workforce development postsecondary student  
9           fees; revising a limitation on the total value  
10          of fee waivers; revising the date by which the  
11          Commissioner of Education must provide a fee  
12          schedule; deleting obsolete language; requiring  
13          each school board or community college district  
14          board of trustees to determine the method for  
15          distributing certain awards; deleting a  
16          provision that limits technology fees to  
17          associate degree programs and courses;  
18          authorizing school boards and community college  
19          boards of trustees to establish technology and  
20          financial aid fees; amending s. 239.213, F.S.,  
21          relating to vocational preparatory instruction;  
22          requiring students who enroll in certificate  
23          career education programs of 450 hours or more  
24          to complete an entry-level examination within a  
25          certain period of time; revising provisions  
26          relating to exceptional students to conform  
27          with federal requirements; amending s. 239.514,  
28          F.S., relating to the workforce development  
29          capitalization incentive grant program;  
30          authorizing the use of such funds to upgrade  
31          workforce development programs; amending s.

1 240.1201, F.S.; authorizing the State Board of  
2 Education to classify students as residents or  
3 nonresidents for tuition purposes; amending ss.  
4 240.152 and 240.153, F.S.; conforming  
5 provisions relating to students with  
6 disabilities with federal requirements;  
7 requiring the State Board of Education to  
8 define "physical or mental impairment" by rule;  
9 amending s. 240.311, F.S.; revising the role of  
10 the State Board of Community Colleges in  
11 rulemaking; providing specific rulemaking  
12 authority; amending s. 240.321, F.S.;  
13 clarifying requirements regarding the provision  
14 of adequate information on remediation courses;  
15 amending s. 240.325, F.S.; requiring the State  
16 Board of Community Colleges, rather than the  
17 State Board of Education, to adopt rules;  
18 requiring the adoption of rules to address  
19 accreditation, student withdrawal, and grade  
20 forgiveness; amending s. 240.3341, F.S.;  
21 authorizing community colleges to lease  
22 incubator facilities; deleting obsolete  
23 language; amending s. 240.35, F.S., relating to  
24 student fees; deleting obsolete and redundant  
25 language; amending s. 240.359, F.S.;  
26 prohibiting the inclusion of certain hours in  
27 calculations of full-time equivalent  
28 enrollments; eliminating provisions relating to  
29 funding for the category of lifelong learning;  
30 providing one year performance exemptions for  
31

1 new and expanded workforce development  
2 programs; providing an effective date.  
3

4 Be It Enacted by the Legislature of the State of Florida:  
5

6 Section 1. Subsection (9) of section 239.115, Florida  
7 Statutes, is amended to read:

8 239.115 Funds for operation of adult general education  
9 and vocational education programs.--

10 (9) The Department of Education, the State Board of  
11 Community Colleges, and the Jobs and Education Partnership  
12 shall provide the Legislature with recommended formulas,  
13 criteria, timeframes, and mechanisms for distributing  
14 performance funds. The commissioner shall consolidate the  
15 recommendations and develop a consensus proposal for funding.  
16 The Legislature shall adopt a formula and distribute the  
17 performance funds to the Division of Community Colleges and  
18 the Division of Workforce Development through the General  
19 Appropriations Act. The Legislature recognizes that community  
20 colleges and school districts must provide programs that are  
21 current and meet the demands of business and industry.  
22 Therefore, the Legislature intends that the funding formula  
23 set forth in this section not penalize institutions which  
24 convert out-of-date or low demand programs into high  
25 skill/high wage programs as identified by the State Workforce  
26 Development Board. The Legislature also intends that  
27 performance exemptions be granted to institutions that start  
28 new or significantly expand existing workforce development  
29 education programs for a period not to exceed 2 years from the  
30 implementation of the new or significantly expanded program.  
31 These recommendations shall be based on formulas that would

1 discourage low-performing or low-demand programs and encourage  
2 through performance-funding awards:

3 (a) Programs that prepare people to enter high-wage  
4 occupations identified by the Occupational Forecasting  
5 Conference created by s. 216.136 and other programs as  
6 approved by the Jobs and Education Partnership. At a minimum,  
7 performance incentives shall be calculated for adults who  
8 reach completion points or complete programs that lead to  
9 specified high-wage employment and to their placement in that  
10 employment.

11 (b) Programs that successfully prepare adults who are  
12 eligible for public assistance, economically disadvantaged,  
13 disabled, not proficient in English, or dislocated workers for  
14 high-wage occupations. At a minimum, performance incentives  
15 shall be calculated at an enhanced value for the completion of  
16 adults identified in this paragraph and job placement of such  
17 adults upon completion. In addition, adjustments may be made  
18 in payments for job placements for areas of high unemployment.

19 (c) Programs identified by the Jobs and Education  
20 Partnership as increasing the effectiveness and cost  
21 efficiency of education.

22 Section 2. Subsections (5), (8), and (18) and  
23 paragraph (a) of subsection (6) of section 239.117, Florida  
24 Statutes, are amended, to read:

25 239.117 Workforce development postsecondary student  
26 fees.--

27 (5) School districts and community colleges may waive  
28 fees for any fee-nonexempt student. The total value of fee  
29 waivers granted by the school district or community college  
30 may not exceed 8 percent of the district's or community  
31 college's postsecondary vocational certificate program

1 enrollment hours unless otherwise indicated by an ~~the~~ amount  
2 established annually in the General Appropriations Act. Any  
3 student whose fees are waived in excess of the authorized  
4 amount may not be reported for state funding purposes. Any  
5 school district or community college that waives fees and  
6 requests state funding for a student in violation of the  
7 provisions of this section shall be penalized at a rate equal  
8 to 2 times the value of the full-time student enrollment  
9 reported.

10 (6)(a) The Commissioner of Education shall provide to  
11 the State Board of Education no later than January ~~December~~ 31  
12 of each year a schedule of fees for workforce development  
13 education, excluding continuing workforce education, for  
14 school districts and community colleges. The fee schedule  
15 shall be based on the amount of student fees necessary to  
16 produce 25 percent of the prior year's average cost of a  
17 course of study leading to a certificate or diploma. ~~At the~~  
18 ~~discretion of a school board or a community college, this fee~~  
19 ~~schedule may be implemented over a 3-year period, with full~~  
20 ~~implementation in the 1999-2000 school year. In years~~  
21 ~~preceding that year, if fee increases are necessary for some~~  
22 ~~programs or courses, the fees shall be raised in increments~~  
23 ~~designed to lessen their impact upon students already~~  
24 ~~enrolled.~~ Fees for students who are not residents for tuition  
25 purposes must offset the full cost of instruction.  
26 Fee-nonexempt students enrolled in vocational-preparatory  
27 instruction shall be charged fees equal to the fees charged  
28 for certificate career education instruction. Each community  
29 college that conducts college-preparatory and  
30 vocational-preparatory instruction in the same class section  
31 may charge a single fee for both types of instruction.

1           (8) Each school board and community college board of  
2 trustees may establish a separate additional fee for financial  
3 aid purposes and a separate additional fee for technology,  
4 which in sum do not exceed 10 percent of the base  
5 matriculation fee assessed for workforce development programs  
6 funded through the Workforce Development Education Fund. Each  
7 school board and community college board of trustees may also  
8 establish additional financial aid and technology fees for  
9 non-resident students, which in sum do not exceed 10 percent  
10 of the base tuition fee assessed for workforce development  
11 programs funded through the Workforce Development Education  
12 Fund. When established, fees shall be assessed pursuant to  
13 the following criteria:

14           ~~(a) Each school board and community college board of~~  
15 ~~trustees may establish a separate fee for financial aid~~  
16 ~~purposes in an additional amount of up to 10 percent of the~~  
17 ~~student fees collected for workforce development programs~~  
18 ~~funded through the Workforce Development Education Fund. All~~  
19 financial aid fees collected shall be deposited into a  
20 separate workforce development student financial aid fee trust  
21 fund of the district or community college to support students  
22 enrolled in workforce development programs. Any undisbursed  
23 balance remaining in the trust fund and interest income  
24 accruing to investments from the trust fund shall increase the  
25 total funds available for distribution to workforce  
26 development education students. Awards shall be based on  
27 student financial need and distributed in accordance with a  
28 nationally recognized system of need analysis, as established  
29 by each school board or community college district board of  
30 trustees approved by the State Board for Career Education.

31

1 Fees collected pursuant to this paragraph ~~subsection~~ shall be  
2 allocated in an expeditious manner.

3 (b)(18) Technology fee revenues must be expended in  
4 accordance with technology improvement plans related to  
5 vocational certificate programs and shall not supplant funding  
6 expended in the prior year's budget for these purposes. ~~Each~~  
7 ~~district school board and community college district board of~~  
8 ~~trustees is authorized to establish a separate fee for~~  
9 ~~technology, not to exceed \$1.80 per credit hour or credit-hour~~  
10 ~~equivalent for resident students and not more than \$5.40 per~~  
11 ~~credit hour or credit-hour equivalent for nonresident~~  
12 ~~students, or the equivalent, to be expended in accordance with~~  
13 ~~technology improvement plans. The technology fee may apply~~  
14 ~~only to associate degree programs and courses. Fifty percent~~  
15 ~~of technology fee revenues may be pledged by a community~~  
16 ~~college board of trustees as a dedicated revenue source for~~  
17 ~~the repayment of debt, including lease-purchase agreements,~~  
18 ~~not to exceed the useful life of the asset being financed.~~  
19 ~~Revenues generated from the technology fee may not be bonded.~~

20 Section 3. Subsections (2) and (3) of section 239.213,  
21 Florida Statutes, are amended to read:

22 239.213 Vocational-preparatory instruction.--

23 (2) Students who enroll in a certificate career  
24 education program of 450 hours or more shall complete an  
25 entry-level examination within the first 6 weeks of admission  
26 into the program. The state board shall designate  
27 examinations that are currently in existence, the results of  
28 which are comparable across institutions, to assess student  
29 mastery of basic skills. Any student deemed to lack a minimal  
30 level of basic skills for such program shall be referred to  
31 vocational-preparatory instruction or adult basic education

1 for a structured program of basic skills instruction. Such  
 2 instruction may include English for speakers of other  
 3 languages. A student may not receive a certificate of  
 4 vocational program completion prior to demonstrating the basic  
 5 skills required in the state curriculum frameworks for the  
 6 vocational program.

7 (3) Any student with disabilities who meets the  
 8 criteria established in s. 240.152 or s. 240.153 ~~Exceptional~~  
 9 ~~students, as defined in s. 228.041~~, may be exempted from the  
 10 provisions of this section. A student who possesses an  
 11 associate in arts, baccalaureate, or graduate-level degree,  
 12 who has completed the college-level communication and  
 13 computation skills examination pursuant to s. 240.107, or who  
 14 is exempt from the college entry-level examination pursuant to  
 15 s. 240.107 may be exempted from the provisions of this  
 16 section. Pursuant to 29 C.F.R. part 30, students in registered  
 17 apprenticeship programs may also be exempted from the  
 18 provisions of this section.

19 Section 4. Section 239.514, Florida Statutes, is  
 20 amended to read:

21 239.514 Workforce Development Capitalization Incentive  
 22 Grant Program.--The Legislature recognizes that the need for  
 23 school districts and community colleges to be able to respond  
 24 to emerging local or statewide economic development needs is  
 25 critical to the workforce development system. The Workforce  
 26 Development Capitalization Incentive Grant Program is created  
 27 to provide grants to school districts and community colleges  
 28 on a competitive basis to fund some or all of the costs  
 29 associated with the creation or expansion of workforce  
 30 development programs that serve specific employment workforce  
 31 needs. Funds may also be used to upgrade workforce development

1 programs to established industry standards in accordance with  
2 program updates conducted by the Division of Community  
3 Colleges and the Division of Workforce Development.

4 (1) Funds awarded for a workforce development  
5 capitalization incentive grant may be used for instructional  
6 equipment, laboratory equipment, supplies, personnel, student  
7 services, or other expenses associated with the creation,  
8 upgrade, or expansion of a workforce development program.  
9 Expansion of a program may include either the expansion of  
10 enrollments in a program or expansion into new areas of  
11 specialization within a program. No grant funds may be used  
12 for recurring instructional costs or for institutions'  
13 indirect costs.

14 (2) The Postsecondary Education Planning Commission  
15 shall accept applications from school districts or community  
16 colleges for workforce development capitalization incentive  
17 grants. Applications from school districts or community  
18 colleges shall contain projected enrollments and projected  
19 costs for the new or expanded workforce development program.  
20 The Postsecondary Education Planning Commission, in  
21 consultation with the Jobs and Education Partnership, the  
22 Department of Education, and the State Board of Community  
23 Colleges, shall review and rank each application for a grant  
24 according to subsection (3) and shall submit to the  
25 Legislature a list in priority order of applications  
26 recommended for a grant award.

27 (3) The commission shall give highest priority to  
28 programs that train people to enter high-skill, high-wage  
29 occupations identified by the occupational forecasting  
30 conference and other programs approved by the Jobs and  
31 Education Partnership; programs that train people to enter

1 occupations on the WAGES list; or programs that train for the  
2 workforce adults who are eligible for public assistance,  
3 economically disadvantaged, disabled, not proficient in  
4 English, or dislocated workers. The commission shall consider  
5 the statewide geographic dispersion of grant funds in ranking  
6 the applications and shall give priority to applications from  
7 education agencies that are making maximum use of their  
8 workforce development funding by offering high-performing,  
9 high-demand programs.

10 Section 5. Subsection (11) is added to section  
11 240.1201, Florida Statutes, to read:

12 240.1201 Determination of resident status for tuition  
13 purposes.--Students shall be classified as residents or  
14 nonresidents for the purpose of assessing tuition fees in  
15 public community colleges and universities.

16 (11) The State Board of Education is authorized to  
17 adopt rules regarding the classification of students as  
18 residents or nonresidents for tuition purposes to implement  
19 the provisions of this section.

20 Section 6. Section 240.152, Florida Statutes, is  
21 amended to read:

22 240.152 Individuals who have disabilities ~~Impaired and~~  
23 ~~learning disabled persons~~; admission to postsecondary  
24 institutions; substitute requirements; rules.--Any person who  
25 is hearing impaired, visually impaired, speech impaired, or  
26 otherwise physically impaired, or dyslexic, or who has a  
27 specific learning disability, or who has a physical or mental  
28 impairment as defined in State Board of Education rule, shall  
29 be eligible for reasonable substitution for any requirement  
30 for admission to a state university, community college, or  
31 other postsecondary ~~degree-career~~ education institution where

1 documentation can be provided that the person's failure to  
2 meet the admission requirement is related to the disability.  
3 The State Board of Education, the Board of Regents, and the  
4 State Board of Community Colleges shall adopt rules to  
5 implement this section and shall develop substitute admission  
6 requirements where appropriate.

7 Section 7. Section 240.153, Florida Statutes, is  
8 amended to read:

9 240.153 Individuals who have disabilities ~~Impaired and~~  
10 ~~learning disabled persons~~; graduation, study program  
11 admission, and upper-division entry; substitute requirements;  
12 rules.--Any student in a state university, community college,  
13 or other postsecondary degree career education institution who  
14 is hearing impaired, visually impaired, speech impaired, or  
15 otherwise physically impaired, or dyslexic, or who has a  
16 specific learning disability, or who has a physical or mental  
17 impairment as defined in State Board of Education rule, shall  
18 be eligible for reasonable substitution for any requirement  
19 for graduation, for admission into a program of study, or for  
20 entry into upper division where documentation can be provided  
21 that the person's failure to meet the requirement is related  
22 to the disability and where the failure to meet the graduation  
23 requirement or program admission requirement does not  
24 constitute a fundamental alteration in the nature of the  
25 program. The State Board of Education, the Board of Regents,  
26 and the State Board of Community Colleges shall adopt rules to  
27 implement this section and shall develop substitute  
28 requirements where appropriate.

29 Section 8. Paragraphs (g) and (j) of subsection (3),  
30 paragraph (c) of subsection (5), and paragraph (d) of

31

1 subsection (8) of section 240.311, Florida Statutes, are  
2 amended to read:

3           240.311 State Board of Community Colleges; powers and  
4 duties.--

5           (3) The State Board of Community Colleges shall:

6           (g) Specify, by rule,~~Recommend to the State Board of~~  
7 ~~Education~~ minimum standards for the operation of each  
8 community college as required in s. 240.325, which standards  
9 may include, but are not limited to, general qualifications of  
10 personnel, budgeting, accounting and financial procedures,  
11 educational programs, student admissions and services, and  
12 community services.

13           (j) Establish, by rule,criteria for making  
14 recommendations relative to modifying district boundary lines  
15 and for making recommendations upon all proposals for the  
16 establishment of additional centers, instructional sites,  
17 special purpose centers,or campuses for community colleges.

18           (5) The State Board of Community Colleges is  
19 responsible for reviewing and administering the state program  
20 of support for the Florida Community College System and,  
21 subject to existing law, shall:

22           (c) Provide for and coordinate implementation of the  
23 community college program fund in accordance with provisions  
24 of ss. 240.359 and 240.323 and in accordance with rules of the  
25 State Board of Community Colleges ~~Education~~.

26           (8)

27           ~~(d) By December 31, 1999, and annually thereafter, the~~  
28 ~~State Board of Community Colleges shall report on the~~  
29 ~~implementation of this section to the Speaker of the House of~~  
30 ~~Representatives and the President of the Senate.~~

31

1           Section 9. Section 240.321, Florida Statutes, is  
2 amended to read:

3           240.321 Community college district board of trustees;  
4 rules for admissions of students.--The board of trustees shall  
5 make rules governing admissions of students. These rules  
6 shall include the following:

7           (1) Admissions counseling shall be provided to all  
8 students entering college credit programs, which counseling  
9 shall utilize tests to measure achievement of college-level  
10 communication and computation competencies by all students  
11 entering college credit programs.

12           (2) Admission to associate degree programs is subject  
13 to minimum standards adopted by the State Board of Education  
14 and shall require:

15           (a) A standard high school diploma, a high school  
16 equivalency diploma as prescribed in s. 229.814, previously  
17 demonstrated competency in college credit postsecondary  
18 coursework, or, in the case of a student who is home educated,  
19 a signed affidavit submitted by the student's parent or legal  
20 guardian attesting that the student has completed a home  
21 education program pursuant to the requirements of s. 232.0201.  
22 Students who are enrolled in a dual enrollment or early  
23 admission program pursuant to s. 240.116 and secondary  
24 students enrolled in college-level instruction creditable  
25 toward the associate degree, but not toward the high school  
26 diploma, shall be exempt from this requirement.

27           (b) A demonstrated level of achievement of  
28 college-level communication and computation skills. Students  
29 entering a postsecondary education program within 2 years of  
30 graduation from high school with an earned college-ready  
31

1 diploma issued pursuant to s. 232.2466 shall be exempt from  
2 this testing requirement.

3 (c) Any other requirements established by the board of  
4 trustees.

5 (3) Admission to other programs within the community  
6 college shall include education requirements as established by  
7 the board of trustees.

8  
9 ~~Each board of trustees shall establish policies that notify~~  
10 ~~students about, and place students into, adult basic~~  
11 ~~education, adult secondary education, or other instructional~~  
12 ~~programs that provide students with alternatives to~~  
13 ~~traditional college preparatory instruction, including private~~  
14 ~~provider instruction. Such notification shall include a~~  
15 ~~written listing or a prominent display of information on~~  
16 ~~alternative remedial options that must be available to each~~  
17 ~~student who scores below college level in any area on the~~  
18 ~~common placement test. The list or display shall include, but~~  
19 ~~is not limited to, options provided by the community college,~~  
20 ~~adult education programs, and programs provided by private~~  
21 ~~sector providers. The college shall not endorse, recommend,~~  
22 ~~evaluate, or rank any of the providers. The list of providers~~  
23 ~~or the display materials shall include all those providers~~  
24 ~~that request to be included. The written list must provide~~  
25 ~~students with specific contact information and disclose the~~  
26 ~~full costs of the course tuition, laboratory fees, and~~  
27 ~~instructional materials of each option listed. A student who~~  
28 ~~elects a private provider for remedial instruction is entitled~~  
29 ~~to enroll in up to 12 credits of college-level courses in~~  
30 ~~skill areas other than those for which the student is being~~  
31 ~~remediated. A student is prohibited from enrolling in~~

1 ~~additional college-level courses until the student scores~~  
2 ~~above the cut-score on all sections of the common placement~~  
3 ~~test.~~

4 Section 10. Section 240.325, Florida Statutes, is  
5 amended to read:

6 240.325 Minimum standards, definitions, and guidelines  
7 for community colleges.--Subject to the provisions of s.  
8 240.311(2), the State Board of Community Colleges Education  
9 shall prescribe, by rule, minimum standards, definitions, and  
10 guidelines for community colleges and the Division of  
11 Community Colleges which will assure the quality of education,  
12 systemwide coordination, and efficient progress toward  
13 attainment of the community college mission. The State Board  
14 of Community Colleges shall adopt rules addressing ~~At a~~  
15 ~~minimum, these rules must address:~~

16 (1) Personnel.

17 (2) Contracting.

18 (3) Program offerings and classification including  
19 college-level communication and computation skills associated  
20 with successful performance in college, with tests and other  
21 assessment procedures which measure student achievement of  
22 those skills. The performance measures shall provide that  
23 students moving from one level of education to the next  
24 acquire the necessary competencies for that level.

25 (4) Provisions for curriculum development, graduation  
26 requirements, accreditation, college calendars, and program  
27 service areas. These provisions shall include rules that:

28 (a) Provide for the award of an associate in arts  
29 degree to a student who successfully completes 60 semester  
30 credit hours at the community college.

31

1 (b) Require all of the credits accepted for the  
2 associate in arts degree to be in the common course numbering  
3 and designation system as credits toward a baccalaureate  
4 degree offered by a university in the State University System.

5 (c) Require no more than 36 semester credit hours in  
6 general education courses in the subject areas of  
7 communication, mathematics, social sciences, humanities, and  
8 natural sciences.

9 (d) Provide for procedures for student withdrawal and  
10 grade forgiveness.

11  
12 The rules should encourage community colleges to enter into  
13 agreements with universities which allow community college  
14 students to complete upper-division-level courses at a  
15 community college. An agreement may provide for concurrent  
16 enrollment at the community college and the university,  
17 authority for the community college to offer an  
18 upper-division-level course, or distance learning.

19 (5) Student admissions, conduct and discipline,  
20 nonclassroom activities, and fees.

21 (6) Budgeting.

22 (7) Business and financial matters.

23 (8) Student services.

24 (9) Reports, surveys, and information systems,  
25 including forms and dates of submission.

26 Section 11. Subsection (3) of section 240.3341,  
27 Florida Statutes, is amended to read:

28 240.3341 Incubator facilities for small business  
29 concerns.--

30 (3)~~(a)~~ The incubator facility and any improvements to  
31 the facility shall be owned or leased by the community

1 college. The community college may charge residents of the  
2 facility all or part of the cost for facilities, utilities,  
3 and support personnel and equipment. No small business  
4 concern shall reside in the incubator facility for more than 5  
5 calendar years. The state shall not be liable for any act or  
6 failure to act of any small business concern residing in an  
7 incubator facility pursuant to this section or of any such  
8 concern benefiting from the incubator facilities program.

9 ~~(b) Notwithstanding any provision of paragraph (a) to~~  
10 ~~the contrary, and for the 1999-2000 fiscal year only, the~~  
11 ~~incubator facility may be leased by the community college.~~  
12 ~~This paragraph is repealed on July 1, 2000.~~

13 Section 12. Subsections (7) and (10) of section  
14 240.35, Florida Statutes, are amended to read:

15 240.35 Student fees.--Unless otherwise provided, the  
16 provisions of this section apply only to fees charged for  
17 college credit instruction leading to an associate in arts  
18 degree, an associate in applied science degree, or an  
19 associate in science degree and noncollege credit  
20 college-preparatory courses defined in s. 239.105.

21 (7) Each community college board of trustees shall  
22 establish matriculation and tuition fees, which may vary no  
23 more than 10 percent below and 15 percent above the fee  
24 schedule adopted by the State Board of Community Colleges.  
25 ~~provided that~~ Any amount from 10 to 15 percent above the fee  
26 schedule must be expended solely ~~is used only~~ to support  
27 additional safety and security purposes and shall not supplant  
28 funding expended in the prior year's budget for safety and  
29 security purposes. In order to assess an additional amount for  
30 safety and security purposes, a community college board of  
31 trustees must provide written justification to the State Board

1 of Community Colleges based on criteria approved by the local  
2 board of trustees, including but not limited to criteria such  
3 as local crime data and information, and strategies for the  
4 implementation of local safety plans. ~~For 1999-2000, each~~  
5 ~~community college is authorized to increase the sum of the~~  
6 ~~matriculation fee and technology fee by not more than 5~~  
7 ~~percent of the sum of the matriculation and local safety and~~  
8 ~~security fees in 1998-1999. However, no fee in 1999-2000 shall~~  
9 ~~exceed the prescribed statutory limit. Should a college decide~~  
10 ~~to increase the matriculation fee, the funds raised by~~  
11 ~~increasing the matriculation fee must be expended solely for~~  
12 ~~additional safety and security purposes and shall not supplant~~  
13 ~~funding expended in the 1998-1999 budget for safety and~~  
14 ~~security purposes.~~

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

29 Section 13. Paragraph (c) of subsection (1) of section  
30 240.359, Florida Statutes, is amended to read:

31

1           240.359 Procedure for determining state financial  
2 support and annual apportionment of state funds to each  
3 community college district.--The procedure for determining  
4 state financial support and the annual apportionment to each  
5 community college district authorized to operate a community  
6 college under the provisions of s. 240.313 shall be as  
7 follows:

8           (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE STATE  
9 COMMUNITY COLLEGE PROGRAM FUND FOR THE CURRENT OPERATING  
10 PROGRAM.--

11           (c) If a student enrolls in any course that he or she  
12 has previously taken, unless it is a credit course in which  
13 the student earned a grade of D or F, the hours shall not be  
14 used in the calculation of full-time equivalent enrollments  
15 for state funding purposes.~~The category of lifelong learning~~  
16 ~~is for students enrolled pursuant to s. 239.301. A student~~  
17 ~~shall also be reported as a lifelong learning student for his~~  
18 ~~or her enrollment in any course that he or she has previously~~  
19 ~~taken, unless it is a credit course in which the student~~  
20 ~~earned a grade of D or F.~~

21           Section 14. For fiscal year 2001-2002, up to 10  
22 percent of each community college's and school district's  
23 total state funding for workforce development education  
24 programs, pursuant to s. 239.115, may be exempted by the State  
25 Workforce Board from the performance requirements of  
26 subsection (7) of s. 239.115 based on the implementation of  
27 new programs and the expansion of existing programs targeted  
28 by the board.

29           Section 15. This act shall take effect July 1, 2000.  
30  
31