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A bill to be entitled

An act relating to career education; revising terminology relating to career, technical, vocational, and workforce education; amending s. 1002.34, F.S.; allowing charter technical career center sponsors to submit full-time enrollment membership data as defined in the charter agreement; deleting requirements relating to the number of days of instruction; creating s. 1003.431, F.S.; providing for a career education certification on a high school diploma; providing academic requirements for students enrolled in comprehensive career education programs; requiring the State Board of Education to define and specify by rule courses and experiences consistent with a comprehensive career education program; authorizing the State Board of Education to adopt by rule a standard format for career education certification; allowing incentive funding to school districts for students receiving the certification; amending s. 1003.491, F.S.; providing certain responsibilities for district school boards and superintendents relating to career education certification; creating s. 1003.492, F.S.; providing for coordination of career education programs with industry; requiring the State Board of Education to adopt rules for implementing an industry certification process; requiring the Department of Education to study student performance in industry-certified career education programs; requiring a study by the Department of Education to determine the need for cost factors or startup funding for industry-

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certified career education programs; creating s. 1006.025, F.S.; requiring district school boards to submit guidance reports to the Commissioner of Education and providing requirements thereof; amending s. 1012.01, F.S.; revising a personnel classification title; amending s. 1011.80, F.S.; repealing the Florida Workforce Development Education Fund; redesignating adult technical education programs as workforce education programs; revising requirements for funding; requiring reporting and cost analysis; amending ss. 1009.22 and 1011.83, F.S.; deleting references to the Florida Workforce Development Education Fund; requiring the Agency for Workforce Innovation and the Council for Education Policy Research and Improvement to study the need for new and expanded apprenticeship and other workforce education programs; requiring a report of findings and recommendations; requiring the Commissioner of Education to convene a study group to investigate workforce education issues; requiring the study group to submit a report with recommendations for modifications to the workforce education system; amending ss. 20.18, 110.1099, 112.19, 112.191, 112.1915, 238.01, 250.10, 250.482, 288.047, 288.9511, 292.05, 292.10, 295.02, 295.125, 339.0805, 364.508, 376.0705, 380.0651, 402.305, 402.3051, 403.716, 414.0252, 420.0004, 420.524, 420.602, 440.16, 443.171, 445.003, 445.004, 445.009, 445.012, 445.0123, 445.024, 445.049, 446.011, 446.052, 446.22, 475.17, 475.451, 475.617, 475.6175, 475.618, 475.627, 494.0029, 509.302, 553.841, 790.06, 790.115, 810.095,

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943.14, 948.015, 948.09, 958.12, 985.03, 985.315, 1000.04, 1000.05, 1001.42, 1001.44, 1001.452, 1001.453, 1001.64, 1002.01, 1002.20, 1002.22, 1002.38, 1002.42, 1003.01, 1003.02, 1003.43, 1003.47, 1003.51, 1003.52, 1004.02, 1004.04, 1004.07, 1004.54, 1004.65, 1004.73, 1004.91, 1004.92, 1004.93, 1004.98, 1005.02, 1005.06, 1005.21, 1006.035, 1006.051, 1006.21, 1006.31, 1007.21, 1007.23, 1007.24, 1007.25, 1007.27, 1007.271, 1008.37, 1008.385, 1008.405, 1008.41, 1008.42, 1008.43, 1008.45, 1009.23, 1009.25, 1009.40, 1009.532, 1009.533, 1009.536, 1009.55, 1009.61, 1009.64, 1009.98, 1010.20, 1010.58, 1011.62, 1011.68, 1012.01, 1012.39, 1012.41, 1012.43, 1013.03, 1013.31, 1013.64, and 1013.75, F.S., to conform; providing an effective date.

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

Section 1. Subsection (11) of section 1002.34, Florida Statutes, is amended to read:

1002.34 Charter technical career centers.--

(11) FUNDING.--

(a) Notwithstanding any other provision of law, a charter technical career center's student membership enrollment must be calculated pursuant to this section.

(b)~~(a)~~ Each district school board and community college that sponsors a charter technical career center shall pay directly to the center an amount stated in the charter. State funding shall be generated for the center for its student

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enrollment and program outcomes as provided in law. A center is eligible for funding from workforce education funds ~~the Florida Workforce Development Education Fund~~, the Florida Education Finance Program, and the Community College Program Fund, depending upon the programs conducted by the center.

~~(c)(b)~~ A center may receive other state and federal aid, grants, and revenue through the district school board or community college board of trustees.

~~(d)(e)~~ A center may receive gifts and grants from private sources.

~~(e)(d)~~ A center may not levy taxes or issue bonds, but it may charge a student tuition fee consistent with authority granted in its charter and permitted by law.

~~(f)(e)~~ A center shall provide for an annual financial audit in accordance with s. 218.39.

(g) A center must define in the charter agreement the delivery system in which the instructional offering of educational services will be placed. The rules governing this delivery system must be applied to all of the center's students and must authorize all other sponsoring educational systems to report required enrollment and student data based solely on the rules of the offering institution. Each sponsor shall earn full-time equivalent membership for each student for funding and reporting purposes.

~~(f) A center must provide instruction for at least the number of days required by law for other public schools or community colleges, as appropriate, and may provide instruction for additional days.~~

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Section 2. Section 1003.431, Florida Statutes, is created to read:

1003.431 Career education certification.--

(1) A student who fulfills the following requirements shall be recognized with a career education certification on his or her high school diploma:

(a) Completion of the requirements for high school graduation as provided in s. 1003.429 or s. 1003.43 and the additional requirements for a comprehensive career education program of study as provided in subsection (2).

(b) A passing score on the college entry-level placement test or an equivalent test identified by the Department of Education with a score adequate to enroll in a public postsecondary educational program without the need for college preparatory or career preparatory instruction.

(2) A comprehensive program of study in career education shall be designed to prepare a student to continue his or her education at a postsecondary educational institution and obtain employment. A comprehensive career education program of study must require of each student:

(a) Completion of academic courses with a designation from the Department of Education of level two or above. All credits earned to meet graduation requirements in mathematics, science, and communication must have that designation.

(b) Attainment of at least one occupational completion point in an industry-certified career education program or completion of at least two courses in a technology education program.

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(c) Completion of a one-credit course addressing workplace readiness skills. The course requirement may be satisfied by infusing course content into an existing select career and education course. The State Board of Education shall define by rule the content of the course and shall ensure that the course meets graduation requirements for performing fine arts or practical arts.

(d) Participation in work-based learning experiences, as defined by rule by the State Board of Education.

(e) Participation in a capstone activity that includes a project related to a career. This activity is designed to apply and demonstrate the competencies and concepts attained in the student's program of study. The State Board of Education may specify by rule characteristics of capstone activities that meet the intent of this paragraph.

(3) The career education certification indicates that the student is prepared to continue into postsecondary education without the need for remediation and that the student has marketable employment skills. The State Board of Education may adopt by rule a standard format for the certification.

(4) A school district is not required to offer a comprehensive career education program pursuant to this section. However, for each student who receives the career education certification on his or her high school diploma, the school district may receive incentive funding contingent upon funding in the annual General Appropriations Act.

(5) A school district that generates funds as a result of incentive funding for student achievement of the career

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education certification on the high school diploma must expend the total amount on the comprehensive career education program of study. The school district may not apply indirect charges to incentive funds earned.

Section 3. Subsection (1) of section 1003.491, Florida Statutes, is amended, and subsection (3) is added to said section, to read:

1003.491 Career ~~and technical~~ education.--

(1) School board, superintendent, and school accountability for career ~~and technical~~ education within elementary and secondary schools includes, but is not limited to:

(a) Student exposure to a variety of careers and provision of instruction to explore specific careers in greater depth.

(b) Student awareness of available career ~~and technical~~ programs and the corresponding occupations into which such programs lead.

(c) Student development of individual career plans.

(d) Integration of academic and career ~~and technical~~ skills in the secondary curriculum.

(e) Student preparation to enter the workforce and enroll in postsecondary education without being required to complete college preparatory or career ~~vocational~~ preparatory instruction.

(f) Student retention in school through high school graduation.

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(g) Career education ~~and technical~~ curriculum articulation with corresponding postsecondary programs in the career local area technical center or community college, or both.

(3) Each district school board and superintendent shall implement all components required to obtain the career education certification on the high school diploma if the school district chooses to offer the certification.

Section 4. Section 1003.492, Florida Statutes, is created to read:

1003.492 Industry-certified career education programs.--

(1) A career education program within a comprehensive high school program of study shall be coordinated with the appropriate industry indicating that all components of the program are relevant and appropriate to prepare the student for further education or for employment in that industry.

(2) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 for implementing an industry certification process, which rules must establish any necessary procedures for obtaining appropriate business partners and requirements for business and industry involvement in curriculum oversight and equipment procurement.

(3) The Department of Education shall study student performance in industry-certified career education programs. The department shall identify districts that currently operate industry-certified career education programs. The study shall examine the performance of participating students over time. Performance factors shall include, but not be limited to, graduation rates, retention rates, additional educational

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attainment, employment records, earnings, and industry satisfaction. The results of this study shall be submitted to the President of the Senate and the Speaker of the House of Representatives by December 31, 2004.

(4) The Department of Education shall conduct a study to determine if a cost factor should be applied to industry-certified career education programs and review the need for startup funding for the programs. The study shall be completed by December 31, 2004, and shall be submitted to the President of the Senate and the Speaker of the House of Representatives.

Section 5. Section 1006.025, Florida Statutes, is created to read:

1006.025 Guidance services.--

(1) Each district school board shall annually submit a district guidance report to the Commissioner of Education by June 30.

(2) The guidance report shall include, but not be limited to, the following:

(a) Examination of student access to guidance counselors.

(b) Degree to which a district has adopted or implemented a guidance model program.

(c) Evaluation of the information and training available to guidance counselors and career specialists to advise students on areas of critical need, labor market trends, and technical training requirements.

(d) Progress toward incorporation of best practices for advisement as identified by the department.

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(e) Consideration of alternative guidance systems or ideas, including, but not limited to, a teacher-advisor model, mentoring, partnerships with the business community, web-based delivery, and parental involvement.

(f) Actions taken to provide information to students for the school-to-work transition pursuant to s. 1006.02.

(g) A guidance plan for the district.

(3) The department shall provide resources to district school boards that may assist districts in preparing the annual guidance report. The resources shall include, but are not limited to, materials relating to guidance model programs, training available through the department for career guidance, adopted best practices, alternative guidance systems or ideas, and a model district guidance plan.

Section 6. Paragraph (b) of subsection (2) of section 1012.01, Florida Statutes, is amended to read:

1012.01 Definitions.--Specific definitions shall be as follows, and wherever such defined words or terms are used in the Florida K-20 Education Code, they shall be used as follows:

(2) INSTRUCTIONAL PERSONNEL.--"Instructional personnel" means any staff member whose function includes the provision of direct instructional services to students. Instructional personnel also includes personnel whose functions provide direct support in the learning process of students. Included in the classification of instructional personnel are:

(b) Student personnel services.--Student personnel services include staff members responsible for: advising students with regard to their abilities and aptitudes,

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educational and occupational opportunities, and personal and social adjustments; providing placement services; performing educational evaluations; and similar functions. Included in this classification are guidance counselors, social workers, career occupational/placement specialists, and school psychologists.

Section 7. Section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce ~~adult technical~~ education programs.--

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

(a) Adult general education programs designed to improve the employability skills of the state's workforce as defined in s. 1004.02(3) ~~s. 1004.02(5)~~.

(b) Career ~~and technical~~ certificate programs, as defined in s. 1004.02(21) ~~s. 1004.02(23)~~.

(c) Applied technology diploma programs.

(d) Continuing workforce education courses.

(e) Degree career ~~technical~~ education programs.

(f) Apprenticeship and preapprenticeship programs as defined in s. 446.021.

(2) Any workforce ~~development~~ education program may be conducted by a community college or a school district, except that college credit in an associate in applied science or an associate in science degree may be awarded only by a community college. However, if an associate in applied science or an associate in science degree program contains within it an

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occupational completion point that confers a certificate or an applied technology diploma, that portion of the program may be conducted by a school district career ~~technical~~ center. Any instruction designed to articulate to a degree program is subject to guidelines and standards adopted by the State Board of Education pursuant to s. 1007.25.

(3) If a program for disabled adults pursuant to s. 1004.93 is a workforce ~~development~~ program as defined in law, it must be funded as provided in this section.

(4) ~~The Florida Workforce Development Education Fund is created to provide performance-based funding for all workforce development programs, whether the programs are offered by a school district or a community college. Funding for all workforce development education programs must be from the Workforce Development Education Fund and must be based on cost categories, performance output measures, and performance outcome measures.~~

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

(b)1. The performance output measure for career ~~and technical~~ education programs of study is student completion of a career ~~and technical~~ program of study that leads to an occupational completion point associated with a certificate; an apprenticeship program; or a program that leads to an applied

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technology diploma or an associate in applied science or associate in science degree. Performance output measures for registered apprenticeship programs shall be based on program lengths that coincide with lengths established pursuant to the requirements of chapter 446.

2. The performance output measure for an adult general education course of study is measurable improvement in student skills. This measure shall include improvement in literacy skills, grade level improvement as measured by an approved test, or attainment of a State of Florida diploma or an adult high school diploma.

(c) The performance outcome measures for workforce education programs ~~funded through the Workforce Development Education Fund~~ are associated with placement and retention of students after reaching a completion point or completing a program of study. These measures include placement or retention in employment that is related to the program of study; placement into or retention in employment in an occupation on the Workforce Estimating Conference list of high-wage, high-skill occupations with sufficient openings, or other High Wage/High Skill Program occupations as determined by Workforce Florida, Inc.; and placement and retention of participants or former participants in the welfare transition program in employment. Continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs. Placement and retention must be reported pursuant to ss. 1008.39 and 1008.43.

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

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

(b) For all other workforce ~~development~~ education programs ~~funded through the Workforce Development Education Fund~~, state funding shall equal 75 percent of the average cost of instruction with the remaining 25 percent made up from student fees. Fees for courses within a program shall not vary according to the cost of the individual program, but instead shall be based on a uniform fee calculated and set at the state level, as adopted by the State Board of Education, unless otherwise specified in the General Appropriations Act.

(c) For fee-exempt students pursuant to s. 1009.25, unless otherwise provided for in law, state funding shall equal 100 percent of the average cost of instruction.

(6)(a) A school district or a community college that provides workforce ~~development~~ education programs ~~funded through the Workforce Development Education Fund~~ shall receive funds in accordance with distributions for base and performance funding established by the Legislature in the General Appropriations Act. If the General Appropriations Act does not provide for the distribution of funds, the following methodology shall apply, ~~pursuant to the following conditions:~~

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1. Base funding shall be allocated based on weighted enrollment and shall not exceed 90 ~~85~~ percent of the ~~current fiscal year total Workforce Development Education Fund~~ allocation, ~~which shall be distributed by the Legislature in the General Appropriations Act based on a maximum of 85 percent of the institution's prior year total allocation from base and performance funds.~~ The Department of Education shall develop a funding process for school district workforce education programs that is comparable with community college workforce programs.

2. Performance funding shall be at least 10 ~~15~~ percent of the ~~current fiscal year total Workforce Development Education Fund~~ allocation, ~~which shall be distributed by the Legislature in the General Appropriations Act~~ based on the previous fiscal year's achievement of output and outcomes in accordance with formulas adopted pursuant to subsection ~~(10)(9)~~. Performance funding must incorporate payments for at least three levels of placements that reflect wages and workforce demand. Payments for completions must not exceed 60 percent of the payments for placement. School districts and community colleges shall be awarded funds pursuant to this paragraph based on performance output data and performance outcome data available in that year.

~~3. If a local educational agency achieves a level of performance sufficient to generate a full allocation as authorized by the workforce development funding formula, the agency may earn performance incentive funds as appropriated for that purpose in a General Appropriations Act. If performance incentive funds are funded and awarded, these funds must be added to the local educational agency's prior year total~~

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~~allocation from the Workforce Development Education Fund and shall be used to calculate the following year's base funding.~~

(b) A program is established to assist school districts and community colleges in responding to the needs of new and expanding businesses and thereby strengthening the state's workforce and economy. The program may be funded in the General Appropriations Act. A school district or community college may expend funds under the program without regard to performance criteria set forth in subparagraph (a)2. The district or community college shall use the program to provide customized training for businesses which satisfies the requirements of s. 288.047. Business firms whose employees receive the customized training must provide 50 percent of the cost of the training. Balances remaining in the program at the end of the fiscal year shall not revert to the general fund, but shall be carried over for 1 additional year and used for the purpose of serving incumbent worker training needs of area businesses with fewer than 100 employees. Priority shall be given to businesses that must increase or upgrade their use of technology to remain competitive.

(7) A school district or community college that receives workforce education funds ~~earns performance funding~~ must use the money to benefit the workforce ~~postsecondary adult and technical~~ education programs it provides. The money may be used for equipment upgrades, program expansions, or any other use that would result in workforce education ~~development~~ program improvement. The district school board or community college board of trustees may not withhold any portion of the

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performance funding for indirect costs. ~~Notwithstanding s. 216.351, funds awarded pursuant to this section may be carried across fiscal years and shall not revert to any other fund maintained by the district school board or community college board of trustees.~~

(8) The State Board of Education and Workforce Florida, Inc., shall provide the Legislature with recommended formulas, criteria, timeframes, and mechanisms for distributing performance funds. The commissioner shall consolidate the recommendations and develop a consensus proposal for funding. The Legislature shall adopt a formula and distribute the performance funds to the State Board of Education for community colleges and school districts through the General Appropriations Act. These recommendations shall be based on formulas that would discourage low-performing or low-demand programs and encourage through performance-funding awards:

(a) Programs that prepare people to enter high-wage occupations identified by the Workforce Estimating Conference created by s. 216.136 and other programs as approved by Workforce Florida, Inc. At a minimum, performance incentives shall be calculated for adults who reach completion points or complete programs that lead to specified high-wage employment and to their placement in that employment.

(b) Programs that successfully prepare adults who are eligible for public assistance, economically disadvantaged, disabled, not proficient in English, or dislocated workers for high-wage occupations. At a minimum, performance incentives shall be calculated at an enhanced value for the completion of

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adults identified in this paragraph and job placement of such adults upon completion. In addition, adjustments may be made in payments for job placements for areas of high unemployment.

(c) Programs that are specifically designed to be consistent with the workforce needs of private enterprise and regional economic development strategies, as defined in guidelines set by Workforce Florida, Inc. Workforce Florida, Inc., shall develop guidelines to identify such needs and strategies based on localized research of private employers and economic development practitioners.

(d) Programs identified by Workforce Florida, Inc., as increasing the effectiveness and cost efficiency of education.

(9) School districts shall report full-time equivalent students by discipline category for the programs specified in subsection (1). There shall be an annual cost analysis for the school district workforce education programs that reports cost by discipline category consistent with the reporting for full-time equivalent students. The annual financial reports submitted by the school districts must accurately report on the student fee revenues by fee type according to the programs specified in subsection (1). The Department of Education shall develop a plan for comparable reporting of program, student, facility, personnel, and financial data between the community colleges and the school district workforce education programs.

(10)~~(9)~~ A high school student dually enrolled under s. 1007.271 in a workforce education development ~~development~~ program ~~funded through the Workforce Development Education Fund~~ and operated by a community college or school district career technical ~~technical~~ center

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generates the amount calculated for workforce education funding ~~by the Workforce Development Education Fund~~, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a community college program, including a program conducted at a high school, the community college earns the funds generated for workforce education funding, ~~through the Workforce Development Education Fund~~ and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career technical center operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding ~~through the Workforce Development Education Fund~~ and also earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education ~~development~~ program provided by a career technical center operated by a different school district, the funds must be divided between the two school districts proportionally from the two funding sources. A student may not be reported for funding in a dual enrollment workforce education ~~development~~ program unless the student has completed the basic skills assessment pursuant to s. 1004.91.

(11)(10) The State Board of Education may adopt rules to administer this section.

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Section 8. Subsections (1), (5), (12), and (13) of section 1009.22, Florida Statutes, are amended to read:

1009.22 Workforce education development ~~development~~ postsecondary student fees.--

(1) This section applies to students enrolled in workforce education development ~~development~~ programs who are reported for funding through the ~~Workforce Development Education Fund~~, except that college credit fees for the community colleges are governed by s. 1009.23.

(5) Each district school board and community college board of trustees may establish a separate fee for financial aid purposes in an additional amount of up to 10 percent of the student fees collected for workforce education development ~~development~~ programs ~~funded through the Workforce Development Education Fund~~. All fees collected shall be deposited into a separate workforce education development ~~development~~ student financial aid fee trust fund of the school district or community college to support students enrolled in workforce education development ~~development~~ programs. Any undisbursed balance remaining in the trust fund and interest income accruing to investments from the trust fund shall increase the total funds available for distribution to workforce ~~development~~ education students. Awards shall be based on student financial need and distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. Fees collected pursuant to this subsection shall be allocated in an expeditious manner.

(12) Any school district or community college that reports students who have not paid fees in an approved manner in

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calculations of full-time equivalent enrollments for state funding purposes shall be penalized at a rate equal to 2 times the value of such enrollments. Such penalty shall be charged against the following year's allocation from workforce education funds ~~the Florida Workforce Development Education Fund~~ or the Community College Program Fund and shall revert to the General Revenue Fund. The State Board of Education shall specify, in rule, approved methods of student fee payment. Such methods must include, but need not be limited to, student fee payment; payment through federal, state, or institutional financial aid; and employer fee payments.

(13) Each school district and community college shall report only those students who have actually enrolled in instruction provided or supervised by instructional personnel under contract with the district or community college in calculations of actual full-time enrollments for state funding purposes. A student who has been exempted from taking a course or who has been granted academic or technical credit through means other than actual coursework completed at the granting institution may not be calculated for enrollment in the course from which the student has been exempted or for which the student has been granted credit. School districts and community colleges that report enrollments in violation of this subsection shall be penalized at a rate equal to 2 times the value of such enrollments. Such penalty shall be charged against the following year's allocation from workforce education funds ~~the Workforce Development Education Fund~~ and shall revert to the General Revenue Fund.

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Section 9. Section 1011.83, Florida Statutes, is amended to read:

1011.83 Financial support of community colleges.--Each community college that has been approved by the Department of Education and meets the requirements of law and rules of the State Board of Education shall participate in the Community College Program Fund. However, funds to support workforce education development programs conducted by community colleges shall be provided ~~by the Workforce Development Education Fund~~ pursuant to s. 1011.80.

Section 10. The Agency for Workforce Innovation and the Council for Education Policy Research and Improvement (CEPRI) shall conduct a joint study on the need for new and expanded apprenticeship and other workforce education programs within each workforce region. The study shall include all apprenticeship programs registered pursuant to chapter 446, Florida Statutes. A specific emphasis shall be placed upon apprenticeships in construction and educational programs, including, but not limited to, biotechnology, information technology, allied health, or other identified areas of critical need. The Agency for Workforce Innovation and CEPRI shall jointly submit a report of their findings and recommendations by December 31, 2004, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 11. Workforce education study.--

(1) For purposes of this section, workforce education is defined as the programs referenced in s. 1011.80(1), Florida Statutes.

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(2) To assist the Legislature in providing solutions to the demands for workforce education, the Commissioner of Education shall convene a study group to investigate issues related to workforce education in Florida. The study group shall report to the commissioner and the State Board of Education on or before October 1, 2004, with specific actions necessary to affect the timely implementation of modifications to the workforce education system in Florida. The study group shall consider any relevant projects of the Council for Education Policy Research and Improvement and the Office of Program Policy Analysis and Government Accountability and federal legislation or appropriations. Recommendations must be consistent with the K-20 education performance accountability system in s. 1008.31, Florida Statutes. Based on the study group report, the Commissioner of Education shall report to the Governor, the Speaker of the House of Representatives, and the President of the Senate on or before December 1, 2004, a summary of the conclusions of the study group and recommended funding and statutory changes if necessary.

(3) The study group shall consist of members appointed by the Commissioner of Education who represent school districts, community colleges, public and independent universities, private postsecondary schools and colleges, the Agency for Workforce Innovation, Workforce Florida, Inc., and Enterprise Florida, Inc., and other members deemed appropriate by the commissioner, with a majority of the membership consisting of representatives of business and industry.

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(4) The study group shall recommend an implementation plan for their recommendations that shall include, but is not limited to:

(a) A recommended funding model for workforce education that encompasses both enrollment and performance. The recommendations must include a process for providing for growth and development of new programs to meet the demands of economic development at the state, regional, and local levels. Recommendations for funding should reflect consideration of state funding, student fees, and federal and private funding, as well as diverse needs and challenges faced by institutions.

(b) A recommended allocation model for workforce education based on occupational completion points, literacy completion points, and program length. Performance outcomes should reflect program completion, job placement, and successful transfer to another educational institution. Performance outcomes for traditionally hard-to-serve populations may be weighted based on empirical evidence. Performance outcomes should encourage the expansion of public-private partnerships by including the successful leveraging of private resources. Performance outcomes should be evaluated by examining an institution's performance over time rather than its performance relative to other institutions and should be consistent regardless of the type of institution offering the program.

(c) Recommendations to improve articulation and obtain the maximum appropriate transferability of coursework between components of the workforce education system and between workforce education programs and advanced degrees. The

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implementation plan shall include a review of current articulation practices for workforce education, examples of best practices, and specific methods to improve articulation options for all students participating in workforce education.

(d) Recommendations for the implementation of innovative programs that provide high school students with work-related career-based educational opportunities. Recommendations shall reflect the consideration of a broad array of options, including, but not limited to, high school career academies, charter technical centers, industry-certified educational opportunities, and the expanded use of career dual enrollment or other acceleration mechanisms. Recommendations shall also include expanded opportunities for partnership with business and industry to ensure that all components of any recommended program are relevant and appropriate to prepare students for further education and employment.

(e) Recommendations for the implementation of innovative options or expanded use of existing resources for the delivery of postsecondary workforce education. These options must respond to the need for access to workforce education in geographic areas of high demand or unmet need or to demand for programs in occupational clusters that are targeted for purposes of economic development. Recommendations must include, but are not limited to, consideration of the increased use of distance learning, agreements for the innovative use of facilities, and other innovative partnerships and programs that would improve access to workforce education.

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(f) Recommendations for improvements to guidance counseling and advising to ensure that all students in the K-12 system are properly informed and prepared for their future careers regardless of whether they intend to train for those careers in a traditional college setting or through workforce education. Recommendations shall address the effect of students receiving guidance and advising beginning at the middle school level that balances the postsecondary academic and workforce education options available to students. Recommendations shall reflect a consideration of best practices and innovative models for student advisement. Recommendations shall also include opportunities for state and local educational entities to partner with business and industry to align existing guidance counseling and advising resources with other agencies and organizations and to develop an intensive marketing campaign to attract high school students into postsecondary education programs leading to careers that are of critical need to the state. The recommendations shall include a timeline for implementation to be completed no later than July 1, 2005.

(5) The Department of Education shall provide staff assistance and resources to assist the study group in preparing recommendations.

Section 12. Paragraph (a) of subsection (4) of section 20.18, Florida Statutes, is amended to read:

20.18 Department of Community Affairs.--There is created a Department of Community Affairs.

(4) In addition to its other powers, duties, and functions, the department shall, under the general supervision

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of the secretary and the Interdepartmental Coordinating Council on Community Services, assist and encourage the development of state programs by the various departments for the productive use of human resources, and the department shall work with other state agencies in order that together they might:

(a) Effect the coordination, by the responsible agencies of the state, of the career ~~vocational, technical,~~ and adult educational programs of the state in order to provide the maximum use and meaningful employment of persons completing courses of study from such programs;

Section 13. Paragraph (a) of subsection (1) and subsection (5) of section 110.1099, Florida Statutes, are amended to read:

110.1099 Education and training opportunities for state employees.--

(1)(a) Education and training are an integral component in improving the delivery of services to the public. Recognizing that the application of productivity-enhancing technology and practice demands continuous educational and training opportunities, a state employee may be authorized to receive a voucher or grant, for matriculation fees, to attend work-related courses at public community colleges, public career ~~technical~~ centers, or public universities. The department may implement the provisions of this section from funds appropriated to the department for this purpose. In the event insufficient funds are appropriated to the department, each state agency may supplement these funds to support the training and education needs of its employees from funds appropriated to the agency.

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(5) The Department of Management Services, in consultation with the agencies and, to the extent applicable, with Florida's public community colleges, public career ~~technical~~ centers, and public universities, shall adopt rules to administer this section.

Section 14. Subsection (3) of section 112.19, Florida Statutes, as amended by section 1 of chapter 2002-191, Laws of Florida, is amended to read:

112.19 Law enforcement, correctional, and correctional probation officers; death benefits.--

(3) If a law enforcement, correctional, or correctional probation officer is accidentally killed as specified in paragraph (2)(b) on or after June 22, 1990, or unlawfully and intentionally killed as specified in paragraph (2)(c) on or after July 1, 1980, the state shall waive certain educational expenses that the child or spouse of the deceased officer incurs while obtaining a career ~~vocational-technical~~ certificate, an undergraduate education, or a postgraduate education. The amount waived by the state shall be an amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours. The child or spouse may attend a state career center ~~vocational-technical school~~, a state community college, or a state university. The child or spouse may attend any or all of the institutions specified in this subsection, on either a full-time or part-time basis. The benefits provided to a child under this subsection shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs,

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and entitlement thereto shall continue until the 10th anniversary of that death.

(a) Upon failure of any child or spouse benefited by the provisions of this subsection to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child or spouse and no further moneys may be expended for the child's or spouse's benefits so long as such failure or delinquency continues.

(b) Only a student in good standing in his or her respective institution may receive the benefits thereof.

(c) A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the institution attended.

Section 15. Subsection (3) of section 112.19, Florida Statutes, as amended by section 1 of chapter 2002-232, Laws of Florida, as amended by section 9 of chapter 2003-1, Laws of Florida, is amended to read:

112.19 Law enforcement, correctional, and correctional probation officers; death benefits.--

(3) If a law enforcement, correctional, or correctional probation officer is accidentally killed as specified in paragraph (2)(b) on or after June 22, 1990, or unlawfully and intentionally killed as specified in paragraph (2)(c) on or after July 1, 1980, the state shall waive certain educational expenses that children of the deceased officer incur while obtaining a career ~~vocational-technical~~ certificate, an undergraduate education, or a graduate or postbaccalaureate

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professional degree. The amount waived by the state shall be an amount equal to the cost of tuition, matriculation, and other statutorily authorized fees for a total of 120 credit hours for a career ~~vocational-technical~~ certificate or an undergraduate education. For a child pursuing a graduate or postbaccalaureate professional degree, the amount waived shall equal the cost of matriculation and other statutorily authorized fees incurred while the child continues to fulfill the professional requirements associated with the graduate or postbaccalaureate professional degree program, and eligibility continues until the child's 29th birthday. The child may attend a state career center ~~vocational-technical school~~, a state community college, or a state university. The child may attend any or all of the institutions specified in this subsection, on either a full-time or part-time basis. For a child pursuing a career ~~vocational-technical~~ certificate or an undergraduate education, the benefits provided under this subsection shall continue to the child until the child's 25th birthday. To be eligible for the benefits provided under this subsection for enrollment in a graduate or postbaccalaureate professional degree program, the child must be a state resident, as defined in s. 1009.21, at the time of enrollment.

(a) Upon failure of any child benefited by the provisions of this section to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child and no further moneys may be expended for the child's benefits so long as such failure or delinquency continues.

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(b) Only a student in good standing in his or her respective institution may receive the benefits thereof.

(c) A child receiving benefits under this section must be enrolled according to the customary rules and requirements of the institution attended.

Section 16. Subsection (3) of section 112.191, Florida Statutes, as amended by section 2 of chapter 2002-191, Laws of Florida, is amended to read:

112.191 Firefighters; death benefits.--

(3) If a firefighter is accidentally killed as specified in paragraph (2)(b) on or after June 22, 1990, or unlawfully and intentionally killed as specified in paragraph (2)(c), on or after July 1, 1980, the state shall waive certain educational expenses that the child or spouse of the deceased firefighter incurs while obtaining a career ~~vocational-technical~~ certificate, an undergraduate education, or a postgraduate education. The amount waived by the state shall be an amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours. The child or spouse may attend a state career center ~~vocational-technical school~~, a state community college, or a state university. The child or spouse may attend any or all of the institutions specified in this subsection, on either a full-time or part-time basis. The benefits provided to a child under this subsection shall continue until the child's 25th birthday. The benefits provided to a spouse under this subsection must commence within 5 years after the death occurs, and entitlement thereto shall continue until the 10th anniversary of that death.

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(a) Upon failure of any child or spouse benefited by the provisions of this subsection to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits thereof shall be withdrawn as to the child or spouse and no further moneys expended for the child's or spouse's benefits so long as such failure or delinquency continues.

(b) Only students in good standing in their respective institutions shall receive the benefits thereof.

(c) A child or spouse receiving benefits under this subsection must be enrolled according to the customary rules and requirements of the institution attended.

Section 17. Subsection (3) of section 112.191, Florida Statutes, as amended by section 2 of chapter 2002-232, Laws of Florida, as amended by section 10 of chapter 2003-1, Laws of Florida, is amended to read:

112.191 Firefighters; death benefits.--

(3) If a firefighter is accidentally killed as specified in paragraph (2)(b) on or after June 22, 1990, or unlawfully and intentionally killed as specified in paragraph (2)(c), on or after July 1, 1980, the state shall waive certain educational expenses that children of the deceased firefighter incur while obtaining a career ~~vocational-technical~~ certificate, an undergraduate education, or a graduate or postbaccalaureate professional degree. The amount waived by the state shall be an amount equal to the cost of tuition, matriculation, and other statutorily authorized fees for a total of 120 credit hours for a career ~~vocational-technical~~ certificate or an undergraduate

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education. For a child pursuing a graduate or postbaccalaureate professional degree, the amount waived shall equal the cost of matriculation and other statutorily authorized fees incurred while the child continues to fulfill the professional requirements associated with the graduate or postbaccalaureate professional degree program, and eligibility continues until the child's 29th birthday. The child may attend a state career center ~~vocational-technical school~~, a state community college, or a state university. The child may attend any or all of the institutions specified in this subsection, on either a full-time or part-time basis. For a child pursuing a career ~~vocational-technical~~ certificate or an undergraduate education, the benefits provided under this subsection shall continue to such a child until the child's 25th birthday. To be eligible for the benefits provided under this subsection for enrollment in a graduate or postbaccalaureate professional degree program, the child must be a state resident, as defined in s. 1009.21, at the time of enrollment.

(a) Upon failure of any child benefited by the provisions of this section to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits thereof shall be withdrawn as to the child and no further moneys expended for the child's benefits so long as such failure or delinquency continues.

(b) Only students in good standing in their respective institutions shall receive the benefits thereof.

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(c) All children receiving benefits under this section shall be enrolled according to the customary rules and requirements of the institution attended.

Section 18. Paragraph (d) of subsection (3) of section 112.1915, Florida Statutes, is amended to read:

112.1915 Teachers and school administrators; death benefits.--Any other provision of law to the contrary notwithstanding:

(3) If a teacher or school administrator dies under the conditions in subsection (2), benefits shall be provided as follows:

(d) Waiver of certain educational expenses which children of the deceased teacher or school administrator incur while obtaining a career ~~vocational-technical~~ certificate or an undergraduate education shall be according to conditions set forth in this paragraph. The amount waived by the state shall be an amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours at a university. The child may attend a state career center ~~vocational-technical school~~, a state community college, or a state university. The child may attend any or all of the institutions specified in this paragraph, on either a full-time or part-time basis. The benefits provided under this paragraph shall continue to the child until the child's 25th birthday.

1. Upon failure of any child benefited by the provisions of this paragraph to comply with the ordinary and minimum requirements of the institution attended, both as to discipline and scholarship, the benefits shall be withdrawn as to the child

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and no further moneys may be expended for the child's benefits so long as such failure or delinquency continues.

2. A student who becomes eligible for benefits under the provisions of this paragraph while enrolled in an institution must be in good standing with the institution to receive the benefits provided herein.

3. A child receiving benefits under this paragraph must be enrolled according to the customary rules and requirements of the institution attended.

Section 19. Subsection (3) of section 238.01, Florida Statutes, is amended to read:

238.01 Definitions.--The following words and phrases as used in this chapter shall have the following meanings unless a different meaning is plainly required by the context:

(3) "Teacher" means any member of the teaching or professional staff and any certificated employee of any public free school, of any district school system and career center ~~vocational school~~, any member of the teaching or professional staff of the Florida School for the Deaf and Blind, child training schools of the Department of Juvenile Justice, the Department of Corrections, and any tax-supported institution of higher learning of the state, and any member and any certified employee of the Department of Education, any certified employee of the retirement system, any full-time employee of any nonprofit professional association or corporation of teachers functioning in Florida on a statewide basis, which seeks to protect and improve public school opportunities for children and advance the professional and welfare status of its members, any

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person now serving as superintendent, or who was serving as county superintendent of public instruction on July 1, 1939, and any hereafter duly elected or appointed superintendent, who holds a valid Florida teachers' certificate. In all cases of doubt the Department of Management Services shall determine whether any person is a teacher as defined herein.

Section 20. Paragraph (b) of subsection (7), paragraph (c) of subsection (8), and paragraph (b) of subsection (9) of section 250.10, Florida Statutes, are amended to read:

250.10 Appointment and duties of the Adjutant General.--

(7) The Adjutant General and the State Board of Education shall develop education assistance programs for members in good standing of the active Florida National Guard who enroll in a public institution of higher learning in the state.

(b) The programs shall define those members of the active Florida National Guard who are ineligible to participate in the program and those courses of study which are not authorized for the program.

1. Such members include, but are not limited to:

a. Any member, commissioned officer, warrant officer, or enlisted person who has a baccalaureate degree.

b. Any member who has 15 years or more of total military service creditable toward retirement.

c. Any member who has not completed basic military training.

2. Courses not authorized include noncredit courses, courses that do not meet degree requirements, or courses that do

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not meet requirements for completion of career ~~vocational-~~
~~technical~~ training.

(8) The Department of Military Affairs may administer a tuition exemption program, known as the State Tuition Exemption Program (STEP), for members of the Florida National Guard who qualify pursuant to subsection (7).

(c) Courses not authorized include noncredit courses, courses that do not meet degree requirements, or courses that do not meet requirements for completing career ~~vocational-technical~~ training.

(9) Subject to appropriations, the Department of Military Affairs may pay the full cost of tuition and fees for required courses for members of the Florida National Guard who enlist after June 30, 1997. This program shall be known as the Educational Dollars for Duty program (EDD) and is the primary program for these members.

(b) Courses not authorized include noncredit courses, courses that do not meet the degree requirements, or courses that do not meet requirements for completing career ~~vocational-~~
~~technical~~ training.

Section 21. Subsection (1) of section 250.482, Florida Statutes, is amended to read:

250.482 Troops ordered into state active service; not to be penalized by employers and postsecondary institutions.--

(1) If a member of the Florida National Guard is ordered into state active duty pursuant to this chapter, a private or public employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political

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subdivisions, career centers ~~vocational or technical schools~~, community colleges, or universities, may not discharge, reprimand, or in any other way penalize such member because of his or her absence by reason of state active duty.

Section 22. Subsection (3) of section 288.047, Florida Statutes, is amended to read:

288.047 Quick-response training for economic development.--

(3) Requests for funding through the Quick-Response Training Program may be produced through inquiries from a specific business or industry, inquiries from a school district director of career education or community college occupational dean on behalf of a business or industry, or through official state or local economic development efforts. In allocating funds for the purposes of the program, Workforce Florida, Inc., shall establish criteria for approval of requests for funding and shall select the entity that provides the most efficient, cost-effective instruction meeting such criteria. Program funds may be allocated to any career ~~area technical~~ center, community college, or state university. Program funds may be allocated to private postsecondary institutions only upon a review that includes, but is not limited to, accreditation and licensure documentation and prior approval by Workforce Florida, Inc. Instruction funded through the program must terminate when participants demonstrate competence at the level specified in the request; however, the grant term may not exceed 24 months. Costs and expenditures for the Quick-Response Training Program

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must be documented and separated from those incurred by the training provider.

Section 23. Subsection (1) of section 288.9511, Florida Statutes, is amended to read:

288.9511 Definitions.--As used in ss. 288.9511-288.9517, the term:

(1) "Educational institutions" means Florida career centers ~~technical institutes and vocational schools~~, and public and private community colleges, colleges, and universities in the state.

Section 24. Subsection (1) of section 292.05, Florida Statutes, is amended to read:

292.05 Duties of Department of Veterans' Affairs.--

(1) The Department of Veterans' Affairs shall provide assistance to all former, present, and future members of the Armed Forces of the United States and their dependents in preparing claims for and securing such compensation, hospitalization, career ~~vocational~~ training, and other benefits or privileges to which such persons or any of them are or may become entitled under any federal or state law or regulation by reason of their service in the Armed Forces of the United States. All services rendered under this subsection shall be without charge to the claimant.

Section 25. Section 292.10, Florida Statutes, is amended to read:

292.10 Local governing bodies authorized to assist war veterans; powers.--The board of county commissioners of each county and the governing body of each city in the state are

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hereby granted full and complete power and authority to aid and assist wherever practical and feasible the veterans, male and female, who have served in the Armed Forces of the United States in any war and received an honorable discharge from any branch of the military service of the United States, and their dependents, in presenting claims for and securing such compensation, hospitalization, education, loans, career ~~vocational~~ training, and other benefits or privileges to which said veterans, or any of them, are or may become entitled under any federal or state law or regulation by reason of their service in the Armed Forces of the United States.

Section 26. Section 295.02, Florida Statutes, is amended to read:

295.02 Use of funds; age, etc.--All sums appropriated and expended under this chapter shall be used to pay tuition and registration fees, board, and room rent and to buy books and supplies for the children of deceased or disabled veterans or service members, as defined and limited in s. 295.01, s. 295.016, s. 295.017, s. 295.018, or s. 295.0195, or of parents classified as prisoners of war or missing in action, as defined and limited in s. 295.015, who are between the ages of 16 and 22 years and who are in attendance at a state-supported institution of higher learning, including a community college or career center ~~vocational-technical school~~. Any child having entered upon a course of training or education under the provisions of this chapter, consisting of a course of not more than 4 years, and arriving at the age of 22 years before the completion of such course may continue the course and receive all benefits of

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the provisions of this chapter until the course is completed. The Department of Education shall administer this educational program subject to regulations of the department.

Section 27. Subsections (1) and (2) of section 295.125, Florida Statutes, are amended to read:

295.125 Preference for admission to career ~~vocational~~ training.--

(1) It is the intent of the Legislature through enactment of this section to assist returning veterans of the Southeast Asian conflict to train themselves for a civilian future. Although the provisions of this section apply only to state-supported career center ~~vocational-technical~~ facilities and programs, it is the further intent of the Legislature to encourage privately supported career ~~vocational-technical~~ ~~schools and~~ centers to join with the state in assisting our returning veterans by providing preferences for them in admission procedures and standards.

(2) In determining order of admission or acceptance for students, every career ~~vocational training center, vocational-technical school,~~ or career ~~vocational~~ program which receives state funding or support shall give preference as provided in subsection (3) to a person who served in the Armed Forces of the United States at any time during the Vietnam Era, as defined in s. 1.01(14), and who has been separated therefrom under honorable conditions, if such person's enrollment is directly related to his or her present employment or to his or her securing employment.

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Section 28. Paragraph (d) of subsection (3) of section 339.0805, Florida Statutes, is amended to read:

339.0805 Funds to be expended with certified disadvantaged business enterprises; specified percentage to be expended; construction management development program; bond guarantee program.--It is the policy of the state to meaningfully assist socially and economically disadvantaged business enterprises through a program that will provide for the development of skills through construction and business management training, as well as by providing contracting opportunities and financial assistance in the form of bond guarantees, to primarily remedy the effects of past economic disparity.

(3) The head of the department is authorized to expend up to 6 percent of the funds specified in subsection (1) which are designated to be expended on small business firms owned and controlled by socially and economically disadvantaged individuals to conduct, by contract or otherwise, a construction management development program. Participation in the program will be limited to those firms which are certified under the provisions of subsection (1) by the department or the federal Small Business Administration or to any firm which has annual gross receipts not exceeding \$2 million averaged over a 3-year period. The program will consist of classroom instruction and on-the-job instruction. To the extent feasible, the registration fee shall be set to cover the cost of instruction and overhead. No salary will be paid to any participant.

(d) The department shall develop, under contract with the State University System, the community college system, a school

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district in behalf of its career ~~vocational-technical~~ center, or a private consulting firm, a curriculum for instruction in the courses that will lead to a certification of proficiency in the construction management development program.

Section 29. Subsection (7) of section 364.508, Florida Statutes, is amended to read:

364.508 Definitions.--As used in this part:

(7) "Eligible facilities" means all approved campuses and instructional centers of all public universities, public community colleges, career ~~area-technical~~ centers, public elementary schools, middle schools, and high schools, including school administrative offices, public libraries, teaching hospitals, the research institute described in s. 1004.43, and rural public hospitals as defined in s. 395.602. If no rural public hospital exists in a community, the public health clinic which is responsible for individuals before they can be transferred to a regional hospital shall be considered eligible.

Section 30. Section 376.0705, Florida Statutes, is amended to read:

376.0705 Development of training programs and educational materials.--The department shall encourage the development of training programs for personnel needed for pollutant discharge prevention and cleanup activities. The department shall work with accredited community colleges, career ~~vocational-technical~~ centers, state universities, and private institutions in developing educational materials, courses of study, and other such information to be made available for persons seeking to be

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trained for pollutant discharge prevention and cleanup activities.

Section 31. Paragraph (k) of subsection (3) of section 380.0651, Florida Statutes, is amended to read:

380.0651 Statewide guidelines and standards.--

(3) The following statewide guidelines and standards shall be applied in the manner described in s. 380.06(2) to determine whether the following developments shall be required to undergo development-of-regional-impact review:

(k) Schools.--

1. The proposed construction of any public, private, or proprietary postsecondary educational campus which provides for a design population of more than 5,000 full-time equivalent students, or the proposed physical expansion of any public, private, or proprietary postsecondary educational campus having such a design population that would increase the population by at least 20 percent of the design population.

2. As used in this paragraph, "full-time equivalent student" means enrollment for 15 or more quarter hours during a single academic semester. In career centers ~~technical schools~~ or other institutions which do not employ semester hours or quarter hours in accounting for student participation, enrollment for 18 contact hours shall be considered equivalent to one quarter hour, and enrollment for 27 contact hours shall be considered equivalent to one semester hour.

3. This paragraph does not apply to institutions which are the subject of a campus master plan adopted by the university board of trustees pursuant to s. 1013.30.

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Section 32. Paragraph (d) of subsection (2) of section 402.305, Florida Statutes, is amended to read:

402.305 Licensing standards; child care facilities.--

(2) PERSONNEL.--Minimum standards for child care personnel shall include minimum requirements as to:

(d) Minimum training requirements for child care personnel.

1. Such minimum standards for training shall ensure that all child care personnel take an approved 40-clock-hour introductory course in child care, which course covers at least the following topic areas:

a. State and local rules and regulations which govern child care.

b. Health, safety, and nutrition.

c. Identifying and reporting child abuse and neglect.

d. Child development, including typical and atypical language, cognitive, motor, social, and self-help skills development.

e. Observation of developmental behaviors, including using a checklist or other similar observation tools and techniques to determine the child's developmental age level.

f. Specialized areas, including computer technology for professional and classroom use and early literacy and language development of children from birth to 5 years of age, as determined by the department, for owner-operators and child care personnel of a child care facility.

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Within 90 days after employment, child care personnel shall begin training to meet the training requirements. Child care personnel shall successfully complete such training within 1 year after the date on which the training began, as evidenced by passage of a competency examination. Successful completion of the 40-clock-hour introductory course shall articulate into community college credit in early childhood education, pursuant to ss. 1007.24 and 1007.25. Exemption from all or a portion of the required training shall be granted to child care personnel based upon educational credentials or passage of competency examinations. Child care personnel possessing a 2-year degree or higher that includes 6 college credit hours in early childhood development or child growth and development, or a child development associate credential or an equivalent state-approved child development associate credential, or a child development associate waiver certificate shall be automatically exempted from the training requirements in sub-subparagraphs b., d., and e.

2. The introductory course in child care shall stress, to the extent possible, an interdisciplinary approach to the study of children.

3. On an annual basis in order to further their child care skills and, if appropriate, administrative skills, child care personnel who have fulfilled the requirements for the child care training shall be required to take an additional 1 continuing education unit of approved inservice training, or 10 clock hours of equivalent training, as determined by the department.

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4. Child care personnel shall be required to complete 0.5 continuing education unit of approved training or 5 clock hours of equivalent training, as determined by the department, in early literacy and language development of children from birth to 5 years of age one time. The year that this training is completed, it shall fulfill the 0.5 continuing education unit or 5 clock hours of the annual training required in subparagraph 3.

5. Procedures for ensuring the training of qualified child care professionals to provide training of child care personnel, including onsite training, shall be included in the minimum standards. It is recommended that the state community child care coordination agencies (central agencies) be contracted by the department to coordinate such training when possible. Other district educational resources, such as community colleges and career vocational-technical programs, can be designated in such areas where central agencies may not exist or are determined not to have the capability to meet the coordination requirements set forth by the department.

6. Training requirements shall not apply to certain occasional or part-time support staff, including, but not limited to, swimming instructors, piano teachers, dance instructors, and gymnastics instructors.

7. The department shall evaluate or contract for an evaluation for the general purpose of determining the status of and means to improve staff training requirements and testing procedures. The evaluation shall be conducted every 2 years. The evaluation shall include, but not be limited to, determining the availability, quality, scope, and sources of current staff

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training; determining the need for specialty training; and determining ways to increase inservice training and ways to increase the accessibility, quality, and cost-effectiveness of current and proposed staff training. The evaluation methodology shall include a reliable and valid survey of child care personnel.

8. The child care operator shall be required to take basic training in serving children with disabilities within 5 years after employment, either as a part of the introductory training or the annual 8 hours of inservice training.

Section 33. Subsections (3) and (4) of section 402.3051, Florida Statutes, are amended to read:

402.3051 Child care market rate reimbursement; child care grants.--

(3) The department may provide child care grants to central agencies, community colleges, and career ~~vocational/technical~~ programs for the purpose of providing support and technical assistance to licensed child care providers.

(4) The department may use the state community child care coordination agencies (central agencies), community colleges, and career ~~vocational/technical~~ programs to implement this section.

Section 34. Subsection (2) of section 403.716, Florida Statutes, is amended to read:

403.716 Training of operators of solid waste management and other facilities.--

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(2) The department shall work with accredited community colleges, career ~~vocational-technical~~ centers, state universities, and private institutions in developing educational materials, courses of study, and other such information to be made available for persons seeking to be trained as operators of solid waste management facilities.

Section 35. Subsection (8) of section 414.0252, Florida Statutes, is amended to read:

414.0252 Definitions.--As used in ss. 414.025-414.55, the term:

(8) "Minor child" means a child under 18 years of age, or under 19 years of age if the child is a full-time student in a secondary school or at the equivalent level of career ~~vocational or technical~~ training, and does not include anyone who is married or divorced.

Section 36. Subsection (11) of section 420.0004, Florida Statutes, is amended to read:

420.0004 Definitions.--As used in this part, unless the context otherwise indicates:

(11) "Student" means any person not living with his or her parent or guardian who is eligible to be claimed by his or her parent or guardian as a dependent under the federal income tax code and who is enrolled on at least a half-time basis in a secondary school, career ~~vocational-technical~~ center, community college, college, or university.

Section 37. Subsection (5) of section 420.524, Florida Statutes, is amended to read:

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420.524 Definitions relating to Predevelopment Loan Program Act.--For the purpose of ss. 420.521-420.529, the term:

(5) "Student" means any person not living with that person's parent or guardian who is eligible to be claimed by that person's parent or guardian as a dependent under the federal income tax code and who is enrolled on at least a half-time basis in a secondary school, career ~~vocational-technical~~ center, community college, college, or university. The term does not include a person participating in an educational or training program approved by the corporation.

Section 38. Subsection (11) of section 420.602, Florida Statutes, is amended to read:

420.602 Definitions.--As used in this part, the following terms shall have the following meanings, unless the context otherwise requires:

(11) "Student" means any person not living with his or her parent or guardian who is eligible to be claimed by his or her parent or guardian as a dependent under the federal income tax code and who is enrolled on at least a half-time basis in a secondary school, career ~~vocational-technical~~ center, community college, college, or university.

Section 39. Paragraph (c) of subsection (1) of section 440.16, Florida Statutes, is amended to read:

440.16 Compensation for death.--

(1) If death results from the accident within 1 year thereafter or follows continuous disability and results from the accident within 5 years thereafter, the employer shall pay:

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(c) To the surviving spouse, payment of postsecondary student fees for instruction at any career ~~area technical~~ center established under s. 1001.44 for up to 1,800 classroom hours or payment of student fees at any community college established under part III of chapter 1004 for up to 80 semester hours. The spouse of a deceased state employee shall be entitled to a full waiver of such fees as provided in ss. 1009.22 and 1009.23 in lieu of the payment of such fees. The benefits provided for in this paragraph shall be in addition to other benefits provided for in this section and shall terminate 7 years after the death of the deceased employee, or when the total payment in eligible compensation under paragraph(b) has been received. To qualify for the educational benefit under this paragraph, the spouse shall be required to meet and maintain the regular admission requirements of, and be registered at, such career ~~area technical~~ center or community college, and make satisfactory academic progress as defined by the educational institution in which the student is enrolled.

Section 40. Subsection (4) of section 443.171, Florida Statutes, is amended to read:

443.171 Agency for Workforce Innovation and commission; powers and duties; records and reports; proceedings; state-federal cooperation.--

(4) EMPLOYMENT STABILIZATION.--The Agency for Workforce Innovation, under the direction of Workforce Florida, Inc., shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of career ~~vocational~~ training, retraining, and

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career ~~vocational~~ guidance; to investigate, recommend, advise, and assist in the establishment and operation, by municipalities, counties, school districts, and the state, of reserves for public works to be used in times of business depression and unemployment; to promote the reemployment of the unemployed workers throughout the state in every other way that may be feasible; to refer any claimant entitled to extended benefits to suitable work which meets the criteria of this chapter; and, to these ends, to carry on and publish the results of investigations and research studies.

Section 41. Subsection (2) of section 445.003, Florida Statutes, is amended to read:

445.003 Implementation of the federal Workforce Investment Act of 1998.--

(2) FIVE-YEAR PLAN.--Workforce Florida, Inc., shall prepare and submit a 5-year plan, which includes secondary career ~~vocational~~ education, to fulfill the early implementation requirements of Pub. L. No. 105-220 and applicable state statutes. Mandatory federal partners and optional federal partners shall be fully involved in designing the plan's one-stop delivery system strategy. The plan shall detail a process to clearly define each program's statewide duties and role relating to the system. Any optional federal partner may immediately choose to fully integrate its program's plan with this plan, which shall, notwithstanding any other state provisions, fulfill all their state planning and reporting requirements as they relate to the one-stop delivery system. The plan shall detail a process that would fully integrate all

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federally mandated and optional partners by the second year of the plan. All optional federal program partners in the planning process shall be mandatory participants in the second year of the plan.

Section 42. Paragraphs (b) and (d) of subsection (6) of section 445.004, Florida Statutes, are amended to read:

445.004 Workforce Florida, Inc.; creation; purpose; membership; duties and powers.--

(6) Workforce Florida, Inc., may take action that it deems necessary to achieve the purposes of this section, including, but not limited to:

(b) Establishing policy direction for a funding system that provides incentives to improve the outcomes of career ~~vocational~~ education programs, and of registered apprenticeship and work-based learning programs, and that focuses resources on occupations related to new or emerging industries that add greatly to the value of the state's economy.

(d) Designating Institutes of Applied Technology composed of public and private postsecondary institutions working together with business and industry to ensure that career ~~technical and vocational~~ education programs use the most advanced technology and instructional methods available and respond to the changing needs of business and industry.

Section 43. Paragraph (f) of subsection (8) of section 445.009, Florida Statutes, is amended to read:

445.009 One-stop delivery system.--

(8)

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(f) The accountability measures to be used in documenting competencies acquired by the participant during training shall be literacy completion points and occupational completion points. Literacy completion points refers to the academic or workforce readiness competencies that qualify a person for further basic education, career ~~vocational~~ education, or for employment. Occupational completion points refers to the career ~~vocational~~ competencies that qualify a person to enter an occupation that is linked to a career ~~vocational~~ program.

Section 44. Subsections (5) and (9) of section 445.012, Florida Statutes, are amended to read:

445.012 Careers for Florida's Future Incentive Grant Program.--

(5) A recipient who is pursuing a baccalaureate degree shall receive \$100 for each lower-division credit hour in which the student is enrolled at an eligible college or university, up to a maximum of \$1,500 per semester, and \$200 for each upper-division credit hour in which the student is enrolled at an eligible college or university, up to a maximum of \$3,000 per semester. For purposes of this section, a student is pursuing a baccalaureate degree if he or she is in a program that articulates into a baccalaureate degree program by agreement of the Articulation Coordinating Committee. A student in an applied technology diploma program, a certificate career education program, or a degree career education program that does not articulate into a baccalaureate degree program shall receive \$2 for each career ~~vocational~~ contact hour, or the equivalent, for certificate programs, or \$60 for each credit hour, or the

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equivalent, for degree career education programs and applied technology programs for which the student is enrolled at an eligible college, career ~~technical~~ center, or nonpublic career education school.

(9) Funds may not be used to pay for remedial, college-preparatory, or career-preparatory ~~vocational-preparatory~~ coursework.

Section 45. Subsection (1) of section 445.0123, Florida Statutes, is amended to read:

445.0123 Eligible postsecondary education institutions.--A student is eligible for an award or the renewal of an award from the Careers for Florida's Future Incentive Grant Program if the student meets the requirements for the program as described in ss. 445.012-445.0125 and is enrolled in a postsecondary education institution that meets the description of any one of the following:

(1) A public university, community college, or career ~~technical~~ center in this state.

Section 46. Paragraph (g) of subsection (1) of section 445.024, Florida Statutes, is amended to read:

445.024 Work requirements.--

(1) WORK ACTIVITIES.--The following activities may be used individually or in combination to satisfy the work requirements for a participant in the temporary cash assistance program:

(g) Career ~~Vocational~~ education or training.--Career ~~Vocational~~ education or training is education or training designed to provide participants with the skills and certification necessary for employment in an occupational area.

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Career ~~Vocational~~ education or training may be used as a primary program activity for participants when it has been determined that the individual has demonstrated compliance with other phases of program participation and successful completion of the career ~~vocational~~ education or training is likely to result in employment entry at a higher wage than the participant would have been likely to attain without completion of the career ~~vocational~~ education or training. Career ~~Vocational~~ education or training may be combined with other program activities and also may be used to upgrade skills or prepare for a higher paying occupational area for a participant who is employed.

1. Unless otherwise provided in this section, career ~~vocational~~ education shall not be used as the primary program activity for a period which exceeds 12 months. The 12-month restriction applies to instruction in a career education program and does not include remediation of basic skills, including English language proficiency, if remediation is necessary to enable a participant to benefit from a career education program. Any necessary remediation must be completed before a participant is referred to career ~~vocational~~ education as the primary work activity. In addition, use of career ~~vocational~~ education or training shall be restricted to the limitation established in federal law. Career ~~Vocational~~ education included in a program leading to a high school diploma shall not be considered career ~~vocational~~ education for purposes of this section.

2. When possible, a provider of career ~~vocational~~ education or training shall use funds provided by funding sources other than the regional workforce board. The regional

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workforce board may provide additional funds to a career ~~vocational~~ education or training provider only if payment is made pursuant to a performance-based contract. Under a performance-based contract, the provider may be partially paid when a participant completes education or training, but the majority of payment shall be made following the participant's employment at a specific wage or job retention for a specific duration. Performance-based payments made under this subparagraph are limited to education or training for targeted occupations identified by the Workforce Estimating Conference under s. 216.136, or other programs identified by Workforce Florida, Inc., as beneficial to meet the needs of designated groups who are hard to place. If the contract pays the full cost of training, the community college or school district may not report the participants for other state funding.

Section 47. Paragraph (i) of subsection (7) of section 445.049, Florida Statutes, is amended to read:

445.049 Digital Divide Council.--

(7) PROGRAM OBJECTIVES AND GOALS.--The programs authorized by this section shall have the following objectives and goals:

(i) Using information technology to enable members of at-risk families who are no longer enrolled in K-12 schools to obtain the education needed to achieve successful completion of general education development test preparation to earn a high school diploma, an applied technology diploma, a career ~~vocational~~ certificate, an associate of arts degree, or a baccalaureate degree.

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Section 48. Subsection (1) of section 446.011, Florida Statutes, is amended to read:

446.011 Legislative intent regarding apprenticeship training.--

(1) It is the intent of the State of Florida to provide educational opportunities for its young people so that they can be trained for trades, occupations, and professions suited to their abilities. It is the intent of this act to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills. By broadening job training opportunities and providing for increased coordination between public school academic programs, career ~~vocational~~ programs, and registered apprenticeship programs, the young people of the state will benefit from the valuable training opportunities developed when on-the-job training is combined with academic-related classroom experiences. This act is intended to develop the apparent potentials in apprenticeship training by assisting in the establishment of preapprenticeship programs in the public school system and elsewhere and by expanding presently registered programs as well as promoting new registered programs in jobs that lend themselves to apprenticeship training.

Section 49. Subsection (2) of section 446.052, Florida Statutes, is amended to read:

446.052 Preapprenticeship program.--

(2) The Division of Workforce Development of the Department of Education, under regulations established by the State Board of Education, is authorized to administer the

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provisions of ss. 446.011-446.092 that relate to preapprenticeship programs in cooperation with district school boards and community college district boards of trustees. District school boards, community college district boards of trustees, and registered program sponsors shall cooperate in developing and establishing programs that include career ~~vocational~~ instruction and general education courses required to obtain a high school diploma.

Section 50. Subsection (5) of section 446.22, Florida Statutes, is amended to read:

446.22 Definitions.--As used in this act, the following words and phrases shall have the meanings set forth herein, except where the context otherwise requires:

(5) "Educational facility" means any secondary school, community college, university, or career center ~~vocational school~~ participating in the program.

Section 51. Paragraph (a) of subsection (2), paragraph (a) of subsection (3), and paragraph (a) of subsection (4) of section 475.17, Florida Statutes, are amended to read:

475.17 Qualifications for practice.--

(2)(a)1. In addition to other requirements under this part, the commission may require the satisfactory completion of one or more of the educational courses or equivalent courses conducted, offered, sponsored, prescribed, or approved pursuant to s. 475.04, taken at an accredited college, university, or community college, at a career ~~an area technical~~ center, or at a registered real estate school, as a condition precedent for any person to become licensed or to renew her or his license as a

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broker, broker associate, or sales associate. The course or courses required for one to become initially licensed shall not exceed a total of 63 classroom hours of 50 minutes each, inclusive of examination, for a sales associate and 72 classroom hours of 50 minutes each, inclusive of examination, for a broker. The satisfactory completion of an examination administered by the accredited college, university, or community college, by a career ~~the area technical~~ center, or by the registered real estate school shall be the basis for determining satisfactory completion of the course. However, notice of satisfactory completion shall not be issued if the student has absences in excess of 8 classroom hours.

2. A distance learning course or courses shall be approved by the commission as an option to classroom hours as satisfactory completion of the course or courses as required by this section. The schools authorized by this section have the option of providing classroom courses, distance learning courses, or both. However, satisfactory completion of a distance learning course requires the satisfactory completion of a timed distance learning course examination. Such examination shall not be required to be monitored or given at a centralized location.

3. Such required course or courses must be made available by correspondence or other suitable means to any person who, by reason of hardship, as defined by rule, cannot attend the place or places where the course or courses are regularly conducted or does not have access to the distance learning course or courses.

(3)(a) The commission may prescribe a postlicensure education requirement in order for a person to maintain a valid

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sales associate's license, which shall not exceed 45 classroom hours of 50 minutes each, inclusive of examination, prior to the first renewal following initial licensure. If prescribed, this shall consist of one or more commission-approved courses which total at least 45 classroom hours on one or more subjects which include, but are not limited to, property management, appraisal, real estate finance, the economics of real estate management, marketing, technology, sales and listing of properties, business office management, courses teaching practical real estate application skills, development of business plans, marketing of property, and time management. Required postlicensure education courses must be provided by an accredited college, university, or community college, by a career ~~an area technical~~ center, by a registered real estate school, or by a commission-approved sponsor.

(4)(a) The commission may prescribe a postlicensure education requirement in order for a person to maintain a valid broker's license, which shall not exceed 60 classroom hours of 50 minutes each, inclusive of examination, prior to the first renewal following initial licensure. If prescribed, this shall consist of one or more commission-approved courses which total at least 60 classroom hours on one or more subjects which include, but are not limited to, advanced appraisal, advanced property management, real estate marketing, business law, advanced real estate investment analyses, advanced legal aspects, general accounting, real estate economics, syndications, commercial brokerage, feasibility analyses, advanced real estate finance, residential brokerage, advanced

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marketing, technology, advanced business planning, time management, or real estate brokerage office operations. Required postlicensure education courses must be provided by an accredited college, university, or community college, by a career ~~an area technical~~ center, by a registered real estate school, or by a commission-approved sponsor.

Section 52. Subsection (1) and paragraph (c) of subsection (2) of section 475.451, Florida Statutes, are amended to read:

475.451 Schools teaching real estate practice.--

(1) Each person, school, or institution, except approved and accredited colleges, universities, community colleges, and career ~~area technical~~ centers in this state, which offers or conducts any course of study in real estate practice, teaches any course prescribed by the commission as a condition precedent to licensure or renewal of licensure as a broker or sales associate, or teaches any course designed or represented to enable or assist applicants for licensure as brokers or sales associates to pass examinations for such licensure shall, before commencing or continuing further to offer or conduct such course or courses, obtain a permit from the department and abide by the regulations imposed upon such person, school, or institution by this chapter and rules of the commission adopted pursuant to this chapter. The exemption for colleges, universities, community colleges, and career ~~area technical~~ centers is limited to transferable college credit courses offered by such institutions.

(2) An applicant for a permit to operate a proprietary real estate school, to be a chief administrator of a proprietary

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real estate school or a state institution, or to be an instructor for a proprietary real estate school or a state institution must meet the qualifications for practice set forth in s. 475.17(1) and the following minimal requirements:

(c) "School instructor" means an individual who instructs persons in the classroom in noncredit college courses in a college, university, or community college or courses in a career ~~an area technical~~ center or proprietary real estate school.

1. Before commencing to provide such instruction, the applicant must certify the applicant's competency and obtain an instructor permit by meeting one of the following requirements:

a. Hold a bachelor's degree in a business-related subject, such as real estate, finance, accounting, business administration, or its equivalent and hold a valid broker's license in this state.

b. Hold a bachelor's degree, have extensive real estate experience, as defined by rule, and hold a valid broker's license in this state.

c. Pass an instructor's examination approved by the commission.

2. Any requirement by the commission for a teaching demonstration or practical examination must apply to all school instructor applicants.

3. The department shall renew an instructor permit upon receipt of a renewal application and fee. The renewal application shall include proof that the permit holder has, since the issuance or renewal of the current permit, successfully completed a minimum of 7 classroom hours of instruction in real

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estate subjects or instructional techniques, as prescribed by the commission. The commission shall adopt rules providing for the renewal of instructor permits at least every 2 years. Any permit which is not renewed at the end of the permit period established by the department shall automatically revert to involuntarily inactive status.

The department may require an applicant to submit names of persons having knowledge concerning the applicant and the enterprise; may propound interrogatories to such persons and to the applicant concerning the character of the applicant, including the taking of fingerprints for processing through the Federal Bureau of Investigation; and shall make such investigation of the applicant or the school or institution as it may deem necessary to the granting of the permit. If an objection is filed, it shall be considered in the same manner as objections or administrative complaints against other applicants for licensure by the department.

Section 53. Subsection (1), paragraph (b) of subsection (2), paragraph (b) of subsection (3), and paragraph (b) of subsection (4) of section 475.617, Florida Statutes, are amended to read:

475.617 Education and experience requirements.--

(1) To be registered as a trainee appraiser, an applicant must present evidence satisfactory to the board that she or he has successfully completed at least 75 hours of approved academic courses in subjects related to real estate appraisal, which shall include coverage of the Uniform Standards of

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Professional Appraisal Practice from a nationally recognized or state-recognized appraisal organization, career ~~area-technical~~ center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. The board may increase the required number of hours to not more than 100 hours. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved on an hour-for-hour basis.

(2) To be licensed as an appraiser, an applicant must present evidence satisfactory to the board that she or he:

(b) Has successfully completed at least 90 classroom hours, inclusive of examination, of approved academic courses in subjects related to real estate appraisal, which shall include coverage of the Uniform Standards of Professional Appraisal Practice from a nationally recognized or state-recognized appraisal organization, career ~~area-technical~~ center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. The board may increase the required number of hours to not more than 120 hours. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved by the board and substituted on an hour-for-hour basis.

(3) To be certified as a residential appraiser, an applicant must present satisfactory evidence to the board that she or he:

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(b) Has successfully completed at least 120 classroom hours, inclusive of examination, of approved academic courses in subjects related to real estate appraisal, which shall include coverage of the Uniform Standards of Professional Appraisal Practice from a nationally recognized or state-recognized appraisal organization, career ~~area-technical~~ center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. The board may increase the required number of hours to not more than 165 hours. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved by the board and substituted on an hour-for-hour basis.

(4) To be certified as a general appraiser, an applicant must present evidence satisfactory to the board that she or he:

(b) Has successfully completed at least 180 classroom hours, inclusive of examination, of approved academic courses in subjects related to real estate appraisal, which shall include coverage of the Uniform Standards of Professional Appraisal Practice from a nationally recognized or state-recognized appraisal organization, career ~~area-technical~~ center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451. The board may increase the required number of hours to not more than 225 hours. A classroom hour is defined as 50 minutes out of each 60-minute segment. Past courses may be approved by the board and substituted on an hour-for-hour basis.

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Section 54. Subsection (1) of section 475.6175, Florida Statutes, is amended to read:

475.6175 Registered trainee appraiser; postlicensure education required.--

(1) The board shall prescribe postlicensure educational requirements in order for a person to maintain a valid registration as a registered trainee appraiser. If prescribed, the postlicensure educational requirements consist of one or more courses which total no more than the total educational hours required to qualify as a state certified residential appraiser. Such courses must be in subjects related to real estate appraisal and shall include coverage of the Uniform Standards of Professional Appraisal Practice. Such courses are provided by a nationally or state-recognized appraisal organization, career area~~technical~~ center, accredited community college, college, or university, state or federal agency or commission, or proprietary real estate school that holds a permit pursuant to s. 475.451.

Section 55. Paragraph (c) of subsection (1) of section 475.618, Florida Statutes, is amended to read:

475.618 Renewal of registration, license, certification, or instructor permit; continuing education.--

(1)

(c) The board may authorize independent certification organizations to certify or approve the delivery method of distance learning courses. Certification from such authorized organizations must be provided at the time a distance learning course is submitted to the board by an accredited college,

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university, community college, career ~~area technical~~ center, proprietary real estate school, or board-approved sponsor for content approval.

Section 56. Subsections (1) and (2) of section 475.627, Florida Statutes, are amended to read:

475.627 Appraisal course instructors.--

(1) Where the course or courses to be taught are prescribed by the board or approved precedent to registration, licensure, certification, or renewal as a registered trainee appraiser, licensed appraiser, or certified residential appraiser, before commencing to instruct noncredit college courses in a college, university, or community college, or courses in a career ~~an area technical~~ center or proprietary real estate school, a person must certify her or his competency by meeting one of the following requirements:

(a) Hold a valid certification as a residential real estate appraiser in this or any other state.

(b) Pass an appraiser instructor's examination which shall test knowledge of residential appraisal topics.

(2) Where the course or courses to be taught are prescribed by the board or approved precedent to registration, licensure, certification, or renewal as a registered trainee appraiser, licensed appraiser, or certified appraiser, before commencing to instruct noncredit college courses in a college, university, or community college, or courses in a career ~~an area technical~~ center or proprietary real estate school, a person must certify her or his competency by meeting one of the following requirements:

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(a) Hold a valid certification as a general real estate appraiser in this or any other state.

(b) Pass an appraiser instructor's examination which shall test knowledge of residential and nonresidential appraisal topics.

Section 57. Subsection (1) of section 494.0029, Florida Statutes, is amended to read:

494.0029 Mortgage business schools.--

(1) Each person, school, or institution, except accredited colleges, universities, community colleges, and career area ~~technical~~ centers in this state, which offers or conducts mortgage business training as a condition precedent to licensure as a mortgage broker or lender or a correspondent mortgage lender shall obtain a permit from the office and abide by the regulations imposed upon such person, school, or institution by this chapter and rules adopted pursuant to this chapter. The commission shall, by rule, recertify the permits annually with initial and renewal permit fees that do not exceed \$500 plus the cost of accreditation.

Section 58. Paragraph (a) of subsection (2) of section 509.302, Florida Statutes, is amended to read:

509.302 Director of education, personnel, employment duties, compensation.--

(2) The director of education shall develop and implement an educational program, designated the "Hospitality Education Program," offered for the benefit of the entire industry. This program may affiliate with Florida State University, Florida International University, and the University of Central Florida.

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The program may also affiliate with any other member of the State University System or Florida Community College System, or with any privately funded college or university, which offers a program of hospitality administration and management. The primary goal of this program is to instruct and train all individuals and businesses licensed under this chapter, in cooperation with recognized associations that represent the licensees, in the application of state and federal laws and rules. Such programs shall also include:

(a) Career ~~Vocational~~ training.

Section 59. Subsection (4) of section 553.841, Florida Statutes, is amended to read:

553.841 Building code training program; participant competency requirements.--

(4) The commission may enter into contracts with the Department of Education, the State University System, the Division of Community Colleges, model code organizations, professional organizations, career centers ~~vocational-technical schools~~, trade organizations, and private industry to administer the program.

Section 60. Subsection (12) of section 790.06, Florida Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.--

(12) No license issued pursuant to this section shall authorize any person to carry a concealed weapon or firearm into any place of nuisance as defined in s. 823.05; any police, sheriff, or highway patrol station; any detention facility, prison, or jail; any courthouse; any courtroom, except that

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nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom; any polling place; any meeting of the governing body of a county, public school district, municipality, or special district; any meeting of the Legislature or a committee thereof; any school, college, or professional athletic event not related to firearms; any school administration building; any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose; any elementary or secondary school facility; any career ~~area technical~~ center; any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile; inside the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or any place where the carrying of firearms is prohibited by federal law. Any person who willfully violates any provision of this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 61. Section 790.115, Florida Statutes, is amended to read:

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790.115 Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.--

(1) A person who exhibits any sword, sword cane, firearm, electric weapon or device, destructive device, or other weapon, including a razor blade, box cutter, or knife, except as authorized in support of school-sanctioned activities, in the presence of one or more persons in a rude, careless, angry, or threatening manner and not in lawful self-defense, at a school-sponsored event or on the grounds or facilities of any school, school bus, or school bus stop, or within 1,000 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, during school hours or during the time of a sanctioned school activity, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This subsection does not apply to the exhibition of a firearm or weapon on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner.

(2)(a) A person shall not possess any firearm, electric weapon or device, destructive device, or other weapon, including a razor blade, box cutter, or knife, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop; however, a person may carry a firearm:

1. In a case to a firearms program, class or function which has been approved in advance by the principal or chief

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administrative officer of the school as a program or class to which firearms could be carried;

2. In a case to a career center ~~vocational school~~ having a firearms training range; or

3. In a vehicle pursuant to s. 790.25(5); except that school districts may adopt written and published policies that waive the exception in this subparagraph for purposes of student and campus parking privileges.

For the purposes of this section, "school" means any preschool, elementary school, middle school, junior high school, secondary school, career center ~~vocational school~~, or postsecondary school, whether public or nonpublic.

(b) A person who willfully and knowingly possesses any electric weapon or device, destructive device, or other weapon, including a razor blade, box cutter, or knife, except as authorized in support of school-sanctioned activities, in violation of this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c)1. A person who willfully and knowingly possesses any firearm in violation of this subsection commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A person who stores or leaves a loaded firearm within the reach or easy access of a minor who obtains the firearm and commits a violation of subparagraph 1. commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s.

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775.083; except that this does not apply if the firearm was stored or left in a securely locked box or container or in a location which a reasonable person would have believed to be secure, or was securely locked with a firearm-mounted push-button combination lock or a trigger lock; if the minor obtains the firearm as a result of an unlawful entry by any person; or to members of the Armed Forces, National Guard, or State Militia, or to police or other law enforcement officers, with respect to firearm possession by a minor which occurs during or incidental to the performance of their official duties.

(d) A person who discharges any weapon or firearm while in violation of paragraph (a), unless discharged for lawful defense of himself or herself or another or for a lawful purpose, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) The penalties of this subsection shall not apply to persons licensed under s. 790.06. Persons licensed under s. 790.06 shall be punished as provided in s. 790.06(12), except that a licenseholder who unlawfully discharges a weapon or firearm on school property as prohibited by this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) This section does not apply to any law enforcement officer as defined in s. 943.10(1), (2), (3), (4), (6), (7), (8), (9), or (14).

(4) Notwithstanding s. 985.213, s. 985.214, or s. 985.215(1), any minor under 18 years of age who is charged under this section with possessing or discharging a firearm on school

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property shall be detained in secure detention, unless the state attorney authorizes the release of the minor, and shall be given a probable cause hearing within 24 hours after being taken into custody. At the hearing, the court may order that the minor continue to be held in secure detention for a period of 21 days, during which time the minor shall receive medical, psychiatric, psychological, or substance abuse examinations pursuant to s. 985.224, and a written report shall be completed.

Section 62. Section 810.095, Florida Statutes, is amended to read:

810.095 Trespass on school property with firearm or other weapon prohibited.--

(1) It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, for a person who is trespassing upon school property to bring onto, or to possess on, such school property, any weapon or firearm.

(2) As used in this section, "school property" means the grounds or facility of any kindergarten, elementary school, middle school, junior high school, secondary school, career center ~~vocational school~~, or postsecondary school, whether public or nonpublic.

Section 63. Paragraph (b) of subsection (6) of section 943.14, Florida Statutes, is amended to read:

943.14 Commission-certified criminal justice training schools; certificates and diplomas; exemptions; injunctive relief; fines.--

(6)

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(b) All other criminal justice sciences or administration courses or subjects which are a part of the curriculum of any accredited college, university, community college, or career vocational-technical center of this state, and all full-time instructors of such institutions, are exempt from the provisions of subsections (1)-(5).

Section 64. Paragraph (c) of subsection (11) of section 948.015, Florida Statutes, is amended to read:

948.015 Presentence investigation reports.--The circuit court, when the defendant in a criminal case has been found guilty or has entered a plea of nolo contendere or guilty and has a lowest permissible sentence under the Criminal Punishment Code of any nonstate prison sanction, may refer the case to the department for investigation or recommendation. Upon such referral, the department shall make the following report in writing at a time specified by the court prior to sentencing. The full report shall include:

(11) Information about any resources available to assist the offender, such as:

(c) Career Vocational training programs.

Section 65. Paragraph (b) of subsection (3) of section 948.09, Florida Statutes, is amended to read:

948.09 Payment for cost of supervision and rehabilitation.--

(3) Any failure to pay contribution as required under this section may constitute a ground for the revocation of probation by the court, the revocation of parole or conditional release by the Parole Commission, the revocation of control release by the

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Control Release Authority, or removal from the pretrial intervention program by the state attorney. The Department of Corrections may exempt a person from the payment of all or any part of the contribution if it finds any of the following factors to exist:

(b) The offender is a student in a school, college, university, or course of career ~~vocational or technical~~ training designed to fit the student for gainful employment. Certification of such student status shall be supplied to the Secretary of Corrections by the educational institution in which the offender is enrolled.

Section 66. Subsection (1) of section 958.12, Florida Statutes, is amended to read:

958.12 Participation in certain activities required.--

(1) A youthful offender shall be required to participate in work assignments, and in career ~~vocational~~, academic, counseling, and other rehabilitative programs in accordance with this section, including, but not limited to:

(a) All youthful offenders may be required, as appropriate, to participate in:

1. Reception and orientation.
2. Evaluation, needs assessment, and classification.
3. Educational programs.
4. Career ~~Vocational~~ and job training.
5. Life and socialization skills training, including anger/aggression control.
6. Prerelease orientation and planning.
7. Appropriate transition services.

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(b) In addition to the requirements in paragraph (a), the department shall make available:

1. Religious services and counseling.
2. Social services.
3. Substance abuse treatment and counseling.
4. Psychological and psychiatric services.
5. Library services.
6. Medical and dental health care.
7. Athletic, recreational, and leisure time activities.
8. Mail and visiting privileges.

Income derived by a youthful offender from participation in such activities may be used, in part, to defray a portion of the costs of his or her incarceration or supervision; to satisfy preexisting obligations; to pay fines, counseling fees, or other costs lawfully imposed; or to pay restitution to the victim of the crime for which the youthful offender has been convicted in an amount determined by the sentencing court. Any such income not used for such reasons or not used as provided in s. 946.513 or s. 958.09 shall be placed in a bank account for use by the youthful offender upon his or her release.

Section 67. Subsections (29) and (43) of section 985.03, Florida Statutes, are amended to read:

985.03 Definitions.--When used in this chapter, the term:

(29) "Juvenile justice continuum" includes, but is not limited to, delinquency prevention programs and services designed for the purpose of preventing or reducing delinquent acts, including criminal activity by youth gangs, and juvenile

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arrests, as well as programs and services targeted at children who have committed delinquent acts, and children who have previously been committed to residential treatment programs for delinquents. The term includes children-in-need-of-services and families-in-need-of-services programs; conditional release; substance abuse and mental health programs; educational and career ~~vocational~~ programs; recreational programs; community services programs; community service work programs; and alternative dispute resolution programs serving children at risk of delinquency and their families, whether offered or delivered by state or local governmental entities, public or private for-profit or not-for-profit organizations, or religious or charitable organizations.

(43) "Probation" means the legal status of probation created by law and court order in cases involving a child who has been found to have committed a delinquent act. Probation is an individualized program in which the freedom of the child is limited and the child is restricted to noninstitutional quarters or restricted to the child's home in lieu of commitment to the custody of the Department of Juvenile Justice. Youth on probation may be assessed and classified for placement in day-treatment probation programs designed for youth who represent a minimum risk to themselves and public safety and do not require placement and services in a residential setting. Program types in this more intensive and structured day-treatment probation option include career ~~vocational~~ programs, marine programs, juvenile justice alternative schools, training and rehabilitation programs, and gender-specific programs.

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Section 68. Paragraphs (a) and (b) of subsection (1), paragraph (a) of subsection (2), subsection (3), and paragraphs (a), (b), and (d) of subsection (4) of section 985.315, Florida Statutes, are amended to read:

985.315 Educational ~~Educational/technical~~ and career-related ~~vocational work-related~~ programs.--

(1)(a) It is the finding of the Legislature that the educational ~~educational/technical~~ and career-related ~~vocational work-related~~ programs of the Department of Juvenile Justice are uniquely different from other programs operated or conducted by other departments in that it is essential to the state that these programs provide juveniles with useful information and activities that can lead to meaningful employment after release in order to assist in reducing the return of juveniles to the system.

(b) It is further the finding of the Legislature that the mission of a juvenile educational ~~educational/technical~~ and career-related ~~vocational work-related~~ program is, in order of priority:

1. To provide a joint effort between the department, the juvenile work programs, and educational ~~educational/technical~~ and career ~~vocational~~ training programs to reinforce relevant education, training, and postrelease job placement, and help reduce recommitment.

2. To serve the security goals of the state through the reduction of idleness of juveniles and the provision of an incentive for good behavior in residential commitment facilities.

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3. To teach youth in juvenile justice programs relevant job skills and the fundamentals of a trade in order to prepare them for placement in the workforce.

(2)(a) The department is strongly encouraged to require juveniles placed in a high-risk residential, maximum-risk residential, or a serious/habitual offender program to participate in an educational ~~educational/technical~~ or career-related ~~vocational-work-related~~ program 5 hours per day, 5 days per week. All policies developed by the department relating to this requirement must be consistent with applicable federal, state, and local labor laws and standards, including all laws relating to child labor.

(3) In adopting or modifying master plans for juvenile work programs and educational ~~educational/technical~~ and career ~~vocational~~ training programs, and in the administration of the Department of Juvenile Justice, it shall be the objective of the department to develop:

(a) Attitudes favorable to work, the work situation, and a law-abiding life in each juvenile employed in the juvenile work program.

(b) Education and training opportunities that are reasonably broad, but which develop specific work skills.

(c) Programs that motivate juveniles to use their abilities.

(d) Education and training programs that will be of mutual benefit to all governmental jurisdictions of the state by reducing the costs of government to the taxpayers and which integrate all instructional programs into a unified curriculum

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suitable for all juveniles, but taking account of the different abilities of each juvenile.

(e) A logical sequence of educational ~~educational/technical~~ or career ~~vocational~~ training, employment by the juvenile work programs, and postrelease job placement for juveniles participating in juvenile work programs.

(4)(a) The Department of Juvenile Justice shall establish guidelines for the operation of juvenile educational ~~educational/technical~~ and career-related ~~vocational work-related~~ programs, which shall include the following procedures:

1. Participation in the educational ~~educational/technical~~ and career-related ~~vocational work-related~~ programs shall be on a 5-day-per-week, 5-hour-per-day basis.

2. The education, training, work experience, emotional and mental abilities, and physical capabilities of the juvenile and the duration of the term of placement imposed on the juvenile are to be analyzed before assignment of the juvenile into the various processes best suited for educational ~~educational/technical~~ or career ~~vocational~~ training.

3. When feasible, the department shall attempt to obtain education or training credit for a juvenile seeking apprenticeship status or a high school diploma or its equivalent.

4. The juvenile may begin in a general education and work skills program and progress to a specific work skills training program, depending upon the ability, desire, and education and work record of the juvenile.

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5. Modernization and upgrading of equipment and facilities should include greater automation and improved production techniques to expose juveniles to the latest technological procedures to facilitate their adjustment to real work situations.

(b) Evaluations of juvenile educational ~~educational/technical~~ and career-related ~~vocational-work-related~~ programs shall be conducted according to the following guidelines:

1. Systematic evaluations and quality assurance monitoring shall be implemented, in accordance with s. 985.412(1), (2), and (5), to determine whether the programs are related to successful postrelease adjustments.

2. Operations and policies of the programs shall be reevaluated to determine if they are consistent with their primary objectives.

(d) The department and providers are strongly encouraged to work in partnership with local businesses and trade groups in the development and operation of educational ~~educational/technical~~ and career ~~vocational~~ programs.

Section 69. Subsections (1) and (2) of section 1000.04, Florida Statutes, are amended to read:

1000.04 Components for the delivery of public education within the Florida K-20 education system.--Florida's K-20 education system provides for the delivery of public education through publicly supported and controlled K-12 schools, community colleges, state universities and other postsecondary educational institutions, other educational institutions, and

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other educational services as provided or authorized by the Constitution and laws of the state.

(1) PUBLIC K-12 SCHOOLS.--The public K-12 schools include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; workforce ~~development~~ education; career area technical centers; adult, part-time, ~~career and technical~~, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of state universities.

(2) PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.--Public postsecondary educational institutions include workforce ~~development~~ education; community colleges; colleges; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law.

Section 70. Paragraph (e) of subsection (2) and subsection (4) of section 1000.05, Florida Statutes, are amended to read:

1000.05 Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required.--

(2)

(e) Guidance services, counseling services, and financial assistance services in the state public K-20 education system shall be available to students equally. Guidance and counseling services, materials, and promotional events shall stress access to academic and, ~~career and technical~~ opportunities for students

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without regard to race, ethnicity, national origin, gender, disability, or marital status.

(4) Educational institutions within the state public K-20 education system shall develop and implement methods and strategies to increase the participation of students of a particular race, ethnicity, national origin, gender, disability, or marital status in programs and courses in which students of that particular race, ethnicity, national origin, gender, disability, or marital status have been traditionally underrepresented, including, but not limited to, mathematics, science, computer technology, electronics, communications technology, engineering, and career ~~and technical~~ education.

Section 71. Paragraph (h) of subsection (4) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.--The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF SCHOOLS.--Adopt and provide for the execution of plans for the establishment, organization, and operation of the schools of the district, including, but not limited to, the following:

(h) Career ~~and technical~~ classes and schools.--Provide for the establishment and maintenance of career ~~and technical~~ schools, departments, or classes, giving instruction in career ~~and technical~~ education as defined by rules of the State Board of Education, and use any moneys raised by public taxation in the same manner as moneys for other school purposes are used for the maintenance and support of public schools or classes.

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Section 72. Section 1001.44, Florida Statutes, is amended to read:

1001.44 Career ~~Technical~~ centers.--

(1) DISTRICT SCHOOL BOARD MAY ESTABLISH OR ACQUIRE CAREER ~~TECHNICAL~~ CENTERS.--Any district school board, after first obtaining the approval of the Department of Education, may, as a part of the district school system, organize, establish and operate a career ~~technical~~ center, or acquire and operate a career center ~~technical school~~ previously established.

(2) DISTRICT SCHOOL BOARDS OF CONTIGUOUS DISTRICTS MAY ESTABLISH OR ACQUIRE CAREER ~~TECHNICAL~~ CENTERS.--The district school boards of any two or more contiguous districts may, upon first obtaining the approval of the department, enter into an agreement to organize, establish and operate, or acquire and operate, a career ~~technical~~ center under this section.

(3) CAREER ~~TECHNICAL~~ CENTER PART OF DISTRICT SCHOOL SYSTEM DIRECTED BY A DIRECTOR.--

(a) A career ~~technical~~ center established or acquired under provisions of law and minimum standards prescribed by the commissioner shall comprise a part of the district school system and shall mean an educational institution offering terminal courses of a technical nature, and courses for out-of-school youth and adults; shall be subject to all applicable provisions of this code; shall be under the control of the district school board of the school district in which it is located; and shall be directed by a director responsible through the district school superintendent to the district school board of the school district in which the center is located.

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(b) Each career ~~technical~~ center shall maintain an academic transcript for each student enrolled in the center. Such transcript shall delineate each course completed by the student. Courses shall be delineated by the course prefix and title assigned pursuant to s. 1007.24. The center shall make a copy of a student's transcript available to any student who requests it.

Section 73. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.--

(1) ESTABLISHMENT.--

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of the provisions of ss. 1001.42(16) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career ~~Technical~~ center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of

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career centers ~~technical~~ and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.
2. Education support employees shall be elected by education support employees.
3. Students shall be elected by students.
4. Parents shall be elected by parents.

The district school board shall establish procedures for use by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory

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council which shall include at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" shall include classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

Section 74. Paragraph (a) of subsection (1) of section 1001.453, Florida Statutes, is amended to read:

1001.453 Direct-support organization; use of property; board of directors; audit.--

(1) DEFINITIONS.--For the purposes of this section, the term:

(a) "District school board direct-support organization" means an organization that:

1. Is approved by the district school board;
2. Is a Florida corporation not for profit, incorporated under the provisions of chapter 617 and approved by the Department of State; and
3. Is organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to or for the benefit of public kindergarten through 12th grade education and adult career ~~and technical~~ and community education programs in this state.

Section 75. Subsection (16) of section 1001.64, Florida Statutes, is amended to read:

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1001.64 Community college boards of trustees; powers and duties.--

(16) Each board of trustees must expend performance funds provided for workforce ~~development~~ education pursuant to the provisions of s. 1011.80.

Section 76. Subsection (2) of section 1002.01, Florida Statutes, is amended to read:

1002.01 Definitions.--

(2) A "private school" is a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(14) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career ~~and technical~~ training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs conducted in accordance with s. 1002.41.

Section 77. Paragraph (f) of subsection (3) of section 1002.20, Florida Statutes, is amended to read:

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1002.20 K-12 student and parent rights.--Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.--

(f) Career ~~and technical~~ education courses involving hazardous substances.--High school students must be given plano safety glasses or devices in career ~~and technical~~ education courses involving the use of hazardous substances likely to cause eye injury, in accordance with the provisions of s. 1006.65.

Section 78. Paragraph (a) of subsection (2) and subsections (3) and (5) of section 1002.22, Florida Statutes, are amended to read:

1002.22 Student records and reports; rights of parents and students; notification; penalty.--

(2) DEFINITIONS.--As used in this section:

(a) "Chief executive officer" means that person, whether elected or appointed, who is responsible for the management and administration of any public educational body or unit, or the chief executive officer's designee for student records; that is, the district school superintendent, the director of a career an ~~area technical~~ center, the president of a public postsecondary educational institution, or their designees.

(3) RIGHTS OF PARENT OR STUDENT.--The parent of any student who attends or has attended any public school, career

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~~area technical~~ center, or public postsecondary educational institution shall have the following rights with respect to any records or reports created, maintained, and used by any public educational institution in the state. However, whenever a student has attained 18 years of age, or is attending a postsecondary educational institution, the permission or consent required of, and the rights accorded to, the parents of the student shall thereafter be required of and accorded to the student only, unless the student is a dependent student of such parents as defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code of 1954). The State Board of Education shall adopt rules whereby parents or students may exercise these rights:

(a) Right of access.--

1. Such parent or student shall have the right, upon request directed to the appropriate school official, to be provided with a list of the types of records and reports, directly related to students, as maintained by the institution that the student attends or has attended.

2. Such parent or student shall have the right, upon request, to be shown any record or report relating to such student maintained by any public educational institution. When the record or report includes information on more than one student, the parent or student shall be entitled to receive, or be informed of, only that part of the record or report that pertains to the student who is the subject of the request. Upon a reasonable request therefor, the institution shall furnish such parent or student with an explanation or interpretation of any such record or report.

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3. Copies of any list, record, or report requested under the provisions of this paragraph shall be furnished to the parent or student upon request.

4. The State Board of Education shall adopt rules to be followed by all public educational institutions in granting requests for lists, or for access to reports and records or for copies or explanations thereof under this paragraph. However, access to any report or record requested under the provisions of subparagraph 2. shall be granted within 30 days after receipt of such request by the institution. Fees may be charged for furnishing any copies of reports or records requested under subparagraph 3., but such fees shall not exceed the actual cost to the institution of producing such copies.

(b) Right of waiver of access to confidential letters or statements.--A parent or student shall have the right to waive the right of access to letters or statements of recommendation or evaluation, except that such waiver shall apply to recommendations or evaluations only if:

1. The parent or student is, upon request, notified of the names of all persons submitting confidential letters or statements.

2. Such recommendations or evaluations are used solely for the purpose for which they were specifically intended.

Such waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from, any public agency or public educational institution in this state.

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(c) Right to challenge and hearing.--A parent or student shall have the right to challenge the content of any record or report to which such person is granted access under paragraph (a), in order to ensure that the record or report is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student and to provide an opportunity for the correction, deletion, or expunction of any inaccurate, misleading, or otherwise inappropriate data or material contained therein. Any challenge arising under the provisions of this paragraph may be settled through informal meetings or discussions between the parent or student and appropriate officials of the educational institution. If the parties at such a meeting agree to make corrections, to make deletions, to expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties; and the appropriate school officials shall take the necessary actions to implement the agreement. If the parties cannot reach an agreement, upon the request of either party, a hearing shall be held on such challenge under rules adopted by the State Board of Education. Upon the request of the parent or student, the hearing shall be exempt from the requirements of s. 286.011. Such rules shall include at least the following provisions:

1. The hearing shall be conducted within a reasonable period of time following the request for the hearing.
2. The hearing shall be conducted, and the decision rendered, by an official of the educational institution or other

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party who does not have a direct interest in the outcome of the hearing.

3. The parent or student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised under this paragraph.

4. The decision shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.

5. The appropriate school officials shall take the necessary actions to implement the decision.

(d) Right of privacy.--Every student shall have a right of privacy with respect to the educational records kept on him or her. Personally identifiable records or reports of a student, and any personal information contained therein, are confidential and exempt from the provisions of s. 119.07(1). No state or local educational agency, board, public school, career ~~technical~~ center, or public postsecondary educational institution shall permit the release of such records, reports, or information without the written consent of the student's parent, or of the student himself or herself if he or she is qualified as provided in this subsection, to any individual, agency, or organization. However, personally identifiable records or reports of a student may be released to the following persons or organizations without the consent of the student or the student's parent:

1. Officials of schools, school systems, career ~~technical~~ centers, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.

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2. Other school officials, including teachers within the educational institution or agency, who have legitimate educational interests in the information contained in the records.

3. The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or state or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable federal statutes and regulations of the United States Department of Education, or in applicable state statutes and rules of the State Board of Education.

4. Other school officials, in connection with a student's application for or receipt of financial aid.

5. Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and if such information will be destroyed when no longer needed for the purpose of conducting such studies.

6. Accrediting organizations, in order to carry out their accrediting functions.

7. School readiness coalitions and the Florida Partnership for School Readiness in order to carry out their assigned duties.

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8. For use as evidence in student expulsion hearings conducted by a district school board pursuant to the provisions of chapter 120.

9. Appropriate parties in connection with an emergency, if knowledge of the information in the student's educational records is necessary to protect the health or safety of the student or other individuals.

10. The Auditor General and the Office of Program Policy Analysis and Government Accountability in connection with their official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General and the Office of Program Policy Analysis and Government Accountability is confidential and exempt from the provisions of s. 119.07(1) and shall be protected in such a way as will not permit the personal identification of students and their parents by other than the Auditor General, the Office of Program Policy Analysis and Government Accountability, and their staff, and such personally identifiable data shall be destroyed when no longer needed for the Auditor General's and the Office of Program Policy Analysis and Government Accountability's official use.

11.a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, upon the condition that the student and the student's parent are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

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b. A person or entity pursuant to a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, upon the condition that the student, or his or her parent if the student is either a minor and not attending a postsecondary educational institution or a dependent of such parent as defined in 26 U.S.C. s. 152 (s. 152 of the Internal Revenue Code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

12. Credit bureaus, in connection with an agreement for financial aid that the student has executed, provided that such information may be disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained pursuant to this paragraph to any person.

13. Parties to an interagency agreement among the Department of Juvenile Justice, school and law enforcement authorities, and other signatory agencies for the purpose of reducing juvenile crime and especially motor vehicle theft by promoting cooperation and collaboration, and the sharing of appropriate information in a joint effort to improve school safety, to reduce truancy and in-school and out-of-school suspensions, and to support alternatives to in-school and out-of-school suspensions and expulsions that provide structured and well-supervised educational programs supplemented by a coordinated overlay of other appropriate services designed to correct behaviors that lead to truancy, suspensions, and expulsions, and that support students in successfully completing

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their education. Information provided in furtherance of such interagency agreements is intended solely for use in determining the appropriate programs and services for each juvenile or the juvenile's family, or for coordinating the delivery of such programs and services, and as such is inadmissible in any court proceedings prior to a dispositional hearing unless written consent is provided by a parent or other responsible adult on behalf of the juvenile.

This paragraph does not prohibit any educational institution from publishing and releasing to the general public directory information relating to a student if the institution elects to do so. However, no educational institution shall release, to any individual, agency, or organization that is not listed in subparagraphs 1.-13., directory information relating to the student body in general or a portion thereof unless it is normally published for the purpose of release to the public in general. Any educational institution making directory information public shall give public notice of the categories of information that it has designated as directory information with respect to all students attending the institution and shall allow a reasonable period of time after such notice has been given for a parent or student to inform the institution in writing that any or all of the information designated should not be released.

(5) PENALTY.--In the event that any public school official or employee, district school board official or employee, career ~~technical~~ center official or employee, or public postsecondary

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educational institution official or employee refuses to comply with any of the provisions of this section, the aggrieved parent or student shall have an immediate right to bring an action in the circuit court to enforce the violated right by injunction. Any aggrieved parent or student who brings such an action and whose rights are vindicated may be awarded attorney's fees and court costs.

Section 79. Subsection (1) of section 1002.38, Florida Statutes, is amended to read:

1002.38 Opportunity Scholarship Program.--

(1) FINDINGS AND INTENT.--The purpose of this section is to provide enhanced opportunity for students in this state to gain the knowledge and skills necessary for postsecondary education, a career ~~technical~~ education, or the world of work. The Legislature recognizes that the voters of the State of Florida, in the November 1998 general election, amended s. 1, Art. IX of the Florida Constitution so as to make education a paramount duty of the state. The Legislature finds that the State Constitution requires the state to provide a uniform, safe, secure, efficient, and high-quality system which allows the opportunity to obtain a high-quality education. The Legislature further finds that a student should not be compelled, against the wishes of the student's parent, to remain in a school found by the state to be failing for 2 years in a 4-year period. The Legislature shall make available opportunity scholarships in order to give parents the opportunity for their children to attend a public school that is performing satisfactorily or to attend an eligible private school when the

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parent chooses to apply the equivalent of the public education funds generated by his or her child to the cost of tuition in the eligible private school as provided in paragraph (6)(a). Eligibility of a private school shall include the control and accountability requirements that, coupled with the exercise of parental choice, are reasonably necessary to secure the educational public purpose, as delineated in subsection (4).

Section 80. Paragraph (a) of subsection (2) of section 1002.42, Florida Statutes, is amended to read:

1002.42 Private schools.--

(2) ANNUAL PRIVATE SCHOOL SURVEY.--

(a) The Department of Education shall organize, maintain, and annually update a database of educational institutions within the state coming within the provisions of this section. There shall be included in the database of each institution the name, address, and telephone number of the institution; the type of institution; the names of administrative officers; the enrollment by grade or special group (e.g., career ~~and technical~~ education and exceptional child education); the number of graduates; the number of instructional and administrative personnel; the number of days the school is in session; and such data as may be needed to meet the provisions of this section and s. 1003.23(2).

Section 81. Subsection (4), paragraph (c) of subsection (9), and subsection (15) of section 1003.01, Florida Statutes, are amended to read:

1003.01 Definitions.--As used in this chapter, the term:

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(4) "Career ~~and technical~~ education" means education that provides instruction for the following purposes:

(a) At the elementary, middle, and secondary school levels, exploratory courses designed to give students initial exposure to a broad range of occupations to assist them in preparing their academic and occupational plans, and practical arts courses that provide generic skills that may apply to many occupations but are not designed to prepare students for entry into a specific occupation. Career ~~and technical~~ education provided before high school completion must be designed to enhance both occupational and academic skills through integration with academic instruction.

(b) At the secondary school level, job-preparatory instruction in the competencies that prepare students for effective entry into an occupation, including diversified cooperative education, work experience, and job-entry programs that coordinate directed study and on-the-job training.

(c) At the postsecondary education level, courses of study that provide competencies needed for entry into specific occupations or for advancement within an occupation.

(9) "Dropout" means a student who meets any one or more of the following criteria:

(c) The student has withdrawn from school, but has not transferred to another public or private school or enrolled in any career ~~and technical~~, adult, home education, or alternative educational program;

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The State Board of Education may adopt rules to implement the provisions of this subsection.

(15) "Extracurricular courses" means all courses that are not defined as "core-curricula courses," which may include, but are not limited to, physical education, fine arts, performing fine arts, ~~vocational education,~~ and career ~~and technical~~ education. The term is limited in meaning and used for the sole purpose of designating classes that are not subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution.

Section 82. Section 1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of public K-12 education within the school district.--As provided in part II of chapter 1001, district school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school district. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career ~~and technical~~ education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other

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matters relating to the welfare of students in the following fields:

(a) Admission, classification, promotion, and graduation of students.--Adopt rules for admitting, classifying, promoting, and graduating students to or from the various schools of the district.

(b) Enforcement of attendance laws.--Provide for the enforcement of all laws and rules relating to the attendance of students at school.

(c) Control of students.--

1. Adopt rules for the control, attendance, discipline, in-school suspension, suspension, and expulsion of students and decide all cases recommended for expulsion.

2. Maintain a code of student conduct as provided in chapter 1006.

(d) Courses of study and instructional materials.--

1. Provide adequate instructional materials for all students as follows and in accordance with the requirements of chapter 1006, in the core courses of mathematics, language arts, social studies, science, reading, and literature, except for instruction for which the school advisory council approves the use of a program that does not include a textbook as a major tool of instruction.

2. Adopt courses of study for use in the schools of the district.

3. Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials as may be needed, and ensure that instructional

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materials used in the district are consistent with the district goals and objectives and the curriculum frameworks approved by the State Board of Education, as well as with the state and school district performance standards required by law and state board rule.

(e) Transportation.--Make provision for the transportation of students to the public schools or school activities they are required or expected to attend, efficiently and economically, in accordance with the requirements of chapter 1006.

(f) Facilities and school plant.--

1. Approve and adopt a districtwide school facilities program, in accordance with the requirements of chapter 1013.

2. Approve plans for locating, planning, constructing, sanitating, insuring, maintaining, protecting, and condemning school property as prescribed in chapter 1013.

3. Approve and adopt a districtwide school building program.

4. Select and purchase school sites, playgrounds, and recreational areas located at centers at which schools are to be constructed, of adequate size to meet the needs of projected students to be accommodated.

5. Approve the proposed purchase of any site, playground, or recreational area for which school district funds are to be used.

6. Expand existing sites.

7. Rent buildings when necessary.

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8. Enter into leases or lease-purchase arrangements, in accordance with the requirements and conditions provided in s. 1013.15(2).

9. Provide for the proper supervision of construction.

10. Make or contract for additions, alterations, and repairs on buildings and other school properties.

11. Ensure that all plans and specifications for buildings provide adequately for the safety and well-being of students, as well as for economy of construction.

12. Provide adequately for the proper maintenance and upkeep of school plants.

13. Carry insurance on every school building in all school plants including contents, boilers, and machinery, except buildings of three classrooms or less which are of frame construction and located in a tenth class public protection zone as defined by the Florida Inspection and Rating Bureau, and on all school buses and other property under the control of the district school board or title to which is vested in the district school board, except as exceptions may be authorized under rules of the State Board of Education.

14. Condemn and prohibit the use for public school purposes of any building under the control of the district school board.

(g) School operation.--

1. Provide for the operation of all public schools as free schools for a term of at least 180 days or the equivalent on an hourly basis as specified by rules of the State Board of Education; determine district school funds necessary in addition

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to state funds to operate all schools for the minimum term; and arrange for the levying of district school taxes necessary to provide the amount needed from district sources.

2. Prepare, adopt, and timely submit to the Department of Education, as required by law and by rules of the State Board of Education, the annual school budget, so as to promote the improvement of the district school system.

(h) Records and reports.--

1. Keep all necessary records and make all needed and required reports, as required by law or by rules of the State Board of Education.

2. At regular intervals require reports to be made by principals or teachers in all public schools to the parents of the students enrolled and in attendance at their schools, apprising them of the academic and other progress being made by the student and giving other useful information.

(i) Parental notification of acceleration mechanisms.--At the beginning of each school year, notify parents of students in or entering high school of the opportunity and benefits of advanced placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and Florida Virtual School courses.

(2) Require that all laws, all rules of the State Board of Education, and all rules of the district school board are properly enforced.

(3) Maintain a system of school improvement and education accountability as required by law and State Board of Education

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rule, including but not limited to the requirements of chapter 1008.

(4) In order to reduce the anonymity of students in large schools, adopt policies that encourage subdivision of the school into schools-within-a-school, which shall operate within existing resources. A "school-within-a-school" means an operational program that uses flexible scheduling, team planning, and curricular and instructional innovation to organize groups of students with groups of teachers as smaller units, so as to functionally operate as a smaller school. Examples of this include, but are not limited to:

(a) An organizational arrangement assigning both students and teachers to smaller units in which the students take some or all of their coursework with their fellow grouped students and from the teachers assigned to the smaller unit. A unit may be grouped together for 1 year or on a vertical, multiyear basis.

(b) An organizational arrangement similar to that described in paragraph(a) with additional variations in instruction and curriculum. The smaller unit usually seeks to maintain a program different from that of the larger school, or of other smaller units. It may be vertically organized, but is dependent upon the school principal for its existence, budget, and staff.

(c) A separate and autonomous smaller unit formally authorized by the district school board or district school superintendent. The smaller unit plans and runs its own program, has its own staff and students, and receives its own separate budget. The smaller unit must negotiate the use of common space

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with the larger school and defer to the building principal on matters of safety and building operation.

Section 83. Paragraph (h) of subsection (1) of section 1003.43, Florida Statutes, is amended to read:

1003.43 General requirements for high school graduation.--

(1) Graduation requires successful completion of either a minimum of 24 academic credits in grades 9 through 12 or an International Baccalaureate curriculum. The 24 credits shall be distributed as follows:

(h)1. One credit in practical arts career ~~and technical~~ education or exploratory career ~~and technical~~ education. Any career ~~and technical~~ education course as defined in s. 1003.01 may be taken to satisfy the high school graduation requirement for one credit in practical arts or exploratory career ~~and technical~~ education provided in this subparagraph;

2. One credit in performing fine arts to be selected from music, dance, drama, painting, or sculpture. A course in any art form, in addition to painting or sculpture, that requires manual dexterity, or a course in speech and debate, may be taken to satisfy the high school graduation requirement for one credit in performing arts pursuant to this subparagraph; or

3. One-half credit each in practical arts career ~~and technical~~ education or exploratory career ~~and technical~~ education and performing fine arts, as defined in this paragraph.

Such credit for practical arts career ~~and technical~~ education or exploratory career ~~and technical~~ education or for performing

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fine arts shall be made available in the 9th grade, and students shall be scheduled into a 9th grade course as a priority.

District school boards may award a maximum of one-half credit in social studies and one-half elective credit for student completion of nonpaid voluntary community or school service work. Students choosing this option must complete a minimum of 75 hours of service in order to earn the one-half credit in either category of instruction. Credit may not be earned for service provided as a result of court action. District school boards that approve the award of credit for student volunteer service shall develop guidelines regarding the award of the credit, and school principals are responsible for approving specific volunteer activities. A course designated in the Course Code Directory as grade 9 through grade 12 that is taken below the 9th grade may be used to satisfy high school graduation requirements or Florida Academic Scholars award requirements as specified in a district school board's student progression plan. A student shall be granted credit toward meeting the requirements of this subsection for equivalent courses, as identified pursuant to s. 1007.271(6), taken through dual enrollment.

Section 84. Subsection (3) of section 1003.47, Florida Statutes, is amended to read:

1003.47 Biological experiments on living subjects.--

(3) If any instructional employee of a public high school or career ~~area-technical~~ center knowingly or intentionally fails or refuses to comply with any of the provisions of this section,

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the district school board may suspend, dismiss, return to annual contract, or otherwise discipline such employee as provided in s. 1012.22(1)(f) in accordance with procedures established in chapter 1012. If any instructional employee of any private school knowingly or intentionally fails or refuses to comply with the provisions of this section, the governing authority of the private school may suspend, dismiss, or otherwise discipline such employee in accordance with its standard personnel procedures.

Section 85. Paragraphs (e) and (f) of subsection (2) of section 1003.51, Florida Statutes, are amended to read:

1003.51 Other public educational services.--

(2) The State Board of Education shall adopt and maintain an administrative rule articulating expectations for effective education programs for youth in Department of Juvenile Justice programs, including, but not limited to, education programs in juvenile justice commitment and detention facilities. The rule shall articulate policies and standards for education programs for youth in Department of Juvenile Justice programs and shall include the following:

(e) Assessment procedures, which:

1. Include appropriate academic and career ~~and technical~~ assessments administered at program entry and exit that are selected by the Department of Education in partnership with representatives from the Department of Juvenile Justice, district school boards, and providers.

2. Require district school boards to be responsible for ensuring the completion of the assessment process.

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3. Require assessments for students in detention who will move on to commitment facilities, to be designed to create the foundation for developing the student's education program in the assigned commitment facility.

4. Require assessments of students sent directly to commitment facilities to be completed within the first week of the student's commitment.

The results of these assessments, together with a portfolio depicting the student's academic and career ~~and technical~~ accomplishments, shall be included in the discharge package assembled for each youth.

(f) Recommended instructional programs, including, but not limited to, career ~~and technical~~ training and job preparation.

Section 86. Paragraph (c) of subsection (1) and subsections (3), (5), and (23) of section 1003.52, Florida Statutes, are amended to read:

1003.52 Educational services in Department of Juvenile Justice programs.--

(1) The Legislature finds that education is the single most important factor in the rehabilitation of adjudicated delinquent youth in the custody of the Department of Juvenile Justice in detention or commitment facilities. It is the goal of the Legislature that youth in the juvenile justice system continue to be allowed the opportunity to obtain a high quality education. The Department of Education shall serve as the lead agency for juvenile justice education programs, curriculum, support services, and resources. To this end, the Department of

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Education and the Department of Juvenile Justice shall each designate a Coordinator for Juvenile Justice Education Programs to serve as the point of contact for resolving issues not addressed by district school boards and to provide each department's participation in the following activities:

(c) Developing academic and career ~~and technical~~ protocols that provide guidance to district school boards and providers in all aspects of education programming, including records transfer and transition.

Annually, a cooperative agreement and plan for juvenile justice education service enhancement shall be developed between the Department of Juvenile Justice and the Department of Education and submitted to the Secretary of Juvenile Justice and the Commissioner of Education by June 30.

(3) The district school board of the county in which the residential or nonresidential care facility or juvenile assessment facility is located shall provide appropriate educational assessments and an appropriate program of instruction and special education services. The district school board shall make provisions for each student to participate in basic, career ~~and technical~~ education, and exceptional student programs as appropriate. Students served in Department of Juvenile Justice programs shall have access to the appropriate courses and instruction to prepare them for the GED test. Students participating in GED preparation programs shall be funded at the basic program cost factor for Department of Juvenile Justice programs in the Florida Education Finance

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Program. Each program shall be conducted according to applicable law providing for the operation of public schools and rules of the State Board of Education.

(5) The educational program shall consist of appropriate basic academic, career ~~and technical~~, or exceptional curricula and related services which support the treatment goals and reentry and which may lead to completion of the requirements for receipt of a high school diploma or its equivalent. If the duration of a program is less than 40 days, the educational component may be limited to tutorial activities and career ~~and technical~~ employability skills.

(23) The Department of Juvenile Justice and the Department of Education shall, in consultation with the statewide Workforce Development Youth Council, district school boards, providers, and others, jointly develop a multiagency plan for career ~~and technical~~ education which describes the curriculum, goals, and outcome measures for career ~~and technical~~ education programming in juvenile commitment facilities, pursuant to s. 985.3155.

Section 87. Subsections (21), (23), (25), and (26) of section 1004.02, Florida Statutes, are amended to read:

1004.02 Definitions.--As used in this chapter:

(21) "Career ~~Technical~~ certificate program" means a course of study that leads to at least one occupational completion point. The program may also confer credit that may articulate with a diploma or career ~~technical~~ degree education program, if authorized by rules of the State Board of Education. Any credit instruction designed to articulate to a degree program is subject to guidelines and standards adopted by the Department of

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Education pursuant to chapter 1007. The term is interchangeable with the term "certificate career ~~and technical~~ education program."

(23) "Career ~~and technical~~ education planning region" means the geographic area in which career ~~and technical~~ or adult education is provided. Each career ~~and technical~~ region is contiguous with one of the 28 community college service areas.

(25) "Career ~~and technical~~ program" means a group of identified competencies leading to occupations identified by a Classification of Instructional Programs number.

(26) "Workforce ~~development~~ education" means adult general education or career ~~and technical~~ education and may consist of a continuing workforce education course or a program of study leading to an occupational completion point, a career technical certificate, an applied technology diploma, or a career technical degree.

Section 88. Paragraph (f) of subsection (5) of section 1004.04, Florida Statutes, is amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.--

(5) CONTINUED PROGRAM APPROVAL.--Notwithstanding subsection (4), failure by a public or nonpublic teacher preparation program to meet the criteria for continued program approval shall result in loss of program approval. The Department of Education, in collaboration with the departments and colleges of education, shall develop procedures for continued program approval that document the continuous improvement of program processes and graduates' performance.

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(f)1. Each Florida public and private institution that offers a state-approved teacher preparation program must annually report information regarding these programs to the state and the general public. This information shall be reported in a uniform and comprehensible manner that is consistent with definitions and methods approved by the Commissioner of the National Center for Educational Statistics and that is approved by the State Board of Education. This information must include, at a minimum:

a. The percent of graduates obtaining full-time teaching employment within the first year of graduation.

b. The average length of stay of graduates in their full-time teaching positions.

c. Satisfaction ratings required in paragraph (e).

2. Each public and private institution offering training for school readiness related professions, including training in the fields of child care and early childhood education, whether offering career ~~technical~~ credit, associate in applied science degree programs, associate in science degree programs, or associate in arts degree programs, shall annually report information regarding these programs to the state and the general public in a uniform and comprehensible manner that conforms with definitions and methods approved by the State Board of Education. This information must include, at a minimum:

a. Average length of stay of graduates in their positions.

b. Satisfaction ratings of graduates' employers.

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This information shall be reported through publications, including college and university catalogs and promotional materials sent to potential applicants, secondary school guidance counselors, and prospective employers of the institution's program graduates.

Section 89. Section 1004.07, Florida Statutes, is amended to read:

1004.07 Student withdrawal from courses due to military service; effect.--Each district school board, community college district board of trustees, and university board of trustees shall establish, by rule and pursuant to guidelines of the State Board of Education, policies regarding currently enrolled students who are called to, or enlist in, active military service. Such policies shall provide that any student enrolled in a postsecondary course or courses at a career ~~an area technical~~ center, a public community college, a public college, or a state university shall not incur academic or financial penalties by virtue of performing military service on behalf of our country. Such student shall be permitted the option of either completing the course or courses at a later date without penalty or withdrawing from the course or courses with a full refund of fees paid. If the student chooses to withdraw, the student's record shall reflect that the withdrawal is due to active military service.

Section 90. Paragraphs (b), (c), (d), and (g) of subsection (4) of section 1004.54, Florida Statutes, are amended to read:

1004.54 Learning Development and Evaluation Center.--

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(4) An outreach component shall be established which shall include:

(b) Working with community colleges, career ~~technical~~ centers, and community agencies to identify students who may benefit from the program.

(c) Providing secondary schools, community colleges, career ~~technical~~ centers, and community agencies with a description of methods used by the program for identification of students who have learning disabilities.

(d) Providing secondary schools, community colleges, career ~~technical~~ centers, and community agencies with a description of program services and the support services available.

(g) Designing, developing, and implementing, in cooperation with Florida Agricultural and Mechanical University, public school districts, community colleges, and career ~~technical~~ centers within the Department of Education, model programs for the learning disabled student.

Section 91. Subsection (6) and paragraph (a) of subsection (8) of section 1004.65, Florida Statutes, are amended to read:

1004.65 Community colleges; definition, mission, and responsibilities.--

(6) The primary mission and responsibility of community colleges is responding to community needs for postsecondary academic education and career ~~technical~~ degree education. This mission and responsibility includes being responsible for:

(a) Providing lower level undergraduate instruction and awarding associate degrees.

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(b) Preparing students directly for careers ~~vocations~~ requiring less than baccalaureate degrees. This may include preparing for job entry, supplementing of skills and knowledge, and responding to needs in new areas of technology. Career ~~and technical~~ education in the community college shall consist of career ~~technical~~ certificates, credit courses leading to associate in science degrees and associate in applied science degrees, and other programs in fields requiring substantial academic work, background, or qualifications. A community college may offer career ~~and technical~~ education programs in fields having lesser academic or technical requirements.

(c) Providing student development services, including assessment, student tracking, support for disabled students, advisement, counseling, financial aid, career development, and remedial and tutorial services, to ensure student success.

(d) Promoting economic development for the state within each community college district through the provision of special programs, including, but not limited to, the:

1. Enterprise Florida-related programs.
2. Technology transfer centers.
3. Economic development centers.
4. Workforce literacy programs.

(e) Providing dual enrollment instruction.

(8) Funding for community colleges shall reflect their mission as follows:

(a) Postsecondary academic and career ~~and technical~~ education programs and adult general education programs shall have first priority in community college funding.

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Section 92. Paragraph (b) of subsection (3) and paragraph (a) of subsection (8) of section 1004.73, Florida Statutes, are amended to read:

1004.73 St. Petersburg College.--

(3) STUDENTS; FEES.--

(b) The Board of Trustees of St. Petersburg College shall establish the level of tuition and other authorized student fees consistent with law and proviso in the General Appropriations Act.

1. For each credit hour of enrollment in a certificate level course or lower-division level college credit course, tuition and fees must be within the range authorized in law and rule for a community college student at that level.

2. For each credit hour of enrollment in an upper-division level course, matriculation and tuition fees must be in an amount established by the Board of Trustees of St. Petersburg College. However, fees for upper-division students must reflect the fact that the college does not incur the costs of major research programs. Therefore, the board of trustees shall establish fees for upper-division students within a range that is lower than the fees established for students at a state university but higher than the fees for community college students.

3. Other mandatory fees and local fees must be at the same level for all lower-division students. For upper-division students, other mandatory fees and local fees must be at a level less than fees established for University of South Florida students, regardless of program enrollment or level. However,

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students in workforce ~~development~~ education courses maintain the authorized fee exemptions described in s. 1009.25 and may be exempt from local fees imposed by the board of trustees, at the board's discretion.

(8) STATE FUNDING.--

(a) The Legislature intends to fund St. Petersburg College as a community college for its workforce ~~development~~ education programs and for its lower-division level college credit courses and programs.

Section 93. Subsections (1) and (2) of section 1004.91, Florida Statutes, are amended to read:

1004.91 Career-preparatory ~~Vocational-preparatory~~ instruction.--

(1) The State Board of Education shall adopt, by rule, standards of basic skill mastery for certificate career ~~technical~~ education programs. Each school district and community college that conducts programs that confer career ~~technical~~ credit shall provide career-preparatory ~~vocational-preparatory~~ instruction through which students receive the basic skills instruction required pursuant to this section.

(2) Students who enroll in a program offered for career ~~technical~~ credit of 450 hours or more shall complete an entry-level examination within the first 6 weeks of admission into the program. The State Board of Education shall designate examinations that are currently in existence, the results of which are comparable across institutions, to assess student mastery of basic skills. Any student found to lack the required level of basic skills for such program shall be referred to

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~~career-preparatory vocational-preparatory~~ instruction or adult basic education for a structured program of basic skills instruction. Such instruction may include English for speakers of other languages. A student may not receive a career ~~technical~~ certificate of completion without first demonstrating the basic skills required in the state curriculum frameworks for the program.

Section 94. Section 1004.92, Florida Statutes, is amended to read:

1004.92 Purpose and responsibilities for career ~~and technical~~ education.--

(1) The purpose of career ~~and technical~~ education is to enable students who complete career ~~and technical~~ programs to attain and sustain employment and realize economic self-sufficiency. The purpose of this section is to identify issues related to career ~~and technical~~ education for which school boards and community college boards of trustees are accountable. It is the intent of the Legislature that the standards articulated in subsection (2) be considered in the development of accountability standards for public schools pursuant to ss. 1000.03, 1001.42(16), and 1008.345 and for community colleges pursuant to s. 1008.45.

(2)(a) School board, superintendent, and career ~~technical~~ center, and community college board of trustees and president, accountability for career ~~and technical~~ education programs includes, but is not limited to:

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

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

3. Career ~~and technical~~ program articulation with other corresponding postsecondary programs and job training experiences.

4. Employer satisfaction with the performance of students who complete career ~~and technical~~ education or reach occupational completion points.

5. Student completion, placement, and retention rates pursuant to s. 1008.43.

(b) Department of Education accountability for career ~~and technical~~ education includes, but is not limited to:

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

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

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

4. The development of program standards and industry-driven benchmarks for career ~~and technical~~, adult, and community education programs, which must be updated every 3 years. The standards must include career ~~technical~~, academic, and workplace skills; viability of distance learning for instruction; and work/learn cycles that are responsive to business and industry.

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

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6. Ensuring that the educational outcomes for the technical component of career ~~and technical~~ programs are uniform and designed to provide a graduate who is capable of entering the workforce on an equally competitive basis regardless of the institution of choice.

(3) Each career ~~technical~~ center operated by a district school board shall establish a center advisory council pursuant to s. 1001.452. The center advisory council shall assist in the preparation and evaluation of center improvement plans required pursuant to s. 1001.42(16) and may provide assistance, upon the request of the center director, in the preparation of the center's annual budget and plan as required by s. 1008.385(1).

Section 95. Paragraph (b) of subsection (1), paragraph (d) of subsection (2), and paragraph (c) of subsection (4) of section 1004.93, Florida Statutes, are amended to read:

1004.93 Adult general education.--

(1)

(b) It is further intended that educational opportunities be available for adults who have earned a diploma or high school equivalency diploma but who lack the basic skills necessary to function effectively in everyday situations, to enter the job market, or to enter career ~~technical~~ certificate instruction.

(2) The adult education program must provide academic services to students in the following priority:

(d) Students who have earned high school diplomas and require specific improvement in order to:

1. Obtain or maintain employment or benefit from certificate career ~~technical~~ education programs;

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2. Pursue a postsecondary degree; or
3. Develop competence in the English language to qualify for employment.

(4)

(c) The State Board of Education shall define, by rule, the levels and courses of instruction to be funded through the college-preparatory program. The state board shall coordinate the establishment of costs for college-preparatory courses, the establishment of statewide standards that define required levels of competence, acceptable rates of student progress, and the maximum amount of time to be allowed for completion of college-preparatory instruction. College-preparatory instruction is part of an associate in arts degree program and may not be funded as an adult career ~~and technical~~ education program.

Section 96. Subsection (2) of section 1004.98, Florida Statutes, is amended to read:

1004.98 Workforce literacy programs.--

(2) Each community college and school district may conduct courses and programs through which adults gain the communication and computation skills necessary to complete a career ~~and technical~~ program, to gain or maintain entry-level employment, or to upgrade employment. Courses may not be conducted until the community college or school district identifies current and prospective employees who do not possess the skills necessary to enter career ~~and technical~~ programs or to obtain or maintain employment.

Section 97. Subsection (8) of section 1005.02, Florida Statutes, is amended to read:

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1005.02 Definitions.--As used in this chapter, the term:

(8) "Diploma" means a credential that is not a degree but is any of the following: a certificate, transcript, report, document, or title; a designation, mark, or appellation; or a series of letters, numbers, or words that generally are taken to signify satisfactory completion of the requirements of an educational,~~technical~~, or career program of study or training or course of study.

Section 98. Subsection (2) of section 1005.06, Florida Statutes, is amended to read:

1005.06 Institutions not under the jurisdiction or purview of the commission.--

(2) The Department of Education may contract with the Commission on Independent Education to provide services for independent postsecondary educational institutions not under the jurisdiction of the commission relating to licensure of postsecondary career ~~technical~~ certificate and diploma programs that such institutions may wish to offer and preliminary review of programs such institutions may wish to offer which are beyond the scope of the institutions's current accreditation status. Upon completion of its review, the commission shall forward its recommendation to the department for final action. The department shall assess the institution seeking such services the cost to the commission of providing such services. Revenues collected pursuant to this provision shall be deposited in the Institutional Assessment Trust Fund.

Section 99. Paragraph (c) of subsection (2) of section 1005.21, Florida Statutes, is amended to read:

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1005.21 Commission for Independent Education.--

(2) The Commission for Independent Education shall consist of seven members who are residents of this state. The commission shall function in matters concerning independent postsecondary educational institutions in consumer protection, program improvement, and licensure for institutions under its purview. The Governor shall appoint the members of the commission who are subject to confirmation by the Senate. The membership of the commission shall consist of:

(c) One member from a public school district or community college who is an administrator of career ~~and technical~~ education.

Section 100. Subsections (2) and (5) of section 1006.035, Florida Statutes, are amended to read:

1006.035 Dropout reentry and mentor project.--

(2) The project shall identify 15 black students in each location who have dropped out of high school but were not encountering academic difficulty when they left school. Students chosen to participate may not have a high school diploma, be enrolled in an adult general education program which includes a GED program or an adult high school, or be enrolled in a career center ~~technical school~~. Students may be employed but must be able to adjust their work schedules to accommodate classes and project sessions. Priority must be given to students who have dropped out of school within the last 3 years.

(5) Selected project participants shall be evaluated and enrolled in a GED program, regular high school, career center ~~technical school~~, or alternative school. In conjunction with

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school guidance personnel, project staff shall design a supplemental program to reinforce basic skills, provide additional counseling, and offer tutorial assistance. Weekly, project staff shall monitor students' attendance, performance, homework, and attitude toward school.

Section 101. Subsection (1) of section 1006.051, Florida Statutes, is amended to read:

1006.051 Sunshine Workforce Solutions Grant Program.--

(1) The Legislature recognizes the need for school districts to be able to respond to critical workforce shortages in nursing. The Sunshine Workforce Solutions Grant Program is created to provide grants to school districts on a competitive basis to fund all or some of the costs associated with establishing an exploratory program in nursing at the middle school level or a comprehensive career ~~and technical~~ education program within a high school that provides a program of study in nursing that will provide a seamless transition to appropriate postsecondary education or employment.

(a) A comprehensive career ~~and technical~~ education program within a high school that provides a program of study in nursing must be certified or endorsed by the Florida Board of Nursing to ensure that all components of the program are relevant and appropriate to prepare the student for further education and employment in nursing.

(b) For career ~~and technical~~ education programs in which high school credit is articulated to a related postsecondary education program, there must be an articulation agreement that

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ensures seamless transition from one level to the next without a loss of credit for the student.

(c) Participation in work-based learning experiences, as defined in rule by the Department of Education, shall be required in career ~~and technical~~ education programs at the high school level.

Section 102. Paragraph (c) of subsection (3) of section 1006.21, Florida Statutes, is amended to read:

1006.21 Duties of district school superintendent and district school board regarding transportation.--

(3) District school boards, after considering recommendations of the district school superintendent:

(c) May provide transportation for public school migrant, exceptional, nursery, and other public school students in membership below kindergarten; kindergarten through grade 12 students in membership in a public school; and adult students in membership in adult career ~~and technical~~, basic, and high school graduation programs in a public school when, and only when, transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available.

Section 103. Paragraph (a) of subsection (4) of section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of each state instructional materials committee.--The duties of each state instructional materials committee are:

(4) EVALUATION OF INSTRUCTIONAL MATERIALS.--To evaluate carefully all instructional materials submitted, to ascertain

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which instructional materials, if any, submitted for consideration best implement the selection criteria developed by the commissioner and those curricular objectives included within applicable performance standards provided for in s. 1001.03(1).

(a) When recommending instructional materials for use in the schools, each committee shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career ~~and technical~~, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

The findings of the committees, including the evaluation of instructional materials, shall be in sessions open to the public. All decisions leading to determinations of the committees shall be by roll call vote, and at no time will a secret ballot be permitted.

Section 104. Paragraph (a) of subsection (2) and paragraph (b) of subsection (3) of section 1007.21, Florida Statutes, are amended to read:

1007.21 Readiness for postsecondary education and the workplace.--

(2)(a) Students entering the 9th grade and their parents shall be active participants in choosing an end-of-high-school student destination based upon both student and parent or guardian goals. Four or more destinations should be available with bridges between destinations to enable students to shift

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destinations should they choose to change goals. The destinations shall accommodate the needs of students served in exceptional education programs to the extent appropriate for individual students. Exceptional education students may continue to follow the courses outlined in the district school board student progression plan. Participating students and their parents shall choose among destinations, which must include:

1. Four-year college or university, community college plus university, or military academy.

2. Two-year postsecondary degree.

3. Postsecondary career ~~and technical~~ certificate.

4. Immediate employment or entry-level military.

(3)

(b) The school principal shall:

1. Designate a member of the existing instructional or administrative staff to serve as a specialist to help coordinate the use of student achievement strategies to help students succeed in their coursework. The specialist shall also assist teachers in integrating the academic and career ~~and technical~~ curricula, utilizing technology, providing feedback regarding student achievement, and implementing the Blueprint for Career Preparation and Tech Prep programs.

2. Institute strategies to eliminate reading, writing, and mathematics deficiencies of secondary students.

Section 105. Paragraph (c) of subsection (1) of section 1007.23, Florida Statutes, is amended to read:

1007.23 Statewide articulation agreement.--

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(1) The State Board of Education shall establish in rule a statewide articulation agreement that governs:

(c) Admission of applied technology diploma program graduates from community colleges or career ~~technical~~ centers;

Section 106. Subsection (2) of section 1007.24, Florida Statutes, is amended to read:

1007.24 Statewide course numbering system.--

(2) The Commissioner of Education shall appoint faculty committees representing faculties of participating institutions to recommend a single level for each course, including postsecondary career ~~and technical~~ education courses, included in the statewide course numbering system.

(a) Any course designated as an upper-division-level course must be characterized by a need for advanced academic preparation and skills that a student would be unlikely to achieve without significant prior coursework.

(b) A course that is offered as part of an associate in science degree program and as an upper-division course for a baccalaureate degree shall be designated for both the lower and upper division.

(c) A course designated as lower-division may be offered by any community college.

Section 107. Subsections (2) and (11) of section 1007.25, Florida Statutes, are amended to read:

1007.25 General education courses; common prerequisites; and other degree requirements.--

(2) The department shall identify postsecondary career ~~and technical~~ education programs offered by community colleges and

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district school boards. The department shall also identify career ~~and technical~~ courses designated as college credit courses applicable toward a career ~~and technical~~ education diploma or degree. Such courses must be identified within the statewide course numbering system.

(11) The Commissioner of Education shall appoint faculty committees representing both community college and public school faculties to recommend to the commissioner for approval by the State Board of Education a standard program length and appropriate occupational completion points for each postsecondary career ~~and technical~~ certificate program, diploma, and degree.

Section 108. Subsection (4) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.--

(4) It is the intent of the Legislature to provide articulated acceleration mechanisms for students who are in home education programs, as defined in s. 1003.01(11), consistent with the educational opportunities available to public and private secondary school students. Home education students may participate in dual enrollment, career ~~and technical~~ dual enrollment, early admission, and credit by examination. Credit earned by home education students through dual enrollment shall apply toward the completion of a home education program that meets the requirements of s. 1002.41.

Section 109. Subsections (1), (3), (4), (8), and (10) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.--

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(1) The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward a career ~~and technical~~ certificate or an associate or baccalaureate degree.

(3) The Department of Education shall adopt guidelines designed to achieve comparability across school districts of both student qualifications and teacher qualifications for dual enrollment courses. Student qualifications must demonstrate readiness for college-level coursework if the student is to be enrolled in college courses. Student qualifications must demonstrate readiness for career-level ~~career and technical-level~~ coursework if the student is to be enrolled in career ~~and technical~~ courses. In addition to the common placement examination, student qualifications for enrollment in college credit dual enrollment courses must include a 3.0 unweighted grade point average, and student qualifications for enrollment in career ~~and technical~~ certificate dual enrollment courses must include a 2.0 unweighted grade point average. Exceptions to the required grade point averages may be granted if the educational entities agree and the terms of the agreement are contained within the dual enrollment interinstitutional articulation agreement. Community college boards of trustees may establish additional admissions criteria, which shall be included in the district interinstitutional articulation agreement developed according to s. 1007.235, to ensure student readiness for postsecondary instruction. Additional requirements included in the agreement shall not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from

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participating in dual enrollment courses. District school boards may not refuse to enter into an agreement with a local community college if that community college has the capacity to offer dual enrollment courses.

(4) Career ~~and technical~~ dual enrollment shall be provided as a curricular option for secondary students to pursue in order to earn a series of elective credits toward the high school diploma. However, career ~~and technical~~ dual enrollment shall not supplant student acquisition of the diploma. Career ~~and technical~~ dual enrollment shall be available for secondary students seeking a degree or certificate from a complete career-preparatory ~~job-preparatory~~ program, but shall not sustain student enrollment in isolated career ~~and technical~~ courses. It is the intent of the Legislature that career ~~and technical~~ dual enrollment reflect the interests and aptitudes of the student. The provision of a comprehensive academic and career ~~and technical~~ dual enrollment program within the career area ~~technical~~ center or community college is supportive of legislative intent; however, such provision is not mandatory.

(8) Career ~~and technical~~ early admission is a form of career ~~and technical~~ dual enrollment through which eligible secondary students enroll full time in a career ~~an area~~ ~~technical~~ center or a community college in courses that are creditable toward the high school diploma and the certificate or associate degree. Participation in the career ~~and technical~~ early admission program shall be limited to students who have completed a minimum of 6 semesters of full-time secondary enrollment, including studies undertaken in the ninth grade.

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Students enrolled pursuant to this section are exempt from the payment of registration, tuition, and laboratory fees.

(10)(a) The dual enrollment program for home education students consists of the enrollment of an eligible home education secondary student in a postsecondary course creditable toward an associate degree, a career ~~or technical~~ certificate, or a baccalaureate degree. To participate in the dual enrollment program, an eligible home education secondary student must:

1. Provide proof of enrollment in a home education program pursuant to s. 1002.41.

2. Be responsible for his or her own instructional materials and transportation unless provided for otherwise.

(b) Each career ~~technical~~ center, community college, and state university shall:

1. Delineate courses and programs for dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time.

2. Identify eligibility criteria for home education student participation, not to exceed those required of other dually enrolled students.

Section 110. Subsection (1) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.--

(1) The State Board of Education shall adopt rules that require the Commissioner of Education to report to the State Board of Education, the Legislature, and the district school boards on the performance of each first-time-in-postsecondary

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education student from each public high school in this state who is enrolled in a public postsecondary institution or public career technical center. Such reports must be based on information databases maintained by the Department of Education. In addition, the public postsecondary educational institutions and career technical centers shall provide district school boards access to information on student performance in regular and preparatory courses and shall indicate students referred for remediation pursuant to s. 1004.91 or s. 1008.30.

Section 111. Paragraph (b) of subsection (1) of section 1008.385, Florida Statutes, is amended to read:

1008.385 Educational planning and information systems.--

(1) EDUCATIONAL PLANNING.--

(b) Each district school board shall maintain a continuing system of planning and budgeting designed to aid in identifying and meeting the educational needs of students and the public. Provision shall be made for coordination between district school boards and community college boards of trustees concerning the planning for career and technical education and adult educational programs. The major emphasis of the system shall be upon locally determined goals and objectives, the state plan for education, and the Sunshine State Standards developed by the Department of Education and adopted by the State Board of Education. The district planning and budgeting system must include consideration of student achievement data obtained pursuant to ss. 1008.22 and 1008.34. The system shall be structured to meet the specific management needs of the district and to align the budget adopted by the district school board

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with the plan the board has also adopted. Each district school board shall utilize its system of planning and budgeting to emphasize a system of school-based management in which individual school centers become the principal planning units and to integrate planning and budgeting at the school level.

Section 112. Section 1008.405, Florida Statutes, is amended to read:

1008.405 Adult student information.--Each school district and community college shall maintain sufficient information for each student enrolled in workforce ~~development~~ education to allow local and state administrators to locate such student upon the termination of instruction and to determine the appropriateness of student placement in specific instructional programs. The State Board of Education shall adopt, in rule, specific information that must be maintained and acceptable means of maintaining that information.

Section 113. Subsections (1) and (2) of section 1008.41, Florida Statutes, are amended to read:

1008.41 Workforce ~~Development~~ education; management information system.--

(1) The Commissioner of Education shall coordinate uniform program structures, common definitions, and uniform management information systems for workforce ~~development~~ education for all divisions within the department. In performing these functions, the commissioner shall designate deadlines after which data elements may not be changed for the coming fiscal or school year. School districts and community colleges shall be notified of data element changes at least 90 days prior to the start of

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the subsequent fiscal or school year. Such systems must provide for:

(a) Individual student reporting.

(b) Compliance with state and federal confidentiality requirements, except that the department shall have access to the unemployment insurance wage reports to collect and report placement information about former students. Such placement reports must not disclose the individual identities of former students.

(c) Maximum use of automated technology and records in existing data bases and data systems. To the extent feasible, the Florida Information Resource Network shall be employed for this purpose.

(d) Annual reports of student enrollment, completion, and placement by program.

(2) The State Board of Education shall identify, by rule, the components to be included in the workforce ~~development~~ education management information system. All such components shall be comparable between school districts and community colleges.

Section 114. Subsection (2) of section 1008.42, Florida Statutes, is amended to read:

1008.42 Public information on career ~~and technical~~ education programs.--

(2) The dissemination shall be conducted in accordance with the following procedures:

(a) Annually, the Department of Education shall publish the placement rates and average quarterly earnings for students

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who complete each type of career ~~technical~~ certificate program and career ~~technical~~ degree program. This information must be aggregated to the state level and must be included in any accountability reports. A program that was created or modified so that placement rates cannot be calculated must be so identified in such reports.

(b)1. Each district school board shall publish, at a minimum, the most recently available placement rate for each career ~~technical~~ certificate program conducted by that school district at the secondary school level and at the career ~~technical~~ degree level. The placement rates for the preceding 3 years shall be published if available, shall be included in each publication that informs the public of the availability of the program, and shall be made available to each school guidance counselor. If a program does not have a placement rate, a publication that lists or describes that program must state that the rate is unavailable.

2. Each community college shall publish, at a minimum, the most recent placement rate for each career ~~technical~~ certificate program and for each career ~~technical~~ degree program in its annual catalog. The placement rates for the preceding 3 years shall be published, if available, and shall be included in any publication that informs the public of the availability of the program. If a program does not have a placement rate, the publication that lists or describes that program must state that the rate is unavailable.

3. If a school district or a community college has calculated for a program a placement rate that differs from the

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rate reported by the department, and if each record of a placement was obtained through a process that was capable of being audited, procedurally sound, and consistent statewide, the district or the community college may use the locally calculated placement rate in the report required by this section. However, that rate may not be combined with the rate maintained in the computer files of the Department of Education's Florida Education and Training Placement Information Program.

4. An independent career ~~and technical~~, trade, or business school may not publish a placement rate unless the placement rate was determined as provided by this section.

Section 115. Paragraphs (a) and (c) of subsection (1) and subsection (2) of section 1008.43, Florida Statutes, are amended to read:

1008.43 Career ~~and technical~~ program reporting requirements.--

(1)(a) The Department of Education shall develop a system of performance measures in order to evaluate the career ~~and technical~~ education programs as required in s. 1008.42. This system must measure program enrollment, completion rates, placement rates, and amount of earnings at the time of placement. Placement and employment information, where applicable, shall contain data relevant to job retention, including retention rates. The State Board of Education shall adopt by rule the specific measures and any definitions needed to establish the system of performance measures.

(c) The State Board of Education shall adopt standards for the department, district school boards, and community college

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district boards of trustees to use in program planning, program review, and program evaluation. The standards must include, at a minimum, the completion rates, placement rates, and earnings from employment of former students of career ~~and technical~~ education programs.

(2) The State Board of Education shall adopt procedures for reviewing the career ~~and technical~~ education programs administered by the district school boards and the community college district boards of trustees when program performance falls below the standards required by this section.

Section 116. Paragraphs (d) and (f) of subsection (1) of section 1008.45, Florida Statutes, are amended to read:

1008.45 Community college accountability process.--

(1) It is the intent of the Legislature that a management and accountability process be implemented which provides for the systematic, ongoing improvement and assessment of the improvement of the quality and efficiency of the Florida community colleges. Accordingly, the State Board of Education and the community college boards of trustees shall develop and implement an accountability plan to improve and evaluate the instructional and administrative efficiency and effectiveness of the Florida Community College System. This plan shall be designed in consultation with staff of the Governor and the Legislature and must address the following issues:

(d) Job placement rates of community college career ~~and technical~~ students.

(f) Career ~~and technical~~ accountability standards identified in s. 1008.42.

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Section 117. Subsection (14) of section 1009.23, Florida Statutes, is amended to read:

1009.23 Community college student fees.--

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

Section 118. Subsections (1) and (2) of section 1009.25, Florida Statutes, are amended to read:

1009.25 Fee exemptions.--

(1) The following students are exempt from any requirement for the payment of tuition and fees, including lab fees, for adult basic, adult secondary, or career-preparatory ~~vocational-preparatory~~ instruction:

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

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

(2) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides postsecondary career ~~and technical~~ programs, community college, or state university:

(a) A student enrolled in a dual enrollment or early admission program pursuant to s. 1007.27 or s. 1007.271.

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

(c) A student to whom the state has awarded a Road-to-Independence Scholarship, or who is or was at the time he or she reached 18 years of age in the custody of a relative under s. 39.5085, or who is adopted from the Department of Children and Family Services after May 5, 1997. Such exemption includes fees associated with enrollment in career-preparatory ~~vocational-preparatory~~ instruction and completion of the college-level communication and computation skills testing program. Such an exemption is available to any student who was in the custody of a relative under s. 39.5085 at the time he or she reached 18 years of age or was adopted from the Department of Children and Family Services after May 5, 1997; however, the exemption

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remains valid for no more than 4 years after the date of graduation from high school.

(d) A student enrolled in an employment and training program under the welfare transition program. The regional workforce board shall pay the state university, community college, or school district for costs incurred for welfare transition program participants.

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

(f) A student who is a proprietor, owner, or worker of a company whose business has been at least 50 percent negatively financially impacted by the buy-out of property around Lake Apopka by the State of Florida. Such a student may receive a fee exemption only if the student has not received compensation because of the buy-out, the student is designated a Florida resident for tuition purposes, pursuant to s. 1009.21, and the student has applied for and been denied financial aid, pursuant to s. 1009.40, which would have provided, at a minimum, payment of all student fees. The student is responsible for providing evidence to the postsecondary education institution verifying that the conditions of this paragraph have been met, including support documentation provided by the Department of Revenue. The student must be currently enrolled in, or begin coursework within, a program area by fall semester 2000. The exemption is

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valid for a period of 4 years from the date that the postsecondary education institution confirms that the conditions of this paragraph have been met.

Section 119. Paragraph (a) of subsection (1) of section 1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid.--

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

1. Achievement of the academic requirements of and acceptance at a state university or community college; a nursing diploma school approved by the Florida Board of Nursing; a Florida college, university, or community college which is accredited by an accrediting agency recognized by the State Board of Education; any Florida institution the credits of which are acceptable for transfer to state universities; any career technical center; or any private career technical institution accredited by an accrediting agency recognized by the State Board of Education.

2. Residency in this state for no less than 1 year preceding the award of aid for a program established pursuant to s. 1009.50, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s. 1009.73, s. 1009.76, s. 1009.77, or s. 1009.89. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the

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same manner as resident status for tuition purposes pursuant to s. 1009.21 and rules of the State Board of Education.

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

Section 120. Subsection (2) of section 1009.532, Florida Statutes, is amended to read:

1009.532 Florida Bright Futures Scholarship Program;
student eligibility requirements for renewal awards.--

(2) A student who is enrolled in a program that terminates in an associate degree or a baccalaureate degree may receive an award for a maximum of 110 percent of the number of credit hours required to complete the program. A student who is enrolled in a program that terminates in a career ~~technical~~ certificate may receive an award for a maximum of 110 percent of the credit hours or clock hours required to complete the program up to 90 credit hours. A student who transfers from one of these program levels to another becomes eligible for the higher of the two credit hour limits.

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Section 121. Subsection (1) of section 1009.533, Florida Statutes, is amended to read:

1009.533 Florida Bright Futures Scholarship Program; eligible postsecondary education institutions.--A student is eligible for an award or the renewal of an award from the Florida Bright Futures Scholarship Program if the student meets the requirements for the program as described in this act and is enrolled in a postsecondary education institution that meets the description in any one of the following subsections:

(1) A Florida public university, community college, or career technical center.

Section 122. Section 1009.536, Florida Statutes, is amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.--The Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career ~~and technical~~ preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school career ~~and technical~~ credits taken over at least 2 academic years, and is continued in a planned, related postsecondary education program. If the student's school does not offer such a two-plus-two or tech-prep program, the student must complete a

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job-preparatory career education program selected by the Workforce Estimating Conference or Workforce Florida, Inc., for its ability to provide high-wage employment in an occupation with high potential for employment opportunities. On-the-job training may not be substituted for any of the three required career ~~and technical~~ credits.

(b) Demonstrates readiness for postsecondary education by earning a passing score on the Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education.

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses.

(d) Earns a minimum unweighted grade point average of 3.5 on a 4.0 scale for secondary career ~~and technical~~ courses comprising the career ~~and technical~~ program.

(2) A Florida Gold Seal Vocational Scholar is eligible for an award equal to the amount required to pay 75 percent of tuition and fees, if the student is enrolled in a public postsecondary education institution. A student who is enrolled in a nonpublic postsecondary education institution is eligible for an award equal to the amount that would be required to pay 75 percent of the tuition and mandatory fees of a public postsecondary education institution at the comparable level.

(3) To be eligible for a renewal award as a Florida Gold Seal Vocational Scholar, a student must maintain the equivalent of a cumulative grade point average of 2.75 on a 4.0 scale with

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an opportunity for reinstatement one time as provided in this chapter.

(4) A student may earn a Florida Gold Seal Vocational Scholarship for 110 percent of the number of credit hours required to complete the program, up to 90 credit hours or the equivalent. A Florida Gold Seal Scholar who has a cumulative grade point average of 2.75 in all postsecondary education work attempted may apply for a Florida Medallion Scholars award at any renewal period. All other provisions of that program apply, and the credit-hour limitation must be calculated by subtracting from the student's total eligibility the number of credit hours the student attempted while earning the Gold Seal Vocational Scholarship.

Section 123. Paragraph (d) of subsection (2) and paragraph (c) of subsection (3) of section 1009.55, Florida Statutes, are amended to read:

1009.55 Rosewood Family Scholarship Program.--

(2) The Rosewood Family Scholarship Program shall be administered by the Department of Education. The State Board of Education shall adopt rules for administering this program which shall at a minimum provide for the following:

(d) Payment of an award shall be transmitted in advance of the registration period each semester on behalf of the student to the president of the university or community college, or his or her representative, or to the director of the career center ~~technical school~~ which the recipient is attending.

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(3) Beginning with the 1994-1995 academic year, the department is authorized to make awards for undergraduate study to students who:

(c) Enroll as certificate-seeking or degree-seeking students at a state university, community college, or career center ~~technical school~~ authorized by law.

Section 124. Paragraph (c) of subsection (1) of section 1009.61, Florida Statutes, is amended to read:

1009.61 Teacher/Quest Scholarship Program.--The Teacher/Quest Scholarship Program is created for the purpose of providing teachers with the opportunity to enhance their knowledge of science, mathematics, and computer applications in business, industry, and government. A school district or developmental research school may propose that one or more teachers be granted a Teacher/Quest Scholarship by submitting to the Department of Education:

(1) A project proposal specifying activities a teacher will carry out to improve his or her:

(c) Knowledge of career ~~and technical~~ requirements for competency in mathematics, science, and computing; and

Section 125. Subsection (4) and paragraph (a) of subsection (6) of section 1009.64, Florida Statutes, are amended to read:

1009.64 Certified Education Paraprofessional Welfare Transition Program.--

(4) The agencies shall complete an implementation plan that addresses at least the following recommended components of the program:

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(a) A method of selecting participants. The method must not duplicate services provided by those assigned to screen participants of the welfare transition program, but must assure that screening personnel are trained to identify recipients of public assistance whose personal aptitudes and motivation make them most likely to succeed in the program and advance in a career related to the school community.

(b) A budget for use of incentive funding to provide motivation to participants to succeed and excel. The budget for incentive funding includes:

1. Funds allocated by the Legislature directly for the program.

2. Funds that may be made available from the federal Workforce Investment Act based on client eligibility or requested waivers to make the clients eligible.

3. Funds made available by implementation strategies that would make maximum use of work supplementation funds authorized by federal law.

4. Funds authorized by strategies to lengthen participants' eligibility for federal programs such as Medicaid, subsidized child care, and transportation.

Incentives may include a stipend during periods of college classroom training, a bonus and recognition for a high grade-point average, child care and prekindergarten services for children of participants, and services to increase a participant's ability to advance to higher levels of employment. Nonfinancial incentives should include providing a mentor or

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tutor, and service incentives should continue and increase for any participant who plans to complete the baccalaureate degree and become a certified teacher. Services may be provided in accordance with family choice by community colleges and school district career technical centers, through family service centers and full-service schools, or under contract with providers through central agencies.

(6)(a) A community college or school district career technical center is eligible to participate if it provides a career technical certificate program in Child Development Early Intervention as approved by Workforce Florida, Inc. Priority programs provide an option and incentives to articulate with an associate in science degree program or a baccalaureate degree program.

Section 126. Subsection (3) of section 1009.98, Florida Statutes, is amended to read:

1009.98 Florida Prepaid College Program.--

(3) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE COLLEGES AND UNIVERSITIES AND TO CAREER AREA ~~TECHNICAL~~ CENTERS.--A qualified beneficiary may apply the benefits of an advance payment contract toward:

(a) An independent college or university that is located and chartered in Florida, that is not for profit, that is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and that confers degrees as defined in s. 1005.02.

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(b) An out-of-state college or university that is not for profit and is accredited by a regional accrediting association, and that confers degrees.

(c) An applied technology diploma program or career technical certificate program conducted by a community college listed in s. 1004.02(2) or career technical center operated by a district school board.

The board shall transfer or cause to be transferred to the institution designated by the qualified beneficiary an amount not to exceed the redemption value of the advance payment contract at a state postsecondary institution. If the cost of registration or housing fees at such institution is less than the corresponding fees at a state postsecondary institution, the amount transferred may not exceed the actual cost of registration and housing fees. A transfer authorized under this subsection may not exceed the number of semester credit hours or semesters of dormitory residence contracted on behalf of a qualified beneficiary. Notwithstanding any other provision in this section, an institution must be an "eligible educational institution" under s. 529 of the Internal Revenue Code to be eligible for the transfer of advance payment contract benefits.

Section 127. Paragraph (a) of subsection (3) of section 1010.20, Florida Statutes, is amended to read:

1010.20 Cost accounting and reporting for school districts.--

(3) PROGRAM EXPENDITURE REQUIREMENTS.--

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(a) Each district shall expend at least the percent of the funds generated by each of the programs listed in this section on the aggregate total school costs for such programs:

1. Kindergarten and grades 1, 2, and 3, 90 percent.
2. Grades 4, 5, 6, 7, and 8, 80 percent.
3. Grades 9, 10, 11, and 12, 80 percent.
4. Programs for exceptional students, on an aggregate program basis, 90 percent.
5. Grades 7 through 12 career ~~and technical~~ education programs, on an aggregate program basis, 80 percent.
6. Students-at-risk programs, on an aggregate program basis, 80 percent.
7. Juvenile justice programs, on an aggregate program basis, 80 percent.
8. Any new program established and funded under s. 1011.62(1)(c), that is not included under subparagraphs 1.-6., on an aggregate basis as appropriate, 80 percent.

Section 128. Subsection (1) of section 1010.58, Florida Statutes, is amended to read:

1010.58 Procedure for determining number of instruction units for community colleges.--The number of instruction units for community colleges shall be determined from the full-time equivalent students in the community college, provided that full-time equivalent students may not be counted more than once in determining instruction units. Instruction units for community colleges shall be computed as follows:

- (1) One unit for each 12 full-time equivalent students at a community college for the first 420 students and one unit for

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each 15 full-time equivalent students for all over 420 students, in other than career ~~and technical~~ education programs as defined by rules of the State Board of Education, and one unit for each 10 full-time equivalent students in career ~~and technical~~ education programs and compensatory education programs as defined by rules of the State Board of Education. Full-time equivalent students enrolled in a community college shall be defined by rules of the State Board of Education.

Section 129. Paragraphs (c), (d), and (e) of subsection (1) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.--If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

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

(c) Determination of programs.--Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students'

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education program, with the exception of extended school year services for students with disabilities.

1. Basic programs.--
 - a. Kindergarten and grades 1, 2, and 3.
 - b. Grades 4, 5, 6, 7, and 8.
 - c. Grades 9, 10, 11, and 12.
2. Programs for exceptional students.--
 - a. Support Level IV.
 - b. Support Level V.
3. Secondary career ~~and technical~~ education programs.--
4. English for Speakers of Other Languages.--
 - (d) Annual allocation calculation.--

1. The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12 FEFP.

2. Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s. 1001.42(4)(d), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement, not to exceed the estimate for the specific program as identified in paragraph (c), may be transferred from the participating districts to the district providing the program.

3. As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each

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of two program groups. Group 1 shall be composed of basic programs for grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of students in exceptional student education programs, English for Speakers of Other Languages programs, and all career ~~and technical~~ programs in grades 7-12.

a. The weighted enrollment ceiling for group 2 programs shall be calculated by multiplying the final enrollment conference estimate for each program by the appropriate program weight. The weighted enrollment ceiling for program group 2 shall be the sum of the weighted enrollment ceilings for each program in the program group, plus the increase in weighted full-time equivalent student membership from the prior year for clients of the Department of Children and Family Services and the Department of Juvenile Justice.

b. If, for any calculation of the FEFP, the weighted enrollment for program group 2, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:

(I) The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.

(II) If the difference calculated under sub-sub-paragraph (I) is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total

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amount by which the weighted enrollment for the program group exceeds the weighted enrollment ceiling for the program group.

(III) The reduction proportion calculated under sub-sub-subparagraph (II) shall be multiplied by the total amount of the program group's enrollment over the ceiling as calculated under sub-sub-subparagraph (I).

(IV) The prorated reduction amount calculated under sub-sub-subparagraph(III) shall be subtracted from the program's weighted enrollment. For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

c. For program group 2, the weighted enrollment ceiling shall be a number not less than the sum obtained by:

(I) Multiplying the sum of reported FTE for all programs in the program group that have a cost factor of 1.0 or more by 1.0, and

(II) By adding this number to the sum obtained by multiplying the projected FTE for all programs with a cost factor less than 1.0 by the actual cost factor.

4. Following completion of the weighted enrollment ceiling calculation as provided in subparagraph 3., a supplemental capping calculation shall be employed for those districts that are over their weighted enrollment ceiling. For each such district, the total reported unweighted FTE enrollment for group 2 programs shall be compared with the total appropriated unweighted FTE enrollment for group 2 programs. If the total reported unweighted FTE for group 2 is greater than the

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appropriated unweighted FTE, then the excess unweighted FTE up to the unweighted FTE transferred from group 2 to group 1 for each district by the Public School FTE Estimating Conference shall be funded at a weight of 1.0 and added to the funded weighted FTE computed in subparagraph 3.

(e) Funding model for exceptional student education programs.--

1.a. The funding model uses basic, at-risk, support levels IV and V for exceptional students and career ~~and technical~~ Florida Education Finance Program cost factors, and a guaranteed allocation for exceptional student education programs. Exceptional education cost factors are determined by using a matrix of services to document the services that each exceptional student will receive. The nature and intensity of the services indicated on the matrix shall be consistent with the services described in each exceptional student's individual educational plan.

b. In order to generate funds using one of the two weighted cost factors, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education program and at least once every 3 years by personnel who have received approved training. Nothing listed in the matrix shall be construed as limiting the services a school district must provide in order to ensure that exceptional students are provided a free, appropriate public education.

c. Students identified as exceptional, in accordance with chapter 6A-6, Florida Administrative Code, who do not have a matrix of services as specified in sub-subparagraph b. shall

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generate funds on the basis of full-time-equivalent student membership in the Florida Education Finance Program at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through the guaranteed allocation designated in subparagraph 2.

2. For students identified as exceptional who do not have a matrix of services, there is created a guaranteed allocation to provide these students with a free appropriate public education, in accordance with s. 1001.42(4)(m) and rules of the State Board of Education, which shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program, and the amount allocated for each school district shall not be recalculated during the year. These funds shall be used to provide special education and related services for exceptional students.

Section 130. Paragraph (d) of subsection (1) of section 1011.68, Florida Statutes, is amended to read:

1011.68 Funds for student transportation.--The annual allocation to each district for transportation to public school programs, including charter schools as provided in s. 1002.33(17)(b), of students in membership in kindergarten through grade 12 and in migrant and exceptional student programs below kindergarten shall be determined as follows:

(1) Subject to the rules of the State Board of Education, each district shall determine the membership of students who are transported:

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(d) By reason of being career ~~and technical~~, dual enrollment, or students with disabilities transported from one school center to another to participate in an instructional program or service; or students with disabilities, transported from one designation to another in the state, provided one designation is a school center and provided the student's individual educational plan (IEP) identifies the need for the instructional program or service and transportation to be provided by the school district. A "school center" is defined as a public school center, community college, state university, or other facility rented, leased, or owned and operated by the school district or another public agency. A "dual enrollment student" is defined as a public school student in membership in both a public secondary school program and a community college or a state university program under a written agreement to partially fulfill ss. 1003.435 and 1007.23 and earning full-time equivalent membership under s. 1011.62(1)(i).

Section 131. Paragraph (a) of subsection (2), subsection (3), and paragraph (b) of subsection (6) of section 1012.01, Florida Statutes, are amended to read:

1012.01 Definitions.--Specific definitions shall be as follows, and wherever such defined words or terms are used in the Florida K-20 Education Code, they shall be used as follows:

(2) INSTRUCTIONAL PERSONNEL.--"Instructional personnel" means any staff member whose function includes the provision of direct instructional services to students. Instructional personnel also includes personnel whose functions provide direct

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support in the learning process of students. Included in the classification of instructional personnel are:

(a) Classroom teachers.--Classroom teachers are staff members assigned the professional activity of instructing students in courses in classroom situations, including basic instruction, exceptional student education, career ~~and technical~~ education, and adult education, including substitute teachers.

(3) ADMINISTRATIVE PERSONNEL.--"Administrative personnel" includes personnel who perform management activities such as developing broad policies for the school district and executing those policies through the direction of personnel at all levels within the district. Administrative personnel are generally high-level, responsible personnel who have been assigned the responsibilities of systemwide or schoolwide functions, such as district school superintendents, assistant superintendents, deputy superintendents, school principals, assistant principals, career ~~technical~~ center directors, and others who perform management activities. Broad classifications of administrative personnel are as follows:

(a) District-based instructional administrators.--Included in this classification are persons with district-level administrative or policymaking duties who have broad authority for management policies and general school district operations related to the instructional program. Such personnel often report directly to the district school superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major instructional areas, such as curriculum,

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federal programs such as Title I, specialized instructional program areas such as exceptional student education, career ~~and technical~~ education, and similar areas.

(b) District-based noninstructional administrators.--Included in this classification are persons with district-level administrative or policymaking duties who have broad authority for management policies and general school district operations related to the noninstructional program. Such personnel often report directly to the district school superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major noninstructional areas, such as personnel, construction, facilities, transportation, data processing, and finance.

(c) School administrators.--Included in this classification are:

1. School principals or school directors who are staff members performing the assigned activities as the administrative head of a school and to whom have been delegated responsibility for the coordination and administrative direction of the instructional and noninstructional activities of the school. This classification also includes career ~~technical~~ center directors.

2. Assistant principals who are staff members assisting the administrative head of the school. This classification also includes assistant principals for curriculum and administration.

(6) EDUCATIONAL SUPPORT EMPLOYEES.--"Educational support employees" means employees whose job functions are neither

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administrative nor instructional, yet whose work supports the educational process.

(b) Technicians are individuals whose occupations require a combination of knowledge and manual skill which can be obtained through about 2 years of post-high school education, such as is offered in many career centers ~~technical institutes~~ and community colleges, or through equivalent on-the-job training.

Section 132. Paragraph (c) of subsection (1) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.--

(1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and 1012.57, or any other provision of law or rule to the contrary, each district school board shall establish the minimal qualifications for:

(c) Part-time and full-time nondegreed teachers of career ~~and technical~~ programs. Qualifications shall be established for agriculture, business, health occupations, family and consumer sciences, industrial, marketing, career specialist, and public service education teachers, based primarily on successful occupational experience rather than academic training. The qualifications for such teachers shall require:

1. The filing of a complete set of fingerprints in the same manner as required by s. 1012.32. Faculty employed solely

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to conduct postsecondary instruction may be exempted from this requirement.

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

a. A high school diploma or the equivalent.

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

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

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

e. Demonstration of successful teaching performance.

Section 133. Section 1012.41, Florida Statutes, is amended to read:

1012.41 Employment of directors of career ~~and technical~~ education.--In order to receive state funding, each district school board that employs at least 15 full-time equivalent career ~~and technical~~ teachers must employ a director of career ~~and technical~~ education who meets the certification requirements established by the State Board of Education. The directors shall be directly accountable to the district school superintendent,

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or his or her designee, for the planning and implementation of career ~~and technical~~ programs. Two or more district school boards may employ a single director.

Section 134. Section 1012.43, Florida Statutes, is amended to read:

1012.43 Career ~~and technical~~ teachers.--

(1) Career ~~and technical~~ teachers and other teachers who qualify for certificates on the basis of nonacademic preparation shall be entitled to all the contractual rights and privileges now granted to other instructional personnel holding equivalent certificates.

(2) A holder of a certificate based on nonacademic preparation which entitled him or her to employment to teach classes in career ~~and technical~~ or adult education shall not be assigned to teach in a regular academic field of the kindergarten through grade 12 school program.

Section 135. Paragraph (a) of subsection (10) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department.--The functions of the Department of Education as it pertains to educational facilities shall include, but not be limited to, the following:

(10)(a) Review and validate surveys proposed or amended by the boards and recommend to the Commissioner of Education, for approval, surveys that meet the requirements of this chapter.

1. The term "validate" as applied to surveys by school districts means to review inventory data as submitted to the department by district school boards; provide for review and inspection, where required, of student stations and aggregate

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square feet of inventory changed from satisfactory to unsatisfactory or changed from unsatisfactory to satisfactory; compare new school inventory to allocation limits provided by this chapter; review cost projections for conformity with cost limits set by s. 1013.64(6); compare total capital outlay full-time equivalent enrollment projections in the survey with the department's projections; review facilities lists to verify that student station and auxiliary facility space allocations do not exceed the limits provided by this chapter and related rules; review and confirm the application of uniform facility utilization factors, where provided by this chapter or related rules; utilize the documentation of programs offered per site, as submitted by the board, to analyze facility needs; confirm that need projections for career ~~and technical~~ and adult educational programs comply with needs documented by the Office of Workforce and Economic Development; and confirm the assignment of full-time student stations to all space except auxiliary facilities, which, for purposes of exemption from student station assignment, include the following:

- a. Cafeterias.
- b. Multipurpose dining areas.
- c. Media centers.
- d. Auditoriums.
- e. Administration.
- f. Elementary, middle, and high school resource rooms, up to the number of such rooms recommended for the applicable occupant and space design capacity of the educational plant in

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the State Requirements for Educational Facilities, beyond which student stations must be assigned.

g. Elementary school skills labs, up to the number of such rooms recommended for the applicable occupant and space design capacity of the educational plant in the State Requirements for Educational Facilities, beyond which student stations must be assigned.

h. Elementary school art and music rooms.

2. The term "validate" as applied to surveys by community colleges and universities means to review and document the approval of each new site and official designation, where applicable; review the inventory database as submitted by each board to the department, including noncareer ~~and technical~~, and total capital outlay full-time equivalent enrollment projections per site and per college; provide for the review and inspection, where required, of student stations and aggregate square feet of space changed from satisfactory to unsatisfactory; utilize and review the documentation of programs offered per site submitted by the boards as accurate for analysis of space requirements and needs; confirm that needs projected for career ~~and technical~~ and adult educational programs comply with needs documented by the Office of Workforce and Economic Development; compare new facility inventory to allocations limits as provided in this chapter; review cost projections for conformity with state averages or limits designated by this chapter; compare student enrollment projections in the survey to the department's projections; review facilities lists to verify that area allocations and space factors for generating space needs do not

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exceed the limits as provided by this chapter and related rules; confirm the application of facility utilization factors as provided by this chapter and related rules; and review, as submitted, documentation of how survey recommendations will implement the detail of current campus master plans and integrate with local comprehensive plans and development regulations.

Section 136. Paragraph (b) of subsection (1) of section 1013.31, Florida Statutes, is amended to read:

1013.31 Educational plant survey; localized need assessment; PECO project funding.--

(1) At least every 5 years, each board shall arrange for an educational plant survey, to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan. The Office of Workforce and Economic Development shall document the need for additional career and adult education programs and the continuation of existing programs before facility construction or renovation related to career or adult education may be included in the educational plant survey of a school district or community college that delivers career or adult education programs. Information used by the Office of Workforce and Economic Development to establish facility needs must include, but need not be limited to, labor market data, needs analysis, and information submitted by the school district or community college.

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(b) Required need assessment criteria for district, community college, college and state university plant surveys.--Educational plant surveys must use uniform data sources and criteria specified in this paragraph. Each revised educational plant survey and each new educational plant survey supersedes previous surveys.

1. The school district's survey must be submitted as a part of the district educational facilities plan defined in s. 1013.35. To ensure that the data reported to the Department of Education as required by this section is correct, the department shall annually conduct an onsite review of 5 percent of the facilities reported for each school district completing a new survey that year. If the department's review finds the data reported by a district is less than 95 percent accurate, within 1 year from the time of notification by the department the district must submit revised reports correcting its data. If a district fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district has corrected its reports so that they are not less than 95 percent accurate.

2. Each survey of a special facility, joint-use facility, or cooperative career ~~and technical~~ education facility must be based on capital outlay full-time equivalent student enrollment data prepared by the department for school districts, community colleges, colleges, and universities. A survey of space needs of a joint-use facility shall be based upon the respective space needs of the school districts, community colleges, colleges, and universities, as appropriate. Projections of a school district's

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facility space needs may not exceed the norm space and occupant design criteria established by the State Requirements for Educational Facilities.

3. Each community college's survey must reflect the capacity of existing facilities as specified in the inventory maintained by the Department of Education. Projections of facility space needs must comply with standards for determining space needs as specified by rule of the State Board of Education. The 5-year projection of capital outlay student enrollment must be consistent with the annual report of capital outlay full-time student enrollment prepared by the Department of Education.

4. Each college and state university's survey must reflect the capacity of existing facilities as specified in the inventory maintained and validated by the Division of Colleges and Universities. Projections of facility space needs must be consistent with standards for determining space needs approved by the Division of Colleges and Universities. The projected capital outlay full-time equivalent student enrollment must be consistent with the 5-year planned enrollment cycle for the State University System approved by the Division of Colleges and Universities.

5. The district educational facilities plan of a school district and the educational plant survey of a community college, or college or state university may include space needs that deviate from approved standards for determining space needs if the deviation is justified by the district or institution and

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approved by the department, as necessary for the delivery of an approved educational program.

Section 137. Paragraph (a) of subsection (3) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.--Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(3)(a) Each district school board shall receive an amount from the Public Education Capital Outlay and Debt Service Trust Fund to be calculated by computing the capital outlay full-time equivalent membership as determined by the department. Such membership must include, but is not limited to:

1. K-12 students, except hospital and homebound part-time students; and

2. Students who are career ~~and technical~~ education students, and adult disabled students and who are enrolled in school district career ~~technical~~ centers. The capital outlay full-time equivalent membership shall be determined for kindergarten through the 12th grade and for career ~~technical~~ centers by averaging the unweighted full-time equivalent student membership for the second and third surveys and comparing the results on a school-by-school basis with the Florida Inventory for School Houses. The capital outlay full-time equivalent membership by grade level organization shall be used in making the following calculations: The capital outlay full-time equivalent membership by grade level organization for the 4th

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prior year must be used to compute the base-year allocation. The capital outlay full-time equivalent membership by grade-level organization for the prior year must be used to compute the growth over the highest of the 3 years preceding the prior year. From the total amount appropriated by the Legislature pursuant to this subsection, 40 percent shall be allocated among the base capital outlay full-time equivalent membership and 60 percent among the growth capital outlay full-time equivalent membership. The allocation within each of these groups shall be prorated to the districts based upon each district's percentage of base and growth capital outlay full-time membership. The most recent 4-year capital outlay full-time equivalent membership data shall be used in each subsequent year's calculation for the allocation of funds pursuant to this subsection. If a change, correction, or recomputation of data during any year results in a reduction or increase of the calculated amount previously allocated to a district, the allocation to that district shall be adjusted correspondingly. If such recomputation results in an increase or decrease of the calculated amount, such additional or reduced amounts shall be added to or reduced from the district's future appropriations. However, no change, correction, or recomputation of data shall be made subsequent to 2 years following the initial annual allocation.

Section 138. Subsections (1) and (2), and paragraphs (a) and (c) of subsection (4) of section 1013.75, Florida Statutes, are amended to read:

1013.75 Cooperative funding of career center ~~and technical educational~~ facilities.--

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(1) Each district school board operating a designated career ~~technical~~ center may submit, prior to August 1 of each year, a request to the commissioner for funds from the Public Education Capital Outlay and Debt Service Trust Fund to plan, construct, and equip a career center ~~and technical educational~~ facility identified as being critical to the economic development and the workforce needs of the school district. Prior to submitting a request, each school district shall:

(a) Adopt and submit to the commissioner a resolution indicating its commitment to fund the planning, construction, and equipping of the proposed facility at 40 percent of the requested project amount. The resolution shall also designate the locale of the proposed facility. If funds from a private or noneducational public entity are to be committed to the project, then a joint resolution shall be required.

(b) Except as provided in paragraph (5)(b), levy the maximum millage against the nonexempt assessed property value as provided in s. 1011.71(2).

(c) Certify to the Office of Workforce and Economic Development that the project has been survey recommended.

(d) Certify to the Office of Workforce and Economic Development that final phase III construction documents comply with applicable building codes and life safety codes.

(e) Sign an agreement that the district school board shall advertise for bids within 90 days of receiving an encumbrance authorization from the department.

(f) If a construction contract has not been signed 90 days after the advertising of bids, certify to the Office of

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Workforce and Economic Development and the department the cause for delay. Upon request, an additional 90 days may be granted by the commissioner.

(2) The Office of Workforce and Economic Development shall establish the need for additional career ~~and technical~~ education programs and the continuation of existing programs before facility construction or renovation related to career ~~and technical~~ education can be included in the educational plant survey. Information used by the Office of Workforce and Economic Development to establish facility needs shall include, but not be limited to, labor market needs analysis and information submitted by the school districts.

(4)(a) A career ~~and technical~~ education construction committee shall be composed of the following: three representatives from the Department of Education and one representative from the Executive Office of the Governor.

(c) The commissioner's legislative capital outlay budget request may include up to 2 percent of the new construction allocation to public schools for career ~~and technical~~ capital outlay projects recommended by the career ~~and technical~~ education construction committee.

Section 139. This act shall take effect July 1, 2004.