

1 A bill to be entitled

2 An act relating to enhanced student opportunities;
3 providing a popular name; amending s. 20.15, F.S.;
4 providing for appointment of a Deputy Commissioner of
5 Career Education in the Department of Education; amending
6 s. 446.032, F.S.; providing duties of the department
7 relating to apprenticeship programs and services;
8 repealing s. 446.609, F.S., relating to the Jobs for
9 Florida's Graduates program; amending s. 464.019, F.S.;
10 authorizing the Board of Nursing to change faculty-to-
11 student ratios only under certain circumstances; requiring
12 a study to evaluate rules regarding clinical instruction;
13 providing for assistance to approved nursing programs to
14 expand capacity; amending s. 464.0195, F.S.; requiring the
15 Florida Center for Nursing to develop and maintain an
16 information system; requiring an implementation plan;
17 amending s. 1001.02, F.S.; revising State Board of
18 Education duties with respect to developing a
19 postsecondary enrollment plan; requiring State Board of
20 Education rules that address baccalaureate degree programs
21 at community colleges; amending s. 1001.20, F.S.; creating
22 the Office of Career Education in the Department of
23 Education and providing responsibilities of the office;
24 amending s. 1001.64, F.S.; providing that community
25 colleges that grant baccalaureate degrees remain under the
26 authority of the State Board of Education with respect to
27 specified responsibilities; providing that the board of
28 trustees is the governing board for purposes of granting

29 | baccalaureate degrees; providing powers of the boards of
30 | trustees, including the power to establish tuition and
31 | out-of-state fees; providing restrictions; requiring such
32 | boards to adopt a policy requiring teachers who teach
33 | certain upper-division courses to teach a specified
34 | minimum number of hours; amending s. 1002.23, F.S.;
35 | requiring guidelines for parents relating to the
36 | availability of the online student advising and guidance
37 | system and additional educational opportunities; amending
38 | s. 1003.492, F.S., relating to industry-certified career
39 | education programs; deleting obsolete provisions relating
40 | to studies; amending and renumbering s. 1004.85, F.S.;
41 | providing additional purposes for creation of educator
42 | preparation institutes; creating s. 1004.226, F.S.;
43 | defining the term "center of excellence"; providing
44 | purposes and objectives of centers of excellence;
45 | providing for proposals for establishing or expanding
46 | centers of excellence; requiring the State Board of
47 | Education to develop a plan recommending the establishment
48 | or expansion of centers of excellence; requiring
49 | reporting; amending s. 1004.65, F.S.; including community
50 | colleges approved to offer baccalaureate degree programs
51 | under authority to operate; requiring such community
52 | colleges to maintain their primary mission and prohibiting
53 | them from terminating associate degree programs;
54 | prohibiting a community college from offering graduate
55 | programs; amending s. 1004.68, F.S.; authorizing the
56 | continued awarding of degrees, diplomas, and certificates

57 | by community colleges approved to offer baccalaureate
58 | degree programs; creating s. 1006.01, F.S.; requiring the
59 | department to provide a secondary and postsecondary
60 | academic and career education online student advising and
61 | guidance system; providing requirements for such system;
62 | amending s. 1006.02, F.S.; requiring documentation that
63 | students have utilized the online student advising and
64 | guidance system; amending s. 1006.025, F.S.; requiring
65 | such documentation in guidance reports; amending s.
66 | 1007.2615, F.S.; revising provisions relating to
67 | certification of American Sign Language teachers; amending
68 | s. 1007.33, F.S.; revising requirements for a proposal by
69 | a community college to deliver a baccalaureate degree
70 | program; requiring the State Board of Education to make
71 | proposals available for review and comment by other
72 | postsecondary educational institutions and authorizing
73 | alternative proposals; eliminating requirement for review
74 | and comment by the Council for Education Policy Research
75 | and Improvement; authorizing the State Board of Education
76 | to approve, deny, or require revisions to proposals;
77 | requiring periodic evaluation of approved programs;
78 | authorizing termination of funding for certain approved
79 | programs; requiring rulemaking; amending s. 1009.21, F.S.;
80 | revising provisions relating to determination of resident
81 | status for tuition purposes; providing for such
82 | determination for purpose of assessing tuition for
83 | instruction in workforce education programs offered by
84 | school districts; revising definitions and updating

85 | terminology; revising requirements for qualification as a
86 | resident; providing duties of institutions of higher
87 | education and school districts; providing for
88 | reclassification under certain circumstances; classifying
89 | as residents certain employees of international
90 | organizations; providing eligibility criteria for certain
91 | students who are not permanent residents of the United
92 | States for exemption from payment of nonresident tuition;
93 | limiting enrollment and requiring the department to
94 | administer the exemption program; amending s. 1009.23,
95 | F.S.; providing guidelines and restrictions for setting
96 | community college tuition and out-of-state fees for upper-
97 | division courses; requiring the State Board of Education
98 | to adopt a resident fee schedule for baccalaureate degree
99 | programs offered by community colleges; revising
100 | provisions relating to the fee for capital improvements,
101 | technology enhancements, or equipping student buildings
102 | and the use thereof; providing requirements for the
103 | issuance and validation of bonds; revising provisions
104 | relating to the allocation for child care centers;
105 | amending s. 1009.24, F.S.; providing responsibilities of
106 | the Legislature and state university boards of trustees to
107 | establish tuition and fees; providing restrictions;
108 | creating s. 1009.286, F.S.; requiring students to pay 75
109 | percent over the in-state tuition rate for certain excess
110 | credit hours; restricting certain credit hours for purpose
111 | of calculation; providing for notice of requirements;
112 | amending s. 1009.40, F.S.; providing general requirements

113 | for student eligibility for tuition assistance grants;
114 | providing that certain students are ineligible to receive
115 | more than one state-funded tuition assistance grant;
116 | amending s. 1009.66, F.S.; renaming the Nursing Student
117 | Loan Forgiveness Program and transferring administration
118 | of the program to the Department of Education; revising
119 | criteria for receiving funds under the program and for
120 | repayment of loans; requiring that certain nurses employed
121 | as faculty in an approved nursing program be given
122 | priority in receiving funds under the program; renaming
123 | the Nursing Student Loan Forgiveness Trust Fund and
124 | transferring administration of the trust fund to the
125 | Department of Education; authorizing the adoption of
126 | rules; amending s. 1009.67, F.S.; renaming the Nursing
127 | Scholarship Program and transferring administration of the
128 | program to the Department of Education; revising criteria
129 | for receiving funds under the program; revising repayment
130 | provisions; requiring the adoption of rules; creating s.
131 | 1009.895, F.S.; creating the Florida Independent
132 | Collegiate Assistance Grant Program; providing for program
133 | administration; authorizing tuition assistance grants to
134 | certain postsecondary education students enrolling in
135 | undergraduate degree programs for specified occupations;
136 | providing institution eligibility requirements; amending
137 | s. 1009.971, F.S.; providing that the Florida Prepaid
138 | College Board shall have the power to provide for the
139 | transfer of ownership of an advance payment contract under
140 | the Florida Prepaid College Program or a participation

141 agreement under the Florida College Savings Program upon
 142 inheritance, devise, or bequest; providing procedures and
 143 requirements with respect to such transfer of ownership;
 144 providing for specification of application contents by
 145 rule; providing applicability; amending ss. 1009.972,
 146 1009.98, and 1009.981, F.S.; authorizing the transfer of
 147 funds retained from terminated advance payment contracts,
 148 canceled contracts, and terminated participation
 149 agreements to the direct-support organization established
 150 under pt. IV of ch. 1009, F.S., for use by the Florida
 151 Prepaid Tuition Scholarship Program and for children of
 152 specified members of the armed forces of the United States
 153 who die while participating in the combat theater of
 154 operations for Operation Iraqi Freedom or Operation
 155 Enduring Freedom; deleting the requirement that an
 156 independent college or university be a not-for-profit
 157 institution to be eligible for transfer of benefits;
 158 providing a restriction on transfer of benefits; amending
 159 s. 1011.83, F.S.; providing for funding of approved
 160 baccalaureate programs at community colleges; providing
 161 for use of funds and reporting requirements; creating pt.
 162 VI of ch. 1011, F.S.; establishing the SUCCEED, FLORIDA!
 163 Crucial Professionals Program; providing for the
 164 appropriation of funds to the Department of Education to
 165 be distributed on a competitive basis to postsecondary
 166 educational institutions to offer programs that meet
 167 critical workforce needs; providing for a request for
 168 proposals and requirements of such proposals; requiring

169 establishment annually by the Legislature of a priority
170 list; providing for funding of proposals; providing
171 requirements for grant recipients and renewal grants;
172 establishing the SUCCEED, FLORIDA! Crucial Professionals
173 Nursing Education Grant Program, a contract grant program
174 for increasing the capacity of approved nursing programs;
175 requiring the Department of Education to establish
176 guidelines and procedures; specifying requirements for
177 grant proposals; establishing priorities for receipt of
178 grants; providing for review, approval, and funding of
179 proposals; requiring the State Board of Education to
180 submit a report on implementation status; establishing the
181 SUCCEED, FLORIDA! Career Paths Program to provide career
182 and professional academy startup grants; providing
183 qualification criteria; amending s. 1012.82, F.S.;
184 revising provisions relating to minimum contact hours for
185 community college faculty who teach upper-division
186 courses; amending s. 1013.60, F.S.; allowing community
187 college boards of trustees to request funding for all
188 authorized programs and specifying requirements; requiring
189 that enrollment in baccalaureate degree programs be
190 computed into the survey of need for facilities; creating
191 ch. 1014, F.S., relating to career education; defining the
192 term "career education"; providing elements of the
193 rigorous career education system; providing guiding
194 principles for career education; establishing the position
195 of Deputy Commissioner of Career Education to direct the
196 Office of Career Education in the Department of Education

197 and specifying qualifications for the deputy commissioner;
 198 specifying responsibilities and duties; providing
 199 legislative expectations and funding criteria for the
 200 career education system; defining the term "career and
 201 professional academy"; providing elements and duties of a
 202 career and professional academy and for certification
 203 thereof; requiring adoption of rules; amending s. 215.20,
 204 F.S.; conforming provisions relating to a trust fund;
 205 creating a program to offer discounted computers and
 206 Internet access to public school students in grades 5
 207 through 12; requiring the department to negotiate terms
 208 with computer manufacturers and broadband Internet access
 209 providers; requiring the adoption of rules; requiring the
 210 Digital Divide Council to implement a pilot project to
 211 assist low-income students with purchasing discounted
 212 computers and Internet access services; providing for
 213 funding and authorizing the council to accept grants to
 214 implement the pilot project; requiring the Office of
 215 Program Policy Analysis and Government Accountability to
 216 study implementation of career and professional academies
 217 and make recommendations; requiring a study and report by
 218 the Office of Program Policy Analysis and Government
 219 Accountability relating to student progression in state
 220 universities; requiring the department to identify
 221 specified examinations for earning postsecondary credit
 222 for mastery of nursing course material; requiring a status
 223 report; authorizing the position of Deputy Commissioner of
 224 Career Education and providing an appropriation; requiring

225 the transfer of positions and funds for the creation of
 226 the Office of Career Education; providing for a type two
 227 transfer with respect to nursing loan programs; requiring
 228 the convening of a workgroup to make recommendations
 229 regarding bachelor of applied science degree programs;
 230 requiring a report; approving a transfer of an endowment
 231 from the Appleton Cultural Center, Inc., to the Central
 232 Florida Community College Foundation; providing
 233 restrictions on the management of the endowment; releasing
 234 the foundation from a trust agreement and statutory
 235 requirements; providing an effective date.

236

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

238

239 Section 1. This act may be cited as the "SUCCEED, FLORIDA!
 240 Initiative."

241 Section 2. Subsections (3), (4), (5), (6), and (7) of
 242 section 20.15, Florida Statutes, are renumbered as subsections
 243 (4), (5), (6), (7), and (8), respectively, and a new subsection
 244 (3) is added to said section to read:

245 20.15 Department of Education.--There is created a
 246 Department of Education.

247 (3) DEPUTY COMMISSIONER OF CAREER EDUCATION.--The
 248 Commissioner of Education shall appoint a Deputy Commissioner of
 249 Career Education pursuant to s. 1014.15 to direct the Office of
 250 Career Education established in s. 1001.20(4).

251 Section 3. Subsection (2) of section 446.032, Florida
 252 Statutes, is renumbered as subsection (3) and a new subsection

253 (2) is added to said section to read:

254 446.032 General duties of the department for
 255 apprenticeship training.--The department shall:

256 (2) (a) Encourage partnerships with registered
 257 apprenticeship programs as a means to address the community's
 258 labor market training needs.

259 (b) Require contracts between local educational agencies
 260 and apprenticeship sponsors to delineate:

261 1. The scope of services, including, but not limited to,
 262 each party's specific obligations regarding the provision of
 263 equipment, materials, instructors, classroom space, facilities,
 264 labs, or money.

265 2. Service level agreements, including appropriate
 266 performance measures.

267 3. A detailed description of the direct cost for each
 268 service to be delivered pursuant to the scope of services.

269
 270 This paragraph shall not be interpreted to require that any
 271 services or materials must be provided by an apprenticeship
 272 sponsor if not required in a contract or that payments must be
 273 made by a local educational agency to an apprenticeship sponsor
 274 for any services or materials other than those required to be
 275 delivered pursuant to a contract.

276 Section 4. Section 446.609, Florida Statutes, is repealed.

277 Section 5. Subsection (2) of section 464.019, Florida
 278 Statutes, is amended, and subsection (8) is added to said
 279 section, to read:

280 464.019 Approval of nursing programs.--

281 (2) (a) The board shall adopt rules, applicable to initial
282 review and conditional approval of a program, regarding
283 educational objectives, faculty qualifications, curriculum
284 guidelines, administrative procedures, and clinical training. An
285 applicant institution shall comply with such rules in order to
286 obtain conditional program approval. No program shall be
287 considered fully approved, nor shall any program be exempted
288 from such rules, prior to the graduation of the program's first
289 class.

290 (b) The board shall adopt rules regarding educational
291 objectives and curriculum guidelines as are necessary to grant
292 full approval to a program and to ensure that fully approved
293 programs graduate nurses capable of competent practice under
294 this part. Rules regarding educational objectives shall consider
295 student attrition rate standards, availability of qualified
296 faculty, and appropriate clinical training facilities. However,
297 the board shall adopt no rule that prohibits a qualified
298 institution from placing a student in a facility for clinical
299 experience, regardless of whether more than one nursing program
300 is using the same facility for clinical experience.

301 (c) The board shall adopt rules governing probation,
302 suspension, and termination status of programs that fail to
303 comply with the standards of this part.

304 (d) The board shall not adopt any rule limiting the number
305 of students admitted to a nursing program, provided appropriate
306 faculty-to-student ratios are maintained, and provided the board
307 shall not enact any changes to faculty-to-student ratios that
308 have the effect of limiting capacity in approved nursing

309 programs unless such changes are based in scientific research
 310 ~~prior to 2004.~~

311 (e) The board, in conjunction with the Florida Center for
 312 Nursing, shall conduct a study of research literature to
 313 evaluate existing rules regarding clinical instruction,
 314 including an assessment of expanding the use of qualified
 315 registered nurses as supervisors and simulation as effective
 316 ways to maximize the opportunities for clinical experiences.

317 (8) The board shall work with the Department of Health,
 318 the Department of Education, and the Florida Center for Nursing
 319 to assist any approved nursing program with increasing capacity
 320 to produce more nurses to enter the workforce in the state. Such
 321 assistance may include, but is not limited to:

322 (a) Identifying strategies for reducing the demands of
 323 nonclinical requirements on nursing faculty, including
 324 consolidating core requirements across nursing majors and tracks
 325 and identifying courses that are taught in other health and
 326 medical fields that could be jointly offered, taught by non-
 327 nurse faculty, or substituted for nursing courses.

328 (b) Developing alternative models of clinical education
 329 that reduce the burden on nursing faculty, including expanding
 330 the use of preceptors, providing more clinical instruction as a
 331 concentrated clinical experience later in the program, and
 332 increasing the use of simulators.

333 Section 6. Subsections (4) and (5) are added to section
 334 464.0195, Florida Statutes, to read:

335 464.0195 Florida Center for Nursing; goals; information
 336 system.--

337 (4) The Florida Center for Nursing, in collaboration with
338 the Department of Health, the Agency for Health Care
339 Administration, the Agency for Workforce Innovation, and the
340 Department of Education, and in consultation with the Office of
341 Program Policy Analysis and Government Accountability, shall
342 develop and maintain an information system to assess the
343 workforce needs of the nursing profession in the state. The
344 information system shall be designed to enable the center to
345 produce reliable, comparable, and comprehensive data on the
346 nursing workforce in the state; identify potential nursing
347 shortages and the areas in which they may occur; assess the
348 productivity of approved nursing programs, especially in
349 responding to identified workforce needs; and establish a
350 registry to link approved nursing programs that need additional
351 clinical sites or faculty to expand their capacity with licensed
352 health care providers that may be able to assist in meeting such
353 needs. Data to support the information system may be collected
354 as part of the initial and renewal licensure process for both
355 individuals and health care facilities and as part of the Board
356 of Nursing program approval process. No later than November 1,
357 2005, the Florida Center for Nursing shall submit to the
358 President of the Senate and the Speaker of the House of
359 Representatives an implementation plan for the information
360 system, including projected cost and recommended rule changes
361 that may be required to collect the information necessary for
362 the system to be successful.

363 (5) The information system required by subsection (4)
364 shall be implemented to the extent funded in the General

365 Appropriations Act.

366 Section 7. Paragraph (v) of subsection (2) of section
 367 1001.02, Florida Statutes, is amended, and paragraph (i) is
 368 added to subsection (7) of said section, to read:

369 1001.02 General powers of State Board of Education.--

370 (2) The State Board of Education has the following duties:

371 (v) To develop, with input from the Board of Governors and
 372 the independent postsecondary educational institutions in the
 373 state and periodically review for adjustment, a coordinated 5-
 374 year plan for postsecondary enrollment ~~and annually submit the~~
 375 ~~plan to the Legislature.~~ The plan shall indicate the capacity of
 376 each sector, including state universities, community colleges,
 377 postsecondary career centers, and independent postsecondary
 378 educational institutions, to respond to the planned enrollment
 379 and estimate the costs to the state of expanding capacity if
 380 necessary to accommodate the enrollment plan. The plan shall be
 381 periodically reviewed for adjustment and submitted to the
 382 Governor, the President of the Senate, and the Speaker of the
 383 House of Representatives no later than December 1 of each year.

384 (7) The State Board of Education shall:

385 (i) Adopt by rule policies that address the baccalaureate
 386 degree programs at community colleges approved pursuant to s.
 387 1007.33, including, but not limited to, reporting policies and
 388 performance accountability requirements for both upper-division
 389 and lower-division programs.

390 Section 8. Paragraph (f) is added to subsection (4) of
 391 section 1001.20, Florida Statutes, to read:

392 1001.20 Department under direction of state board.--

393 (4) The Department of Education shall establish the
 394 following offices within the Office of the Commissioner of
 395 Education which shall coordinate their activities with all other
 396 divisions and offices:

397 (f) Office of Career Education.--Responsible for
 398 evaluating the effectiveness of public and private secondary and
 399 postsecondary education programs in providing rigorous career
 400 education; developing in partnership with the business community
 401 and Workforce Florida, Inc., a marketing plan for secondary and
 402 postsecondary career education, including career and
 403 professional academies, to attract secondary and postsecondary
 404 students into careers of critical state need; promoting seamless
 405 articulation throughout the career education system; and
 406 administering the SUCCEED, FLORIDA! Career Paths Program
 407 pursuant to s. 1011.97.

408 Section 9. Subsections (1), (2), and (8) of section
 409 1001.64, Florida Statutes, are amended to read:

410 1001.64 Community college boards of trustees; powers and
 411 duties.--

412 (1) The boards of trustees shall be responsible for cost-
 413 effective policy decisions appropriate to the community
 414 college's mission, the implementation and maintenance of high-
 415 quality education programs within law and rules of the State
 416 Board of Education, the measurement of performance, the
 417 reporting of information, and the provision of input regarding
 418 state policy, budgeting, and education standards. Community
 419 colleges may grant baccalaureate degrees pursuant to s. 1007.33
 420 and shall remain under the authority of the State Board of

421 Education in accordance with current statutory provisions
422 relating to community colleges as defined in s. 1000.21.

423 (2) Each board of trustees is vested with the
424 responsibility to govern its respective community college and
425 with such necessary authority as is needed for the proper
426 operation and improvement thereof in accordance with rules of
427 the State Board of Education. This authority includes serving as
428 the governing board for purposes of granting baccalaureate
429 degrees as authorized in s. 1007.33 and approved by the State
430 Board of Education.

431 (8) Each board of trustees has authority for policies
432 related to students, enrollment of students, student records,
433 student activities, financial assistance, and other student
434 services.

435 (a) Each board of trustees shall govern admission of
436 students pursuant to s. 1007.263 and rules of the State Board of
437 Education. A board of trustees may establish additional
438 admissions criteria, which shall be included in the district
439 interinstitutional articulation agreement developed according to
440 s. 1007.235, to ensure student readiness for postsecondary
441 instruction. Each board of trustees may consider the past
442 actions of any person applying for admission or enrollment and
443 may deny admission or enrollment to an applicant because of
444 misconduct if determined to be in the best interest of the
445 community college.

446 (b) Each board of trustees shall adopt rules establishing
447 student performance standards for the award of degrees and
448 certificates pursuant to s. 1004.68. The board of trustees of a

449 community college that is authorized to grant a baccalaureate
450 degree under s. 1007.33 may continue to award degrees, diplomas,
451 and certificates as authorized for the college, and in the name
452 of the college, until the college receives any necessary changes
453 to its accreditation.

454 (c) Each board of trustees shall establish tuition and
455 out-of-state fees for approved baccalaureate degree programs,
456 consistent with law and proviso language in the General
457 Appropriations Act.

458 (d)-(e) Boards of trustees are authorized to establish
459 intrainstitutional and interinstitutional programs to maximize
460 articulation pursuant to s. 1007.22.

461 (e)-(d) Boards of trustees shall identify their core
462 curricula, which shall include courses required by the State
463 Board of Education, pursuant to the provisions of s. 1007.25(6).

464 (f)-(e) Each board of trustees must adopt a written
465 antihazing policy, provide a program for the enforcement of such
466 rules, and adopt appropriate penalties for violations of such
467 rules pursuant to the provisions of s. 1006.63(1)-(3).

468 (g)-(f) Each board of trustees may establish a uniform code
469 of conduct and appropriate penalties for violation of its rules
470 by students and student organizations, including rules governing
471 student academic honesty. Such penalties, unless otherwise
472 provided by law, may include fines, the withholding of diplomas
473 or transcripts pending compliance with rules or payment of
474 fines, and the imposition of probation, suspension, or
475 dismissal.

476 (h)-(g) Each board of trustees pursuant to s. 1006.53 shall

477 adopt a policy in accordance with rules of the State Board of
 478 Education that reasonably accommodates the religious observance,
 479 practice, and belief of individual students in regard to
 480 admissions, class attendance, and the scheduling of examinations
 481 and work assignments.

482 (i) Each board of trustees shall adopt a policy providing
 483 that faculty who teach upper-division courses that are a
 484 component part of a baccalaureate degree program must meet the
 485 requirements of s. 1012.82.

486 Section 10. Paragraphs (a) and (d) of subsection (2) of
 487 section 1002.23, Florida Statutes, are amended to read:

488 1002.23 Family and School Partnership for Student
 489 Achievement Act.--

490 (2) To facilitate meaningful parent and family
 491 involvement, the Department of Education shall develop
 492 guidelines for a parent guide to successful student achievement
 493 which describes what parents need to know about their child's
 494 educational progress and how they can help their child to
 495 succeed in school. The guidelines shall include, but need not be
 496 limited to:

497 (a) Parental information regarding:

498 1. Requirements for their child to be promoted to the next
 499 grade, as provided for in s. 1008.25;

500 2. Progress of their child toward achieving state and
 501 district expectations for academic proficiency;

502 3. Assessment results, including report cards and progress
 503 reports; ~~and~~

504 4. Qualifications of their child's teachers; and

505 5. Availability of the secondary and postsecondary
 506 academic and career education online student advising and
 507 guidance system described in s. 1006.01;

508 (d) Opportunities for parents to learn about rigorous
 509 academic programs that may be available for their child, such as
 510 honors programs, dual enrollment, advanced placement,
 511 International Baccalaureate, Florida Virtual High School
 512 courses, career and professional academies, and accelerated
 513 access to postsecondary education;

514 Section 11. Section 1003.492, Florida Statutes, is amended
 515 to read:

516 1003.492 Industry-certified career education programs.--

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

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

528 ~~(3) The Department of Education shall study student~~
 529 ~~performance in industry certified career education programs. The~~
 530 ~~department shall identify districts that currently operate~~
 531 ~~industry certified career education programs. The study shall~~
 532 ~~examine the performance of participating students over time.~~

HCB 6005 (for HBs 119, 167, 935, 1613, 1655, 1837, 1853)

2005

533 ~~Performance factors shall include, but not be limited to,~~
534 ~~graduation rates, retention rates, additional educational~~
535 ~~attainment, employment records, earnings, and industry~~
536 ~~satisfaction. The results of this study shall be submitted to~~
537 ~~the President of the Senate and the Speaker of the House of~~
538 ~~Representatives by December 31, 2004.~~

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

545 Section 12. Section 1004.85, Florida Statutes, is
546 renumbered as section 1004.045, Florida Statutes, and paragraphs
547 (e), (f), and (g) are added to subsection (2) of said section to
548 read:

549 1004.045 ~~1004.85~~ Postsecondary educator preparation
550 institutes.--

551 (2) Postsecondary institutions that are accredited or
552 approved as described in state board rule may seek approval from
553 the Department of Education to create educator preparation
554 institutes for the purpose of providing any or all of the
555 following:

556 (e) Instruction to assist associate degree holders who
557 have business experience in demonstrating teaching competencies
558 for career education courses in the specific area relating to
559 their business experience.

560 (f) Professional development instruction to assist career

561 education teachers in delivering a career education curriculum
 562 in a relevant context with student-centered, research-based
 563 instructional strategies and a rigorous standards-based academic
 564 curriculum.

565 (g) Professional development instruction to assist
 566 guidance counselors in using a mentor-teacher guidance model.

567 Section 13. Section 1004.226, Florida Statutes, is created
 568 to read:

569 1004.226 Florida technology development; centers of
 570 excellence.--

571 (1) The term "center of excellence," as used in this
 572 section, means an organization of personnel, facilities, and
 573 equipment established at or in collaboration with one or more
 574 universities in Florida to accomplish the purposes and
 575 objectives set forth in this section. The purposes and
 576 objectives of a center of excellence include:

577 (a) Identifying and pursuing opportunities for university
 578 scholars, research center scientists and engineers, and private
 579 businesses to form collaborative partnerships to foster and
 580 promote the research required to develop commercially promising,
 581 advanced, and innovative technologies and to transfer those
 582 technologies to commercial sectors.

583 (b) Acquiring and leveraging public and private sector
 584 funding to provide the totality of funds, personnel, facilities,
 585 equipment, and other resources needed to support the research
 586 required to develop commercially promising, advanced, and
 587 innovative technologies and to transfer those technologies to
 588 commercial sectors.

589 (c) Recruiting and retaining world class scholars, high-
590 performing students, and leading scientists and engineers in
591 technology disciplines to engage in research in this state to
592 develop commercially promising, advanced, and innovative
593 technologies.

594 (d) Enhancing and expanding technology curricula and
595 laboratory resources at universities in this state.

596 (e) Increasing the number of high-performing students in
597 technology disciplines who graduate from universities in this
598 state and pursue careers in this state.

599 (f) Stimulating and supporting the inception, growth, and
600 diversification of technology-based businesses and ventures in
601 Florida and increasing employment opportunities for the
602 workforce needed to support such businesses.

603 (2) The State Board of Education shall notify the
604 president of each university in the state of the opportunity to
605 submit to the state board a written proposal for establishing a
606 center of excellence under this section or expanding a center of
607 excellence designated under former s. 1004.225. A proposal from
608 a university must be submitted to the state board before
609 November 1, 2005.

610 (3) (a) By February 15, 2006, the State Board of Education,
611 in consultation with the Florida Research Consortium, shall
612 develop a plan for establishing or expanding one or more centers
613 of excellence from proposals submitted pursuant to subsection
614 (2) and shall authorize expenditures for implementing the plan.

615 (b) The plan must include performance and accountability
616 measures that can be used to assess the progress of plan

617 implementation and the success of each center of excellence that
 618 receives funding under the plan. By March 1, 2006, the State
 619 Board of Education shall provide a copy of the plan to the
 620 Governor, the President of the Senate, and the Speaker of the
 621 House of Representatives.

622 (4) Beginning July 1, 2006, the State Board of Education
 623 shall report annually to the Governor, the President of the
 624 Senate, and the Speaker of the House of Representatives on the
 625 progress in implementing the plan developed under subsection (3)
 626 and the success of each center of excellence that receives
 627 funding under that plan.

628 (5) This program shall be implemented to the extent funds
 629 are provided in the General Appropriations Act.

630 Section 14. Subsection (1), paragraph (a) of subsection
 631 (7), and subsection (9) of section 1004.65, Florida Statutes,
 632 are amended, and subsection (10) is added to said section, to
 633 read:

634 1004.65 Community colleges; definition, mission, and
 635 responsibilities.--

636 (1) Community colleges shall consist of all public
 637 educational institutions identified in s. 1000.21(3). Community
 638 colleges, including colleges that have been approved to offer
 639 baccalaureate degree programs pursuant to s. 1007.33, shall be
 640 operated by community college district boards of trustees under
 641 statutory authority and rules of the State Board of Education.
 642 Except as otherwise provided in law, all laws and rules that
 643 relate to community colleges apply to community colleges
 644 authorized to offer baccalaureate degree programs pursuant to s.

645 1007.33.

646 (7) A separate and secondary role for community colleges
647 includes:

648 (a) Providing upper level instruction and awarding
649 baccalaureate degrees as specifically authorized by law. A
650 community college that is approved to offer baccalaureate degree
651 programs shall maintain its primary mission pursuant to
652 subsection (6) and may not terminate associate in arts or
653 associate in science degree programs as a result of the
654 authorization to offer baccalaureate degree programs.

655 (9) Community colleges are authorized to offer such
656 programs and courses as are necessary to fulfill their mission
657 and are authorized to grant associate in arts degrees, associate
658 in science degrees, associate in applied science degrees,
659 certificates, awards, and diplomas. Each community college is
660 also authorized to make provisions for the General Educational
661 Development test. Each community college may provide access to
662 and award baccalaureate degrees in accordance with law.

663 (10) A community college may not offer graduate programs.

664 Section 15. Subsection (3) is added to section 1004.68,
665 Florida Statutes, to read:

666 1004.68 Community college; degrees and certificates; tests
667 for certain skills.--

668 (3) The board of trustees of a community college
669 authorized to grant baccalaureate degrees pursuant to s. 1007.33
670 may continue to award degrees, diplomas, and certificates as
671 authorized for the college, and in the name of the college,
672 until the community college receives any necessary changes to

673 its accreditation.

674 Section 16. Section 1006.01, Florida Statutes, is created
675 to read:

676 1006.01 Enhanced secondary and postsecondary academic and
677 career education online student advising and guidance
678 system.--The Department of Education shall enhance the student
679 advising system described in s. 1007.28 into a secondary and
680 postsecondary academic and career education online student
681 advising and guidance system. In addition to the requirements of
682 s. 1007.28, the enhanced system must:

683 (1) Provide access to information from regional workforce
684 boards on local careers and careers that are critical state
685 needs and the secondary and postsecondary career education
686 necessary to enter these careers.

687 (2) Provide continuous secondary and postsecondary career
688 education guidance beginning in middle school and store student
689 information until completion of the student's education.

690 Section 17. Subsection (1) of section 1006.02, Florida
691 Statutes, is amended to read:

692 1006.02 Provision of information to students and parents
693 regarding school-to-work transition.--

694 (1) To facilitate each student's ability to easily and
695 seamlessly combine academic and rigorous career education
696 courses throughout the educational experience, each school
697 district all ~~public K-12 schools~~ shall document as part of its
698 guidance report required pursuant to s. 1006.025 that every
699 middle and high school student has used the secondary and
700 postsecondary academic and career education online student

701 advising and guidance system described in s. 1006.01 as part of
 702 the student's career exploration and planning process. The
 703 report must include the manner in which they have prepared
 704 students to enter the workforce, including information regarding
 705 the provision of accurate, timely career and curricular
 706 counseling to middle school and high school students. This
 707 information shall include a delineation of available career
 708 opportunities, educational requirements associated with each
 709 career, educational institutions that prepare students to enter
 710 each career, and student financial aid available to enable
 711 students to pursue any postsecondary instruction required to
 712 enter that career. This information shall also delineate school
 713 procedures for identifying individual student interests and
 714 aptitudes which enable students to make informed decisions about
 715 the curriculum that best addresses their individual interests
 716 and aptitudes while preparing them to enroll in postsecondary
 717 education and enter the workforce. This information shall
 718 include recommended high school coursework that prepares
 719 students for success in college-level work. The information
 720 shall be made known to parents and students annually through
 721 inclusion in the school's handbook, manual, or similar documents
 722 or other communications regularly provided to parents and
 723 students.

724 Section 18. Paragraph (f) of subsection (2) of section
 725 1006.025, Florida Statutes, is amended to read:

726 1006.025 Guidance services.--

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

729 (f) Actions taken to provide information to students for
 730 the school-to-work transition and documentation that every
 731 middle and high school student has used the secondary and
 732 postsecondary academic and career education online student
 733 advising and guidance system described in s. 1006.01 for the
 734 student's career exploration and planning process pursuant to s.
 735 1006.02.

736 Section 19. Paragraph (c) of subsection (3) of section
 737 1007.2615, Florida Statutes, is amended to read:

738 1007.2615 American Sign Language; findings; foreign-
 739 language credits authorized; teacher licensing.--

740 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
 741 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
 742 FOR POSTSECONDARY EDUCATION PROVIDERS.--

743 (c) An ASL teacher must be certified by the Department of
 744 Education by January 1, 2009 ~~2008~~, ~~and must obtain current~~
 745 ~~certification through the Florida American Sign Language~~
 746 ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~
 747 ~~certification may be used by current ASL teachers as an~~
 748 ~~alternative certification track.~~

749 Section 20. Section 1007.33, Florida Statutes, is amended
 750 to read:

751 1007.33 Site-determined baccalaureate degree access.--

752 (1) The Legislature recognizes that public and private
 753 postsecondary educational institutions play essential roles in
 754 improving the quality of life and economic well-being of the
 755 state and its residents. The Legislature also recognizes that
 756 economic development needs and the educational needs of place-

757 bound, nontraditional students have increased the demand for
758 local access to baccalaureate degree programs. In some, but not
759 all, geographic regions, baccalaureate degree programs are being
760 delivered successfully at the local community college through
761 agreements between the community college and 4-year
762 postsecondary institutions within or outside of the state. It is
763 therefore the intent of the Legislature to further expand access
764 for Florida residents to baccalaureate degree programs and to
765 provide baccalaureate degree programs that meet critical
766 workforce needs through the use of community colleges.

767 (2) A community college may enter into a formal agreement
768 pursuant to the provisions of s. 1007.22 for the delivery of
769 specified baccalaureate degree programs.

770 (3) A community college may develop a proposal to deliver
771 specified baccalaureate degree programs in its district to meet
772 local workforce needs or to expand access to postsecondary
773 education for diverse, nontraditional, or geographically bound
774 students. The proposal must be approved by the board of trustees
775 of the community college.

776 (a) To be eligible to receive state funding to support the
777 proposed program at the baccalaureate level, the proposal must
778 be submitted to the State Board of Education for approval in
779 accordance with timelines and guidelines adopted by the state
780 board and. ~~The community college's proposal~~ must include the
781 following information:

782 1. ~~(a)~~ Documentation of the demand for the baccalaureate
783 degree program as ~~is~~ identified by the workforce development
784 board, local businesses and industry, local chambers of

785 commerce, and potential students who must be residents of the
 786 state.

787 2.-(b) Documentation of the unmet need for graduates of the
 788 proposed degree program is substantiated.

789 3.-(e) Documentation that the community college has the
 790 facilities and academic resources to deliver the program.

791 4. Documentation that alternative attempts were made to
 792 meet the identified need, such as distance learning and
 793 partnerships with other public or private postsecondary
 794 educational institutions, or justification for not pursuing such
 795 alternatives.

796 5. A 5-year financial plan that details steps to ensure
 797 that the per-credit-hour costs of the program at the end of the
 798 5-year period will be less than the costs of similar programs at
 799 state universities.

800 (b) Upon receipt of a proposal submitted pursuant to
 801 paragraph (a), the State Board of Education must make the
 802 proposal available to other public and private postsecondary
 803 educational institutions for 60 days for review and comment,
 804 including the opportunity for such institutions to submit
 805 alternative proposals to the State Board of Education for
 806 meeting the stated need.

807 (c) The State Board of Education may approve, deny, or
 808 require revisions to a proposal submitted by a community college
 809 pursuant to paragraph (a) or an alternative proposal submitted
 810 pursuant to paragraph (b).

811
 812 A The proposal must be submitted to the Council for Education

813 ~~Policy Research and Improvement for review and comment. Upon~~
814 ~~approval of the State Board of Education for the specific degree~~
815 ~~program or programs, the community college approved to offer~~
816 baccalaureate degrees pursuant to this subsection shall pursue
817 regional accreditation by the Commission on Colleges of the
818 Southern Association of Colleges and Schools. Any ~~additional~~
819 baccalaureate degree program ~~programs~~ the community college
820 wishes to offer must be approved by the State Board of Education
821 pursuant to the process outlined in this subsection in order for
822 the community college to receive state funding for the program
823 at the baccalaureate level.

824 (4) Any baccalaureate degree program authorized at a
825 community college pursuant to the provisions of this section
826 must be evaluated by the board of trustees of the community
827 college every 5 years to determine the cost-effectiveness of the
828 program, the effectiveness of the program in providing access to
829 baccalaureate degrees for Florida residents and meeting local
830 workforce needs, and the impact of the program on the college's
831 primary mission of providing associate degrees. A copy of the
832 evaluation must be submitted to the State Board of Education,
833 the Executive Office of the Governor, the President of the
834 Senate, and the Speaker of the House of Representatives.
835 Programs that have excessive per-credit-hour costs, fail to
836 provide meaningful access to baccalaureate degrees for Florida
837 residents, no longer meet workforce needs, or hinder a community
838 college's primary mission may lose eligibility for state funding
839 as a baccalaureate degree program.

840 (5)-(4) A community college may not terminate its associate

841 in arts or associate in science degree programs as a result of
 842 the authorization provided pursuant to this section ~~in~~
 843 ~~subsection (3)~~. The Legislature intends that the primary mission
 844 of a community college, including a community college that
 845 offers baccalaureate degree programs, continues to be the
 846 provision of associate degrees that provide access to a
 847 university.

848 (6) The State Board of Education shall adopt rules to
 849 administer this section.

850 Section 21. Section 1009.21, Florida Statutes, is amended
 851 to read:

852 1009.21 Determination of resident status for tuition
 853 purposes; exemption.--Students shall be classified as residents
 854 or nonresidents for the purpose of assessing tuition in
 855 community colleges and state universities and for the purpose of
 856 assessing tuition for instruction in workforce education
 857 programs offered by school districts.

858 (1) As used in this section, the term:

859 (a) ~~The term~~ "Dependent child" means any person, whether
 860 or not living with his or her parent, who is eligible to be
 861 claimed by his or her parent as a dependent under the federal
 862 income tax code and who receives at least 51 percent of the true
 863 cost-of-living expenses from his or her parent, as further
 864 defined in rules of the department and postsecondary residential
 865 guidelines.

866 (b) "Initial enrollment" means the first day of class.

867 (c) ~~(b)~~ The term "Institution of higher education" means
 868 any public community college or state university.

869 (d)~~(e)~~ A "Legal resident" or "resident" means ~~is~~ a person
870 who has maintained his or her residence in this state for the
871 preceding year, has purchased a home which is occupied by him or
872 her as his or her residence, or has established a domicile in
873 this state pursuant to s. 222.17.

874 (e) "Nonresident for tuition purposes" means a person who
875 does not qualify for the in-state tuition rate.

876 (f)~~(d)~~ ~~The term~~ "Parent" means the natural or adoptive
877 parent or legal guardian of a dependent child.

878 (g)~~(e)~~ A "Resident for tuition purposes" means ~~is~~ a person
879 who qualifies as provided in subsection (2) for the in-state
880 tuition rate; ~~a "nonresident for tuition purposes" is a person~~
881 ~~who does not qualify for the in-state tuition rate.~~

882 (2) (a) To qualify as a resident for tuition purposes:

883 1. A person or, if that person is a dependent child, his
884 or her parent or parents must have established legal residence
885 in this state and must have maintained legal residence in this
886 state for at least 12 consecutive months immediately prior to
887 his or her initial enrollment in a postsecondary education
888 program in this state ~~qualification.~~

889 2. Every applicant for admission to an institution of
890 higher education or to a workforce education program offered by
891 a school district shall be required to make a statement as to
892 his or her length of residence in the state and, further, shall
893 establish that his or her presence or, if the applicant is a
894 dependent child, the presence of his or her parent or parents in
895 the state currently is, and during the requisite 12-month
896 qualifying period was, for the purpose of maintaining a bona

897 fide domicile, rather than for the purpose of maintaining a mere
 898 temporary residence or abode incident to enrollment in an
 899 institution of higher education or a workforce education program
 900 offered by a school district.

901 3. Each institution of higher education or each school
 902 district that offers a workforce education program must
 903 determine whether an applicant who has been granted admission is
 904 a dependent child.

905 4. Each institution of higher education or each school
 906 district that offers a workforce education program must
 907 affirmatively determine that an applicant who has been granted
 908 admission as a Florida resident meets the residency requirements
 909 of this section at the time of initial enrollment.

910 (b) However, with respect to a dependent child living with
 911 an adult relative other than the child's parent, such child may
 912 qualify as a resident for tuition purposes if the adult relative
 913 is a legal resident who has maintained legal residence in this
 914 state for at least 12 consecutive months immediately prior to
 915 the child's initial enrollment in a postsecondary education
 916 program in this state ~~qualification~~, provided the child has
 917 resided continuously with such relative for the 5 years
 918 immediately prior to the child's initial enrollment
 919 ~~qualification~~, during which time the adult relative has
 920 exercised day-to-day care, supervision, and control of the
 921 child.

922 (c) The legal residence of a dependent child whose parents
 923 are divorced, separated, or otherwise living apart will be
 924 deemed to be this state if either parent is a legal resident of

925 | this state, regardless of which parent is entitled to claim, and
 926 | does in fact claim, the minor as a dependent pursuant to federal
 927 | individual income tax provisions.

928 | (d) A person who is classified as a nonresident for
 929 | tuition purposes may become eligible for reclassification as a
 930 | resident for tuition purposes if that person or, if that person
 931 | is a dependent child, his or her parent presents documentation
 932 | that supports permanent residency in this state rather than
 933 | temporary residency for the purpose of pursuing an education,
 934 | such as documentation of full-time permanent employment for the
 935 | previous 12 months or the purchase of a home in this state and
 936 | residence therein for the prior 12 months. If a person who is a
 937 | dependent child and his or her parent move to this state while
 938 | such child is a high school student and the child graduates from
 939 | a high school in this state, the child may become eligible for
 940 | reclassification as a resident for tuition purposes when the
 941 | parent qualifies for permanent residency.

942 | (3) An individual shall not be classified as a resident
 943 | for tuition purposes and, thus, shall not be eligible to receive
 944 | the in-state tuition rate until he or she has provided such
 945 | evidence related to legal residence and its duration or, if that
 946 | individual is a dependent child, documentation of his or her
 947 | parent's legal residence and its duration, as well as
 948 | documentation confirming his or her status as a dependent child,
 949 | as may be required by law and by officials of the institution of
 950 | higher education or officials of the school district offering
 951 | the workforce education program from which he or she seeks the
 952 | in-state tuition rate.

953 (4) With respect to a dependent child, the legal residence
 954 of such individual's parent or parents is prima facie evidence
 955 of the individual's legal residence, which evidence may be
 956 reinforced or rebutted, relative to the age and general
 957 circumstances of the individual, by the other evidence of legal
 958 residence required of or presented by the individual. However,
 959 the legal residence of an individual whose parent or parents are
 960 domiciled outside this state is not prima facie evidence of the
 961 individual's legal residence if that individual has lived in
 962 this state for 5 consecutive years prior to enrolling or
 963 reregistering at the institution of higher education or
 964 enrolling or reregistering in a workforce education program
 965 offered by a school district at which resident status for
 966 tuition purposes is sought.

967 (5) In making a domiciliary determination related to the
 968 classification of a person as a resident or nonresident for
 969 tuition purposes, the domicile of a married person, irrespective
 970 of sex, shall be determined, as in the case of an unmarried
 971 person, by reference to all relevant evidence of domiciliary
 972 intent. For the purposes of this section:

973 (a) A person shall not be precluded from establishing or
 974 maintaining legal residence in this state and subsequently
 975 qualifying or continuing to qualify as a resident for tuition
 976 purposes solely by reason of marriage to a person domiciled
 977 outside this state, even when that person's spouse continues to
 978 be domiciled outside of this state, provided such person
 979 maintains his or her legal residence in this state.

980 (b) A person shall not be deemed to have established or

981 maintained a legal residence in this state and subsequently to
 982 have qualified or continued to qualify as a resident for tuition
 983 purposes solely by reason of marriage to a person domiciled in
 984 this state.

985 (c) In determining the domicile of a married person,
 986 irrespective of sex, the fact of the marriage and the place of
 987 domicile of such person's spouse shall be deemed relevant
 988 evidence to be considered in ascertaining domiciliary intent.

989 (6) Any nonresident person, irrespective of sex, who
 990 marries a legal resident of this state or marries a person who
 991 later becomes a legal resident may, upon becoming a legal
 992 resident of this state, accede to the benefit of the spouse's
 993 immediately precedent duration as a legal resident for purposes
 994 of satisfying the 12-month durational requirement of this
 995 section.

996 (7) A person shall not lose his or her resident status for
 997 tuition purposes solely by reason of serving, or, if such person
 998 is a dependent child, by reason of his or her parent's or
 999 parents' serving, in the Armed Forces outside this state.

1000 (8) A person who has been properly classified as a
 1001 resident for tuition purposes but who, while enrolled in an
 1002 institution of higher education or a workforce education program
 1003 offered by a school district in this state, loses his or her
 1004 resident tuition status because the person or, if he or she is a
 1005 dependent child, the person's parent or parents establish
 1006 domicile or legal residence elsewhere shall continue to enjoy
 1007 the in-state tuition rate for a statutory grace period, which
 1008 period shall be measured from the date on which the

1009 | circumstances arose that culminated in the loss of resident
 1010 | tuition status and shall continue for 12 months. However, if the
 1011 | 12-month grace period ends during a semester or academic term
 1012 | for which such former resident is enrolled, such grace period
 1013 | shall be extended to the end of that semester or academic term.

1014 | (9) Any person who ceases to be enrolled in ~~at~~ or who
 1015 | graduates from an institution of higher education or a workforce
 1016 | education program offered by a school district while classified
 1017 | as a resident for tuition purposes and who subsequently abandons
 1018 | his or her domicile in this state shall be permitted to reenroll
 1019 | in ~~at~~ an institution of higher education or a workforce
 1020 | education program offered by a school district in this state as
 1021 | a resident for tuition purposes without the necessity of meeting
 1022 | the 12-month durational requirement of this section if that
 1023 | person has reestablished his or her domicile in this state
 1024 | within 12 months of such abandonment and continuously maintains
 1025 | the reestablished domicile during the period of enrollment. The
 1026 | benefit of this subsection shall not be accorded more than once
 1027 | to any one person.

1028 | (10) The following persons shall be classified as
 1029 | residents for tuition purposes:

1030 | (a) Active duty members of the Armed Services of the
 1031 | United States residing or stationed in this state, their
 1032 | spouses~~,~~ and dependent children, and active members of the
 1033 | Florida National Guard who qualify under s. 250.10(7) and (8)
 1034 | for the tuition assistance program.

1035 | (b) Active duty members of the Armed Services of the
 1036 | United States~~,~~ and their spouses and dependent children,

1037 ~~dependents~~ attending a public community college or state
 1038 university within 50 miles of the military establishment where
 1039 they are stationed, if such military establishment is within a
 1040 county contiguous to Florida.

1041 (c) United States citizens living on the Isthmus of
 1042 Panama, who have completed 12 consecutive months of college work
 1043 at the Florida State University Panama Canal Branch, and their
 1044 spouses and dependent children.

1045 (d) Full-time instructional and administrative personnel
 1046 employed by state public schools, community colleges, and
 1047 institutions of higher education, as defined in s. 1000.04, and
 1048 their spouses and dependent children.

1049 (e) Students from Latin America and the Caribbean who
 1050 receive scholarships from the federal or state government. Any
 1051 student classified pursuant to this paragraph shall attend, on a
 1052 full-time basis, a Florida institution of higher education.

1053 (f) Southern Regional Education Board's Academic Common
 1054 Market graduate students attending Florida's state universities.

1055 (g) Full-time employees of state agencies or political
 1056 subdivisions of the state when the student fees are paid by the
 1057 state agency or political subdivision for the purpose of job-
 1058 related law enforcement or corrections training.

1059 (h) McKnight Doctoral Fellows and Finalists who are United
 1060 States citizens.

1061 (i) United States citizens living outside the United
 1062 States who are teaching at a Department of Defense Dependent
 1063 School or in an American International School and who enroll in
 1064 a graduate level education program which leads to a Florida

1065 teaching certificate.

1066 (j) Active duty members of the Canadian military residing
 1067 or stationed in this state under the North American Aerospace
 1068 Defense Command ~~Air Defense~~ (NORAD) agreement, and their spouses
 1069 and dependent children, attending a community college or state
 1070 university within 50 miles of the military establishment where
 1071 they are stationed.

1072 (k) Active duty members of a foreign nation's military who
 1073 are serving as liaison officers and are residing or stationed in
 1074 this state, and their spouses and dependent children, attending
 1075 a community college or state university within 50 miles of the
 1076 military establishment where the foreign liaison officer is
 1077 stationed.

1078 (l) Full-time employees of international multilateral
 1079 organizations based in Florida that are recognized by the United
 1080 States Department of State and their spouses and dependent
 1081 children.

1082 (11) A student, other than a nonimmigrant alien within the
 1083 meaning of 8 U.S.C. s. 1101(a)(15), who meets all of the
 1084 following requirements may apply for an exemption from paying
 1085 nonresident tuition at community colleges and state
 1086 universities:

1087 (a) The student has resided in Florida with a parent, as
 1088 defined in paragraph (1)(f), for at least 3 consecutive years
 1089 immediately preceding the date the student received a high
 1090 school diploma or its equivalent and has attended a Florida high
 1091 school for at least 3 consecutive school years during such time.

1092 (b) The student has registered and enrolled in a community

1093 college or a state university. The student may apply for a term
 1094 deferral of any out-of-state fee assessed by the institution
 1095 until eligibility for the exemption is determined.

1096 (c) The student has provided the community college or
 1097 state university an affidavit stating that the student will file
 1098 an application to become a permanent resident of the United
 1099 States at the earliest opportunity he or she is eligible to do
 1100 so.

1101 (d) The student has submitted an application for the
 1102 exemption to the community college or state university in the
 1103 manner prescribed by the Department of Education.

1104
 1105 The exemption authorized pursuant to this subsection shall be
 1106 limited to the top 2,000 students in academic performance in
 1107 Florida high schools who register and enroll at a community
 1108 college or state university under the exemption. The Department
 1109 of Education shall administer the exemption program and shall
 1110 develop an application form and guidelines for student
 1111 participation. The community college or state university shall
 1112 enter all application criteria submitted by the student into the
 1113 department's online database, in the manner and timeframe
 1114 prescribed by the department, for final determination by the
 1115 department of the student's eligibility to receive the
 1116 exemption.

1117 (12)-(11) The State Board of Education shall by rule
 1118 designate classifications of students as residents or
 1119 nonresidents for tuition purposes at community colleges and
 1120 state universities.

1121 Section 22. Subsections (1), (3), and (11) of section
 1122 1009.23, Florida Statutes, are amended to read:

1123 1009.23 Community college student fees.--

1124 (1) Unless otherwise provided, ~~the provisions of this~~
 1125 section applies ~~apply~~ only to fees charged for college credit
 1126 instruction leading to an associate in arts degree, an associate
 1127 in applied science degree, ~~or~~ an associate in science degree, or
 1128 a baccalaureate degree authorized by the State Board of
 1129 Education pursuant to s. 1007.33 and for noncollege credit
 1130 college-preparatory courses defined in s. 1004.02.

1131 (3) The State Board of Education shall adopt by December
 1132 31 of each year a resident fee schedule for the following fall
 1133 for advanced and professional programs, associate in science
 1134 degree programs, baccalaureate degree programs authorized by the
 1135 State Board of Education pursuant to s. 1007.33, and college-
 1136 preparatory programs that produce revenues in the amount of 25
 1137 percent of the full prior year's cost of these programs. Fees
 1138 for courses in college-preparatory programs and associate in
 1139 arts and associate in science degree programs may be established
 1140 at the same level. In the absence of a provision to the contrary
 1141 in an appropriations act, the fee schedule shall take effect and
 1142 the colleges shall expend the funds on instruction. If the
 1143 Legislature provides for an alternative fee schedule in an
 1144 appropriations act, the fee schedule shall take effect the
 1145 subsequent fall semester.

1146 (11) (a) Each community college board of trustees may
 1147 establish a separate fee for capital improvements, technology
 1148 enhancements, or equipping student buildings which may not

1149 | exceed 10 percent of tuition for resident students or 10 percent
 1150 | of the sum of tuition and out-of-state fees for nonresident
 1151 | students. The fee for resident students shall be limited to an
 1152 | increase of \$2 per credit hour over the prior year ~~\$1 per credit~~
 1153 | ~~hour or credit-hour equivalent for residents and which equals or~~
 1154 | ~~exceeds \$3 per credit hour for nonresidents.~~ Funds collected by
 1155 | community colleges through these fees may be bonded only as
 1156 | provided in this subsection for the purpose of financing or
 1157 | refinancing new construction and equipment, renovation, or
 1158 | remodeling of educational facilities. The fee shall be collected
 1159 | as a component part of the tuition and fees, paid into a
 1160 | separate account, and expended only to construct and equip,
 1161 | maintain, improve, or enhance the educational facilities of the
 1162 | community college. Projects funded through the use of the
 1163 | capital improvement fee shall meet the survey and construction
 1164 | requirements of chapter 1013. Pursuant to s. 216.0158, each
 1165 | community college shall identify each project, including
 1166 | maintenance projects, proposed to be funded in whole or in part
 1167 | by such fee.

1168 | (b) Capital improvement fee revenues may be pledged by a
 1169 | board of trustees as a dedicated revenue source to the repayment
 1170 | of debt, including lease-purchase agreements with an overall
 1171 | term, including renewals, extensions, and refundings, of not
 1172 | more than 7 years and revenue bonds~~r~~, with a term not to exceed
 1173 | 20 annual maturities ~~years~~, and not to exceed the useful life of
 1174 | the asset being financed, only for financing or refinancing of
 1175 | the new construction and equipment, renovation, or remodeling of
 1176 | educational facilities. ~~Community colleges may use the services~~

1177 ~~of the Division of Bond Finance of the State Board of~~
 1178 ~~Administration to issue any Bonds authorized through the~~
 1179 ~~provisions of this subsection shall be. Any such bonds~~ issued by
 1180 the Division of Bond Finance upon the request of the community
 1181 college board of trustees shall be in compliance with the
 1182 provisions of s. 11(d), Art. VII of the State Constitution and
 1183 the State Bond Act. The Division of Bond Finance may pledge fees
 1184 collected by one or more community colleges to secure such
 1185 bonds. Any project included in the approved educational plant
 1186 survey pursuant to chapter 1013 is approved pursuant to s.
 1187 11(d), Art. VII of the State Constitution.

1188 (c) The state does hereby covenant with the holders of the
 1189 bonds issued under this subsection that it will not take any
 1190 action that will materially and adversely affect the rights of
 1191 such holders so long as the bonds authorized by this subsection
 1192 are outstanding.

1193 (d) Any validation of the bonds issued pursuant to the
 1194 State Bond Act shall be validated in the manner provided by
 1195 chapter 75. Only the initial series of bonds is required to be
 1196 validated. The complaint for such validation shall be filed in
 1197 the circuit court of the county where the seat of state
 1198 government is situated, the notice required to be published by
 1199 s. 75.06 shall be published only in the county where the
 1200 complaint is filed, and the complaint and order of the circuit
 1201 court shall be served only on the state attorney of the circuit
 1202 in which the action is pending.

1203 (e) A maximum of 15 percent cents per credit hour may be
 1204 allocated from the capital improvement fee for child care

1205 centers conducted by the community college. The use of capital
 1206 improvement fees for such purpose shall be subordinate to the
 1207 payment of any bonds secured by the fees.

1208 Section 23. Subsection (3) of section 1009.24, Florida
 1209 Statutes, is amended to read:

1210 1009.24 State university student fees.--

1211 (3) (a) The Legislature has the responsibility to establish
 1212 tuition and fees.

1213 (b) Within proviso in the General Appropriations Act and
 1214 law, each board of trustees shall set undergraduate university
 1215 tuition and fees.

1216 (c) Except as otherwise provided by law, each board of
 1217 trustees shall set university tuition and fees for graduate,
 1218 graduate professional, and nonresident students, except that
 1219 tuition and fees for graduate, graduate professional, and
 1220 nonresident students who enroll prior to fall 2005 shall be
 1221 established within proviso in the General Appropriations Act or
 1222 by law. Tuition and fees for graduate, graduate professional,
 1223 and nonresident students shall not exceed the average full-time
 1224 nonresident tuition and fees for corresponding programs at
 1225 public institutions that are members of the Association of
 1226 American Universities. The annual percentage increase in tuition
 1227 and fees established by each board of trustees pursuant to this
 1228 paragraph for students enrolled prior to fall 2005 shall not
 1229 exceed the annual percentage increase approved by the
 1230 Legislature for resident undergraduate students. At least 20
 1231 percent of the amount raised by tuition increases imposed
 1232 pursuant to this paragraph shall be allocated by each university

1233 to need-based financial aid for students.

1234 (d) The sum of the activity and service, health, and

1235 athletic fees a student is required to pay to register for a

1236 course shall not exceed 40 percent of the tuition established in

1237 law or in the General Appropriations Act. The tuition and fees

1238 established pursuant to paragraph (c) for graduate, graduate

1239 professional, and nonresident students shall not be subject to

1240 the 40 percent cap. No university shall be required to lower any

1241 fee in effect on the effective date of this act in order to

1242 comply with this subsection. Within the 40 percent cap,

1243 universities may not increase the aggregate sum of activity and

1244 service, health, and athletic fees more than 5 percent per year

1245 unless specifically authorized in law or in the General

1246 Appropriations Act. A university may increase its athletic fee

1247 to defray the costs associated with changing National Collegiate

1248 Athletic Association divisions. Any such increase in the

1249 athletic fee may exceed both the 40 percent cap and the 5

1250 percent cap imposed by this subsection. Any such increase must

1251 be approved by the athletic fee committee in the process

1252 outlined in subsection (11) and cannot exceed \$2 per credit

1253 hour. Notwithstanding the provisions of ss. 1009.534, 1009.535,

1254 and 1009.536, that portion of any increase in an athletic fee

1255 pursuant to this subsection that causes the sum of the activity

1256 and service, health, and athletic fees to exceed the 40 percent

1257 cap or the annual increase in such fees to exceed the 5 percent

1258 cap shall not be included in calculating the amount a student

1259 receives for a Florida Academic Scholars award, a Florida

1260 Medallion Scholars award, or a Florida Gold Seal Vocational

1261 Scholars award. This subsection does not prohibit a university
 1262 from increasing or assessing optional fees related to specific
 1263 activities if payment of such fees is not required as a part of
 1264 registration for courses.

1265 Section 24. Section 1009.286, Florida Statutes, is created
 1266 to read:

1267 1009.286 Additional student payment required for hours
 1268 exceeding graduation requirements.--

1269 (1) It is the intent of the Legislature to discourage
 1270 undergraduate students in postsecondary education from exceeding
 1271 the number of credit hours required to complete the students'
 1272 respective degree programs. Accordingly, a student must pay 75
 1273 percent over the in-state tuition rate for any credit hours that
 1274 the student takes in excess of 120 percent of the number of
 1275 credit hours required to complete the degree program in which he
 1276 or she is enrolled.

1277 (2) A student who is enrolled in a community college must
 1278 pay 75 percent over the in-state tuition rate for credit hours
 1279 that the student takes in excess of 120 percent of the credit
 1280 hours required to earn an associate degree, except that a
 1281 community college student who has earned the associate degree
 1282 need not pay the full cost for a maximum of 24 credit hours
 1283 taken while enrolled at a community college which apply to his
 1284 or her baccalaureate degree.

1285 (3) An undergraduate student who is enrolled in a state
 1286 university must pay 75 percent over the in-state tuition rate
 1287 for credit hours that the student takes in excess of 120 percent
 1288 of the credit hours required to complete the degree program in

1289 which he or she is enrolled, regardless of whether those hours
 1290 were taken while enrolled at a community college, a state
 1291 university, or any private postsecondary institution if the
 1292 student received state funds while enrolled at the private
 1293 postsecondary institution.

1294 (4) An undergraduate student who is enrolled in a
 1295 baccalaureate degree program at a community college must pay 75
 1296 percent over the in-state tuition rate for credit hours that the
 1297 student takes in excess of 120 percent of the number of credit
 1298 hours required to complete the degree program in which he or she
 1299 is enrolled, regardless of whether those hours were taken while
 1300 enrolled at a community college, a state university, or any
 1301 private postsecondary institution if the student received state
 1302 funds while enrolled at the private postsecondary institution.

1303 (5) Credit hours earned under the following circumstances
 1304 are not calculated as hours required to earn a baccalaureate
 1305 degree:

1306 (a) College credits earned through an accelerated
 1307 mechanism identified in s. 1007.27.

1308 (b) Credit hours earned through internship programs.

1309 (c) Credit hours required for certification,
 1310 recertification, or certificate degrees.

1311 (d) Credit hours in courses from which a student must
 1312 withdraw due to reasons of medical or personal hardship.

1313 (e) Credit hours taken by active-duty military personnel.

1314 (f) Credit hours required to achieve a dual major
 1315 undertaken while pursuing a degree.

1316 (g) Remedial and English as a Second Language credit

1317 hours.

1318 (6) Each postsecondary institution shall implement a
 1319 process for notifying students regarding the provisions of this
 1320 section. The notice shall be provided upon the student's initial
 1321 enrollment in the institution and again upon the student earning
 1322 the credit hours required to complete the degree program in
 1323 which he or she is enrolled. Additionally, the notice shall
 1324 recommend that the student meet with his or her academic advisor
 1325 if the student intends to earn additional credit hours at the
 1326 institution beyond those required for his or her enrolled degree
 1327 program.

1328 (7) The provisions of this section shall apply to freshmen
 1329 who enroll in a state university or community college in fall
 1330 2005 and thereafter.

1331 Section 25. Paragraph (a) of subsection (1) of section
 1332 1009.40, Florida Statutes, is amended, and subsection (5) is
 1333 added to said section, to read:

1334 1009.40 General requirements for student eligibility for
 1335 state financial aid and tuition assistance grants.--

1336 (1) (a) The general requirements for eligibility of
 1337 students for state financial aid awards and tuition assistance
 1338 grants consist of the following:

- 1339 1. Achievement of the academic requirements of and
 1340 acceptance at a state university or community college; a nursing
 1341 diploma school approved by the Florida Board of Nursing; a
 1342 Florida college, university, or community college which is
 1343 accredited by an accrediting agency recognized by the State
 1344 Board of Education; any Florida institution the credits of which

1345 are acceptable for transfer to state universities; any career
 1346 center; or any private career institution accredited by an
 1347 accrediting agency recognized by the State Board of Education.

1348 2. Residency in this state for no less than 1 year
 1349 preceding the award of aid or a tuition assistance grant for a
 1350 program established pursuant to s. 1009.50, s. 1009.51, s.
 1351 1009.52, s. 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s.
 1352 1009.60, s. 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s.
 1353 1009.73, s. 1009.76, s. 1009.77, ~~or~~ s. 1009.89, s. 1009.891, or
 1354 s. 1009.895. Residency in this state must be for purposes other
 1355 than to obtain an education. Resident status for purposes of
 1356 receiving state financial aid awards or tuition assistance
 1357 grants shall be determined in the same manner as resident status
 1358 for tuition purposes pursuant to s. 1009.21 and rules of the
 1359 State Board of Education implementing s. 1009.21 and the
 1360 postsecondary guidelines of the department.

1361 3. Submission of certification attesting to the accuracy,
 1362 completeness, and correctness of information provided to
 1363 demonstrate a student's eligibility to receive state financial
 1364 aid awards or tuition assistance grants. Falsification of such
 1365 information shall result in the denial of any pending
 1366 application and revocation of any award or grant currently held
 1367 to the extent that no further payments shall be made.
 1368 Additionally, students who knowingly make false statements in
 1369 order to receive state financial aid awards or tuition
 1370 assistance grants shall be guilty of a misdemeanor of the second
 1371 degree subject to the provisions of s. 837.06 and shall be
 1372 required to return all state financial aid awards or tuition

HCB 6005 (for HBs 119, 167, 935, 1613, 1655, 1837, 1853)

2005

1373 assistance grants wrongfully obtained.

1374 (5) A student who is attending a nonpublic for-profit or
1375 nonprofit institution is ineligible to receive more than one
1376 state award that is a tuition assistance grant during a single
1377 semester.

1378 Section 26. Section 1009.66, Florida Statutes, is amended
1379 to read:

1380 1009.66 Nursing Student Loan Reimbursement ~~Forgiveness~~
1381 Program.--

1382 (1) To encourage qualified personnel to seek employment in
1383 areas of this state in which critical nursing shortages exist,
1384 there is established the Nursing Student Loan Reimbursement
1385 ~~Forgiveness~~ Program. The primary function of the program is to
1386 increase employment and retention of registered nurses and
1387 licensed practical nurses in nursing homes and hospitals in the
1388 state and in state-operated medical and health care facilities,
1389 public schools, birth centers, federally sponsored community
1390 health centers, family practice teaching hospitals, and
1391 specialty children's hospitals and the employment and retention
1392 of instructional faculty in nursing programs approved by the
1393 Board of Nursing by making repayments toward loans received by
1394 students from federal or state programs or commercial lending
1395 institutions for the support of postsecondary study in
1396 accredited or approved nursing programs or for the support of
1397 study in a preparatory course for foreign-trained nurses offered
1398 by an approved nursing program.

1399 (2) To be eligible, a candidate must have graduated from
1400 an accredited or approved nursing program or have successfully

1401 completed a preparatory course for foreign-trained nurses
 1402 offered by an approved nursing program and have received a
 1403 Florida license as a licensed practical nurse or a registered
 1404 nurse or a Florida certificate as an advanced registered nurse
 1405 practitioner.

1406 (3) Only loans to pay the costs of tuition, books, and
 1407 living expenses shall be covered, at an amount not to exceed
 1408 \$4,000 for each year of education toward the degree obtained.

1409 (4) From the funds available, the Department of Education
 1410 ~~Health~~ may make loan principal repayments of up to \$4,000 a year
 1411 for up to 4 years on behalf of eligible candidates pursuant to
 1412 subsection (2) selected graduates of an accredited or approved
 1413 nursing program. All repayments shall be contingent upon
 1414 continued proof of employment in the designated facilities in
 1415 this state and shall be made ~~directly~~ to the holder of the loan
 1416 or the lending institution for loans held by a lending
 1417 institution. The state shall bear no responsibility for the
 1418 collection of any interest charges or other remaining balance.
 1419 In the event that the designated facilities are changed, a nurse
 1420 shall continue to be eligible for loan reimbursement ~~forgiveness~~
 1421 as long as he or she continues to work in the facility for which
 1422 the original loan repayment was made and otherwise meets all
 1423 conditions of eligibility.

1424 (5) There is created the Nursing Student Loan
 1425 Reimbursement ~~Forgiveness~~ Trust Fund to be administered by the
 1426 Department of Education ~~Health~~ pursuant to this section and s.
 1427 1009.67 and department rules. The Chief Financial Officer shall
 1428 authorize expenditures from the trust fund upon receipt of

1429 vouchers approved by the Department of Education Health. All
 1430 moneys collected from the private health care industry and other
 1431 private sources for the purposes of this section shall be
 1432 deposited into the Nursing Student Loan Reimbursement
 1433 ~~Forgiveness~~ Trust Fund. Any balance in the trust fund at the end
 1434 of any fiscal year shall remain therein and shall be available
 1435 for carrying out the purposes of this section and s. 1009.67.

1436 (6) In addition to licensing fees imposed under part I of
 1437 chapter 464, there is hereby levied and imposed an additional
 1438 fee of \$5, which fee shall be paid upon licensure or renewal of
 1439 nursing licensure. Revenues collected from the fee imposed in
 1440 this subsection shall be deposited in the Nursing Student Loan
 1441 Reimbursement ~~Forgiveness~~ Trust Fund of the Department of
 1442 Education Health and will be used solely for the purpose of
 1443 carrying out the provisions of this section and s. 1009.67. Up
 1444 to 50 percent of the revenues appropriated to implement this
 1445 subsection may be used for the nursing scholarship loan program
 1446 established pursuant to s. 1009.67.

1447 (7) Funds contained in the Nursing Student Loan
 1448 Reimbursement ~~Forgiveness~~ Trust Fund which are to be used for
 1449 loan reimbursement ~~forgiveness~~ for those nurses employed by
 1450 hospitals, birth centers, and nursing homes and for those nurses
 1451 employed as instructional faculty in an approved nursing program
 1452 must be matched on a dollar-for-dollar basis by contributions or
 1453 tuition reductions from the employing institutions, except that
 1454 this provision shall not apply to state-operated medical and
 1455 health care facilities, community colleges, state universities,
 1456 public schools, county health departments, federally sponsored

1457 community health centers, teaching hospitals as defined in s.
 1458 408.07, family practice teaching hospitals as defined in s.
 1459 395.805, or specialty hospitals for children as used in s.
 1460 409.9119. An estimate of the annual trust fund dollars shall be
 1461 made at the beginning of the fiscal year based on historic
 1462 expenditures from the trust fund. Applicant requests shall be
 1463 reviewed on a quarterly basis, and applicant awards shall be
 1464 based on the following priority of employer until all such
 1465 estimated trust funds are awarded: nursing programs approved by
 1466 the Board of Nursing if the employer and the award recipient
 1467 agree that the award recipient will spend a minimum of 75
 1468 percent of his or her time providing instruction, developing
 1469 curriculum, or advising or mentoring students for the duration
 1470 of the award; state-operated medical and health care facilities;
 1471 public schools; county health departments; federally sponsored
 1472 community health centers; teaching hospitals as defined in s.
 1473 408.07; family practice teaching hospitals as defined in s.
 1474 395.805; specialty hospitals for children as used in s.
 1475 409.9119; and other hospitals, birth centers, and nursing homes.

1476 ~~(8) The Department of Health may solicit technical~~
 1477 ~~assistance relating to the conduct of this program from the~~
 1478 ~~Department of Education.~~

1479 (8)-(9) The Department of Education Health is authorized to
 1480 recover from the Nursing Student Loan Reimbursement Forgiveness
 1481 Trust Fund its costs for administering the Nursing Student Loan
 1482 Reimbursement Forgiveness Program.

1483 (9)-(10) The State Board of Education ~~Department of Health~~
 1484 may adopt rules necessary to administer this program.

1485 ~~(10)~~~~(11)~~ This section shall be implemented only as
 1486 specifically funded.

1487 ~~(11)~~~~(12)~~ Students receiving a nursing scholarship loan
 1488 pursuant to s. 1009.67 are not eligible to participate in the
 1489 Nursing Student Loan Reimbursement ~~Forgiveness~~ Program.

1490 Section 27. Section 1009.67, Florida Statutes, is amended
 1491 to read:

1492 1009.67 Nursing Scholarship Loan Program.--

1493 (1) There is established within the Department of
 1494 Education Health a scholarship loan program for the purpose of
 1495 attracting capable and promising students to the nursing
 1496 profession.

1497 (2) A scholarship loan applicant shall be enrolled in an
 1498 approved nursing program leading to the award of an associate
 1499 degree, a baccalaureate degree, or a graduate degree in nursing
 1500 or enrolled in a preparatory course for foreign-trained nurses
 1501 offered by an approved nursing program.

1502 (3) A scholarship loan may be awarded for no more than 2
 1503 years, in an amount not to exceed \$8,000 per year. However,
 1504 registered nurses pursuing a graduate degree for a faculty
 1505 position or to practice as an advanced registered nurse
 1506 practitioner may receive up to \$12,000 per year. These amounts
 1507 shall be adjusted by the amount of increase or decrease in the
 1508 consumer price index for urban consumers published by the United
 1509 States Department of Commerce.

1510 (4) Credit for repayment of a scholarship loan shall be as
 1511 follows:

1512 (a) For each full year of scholarship loan assistance, the

HCB 6005 (for HBs 119, 167, 935, 1613, 1655, 1837, 1853)

2005

1513 recipient agrees to work for 12 months in a faculty position in
1514 a college of nursing or community college nursing program in
1515 this state and spend a minimum of 75 percent of his or her time
1516 providing instruction, developing curriculum, or advising or
1517 mentoring students or agrees to work for 12 months at a health
1518 care facility in a medically underserved area as approved by the
1519 Department of Health. Scholarship loan recipients who attend
1520 school on a part-time basis shall have their employment service
1521 obligation prorated in proportion to the amount of scholarship
1522 loan payments received.

1523 (b) Eligible health care facilities include nursing homes
1524 and hospitals in this state, state-operated medical or health
1525 care facilities, public schools, county health departments,
1526 federally sponsored community health centers, colleges of
1527 nursing in universities in this state, and community college
1528 nursing programs in this state, family practice teaching
1529 hospitals as defined in s. 395.805, or specialty children's
1530 hospitals as described in s. 409.9119. The recipient shall be
1531 encouraged to complete the service obligation at a single
1532 employment site. If continuous employment at the same site is
1533 not feasible, the recipient may apply to the department for a
1534 transfer to another approved health care facility.

1535 (c) Any recipient who does not complete an appropriate
1536 program of studies, who does not become licensed, who does not
1537 accept employment as a nurse at an approved health care
1538 facility, or who does not complete 12 months of approved
1539 employment for each year of scholarship loan assistance received
1540 shall repay to the Department of Education Health, on a schedule

1541 to be determined by the department, the entire amount of the
 1542 scholarship loan plus ~~18 percent~~ interest ~~accruing from the date~~
 1543 ~~of the scholarship payment~~. Repayment schedules and applicable
 1544 interest rates shall be determined by rules of the State Board
 1545 of Education. Moneys repaid shall be deposited into the Nursing
 1546 Student Loan Reimbursement ~~Forgiveness~~ Trust Fund established in
 1547 s. 1009.66. However, the department may provide additional time
 1548 for repayment if the department finds that circumstances beyond
 1549 the control of the recipient caused or contributed to the
 1550 default.

1551 (5) Scholarship loan payments shall be transmitted to the
 1552 recipient upon receipt of documentation that the recipient is
 1553 enrolled in an approved nursing program. The Department of
 1554 Education ~~Health~~ shall develop a formula to prorate payments to
 1555 scholarship loan recipients so as not to exceed the maximum
 1556 amount per academic year.

1557 (6) The State Board of Education ~~Department of Health~~
 1558 shall adopt rules, including rules to address extraordinary
 1559 circumstances that may cause a recipient to default on either
 1560 the school enrollment or employment contractual agreement, to
 1561 implement this section.

1562 (7) The Department of Education ~~Health~~ may recover from
 1563 the Nursing Student Loan Reimbursement ~~Forgiveness~~ Trust Fund
 1564 its costs for administering the nursing scholarship loan
 1565 program.

1566 Section 28. Section 1009.895, Florida Statutes, is created
 1567 to read:

1568 1009.895 Florida Independent Collegiate Assistance Grant
 1569 Program.--

1570 (1) The Legislature finds and declares that independent
 1571 institutions licensed by the Commission for Independent
 1572 Education are an integral part of the higher education system in
 1573 this state through which Florida residents seek higher
 1574 education. The Legislature finds that a significant number of
 1575 state residents choose to pursue higher education at these
 1576 institutions and that these institutions and the students they
 1577 educate and train make a substantial contribution to the
 1578 development of the state's economy. The Legislature intends to
 1579 create a tuition assistance grant program for state residents
 1580 that is not based upon a student's financial need or other
 1581 criteria upon which financial aid programs are based.

1582 (2) The Florida Independent Collegiate Assistance Grant
 1583 Program, to be known as the FICA Grant Program, is created as a
 1584 student tuition assistance grant program.

1585 (a) The program shall be administered by the Department of
 1586 Education according to rules adopted by the State Board of
 1587 Education.

1588 (b) The department may issue a tuition assistance grant
 1589 under the program to any full-time student who:

1590 1. Meets student residency requirements as provided in s.
 1591 1009.40(1)(a)2.

1592 2. Is enrolled as a full-time undergraduate student in a
 1593 campus-based program at an eligible independent institution of
 1594 higher education as defined in this section and is seeking an
 1595 associate degree or higher.

1596 3. Is making satisfactory academic progress as defined by
 1597 the independent institution of higher education in which the
 1598 student is enrolled.

1599 4. Enrolls in an undergraduate degree program that leads
 1600 to employment in an occupation that is listed on a regional
 1601 targeted occupations list of a Florida workforce board at the
 1602 time of enrollment.

1603 (3) An "eligible independent institution of higher
 1604 education" is:

1605 (a) An institution that is licensed by the Commission for
 1606 Independent Education under chapter 1005, is accredited by an
 1607 accrediting agency that is recognized by the United States
 1608 Secretary of Education as a reliable authority as to the quality
 1609 of education or training offered at its accredited institutions,
 1610 and has established performance requirements for student
 1611 achievement that include minimum objective quantitative
 1612 standards, including completion rates and placement rates as
 1613 determined by the department or the commission.

1614 (b) An institution whose students are not eligible to
 1615 participate in the Access to Better Learning and Education Grant
 1616 Program or the William L. Boyd, IV, Florida Resident Access
 1617 Grant Program.

1618 (4) This section shall be implemented to the extent funded
 1619 and authorized by law.

1620 Section 29. Paragraph (z) is added to subsection (4) of
 1621 section 1009.971, Florida Statutes, to read:

1622 1009.971 Florida Prepaid College Board.--

1623 (4) FLORIDA PREPAID COLLEGE BOARD; POWERS AND DUTIES.--The

1624 board shall have the powers and duties necessary or proper to
 1625 carry out the provisions of ss. 1009.97-1009.984, including, but
 1626 not limited to, the power and duty to:

1627 (z) Provide for the transfer of ownership of an advance
 1628 payment contract or a participation agreement by operation of
 1629 law upon inheritance, devise, or bequest. An heir of a deceased
 1630 purchaser or a deceased benefactor may make an application to
 1631 the board under oath for a change in the purchaser or benefactor
 1632 and, upon receipt of a completed application, the board may
 1633 change the ownership of the advance payment contract or
 1634 participation agreement, as appropriate, to the heir. The board
 1635 shall specify by rule the information that must be included in
 1636 the application. When the application is made by an heir of a
 1637 deceased purchaser or deceased benefactor who died intestate, it
 1638 shall not be necessary to accompany the application with an
 1639 order of a probate court if the heir files with the board an
 1640 affidavit stating that the estate is not indebted and the
 1641 surviving spouse, if any, and the heirs, if any, have amicably
 1642 agreed among themselves upon a division of the estate. If the
 1643 deceased purchaser or deceased benefactor died testate, the
 1644 application shall be accompanied by a certified copy of the
 1645 will, if probated, and an affidavit stating that the estate is
 1646 solvent with sufficient assets to pay all just claims or, if the
 1647 will is not being probated, by a sworn copy of the will and an
 1648 affidavit stating that the estate is not indebted. Upon the
 1649 approval by the board of an application from an heir, the heir
 1650 shall become the purchaser of the advance payment contract or
 1651 the benefactor of the participation agreement. This subsection

1652 does not apply when a purchaser or benefactor has designated in
 1653 writing to the board the person who will succeed to the
 1654 ownership of the advance payment contract or participation
 1655 agreement in the event of the purchaser's or benefactor's death,
 1656 and that person survives the purchaser or benefactor.

1657 Section 30. Subsection (5) of section 1009.972, Florida
 1658 Statutes, is amended to read:

1659 1009.972 Florida Prepaid College Trust Fund.--

1660 (5) Notwithstanding the provisions of chapter 717, funds
 1661 associated with terminated advance payment contracts pursuant to
 1662 s. 1009.98(4)(k) and canceled contracts for which no refunds
 1663 have been claimed shall be retained by the board. The board
 1664 shall establish procedures for notifying purchasers who
 1665 subsequently cancel their advance payment contracts of any
 1666 unclaimed refund and shall establish a time period after which
 1667 no refund may be claimed by a purchaser who canceled a contract.
 1668 The board may transfer funds retained from such terminated
 1669 advance payment contracts and canceled contracts to the direct-
 1670 support organization established pursuant to s. 1009.983 for the
 1671 Florida Prepaid Tuition Scholarship Program to provide matching
 1672 funds for prepaid tuition scholarships for economically
 1673 disadvantaged youth who remain drug free and crime free and for
 1674 children of members of the armed forces and Coast Guard of the
 1675 United States who die while participating in the combat theater
 1676 of operations for Operation Iraqi Freedom or Operation Enduring
 1677 Freedom on or after the date on which this act becomes a law and
 1678 were Florida residents at the time of their death or have listed
 1679 Florida as their domicile at the time of their death.

1680 Section 31. Subsection (3) and paragraph (k) of subsection
 1681 (4) of section 1009.98, Florida Statutes, are amended to read:

1682 1009.98 Florida Prepaid College Program.--

1683 (3) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE
 1684 COLLEGES AND UNIVERSITIES AND TO CAREER CENTERS.--A qualified
 1685 beneficiary may apply the benefits of an advance payment
 1686 contract toward:

1687 (a) An independent college or university that is located
 1688 and chartered in Florida, ~~that is not for profit~~, that is
 1689 accredited by the Commission on Colleges of the Southern
 1690 Association of Colleges and Schools or the Accrediting Council
 1691 for Independent Colleges and Schools, and that confers degrees
 1692 as defined in s. 1005.02.

1693 (b) An out-of-state college or university that ~~is not for~~
 1694 ~~profit and~~ is accredited by a regional accrediting association,
 1695 and that confers degrees.

1696 (c) An applied technology diploma program or career
 1697 certificate program conducted by a community college listed in
 1698 s. 1004.02(2) or career center operated by a district school
 1699 board.

1700
 1701 The board shall transfer or cause to be transferred to the
 1702 institution designated by the qualified beneficiary an amount
 1703 not to exceed the redemption value of the advance payment
 1704 contract at a state postsecondary institution. If the cost of
 1705 registration or housing fees at such institution is less than
 1706 the corresponding fees at a state postsecondary institution, the
 1707 amount transferred may not exceed the actual cost of

1708 registration and housing fees. A transfer authorized under this
 1709 subsection may not exceed the number of semester credit hours or
 1710 semesters of dormitory residence contracted on behalf of a
 1711 qualified beneficiary. The board may refuse to transfer the
 1712 benefits of an advance payment contract to an otherwise eligible
 1713 institution if the institution or its representatives distribute
 1714 materials, regardless of form, that describe the use or transfer
 1715 of the benefits of an advance payment contract and that have not
 1716 been approved by the board. Notwithstanding any other provision
 1717 in this section, an institution must be an "eligible educational
 1718 institution" under s. 529 of the Internal Revenue Code to be
 1719 eligible for the transfer of advance payment contract benefits.

1720 (4) ADVANCE PAYMENT CONTRACTS.--The board shall develop
 1721 advance payment contracts for registration and may develop
 1722 advance payment contracts for dormitory residence as provided in
 1723 this section. Advance payment contracts shall be exempt from
 1724 chapter 517 and the Florida Insurance Code. Such contracts shall
 1725 include, but not be limited to, the following:

1726 (k) The period of time after which advance payment
 1727 contracts that have not been terminated or the benefits used
 1728 shall be considered terminated. Time expended by a qualified
 1729 beneficiary as an active duty member of any of the armed
 1730 services of the United States shall be added to the period of
 1731 time specified by the board. No purchaser or qualified
 1732 beneficiary whose advance payment contract is terminated
 1733 pursuant to this paragraph shall be entitled to a refund.
 1734 Notwithstanding chapter 717, the board shall retain any moneys
 1735 paid by the purchaser for an advance payment contract that has

1736 | been terminated in accordance with this paragraph. Such moneys
 1737 | may be transferred to the direct-support organization
 1738 | established pursuant to s. 1009.983 for the Florida Prepaid
 1739 | Tuition Scholarship Program to provide matching funds for
 1740 | prepaid tuition scholarships for economically disadvantaged
 1741 | youths who remain drug free and crime free and for children of
 1742 | members of the armed forces and Coast Guard of the United States
 1743 | who die while participating in the combat theater of operations
 1744 | for Operation Iraqi Freedom or Operation Enduring Freedom on or
 1745 | after the date on which this act becomes a law and were Florida
 1746 | residents at the time of their death or have listed Florida as
 1747 | their domicile at the time of their death.

1748 | Section 32. Paragraph (b) of subsection (2) of section
 1749 | 1009.981, Florida Statutes, is amended to read:

1750 | 1009.981 Florida College Savings Program.--

1751 | (2) PARTICIPATION AGREEMENTS.--

1752 | (b) The board shall develop a participation agreement
 1753 | which shall be the agreement between the board and each
 1754 | benefactor, which may include, but is not limited to:

1755 | 1. The name, date of birth, and social security number of
 1756 | the designated beneficiary.

1757 | 2. The amount of the contribution or contributions and
 1758 | number of contributions required from a benefactor on behalf of
 1759 | a designated beneficiary.

1760 | 3. The terms and conditions under which benefactors shall
 1761 | remit contributions, including, but not limited to, the date or
 1762 | dates upon which each contribution is due. Deposits to the
 1763 | savings program by benefactors may only be in cash. Benefactors

1764 may contribute in a lump sum, periodically, in installments, or
 1765 through electronic funds transfer or employer payroll
 1766 deductions.

1767 4. Provisions for late contribution charges and for
 1768 default.

1769 5. Provisions for penalty fees for withdrawals from the
 1770 program.

1771 6. The name of the person who may terminate participation
 1772 in the program. The participation agreement must specify whether
 1773 the account may be terminated by the benefactor, the designated
 1774 beneficiary, a specific designated person, or any combination of
 1775 these persons.

1776 7. The terms and conditions under which an account may be
 1777 terminated, modified, or converted, the name of the person
 1778 entitled to any refund due as a result of termination of the
 1779 account pursuant to such terms and conditions, and the amount of
 1780 refund, if any, due to the person so named.

1781 8. Penalties for distributions not used or made in
 1782 accordance with s. 529 of the Internal Revenue Code.

1783 9. Any charges or fees in connection with the
 1784 administration of the savings fund.

1785 10. The period of time after which each participation
 1786 agreement shall be considered to be terminated. Time expended by
 1787 a designated beneficiary as an active duty member of any of the
 1788 armed services of the United States shall be added to the period
 1789 specified pursuant to this subparagraph. Should a participation
 1790 agreement be terminated, the balance of the account, after
 1791 notice to the benefactor, shall be declared unclaimed and

1792 abandoned property. The board shall retain any moneys paid by
 1793 the benefactor for a participation agreement that has been
 1794 terminated in accordance with this subparagraph. Such moneys may
 1795 be transferred to the direct-support organization established
 1796 pursuant to s. 1009.983 for the Florida Prepaid Tuition
 1797 Scholarship Program to provide matching funds for prepaid
 1798 tuition scholarships for economically disadvantaged youths who
 1799 remain drug free and crime free and for children of members of
 1800 the armed forces and Coast Guard of the United States who die
 1801 while participating in the combat theater of operations for
 1802 Operation Iraqi Freedom or Operation Enduring Freedom on or
 1803 after the date on which this act becomes a law and were Florida
 1804 residents at the time of their death or have listed Florida as
 1805 their domicile at the time of their death.

1806 11. Other terms and conditions deemed by the board to be
 1807 necessary or proper.

1808 Section 33. Section 1011.83, Florida Statutes, is amended
 1809 to read:

1810 1011.83 Financial support of community colleges.--

1811 (1) Each community college that has been approved by the
 1812 Department of Education and meets the requirements of law and
 1813 rules of the State Board of Education shall participate in the
 1814 Community College Program Fund. However, funds to support
 1815 workforce education programs conducted by community colleges
 1816 shall be provided pursuant to s. 1011.80.

1817 (2) Funding for baccalaureate degree programs approved
 1818 pursuant to s. 1007.33 shall be specified in the General
 1819 Appropriations Act. A student in a baccalaureate degree program

1820 approved pursuant to s. 1007.33 who is not classified as a
 1821 resident for tuition purposes pursuant to s. 1009.21 shall not
 1822 be included in calculations of full-time equivalent enrollments
 1823 for state funding purposes.

1824 (3) Funds specifically appropriated by the Legislature for
 1825 baccalaureate degree programs approved pursuant to s. 1007.033
 1826 may be used only for such programs. A new baccalaureate degree
 1827 program may not accept students without a recurring legislative
 1828 appropriation for this purpose.

1829 (4) A community college that grants baccalaureate degrees
 1830 shall maintain reporting and funding distinctions between any
 1831 baccalaureate degree program approved under s. 1007.33 and any
 1832 other baccalaureate degree programs involving traditional
 1833 concurrent-use partnerships.

1834 Section 34. Part VI of chapter 1011, Florida Statutes,
 1835 consisting of sections 1011.96, 1011.965, and 1011.97, is
 1836 created to read:

1837 1011.96 SUCCEED, FLORIDA! Crucial Professionals Program.--

1838 (1) The SUCCEED, FLORIDA! Crucial Professionals Program is
 1839 established to award funds to accredited postsecondary
 1840 educational institutions in the state on a competitive basis to
 1841 offer programs that meet the critical workforce needs of the
 1842 state and to maximize the number of diplomas, certificates, and
 1843 degrees that are awarded to postsecondary education students in
 1844 fields vital to the citizens of the state.

1845 (2) Beginning with the 2006-2007 fiscal year, funds
 1846 appropriated by the Legislature to the Department of Education
 1847 for the SUCCEED, FLORIDA! Crucial Professionals Program shall be

1848 distributed according to the provisions of this section.

1849 (3) The department shall develop and issue annually a

1850 request for proposals. The department shall establish

1851 application procedures, guidelines, accountability measures, and

1852 timelines for implementation of the grant program.

1853 (4) Proposals for a grant authorized pursuant to this

1854 section must:

1855 (a) Indicate the number of students to be served, the

1856 length of the proposed program, and the projected cost. Funds

1857 for a grant provided pursuant to this section must be used to

1858 support new students and not to supplant current funding or

1859 students.

1860 (b) Document the workforce need to be addressed.

1861 (c) Demonstrate a pool of qualified applicants.

1862 (d) Be submitted by an accredited public or nonpublic

1863 postsecondary educational institution in the state that provides

1864 postsecondary instruction in a field specified in the priority

1865 list established pursuant to subsection (5). For purposes of

1866 this section, postsecondary educational institutions include

1867 school district career centers that offer postsecondary

1868 programs.

1869 (e) Indicate the number of postsecondary diplomas,

1870 certificates, or degrees that the institution will award using

1871 funds received pursuant to this section and the fields in which

1872 the diplomas, certificates, or degrees will be awarded.

1873 (f) Indicate how the funds received will leverage other

1874 grants and scholarships and how the funds will be used to offset

1875 student tuition costs.

1876 (5) By March 1, 2006, and annually thereafter, the chair
 1877 of Workforce Florida, Inc., shall advise the Legislature of the
 1878 state's most pressing workforce needs for postsecondary
 1879 instruction and the geographic locations of these needs. The
 1880 Legislature shall annually establish a priority list for funds
 1881 provided pursuant to this section in the General Appropriations
 1882 Act.

1883 (6) The rankings and decisions of the request-for-
 1884 proposals process shall be made by the State Board of Education
 1885 based on the priority list established pursuant to subsection
 1886 (5).

1887 (7) Grant recipients must enter into a contract with the
 1888 state to produce a specific number of graduates in the
 1889 designated program within a specific time period. Grant
 1890 recipients must submit periodic reports to the department
 1891 documenting compliance with the accountability measures
 1892 established by the department.

1893 (8) Subsequent to the first year of funding for the
 1894 SUCCEED, FLORIDA! Crucial Professionals Program, priority for
 1895 awarding grants shall be for renewal grants to programs that are
 1896 making adequate progress toward their contracted production,
 1897 including nursing programs and teaching programs at institutions
 1898 that received funding from the SUCCEED, FLORIDA! Crucial
 1899 Professionals Program and programs at institutions that received
 1900 funding from the SUCCEED, FLORIDA! Great Jobs Program during the
 1901 2005-2006 fiscal year. Renewal award amounts shall be tied to
 1902 student retention; the production of degrees, certificates, or
 1903 diplomas; and the number of graduates placed in the targeted

1904 professions in the state.

1905 1011.965 SUCCEED, FLORIDA! Crucial Professionals Nursing

1906 Education Grant Program.--The SUCCEED, FLORIDA! Crucial

1907 Professionals Nursing Education Grant Program is established as

1908 a contract grant program within the Department of Education to

1909 increase the capacity of nursing programs approved by the Board

1910 of Nursing at postsecondary educational institutions to produce

1911 more nurses or nursing faculty to enter the workforce in the

1912 state. The department shall establish application procedures,

1913 guidelines, accountability measures, and timelines for

1914 implementation of the grant program and advise all Board of

1915 Nursing approved programs accordingly.

1916 (1) Proposals for a grant authorized pursuant to this

1917 section must:

1918 (a) Indicate the number of students to be served, the

1919 length of the proposed program, and the projected cost.

1920 (b) Document the workforce need to be addressed through

1921 the expanded capacity of the existing nursing program.

1922 (c) Demonstrate a pool of qualified applicants to fill the

1923 expanded capacity.

1924 (2) Funds for a grant provided pursuant to this section

1925 must be used to support new students and not to supplant current

1926 funding or students. An institution applying for a grant must

1927 certify to the department that it will not reduce funding or the

1928 current level of enrollment in its existing nursing program. Any

1929 such reduction shall result in a pro rata reduction in the grant

1930 awarded pursuant to this section.

1931 (3) Priority in the awarding of new grants authorized

1932 pursuant to this section shall be given to proposals that comply
 1933 with three or more of the following:

1934 (a) Proposals that result in new nurses in the workforce
 1935 or nurses moving to a higher level on the career ladder.

1936 (b) Proposals that could be implemented as early as the
 1937 fall 2005.

1938 (c) Proposals that include partnerships or collaborations
 1939 with other institutions, programs, or health care providers.

1940 (d) Proposals for programs offered at the worksite or
 1941 through distance learning that permit nurses to achieve a higher
 1942 level of nursing licensure.

1943 (e) Proposals for accelerated programs that shorten the
 1944 time required to receive a diploma, certificate, or degree;
 1945 obtain licensure; and enter the workforce.

1946 (f) Proposals that target exiting military personnel or
 1947 other persons interested in making career changes.

1948 (g) Proposals from nursing programs with demonstrated
 1949 success as evidenced by graduation rates, licensure examination
 1950 passage rates, and placement of graduates in nursing employment
 1951 in the state.

1952 (h) Proposals for programs that would address the state's
 1953 need for rapid production of highly skilled clinical nurses and
 1954 qualified nursing faculty, such as the fast-track baccalaureate
 1955 to doctoral program, the Clinical Nurse Leader Program, and the
 1956 Doctor of Nursing Practice program.

1957 (4) Subsequent to the first year of funding for the grant
 1958 program, priority for awarding grants shall be for renewal
 1959 grants to nursing programs that are making adequate progress

1960 towards their contracted production.

1961 (5) Grant recipients must enter into a contract between
 1962 the postsecondary educational institution and the state to
 1963 produce a specific number of nursing graduates within a specific
 1964 time period.

1965 (6) Nursing programs receiving grants pursuant to this
 1966 section must submit periodic reports to the department
 1967 documenting compliance with the accountability measures
 1968 established by the department. Award amounts in subsequent years
 1969 shall be tied to student retention; the production of degrees,
 1970 certificates, or diplomas; and the number of graduates placed in
 1971 a nursing position in the state.

1972 (7) Proposals submitted pursuant to this section shall be
 1973 reviewed by the Board of Nursing and the State Board of
 1974 Education. Final approval and level of funding shall be
 1975 determined by the State Board of Education with consideration
 1976 given to comments submitted to the State Board of Education by
 1977 the Board of Nursing.

1978 (8) The State Board of Education shall monitor compliance
 1979 with accountability requirements.

1980 (9) By February 1, 2006, the State Board of Education
 1981 shall submit a report to the President of the Senate and the
 1982 Speaker of the House of Representatives on the status of
 1983 implementation of the grant program.

1984 1011.97 SUCCEED, FLORIDA! Career Paths Program.--

1985 (1) The SUCCEED, FLORIDA! Career Paths Program is
 1986 established as a grant program within the Department of
 1987 Education to provide startup grants to offset implementation

1988 costs of partnerships between a district school board or the
 1989 Florida Virtual School and one or more businesses, industries,
 1990 or postsecondary educational institutions to operate a career
 1991 and professional academy pursuant to s. 1014.21. The Office of
 1992 Career Education in the department shall administer the startup
 1993 grants.

1994 (2) A district school board or the Florida Virtual School
 1995 may apply to the Office of Career Education for a grant which
 1996 must be provided through a competitive process and may be used
 1997 only for a career and professional academy.

1998 (3) A high school that currently has a career academy,
 1999 career institute, industry-certified program, or
 2000 preapprenticeship program as well as a charter technical career
 2001 center shall be eligible to apply for a grant to redesign its
 2002 programs to meet the rigorous and relevant academic standards of
 2003 a career and professional academy.

2004 (4) Curriculum and content developed in a career and
 2005 professional academy as a result of a startup grant shall be
 2006 made available to all school districts.

2007 Section 35. Section 1012.82, Florida Statutes, is amended
 2008 to read:

2009 1012.82 Teaching faculty; minimum teaching hours per
 2010 week.--Each full-time member of the teaching faculty at any
 2011 community college, including faculty who teach upper-division
 2012 courses that are a component part of a baccalaureate degree
 2013 program approved pursuant to s. 1007.33, who is paid wholly from
 2014 funds appropriated from the community college program fund shall
 2015 teach a minimum of 15 classroom contact hours per week at such

2016 institution. However, the required classroom contact hours per
 2017 week may be reduced upon approval of the president of the
 2018 institution in direct proportion to specific duties and
 2019 responsibilities assigned the faculty member by his or her
 2020 departmental chair or other appropriate college administrator.
 2021 Such specific duties may include specific research duties,
 2022 specific duties associated with developing television, video
 2023 tape, or other specifically assigned innovative teaching
 2024 techniques or devices, or assigned responsibility for off-campus
 2025 student internship or work-study programs. A "classroom contact
 2026 hour" consists of a regularly scheduled classroom activity of
 2027 not less than 50 minutes in a course of instruction which has
 2028 been approved by the community college board of trustees. Any
 2029 full-time faculty member who is paid partly from community
 2030 college program funds and partly from other funds or
 2031 appropriations shall teach a minimum number of classroom contact
 2032 hours per week in such proportion to 15 classroom contact hours
 2033 as his or her salary paid from community college program funds
 2034 bears to his or her total salary.

2035 Section 36. Subsection (2) of section 1013.60, Florida
 2036 Statutes, is amended to read:

2037 1013.60 Legislative capital outlay budget request.--

2038 (2) The commissioner shall submit to the Governor and to
 2039 the Legislature an integrated, comprehensive budget request for
 2040 educational facilities construction and fixed capital outlay
 2041 needs for school districts, community colleges, and
 2042 universities, pursuant to the provisions of s. 1013.64 and
 2043 applicable provisions of chapter 216. Each community college

2044 board of trustees and each university board of trustees shall
 2045 submit to the commissioner a 3-year plan and data required in
 2046 the development of the annual capital outlay budget. Community
 2047 college boards of trustees may request funding for all
 2048 authorized programs, including approved baccalaureate degree
 2049 programs. Such a request for funding must be submitted as a part
 2050 of the 3-year priority list for community colleges pursuant to
 2051 s. 1013.64(4) (a). Enrollment in approved baccalaureate degree
 2052 programs or baccalaureate degree programs offered under a formal
 2053 agreement with another college or university pursuant to s.
 2054 1007.33 may be computed into the survey of need for facilities
 2055 if the partner is not defraying the cost. No further
 2056 disbursements shall be made from the Public Education Capital
 2057 Outlay and Debt Service Trust Fund to a board of trustees that
 2058 fails to timely submit the required data until such board of
 2059 trustees submits the data.

2060 Section 37. Chapter 1014, Florida Statutes, consisting of
 2061 sections 1014.01, 1014.05, 1014.15, 1014.18, and 1014.21, is
 2062 created to read:

2063 1014.01 Career education.--

2064 (1) As used in this chapter, the term "career education"
 2065 includes career certificate programs, applied technology diploma
 2066 programs, degree career education programs, apprenticeship and
 2067 preapprenticeship programs, career academy programs, and other
 2068 rigorous career education programs offered by school districts,
 2069 the Florida Virtual School, and postsecondary educational
 2070 institutions to prepare students for rewarding careers.

2071 (2) The rigorous career education system shall:

2072 (a) Prepare students in career education programs,
 2073 including career and professional academies, to:
 2074 1. Succeed in postsecondary education.
 2075 2. Attain and sustain employment and have the opportunity
 2076 to realize economic self-sufficiency.
 2077 (b) Prepare students to enter rewarding careers identified
 2078 by the Workforce Estimating Conference, pursuant to s. 216.136,
 2079 and other programs of critical state need as approved by
 2080 Workforce Florida, Inc.
 2081 (c) Produce skilled employees for employers in the state
 2082 pursuant to s. 445.006(1).
 2083 1014.05 Guiding principles for career education.--
 2084 (1) All students should have the opportunity to graduate
 2085 from high school ready to embark on rewarding careers and
 2086 prepared for postsecondary education.
 2087 (2) Both secondary and postsecondary career education
 2088 programs must include a rigorous and relevant academic program.
 2089 (3) Instructional delivery systems for both secondary and
 2090 postsecondary career education programs should include qualified
 2091 teachers delivering a career education curriculum in a relevant
 2092 context with student-centered, research-based instructional
 2093 strategies and a rigorous standards-based academic curriculum.
 2094 1014.15 Deputy Commissioner of Career Education; Office of
 2095 Career Education.--
 2096 (1) The position of Deputy Commissioner of Career
 2097 Education is established in the Department of Education to
 2098 direct the department's Office of Career Education established
 2099 in s. 1001.20(4). The deputy commissioner shall be responsible

2100 for evaluating the role of public and private secondary and
 2101 postsecondary educational programs in providing rigorous career
 2102 education and reporting to the Commissioner of Education the
 2103 effectiveness of such programs; developing in partnership with
 2104 the business community and Workforce Florida, Inc., a statewide
 2105 marketing plan for secondary career education to attract high
 2106 school students into careers of critical state need; and
 2107 promoting seamless articulation throughout the career education
 2108 system. The deputy commissioner shall be a person with
 2109 established business credentials or proven success in
 2110 collaborating with the private sector in designing and
 2111 implementing successful career education programs as described
 2112 in s. 1014.21. The deputy commissioner shall be appointed by the
 2113 Commissioner of Education and shall report to the commissioner.

2114 (2) The Office of Career Education shall promote a
 2115 seamless secondary through postsecondary career education system
 2116 that is flexible, able to respond in a timely manner to student
 2117 and workforce needs, and not controlled by any one education
 2118 sector.

2119 1014.18 Legislative expectations and funding criteria for
 2120 the career education system.--Legislative expectations and
 2121 funding criteria for the rigorous career education system are as
 2122 follows:

2123 (1) Seamless career education articulation both vertically
 2124 and horizontally.

2125 (2) Creative career counseling strategies and enhanced
 2126 guidance structures, including:

2127 (a) A secondary and postsecondary academic and career

2128 education online student advising and guidance system that is
 2129 student and parent friendly and partners with the business and
 2130 industry community as well as postsecondary educational
 2131 institutions in this state and other states.

2132 (b) Promotion in middle school of secondary and
 2133 postsecondary career education programs, including opportunities
 2134 to participate in a career and professional academy. Such
 2135 promotion shall take place through middle school exploratory
 2136 courses and use of the secondary and postsecondary academic and
 2137 career education online student advising and guidance system
 2138 described in s. 1006.01.

2139 (c) Involvement of Workforce Florida, Inc., and regional
 2140 workforce boards.

2141 (d) Partnerships with business and industry using tools,
 2142 equipment, and systems used in the business setting, including
 2143 internships, externships, and on-the-job training.

2144 (e) Opportunities and encouragement for parent
 2145 participation in secondary and postsecondary career education
 2146 planning.

2147 (f) Professional development programs to assist guidance
 2148 counselors in using a mentor-teacher guidance model.

2149 (3) Review of Sunshine State Standards for high school to
 2150 ensure that they incorporate the appropriate rigor and relevance
 2151 based on research-based programs that have been proven to be
 2152 effective.

2153 (4) Review, by December 1, 2006, of current high school
 2154 graduation requirements and high school course enrollments to
 2155 determine the effect of increasing high school graduation

2156 requirements to include four credits in mathematics and science
2157 and eliminate the options for satisfying Algebra I.

2158 (5) Review of teaching practices and pedagogy in all
2159 teacher preparation pathways to ensure that future teachers are
2160 able to deliver rigorous instruction in a relevant manner using
2161 real world work experience to teach specific skills.

2162 (6) Professional development for current teachers which
2163 focuses on student-centered instructional strategies that move
2164 students from the early learning stage of awareness to higher
2165 learning stages of analysis, adaptation, and application of
2166 knowledge.

2167 (7) Development of career and professional academies,
2168 including:

2169 (a) Rigorous and relevant academic standards and curricula
2170 and increased academic performance of students and schools using
2171 school-level accountability data.

2172 (b) Best practices that include rigorous and relevant
2173 academic standards and curricula, are based on research and
2174 proven effective programs, and include preparation of high
2175 school graduates for rewarding careers and postsecondary
2176 education.

2177 (c) A plan for replicating successful academies that
2178 demonstrate high performance in preparing students for both
2179 rewarding careers and postsecondary education and that respond
2180 to workforce needs.

2181 (8) Significant improvements in coordination and quality
2182 of career education data collection, including comparison of
2183 diploma, certificate, and degree production to workforce needs;

2184 secondary and postsecondary career education program followup
 2185 surveys to determine student outcomes; second-year postsecondary
 2186 student resume postings on the Workforce Florida, Inc.,
 2187 employment website; and submission of student enrollment and
 2188 graduation information to the Florida Education and Training
 2189 Placement Information Program.

2190 (9) Elimination of waiting lists for rigorous secondary
 2191 and postsecondary career education programs.

2192 (10) Aggressive promotion of the Bright Futures Florida
 2193 Gold Seal Vocational Scholarship as a career-enhancing
 2194 scholarship applicable to all postsecondary career education
 2195 programs.

2196 (11) Establishment of secondary and postsecondary career
 2197 education best practices for relevant student-centered,
 2198 research-based instructional strategies.

2199 (12) Regular review of all secondary career education
 2200 courses to identify those courses equivalent to postsecondary
 2201 career education courses based on course content for inclusion
 2202 in dual enrollment programs.

2203 (13) A marketing plan for secondary career education to
 2204 attract high school students into careers of critical state
 2205 need, developed in partnership with the business community and
 2206 Workforce Florida, Inc., that includes:

2207 (a) Direct statewide marketing to students and families in
 2208 cooperation with Workforce Florida, Inc., and the Agency for
 2209 Workforce Innovation.

2210 (b) Business participation in all career education
 2211 programs through the use of incentives.

2212 (c) Professional recruiters to provide information and
 2213 career opportunities.

2214 (d) Advertisements and public service announcement
 2215 campaigns designed by business representatives to inform
 2216 students and their parents about career education programs and
 2217 career and employment opportunities.

2218 (14) Strong coordination with Workforce Florida, Inc., and
 2219 the Agency for Workforce Innovation.

2220 (15) Workforce skills-based training that assesses
 2221 workforce skills and matches these skills with specific careers.

2222 (16) Strong criteria and accountability measures for
 2223 postsecondary career education programs, including increased
 2224 participant completion rates, program accountability, and
 2225 longitudinal program evaluation.

2226 (17) Identification and elimination of low-performing and
 2227 geographically duplicative career education programs.

2228 (18) Incentives to encourage successful participant
 2229 completion of postsecondary career education programs.

2230 (19) A methodology for business experts to be able to
 2231 teach career education subjects within their areas of expertise
 2232 in postsecondary career education programs.

2233 (20) Provision of postsecondary career education programs
 2234 in time segments needed by business.

2235 (21) Career education regional strategic plans coordinated
 2236 with regional workforce boards, area chambers of commerce, local
 2237 employers, school districts, career centers, and community
 2238 colleges that address:

2239 (a) Articulation agreements between secondary and

2240 postsecondary career education and college programs for a
 2241 seamless transition of students and maximum transferability of
 2242 coursework through the career education system.

2243 (b) Career ladders for students from high school through
 2244 higher levels of postsecondary training.

2245 (c) Access to career education programs through multiple
 2246 site offerings, short-term accelerated training options, and
 2247 distance learning.

2248 (22) Beginning December 31, 2005, and each year
 2249 thereafter, an articulation audit for secondary and
 2250 postsecondary career education that:

2251 (a) Focuses on courses and programs within the industry
 2252 sector targeted by Enterprise Florida, Inc., for economic
 2253 development.

2254 (b) Identifies specific improvements needed to maximize
 2255 credit given to public and private secondary and postsecondary
 2256 students.

2257 (c) Identifies successful local articulation agreements
 2258 that could be replicated statewide.

2259 (d) Identifies courses in career centers that articulate
 2260 to degree programs at postsecondary educational institutions.

2261 (23) Recommendations for changes to the current funding
 2262 methodology leading to:

2263 (a) Heightened recognition of the critical role of
 2264 rigorous career education to the state's workforce needs.

2265 (b) Flexibility of rigorous career education programs to
 2266 fill critical need careers.

2267 (c) Leveraging of private resources to create public-

2268 private career education partnerships.

2269 (d) Criteria for funding public postsecondary career
 2270 education that is consistent whether offered in the community
 2271 college system or the public school system.

2272 (e) SUCCEED, FLORIDA! Career Paths Program competitive
 2273 grants as provided in the General Appropriations Act.

2274 (f) Identification of appropriate cost categories and, if
 2275 needed, weighted enrollment funding for each cost category in
 2276 the Florida Education Finance Program for career and
 2277 professional academy courses or programs that use technology,
 2278 equipment, materials, and consumable supplies reflective of
 2279 industry requirements or industry certification requirements.

2280 (24) Annual recommendations for statutory and funding
 2281 revisions needed to enhance the career education system.

2282 (25) A clear and detailed annual report on the progress of
 2283 full implementation of the career education system.

2284 1014.21 Career and professional academies.--

2285 (1) Effective July 1, 2005, a "career and professional
 2286 academy" means a research-based, rigorous career education
 2287 program that combines relevant academic and technical curricula
 2288 around a career theme and is offered by a school district,
 2289 collaborating school districts, or the Florida Virtual School
 2290 for the purpose of providing an instructional delivery system
 2291 that incorporates relevant and rigorous academic standards with
 2292 industry and business relevancy.

2293 (2) Career and professional academies may be offered
 2294 through career academies, career institutes, industry-certified
 2295 career education programs, preapprenticeship programs, or

2296 charter technical career centers.

2297 (3) Use of the title "career and professional academy" may
 2298 be employed by one or more programs in a high school, a school
 2299 within a high school, or a career center, but may only be used
 2300 when each program using the title is fully compliant with the
 2301 criteria in subsection (4).

2302 (4) Each career and professional academy must:

2303 (a) Provide a rigorous and relevant standards-based
 2304 academic curriculum through a career-based theme, using
 2305 instruction relevant to the career. The curriculum must take
 2306 into consideration multiple styles of student learning; promote
 2307 learning by doing through application and adaptation; maximize
 2308 relevance of the subject matter; enhance each student's capacity
 2309 to excel; and include an emphasis on work habits and work
 2310 ethics. Such instruction may include diversified cooperative
 2311 education, work experience, on-the-job training, and dual
 2312 enrollment.

2313 (b) Include one or more partnerships with businesses,
 2314 employers, industry economic development agencies, or other
 2315 appropriate sectors of the local community. Such a partnership
 2316 should include the opportunity for persons who are highly
 2317 skilled in the targeted subject matter of an academy program to
 2318 provide instruction for the academy.

2319 (c) Include one or more partnerships with a private or
 2320 public postsecondary educational institution accredited by a
 2321 regional or national accrediting agency recognized by the United
 2322 States Department of Education. The educational partner must
 2323 agree to articulate coursework to maximize transferability of

2324 credit.

2325 (d) Include program offerings which correlate directly
 2326 with industry certifications, with targeted high-priority local
 2327 business and career opportunities, and with high-growth, high-
 2328 demand, and high-pay occupations identified on the statewide
 2329 targeted occupations list of the Workforce Estimating
 2330 Conference.

2331 (e) Establish strong eligibility criteria for student
 2332 participation. While recognizing that rigorous academic
 2333 performance will be expected of all students participating in an
 2334 academy, initial eligibility criteria should permit
 2335 opportunities for students who may not yet meet the academic
 2336 requirements but demonstrate characteristics that may lead to
 2337 success in an academy. The aim of an academy should be to serve
 2338 not only students who are already succeeding but also students
 2339 who would succeed if the proper teaching and motivational
 2340 opportunities are provided.

2341 (f) Establish relationships with business partners for use
 2342 of state-of-the-art equipment in the instructional program of
 2343 each academy.

2344 (5) A course offered by the Florida Virtual School related
 2345 to a career and professional academy program shall give priority
 2346 for enrollment to public school students in a career and
 2347 professional academy that does not have the specific career or
 2348 professional course offering.

2349 (6) Middle schools are encouraged to develop curricula and
 2350 classes that will prepare students to easily and seamlessly
 2351 enter high school career and professional academies.

2352 (7) (a) The State Board of Education shall adopt rules
 2353 under ss. 120.536(1) and 120.54 to administer the provisions of
 2354 this section.

2355 (b) The State Board of Education, pursuant to s. 1008.32,
 2356 shall enforce the provisions of this section.

2357 Section 38. Paragraphs (h) and (l) of subsection (4) of
 2358 section 215.20, Florida Statutes, are amended to read:

2359 215.20 Certain income and certain trust funds to
 2360 contribute to the General Revenue Fund.--

2361 (4) The income of a revenue nature deposited in the
 2362 following described trust funds, by whatever name designated, is
 2363 that from which the appropriations authorized by subsection (3)
 2364 shall be made:

2365 (h) Within the Department of Education:

- 2366 1. The Educational Certification and Service Trust Fund.
- 2367 2. The Phosphate Research Trust Fund.
- 2368 3. The Nursing Student Loan Reimbursement Trust Fund.

2369 (l) Within the Department of Health:

- 2370 1. The Administrative Trust Fund.
- 2371 2. The Brain and Spinal Cord Injury Program Trust Fund.
- 2372 3. The Donations Trust Fund.
- 2373 4. The Emergency Medical Services Trust Fund.
- 2374 5. The Epilepsy Services Trust Fund.
- 2375 6. The Florida Drug, Device, and Cosmetic Trust Fund.
- 2376 7. The Grants and Donations Trust Fund.
- 2377 8. The Medical Quality Assurance Trust Fund.
- 2378 ~~9. The Nursing Student Loan Forgiveness Trust Fund.~~
- 2379 9.10. The Planning and Evaluation Trust Fund.

2380 ~~10.11.~~ The Radiation Protection Trust Fund.

2381
 2382 The enumeration of the foregoing moneys or trust funds shall not
 2383 prohibit the applicability thereto of s. 215.24 should the
 2384 Governor determine that for the reasons mentioned in s. 215.24
 2385 the money or trust funds should be exempt herefrom, as it is the
 2386 purpose of this law to exempt income from its force and effect
 2387 when, by the operation of this law, federal matching funds or
 2388 contributions or private grants to any trust fund would be lost
 2389 to the state.

2390 Section 39. Discounted computers and Internet access for
 2391 students.--

2392 (1) There is created a program to offer computers and
 2393 Internet access at a discounted price to students enrolled in
 2394 grades 5 through 12 in a public school in the state.

2395 (2) The Department of Education shall negotiate with
 2396 computer manufacturers concerning:

2397 (a) The prices of discounted computers and whether
 2398 computer accessories such as printers or scanners will be
 2399 offered to the students at reduced prices.

2400 (b) Specialized software and hardware packages, including,
 2401 but not limited to:

- 2402 1. A word processor;
- 2403 2. Software and hardware necessary to enable broadband
- 2404 Internet access; and
- 2405 3. An operating system.

2406 (c) The type of warranty that is to be provided to the
 2407 students and whether an extended warranty will be available to

2408 the students and under what terms.

2409 (3) The Department of Education shall negotiate with
 2410 broadband Internet access providers concerning the prices of
 2411 discounted broadband Internet access packages. In areas in which
 2412 broadband Internet access is not currently available, the
 2413 department shall negotiate with non-broadband Internet access
 2414 providers.

2415 (4) The Department of Education shall adopt rules
 2416 concerning:

2417 (a) How to integrate into this program the provision of
 2418 computer or technical training to students in their respective
 2419 school districts.

2420 (b) How parents and students may be notified of the
 2421 discounted computer and Internet access choices available.

2422 (c) The distribution of eligibility certificates to the
 2423 students, the locations at which discounted computers and
 2424 Internet access services are available for purchase, and how
 2425 students may obtain and pay for the equipment and services
 2426 covered by this program.

2427 Section 40. Discounted computers and Internet access for
 2428 low-income students; pilot project.--

2429 (1) The Digital Divide Council, in consultation with the
 2430 Department of Education, shall implement a pilot project to
 2431 assist low-income students to purchase discounted computers and
 2432 Internet access services as negotiated by the department. The
 2433 council shall identify counties, grade levels, and low-income
 2434 eligibility criteria for participation in the pilot project.

2435 (2) The pilot project shall be funded in an amount to be

2436 determined in the General Appropriations Act. The Digital Divide
 2437 Council is authorized to accept grants from additional public
 2438 and private sources to implement the pilot project.

2439 Section 41. The Office of Program Policy Analysis and
 2440 Government Accountability shall monitor and study how career and
 2441 professional academies are implemented in the state. The
 2442 following shall be the major focus of the study: to determine
 2443 whether and how much postsecondary course credit is awarded to
 2444 students and whether that credit is transferable to institutions
 2445 other than the postsecondary partner; to determine the extent to
 2446 which courses are articulating to higher certificates and
 2447 degrees; to determine if there is a better way to coordinate a
 2448 seamless progression for students in a career and professional
 2449 academy program from middle school through high school and
 2450 postsecondary education; and to make recommendations for future
 2451 changes for oversight and coordination of career education
 2452 courses and programs. The Office of Program Policy Analysis and
 2453 Government Accountability shall also determine the extent to
 2454 which and under what conditions vocational and technical centers
 2455 in states that are members of the Southern Regional Education
 2456 Board are permitted to use the term "college" as part of their
 2457 name and the impact of such usage on accreditation, transfer of
 2458 credit, and other articulation issues. The report and
 2459 recommendations shall be submitted to the Governor, the
 2460 President of the Senate, and the Speaker of the House of
 2461 Representatives by December 1, 2007.

2462 Section 42. The Office of Program Policy Analysis and
 2463 Government Accountability shall conduct a study to examine how

2464 each state university supports students in making timely
 2465 progress toward the completion of the student's degree. The
 2466 study shall review, at a minimum, how each university informs
 2467 students of the courses they must successfully complete for
 2468 their majors; how students are advised of satisfactory progress
 2469 toward completion of degrees; and the process used by the
 2470 institution to ensure that courses required for completion of a
 2471 degree are available each term. The study shall also evaluate
 2472 the effectiveness of each state university's current procedures,
 2473 assess the cost of implementing a universal tracking degree
 2474 audit system, and assess what savings would be accrued from such
 2475 a system. A report of the results of the study shall be
 2476 submitted to the Governor, the President of the Senate, and the
 2477 Speaker of the House of Representatives by January 1, 2006.

2478 Section 43. By July 1, 2006, the Department of Education,
 2479 with input from public and private postsecondary educational
 2480 institutions, shall identify national standardized or licensure
 2481 examinations by which secondary and postsecondary students may
 2482 demonstrate mastery of postsecondary nursing course material and
 2483 earn postsecondary credit for such courses. The examinations and
 2484 corresponding minimum scores required for an award of credit
 2485 shall be delineated by the State Board of Education in the
 2486 statewide articulation agreement. The delineation of such
 2487 examinations shall not preclude community colleges and
 2488 universities from awarding credit by examination based on
 2489 student performance on examinations developed within and
 2490 recognized by the individual postsecondary educational
 2491 institutions. By February 1, 2006, the Department of Education

2492 shall provide to the Governor, the President of the Senate, and
 2493 the Speaker of the House of Representatives a status report on
 2494 implementation of this section.

2495 Section 44. One full-time equivalent position is
 2496 authorized and the sum of \$175,000 is appropriated from
 2497 recurring general revenue to the Department of Education for the
 2498 position of Deputy Commissioner of Career Education. The funds
 2499 appropriated are for salary rate, benefits, expenses, operating
 2500 capital outlay, and human resource services. The Commissioner of
 2501 Education shall transfer existing positions and funds as
 2502 appropriate for the creation of the Office of Career Education.
 2503 Such funds shall include, but are not limited to, salary rate,
 2504 benefits, expenses, other personal services, operating capital
 2505 outlay, and human resource services.

2506 Section 45. All statutory powers, duties, functions,
 2507 records, positions, property, and unexpended balances of
 2508 appropriations, allocations, or other funds of the Department of
 2509 Health relating to the Nursing Student Loan Reimbursement
 2510 Program and the Nursing Student Loan Reimbursement Trust Fund as
 2511 created in s. 1009.66, Florida Statutes, and the Nursing
 2512 Scholarship Loan Program as created in s. 1009.67, Florida
 2513 Statutes, are transferred by a type two transfer as provided for
 2514 in s. 20.06(2), Florida Statutes, from the Department of Health
 2515 to the Department of Education.

2516 Section 46. To provide statewide guidance and coordination
 2517 with regard to bachelor of applied science degree programs,
 2518 minimize the unnecessary proliferation of such programs in
 2519 narrowly defined specialty areas, and assist the State Board of

2520 Education in making decisions relating to the approval of
 2521 proposals from community colleges to offer such programs, the
 2522 state board shall convene a workgroup with representatives from
 2523 community colleges, state universities, and independent colleges
 2524 and universities to develop recommendations on the degree
 2525 requirements for a bachelor of applied science degree and
 2526 protocols for accepting credits earned by transfer students in
 2527 such programs. The State Board of Education shall submit a
 2528 report on the findings and recommendations of the workgroup to
 2529 the President of the Senate and the Speaker of the House of
 2530 Representatives by February 1, 2006. This does not preclude any
 2531 recommendation or authorization regarding the Daytona Beach
 2532 Community College proposal for a bachelor of applied science
 2533 degree program presented at the April 2005 meeting of the State
 2534 Board of Education.

2535 Section 47. Approval is granted for the endowment for the
 2536 Appleton Museum of Art, currently held by the Appleton Cultural
 2537 Center, Inc., to be transferred to the Central Florida Community
 2538 College Foundation. The endowment to be transferred, which
 2539 includes state matching funds, was established in 1987 through
 2540 the Cultural Arts Endowment Program. By this provision, the
 2541 Central Florida Community College Foundation is authorized to
 2542 manage the endowment only for the support of the educational
 2543 program at the Appleton Museum of Art and is released from all
 2544 other provisions of the Trust Agreement dated July 17, 1987, by
 2545 and between the State of Florida and the Appleton Cultural
 2546 Center, Inc., and ss. 265.601-265.607, Florida Statutes.

2547 Section 48. This act shall take effect July 1, 2005.