

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Mayfield, Baxley, Mealor, and Patterson
2 offered the following:

3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

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

8 Section 2. Subsections (3), (4), (5), (6), and (7) of
9 section 20.15, Florida Statutes, are renumbered as subsections
10 (4), (5), (6), (7), and (8), respectively, and a new subsection
11 (3) is added to said section to read:

12 20.15 Department of Education.--There is created a
13 Department of Education.

14 (3) DEPUTY COMMISSIONER OF CAREER EDUCATION.--The
15 Commissioner of Education shall appoint a Deputy Commissioner of

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16 Career Education pursuant to s. 1014.15 to direct the Office of
17 Career Education established in s. 1001.20(4).

18 Section 3. Subsection (2) of section 446.032, Florida
19 Statutes, is renumbered as subsection (3) and a new subsection
20 (2) is added to said section to read:

21 446.032 General duties of the department for
22 apprenticeship training.--The department shall:

23 (2)(a) Encourage partnerships with registered
24 apprenticeship programs as a means to address the community's
25 labor market training needs.

26 (b) Require contracts between local educational agencies
27 and apprenticeship sponsors to delineate:

28 1. The scope of services, including, but not limited to,
29 each party's specific obligations regarding the provision of
30 equipment, materials, instructors, classroom space, facilities,
31 labs, or money.

32 2. Service level agreements, including appropriate
33 performance measures.

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

36
37 This paragraph shall not be interpreted to require that any
38 services or materials must be provided by an apprenticeship
39 sponsor if not required in a contract or that payments must be
40 made by a local educational agency to an apprenticeship sponsor
41 for any services or materials other than those required to be
42 delivered pursuant to a contract.

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 Section 446.609, Florida Statutes, is repealed.

44 Section 5. Subsection (2) of section 464.019, Florida
45 Statutes, is amended, and subsection (8) is added to said
46 section, to read:

47 464.019 Approval of nursing programs.--

48 (2)(a) The board shall adopt rules, applicable to initial
49 review and conditional approval of a program, regarding
50 educational objectives, faculty qualifications, curriculum
51 guidelines, administrative procedures, and clinical training. An
52 applicant institution shall comply with such rules in order to
53 obtain conditional program approval. No program shall be
54 considered fully approved, nor shall any program be exempted
55 from such rules, prior to the graduation of the program's first
56 class.

57 (b) The board shall adopt rules regarding educational
58 objectives and curriculum guidelines as are necessary to grant
59 full approval to a program and to ensure that fully approved
60 programs graduate nurses capable of competent practice under
61 this part. Rules regarding educational objectives shall consider
62 student attrition rate standards, availability of qualified
63 faculty, and appropriate clinical training facilities. However,
64 the board shall adopt no rule that prohibits a qualified
65 institution from placing a student in a facility for clinical
66 experience, regardless of whether more than one nursing program
67 is using the same facility for clinical experience.

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

71 (d) The board shall not adopt any rule limiting the number
72 of students admitted to a nursing program, provided appropriate
73 faculty-to-student ratios are maintained, and provided the board
74 shall not enact any changes to faculty-to-student ratios that
75 have the effect of limiting capacity in approved nursing
76 programs unless such changes are based in scientific research
77 prior to 2004.

78 (e) The board, in conjunction with the Florida Center for
79 Nursing, shall conduct a study of research literature to
80 evaluate existing rules regarding clinical instruction,
81 including an assessment of expanding the use of qualified
82 registered nurses as supervisors and simulation as effective
83 ways to maximize the opportunities for clinical experiences.

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

89 (a) Identifying strategies for reducing the demands of
90 nonclinical requirements on nursing faculty, including
91 consolidating core requirements across nursing majors and tracks
92 and identifying courses that are taught in other health and
93 medical fields that could be jointly offered, taught by non-
94 nurse faculty, or substituted for nursing courses.

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95 (b) Developing alternative models of clinical education
96 that reduce the burden on nursing faculty, including expanding
97 the use of preceptors, providing more clinical instruction as a
98 concentrated clinical experience later in the program, and
99 increasing the use of simulators.

100 Section 6. Subsections (4) and (5) are added to section
101 464.0195, Florida Statutes, to read:

102 464.0195 Florida Center for Nursing; goals; information
103 system.--

104 (4) The Florida Center for Nursing, in collaboration with
105 the Department of Health, the Agency for Health Care
106 Administration, the Agency for Workforce Innovation, and the
107 Department of Education, and in consultation with the Office of
108 Program Policy Analysis and Government Accountability, shall
109 develop and maintain an information system to assess the
110 workforce needs of the nursing profession in the state. The
111 information system shall be designed to enable the center to
112 produce reliable, comparable, and comprehensive data on the
113 nursing workforce in the state; identify potential nursing
114 shortages and the areas in which they may occur; assess the
115 productivity of approved nursing programs, especially in
116 responding to identified workforce needs; and establish a
117 registry to link approved nursing programs that need additional
118 clinical sites or faculty to expand their capacity with licensed
119 health care providers that may be able to assist in meeting such
120 needs. Data to support the information system may be collected
121 as part of the initial and renewal licensure process for both

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122 individuals and health care facilities and as part of the Board
123 of Nursing program approval process. No later than November 1,
124 2005, the Florida Center for Nursing shall submit to the
125 President of the Senate and the Speaker of the House of
126 Representatives an implementation plan for the information
127 system, including projected cost and recommended rule changes
128 that may be required to collect the information necessary for
129 the system to be successful.

130 (5) The information system required by subsection (4)
131 shall be implemented to the extent funded in the General
132 Appropriations Act.

133 Section 7. Paragraph (v) of subsection (2) of section
134 1001.02, Florida Statutes, is amended, and paragraph (i) is
135 added to subsection (7) of said section, to read:

136 1001.02 General powers of State Board of Education.--

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

138 (v) To develop, with input from the Board of Governors and
139 the independent postsecondary educational institutions in the
140 state and periodically review for adjustment, a coordinated 5-
141 year plan for postsecondary enrollment and annually submit the
142 plan to the Legislature. The plan shall indicate the capacity of
143 each sector, including state universities, community colleges,
144 postsecondary career centers, and independent postsecondary
145 educational institutions, to respond to the planned enrollment
146 and estimate the costs to the state of expanding capacity if
147 necessary to accommodate the enrollment plan. The plan shall be
148 periodically reviewed for adjustment and submitted to the

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149 Governor, the President of the Senate, and the Speaker of the
150 House of Representatives no later than December 1 of each year.

151 (7) The State Board of Education shall:

152 (i) Adopt by rule policies that address the baccalaureate
153 degree programs at community colleges approved pursuant to s.
154 1007.33, including, but not limited to, reporting policies and
155 performance accountability requirements for both upper-division
156 and lower-division programs.

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

159 1001.20 Department under direction of state board.--

160 (4) The Department of Education shall establish the
161 following offices within the Office of the Commissioner of
162 Education which shall coordinate their activities with all other
163 divisions and offices:

164 (f) Office of Career Education.--Responsible for
165 evaluating the effectiveness of public and private secondary and
166 postsecondary education programs in providing rigorous career
167 education; developing in partnership with the business community
168 and Workforce Florida, Inc., a marketing plan for secondary and
169 postsecondary career education, including career and
170 professional academies, to attract secondary and postsecondary
171 students into careers of critical state need; promoting seamless
172 articulation throughout the career education system; and
173 administering the SUCCEED, FLORIDA! Career Paths Program
174 pursuant to s. 1011.97.

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175 Section 9. Subsections (1), (2), and (8) of section
176 1001.64, Florida Statutes, are amended to read:

177 1001.64 Community college boards of trustees; powers and
178 duties.--

179 (1) The boards of trustees shall be responsible for cost-
180 effective policy decisions appropriate to the community
181 college's mission, the implementation and maintenance of high-
182 quality education programs within law and rules of the State
183 Board of Education, the measurement of performance, the
184 reporting of information, and the provision of input regarding
185 state policy, budgeting, and education standards. Community
186 colleges may grant baccalaureate degrees pursuant to s. 1007.33
187 and shall remain under the authority of the State Board of
188 Education in accordance with current statutory provisions
189 relating to community colleges as defined in s. 1000.21.

190 (2) Each board of trustees is vested with the
191 responsibility to govern its respective community college and
192 with such necessary authority as is needed for the proper
193 operation and improvement thereof in accordance with rules of
194 the State Board of Education. This authority includes serving as
195 the governing board for purposes of granting baccalaureate
196 degrees as authorized in s. 1007.33 and approved by the State
197 Board of Education.

198 (8) Each board of trustees has authority for policies
199 related to students, enrollment of students, student records,
200 student activities, financial assistance, and other student
201 services.

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202 (a) Each board of trustees shall govern admission of
203 students pursuant to s. 1007.263 and rules of the State Board of
204 Education. A board of trustees may establish additional
205 admissions criteria, which shall be included in the district
206 interinstitutional articulation agreement developed according to
207 s. 1007.235, to ensure student readiness for postsecondary
208 instruction. Each board of trustees may consider the past
209 actions of any person applying for admission or enrollment and
210 may deny admission or enrollment to an applicant because of
211 misconduct if determined to be in the best interest of the
212 community college.

213 (b) Each board of trustees shall adopt rules establishing
214 student performance standards for the award of degrees and
215 certificates pursuant to s. 1004.68. The board of trustees of a
216 community college that is authorized to grant a baccalaureate
217 degree under s. 1007.33 may continue to award degrees, diplomas,
218 and certificates as authorized for the college, and in the name
219 of the college, until the college receives any necessary changes
220 to its accreditation.

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

225 (d)(e) Boards of trustees are authorized to establish
226 intrainstitutional and interinstitutional programs to maximize
227 articulation pursuant to s. 1007.22.

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228 ~~(e)(d)~~ Boards of trustees shall identify their core
229 curricula, which shall include courses required by the State
230 Board of Education, pursuant to the provisions of s. 1007.25(6).

231 ~~(f)(e)~~ Each board of trustees must adopt a written
232 anti-hazing policy, provide a program for the enforcement of such
233 rules, and adopt appropriate penalties for violations of such
234 rules pursuant to the provisions of s. 1006.63(1)-(3).

235 ~~(g)(f)~~ Each board of trustees may establish a uniform code
236 of conduct and appropriate penalties for violation of its rules
237 by students and student organizations, including rules governing
238 student academic honesty. Such penalties, unless otherwise
239 provided by law, may include fines, the withholding of diplomas
240 or transcripts pending compliance with rules or payment of
241 fines, and the imposition of probation, suspension, or
242 dismissal.

243 ~~(h)(g)~~ Each board of trustees pursuant to s. 1006.53 shall
244 adopt a policy in accordance with rules of the State Board of
245 Education that reasonably accommodates the religious observance,
246 practice, and belief of individual students in regard to
247 admissions, class attendance, and the scheduling of examinations
248 and work assignments.

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

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

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255 1002.23 Family and School Partnership for Student
256 Achievement Act.--

257 (2) To facilitate meaningful parent and family
258 involvement, the Department of Education shall develop
259 guidelines for a parent guide to successful student achievement
260 which describes what parents need to know about their child's
261 educational progress and how they can help their child to
262 succeed in school. The guidelines shall include, but need not be
263 limited to:

264 (a) Parental information regarding:

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

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

269 3. Assessment results, including report cards and progress
270 reports; ~~and~~

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

272 5. Availability of the secondary and postsecondary
273 academic and career education online student advising and
274 guidance system described in s. 1006.01;

275 (d) Opportunities for parents to learn about rigorous
276 academic programs that may be available for their child, such as
277 honors programs, dual enrollment, advanced placement,
278 International Baccalaureate, Florida Virtual High School
279 courses, career and professional academies, and accelerated
280 access to postsecondary education;

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281 Section 11. Section 1003.492, Florida Statutes, is amended
282 to read:

283 1003.492 Industry-certified career education programs.--

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

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

295 ~~(3) The Department of Education shall study student~~
296 ~~performance in industry-certified career education programs. The~~
297 ~~department shall identify districts that currently operate~~
298 ~~industry-certified career education programs. The study shall~~
299 ~~examine the performance of participating students over time.~~
300 ~~Performance factors shall include, but not be limited to,~~
301 ~~graduation rates, retention rates, additional educational~~
302 ~~attainment, employment records, earnings, and industry~~
303 ~~satisfaction. The results of this study shall be submitted to~~
304 ~~the President of the Senate and the Speaker of the House of~~
305 ~~Representatives by December 31, 2004.~~

306 ~~(4) The Department of Education shall conduct a study to~~
307 ~~determine if a cost factor should be applied to industry-~~

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308 ~~certified career education programs and review the need for~~
309 ~~startup funding for the programs. The study shall be completed~~
310 ~~by December 31, 2004, and shall be submitted to the President of~~
311 ~~the Senate and the Speaker of the House of Representatives.~~

312 Section 12. Section 1004.85, Florida Statutes, is
313 renumbered as section 1004.045, Florida Statutes, and paragraphs
314 (e), (f), and (g) are added to subsection (2) of said section to
315 read:

316 1004.045 ~~1004.85~~ Postsecondary educator preparation
317 institutes.--

318 (2) Postsecondary institutions that are accredited or
319 approved as described in state board rule may seek approval from
320 the Department of Education to create educator preparation
321 institutes for the purpose of providing any or all of the
322 following:

323 (e) Instruction to assist associate degree holders who
324 have business experience in demonstrating teaching competencies
325 for career education courses in the specific area relating to
326 their business experience.

327 (f) Professional development instruction to assist career
328 education teachers in delivering a career education curriculum
329 in a relevant context with student-centered, research-based
330 instructional strategies and a rigorous standards-based academic
331 curriculum.

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

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334 Section 13. Section 1004.226, Florida Statutes, is created
335 to read:

336 1004.226 Florida technology development; centers of
337 excellence.--

338 (1) The term "center of excellence," as used in this
339 section, means an organization of personnel, facilities, and
340 equipment established at or in collaboration with one or more
341 universities in Florida to accomplish the purposes and
342 objectives set forth in this section. The purposes and
343 objectives of a center of excellence include:

344 (a) Identifying and pursuing opportunities for university
345 scholars, research center scientists and engineers, and private
346 businesses to form collaborative partnerships to foster and
347 promote the research required to develop commercially promising,
348 advanced, and innovative technologies and to transfer those
349 technologies to commercial sectors.

350 (b) Acquiring and leveraging public and private sector
351 funding to provide the totality of funds, personnel, facilities,
352 equipment, and other resources needed to support the research
353 required to develop commercially promising, advanced, and
354 innovative technologies and to transfer those technologies to
355 commercial sectors.

356 (c) Recruiting and retaining world class scholars, high-
357 performing students, and leading scientists and engineers in
358 technology disciplines to engage in research in this state to
359 develop commercially promising, advanced, and innovative
360 technologies.

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

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

366 (f) Stimulating and supporting the inception, growth, and
367 diversification of technology-based businesses and ventures in
368 Florida and increasing employment opportunities for the
369 workforce needed to support such businesses.

370 (2) The State Board of Education shall notify the
371 president of each university in the state of the opportunity to
372 submit to the state board a written proposal for establishing a
373 center of excellence under this section or expanding a center of
374 excellence designated under former s. 1004.225. A proposal from
375 a university must be submitted to the state board before
376 November 1, 2005.

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

382 (b) The plan must include performance and accountability
383 measures that can be used to assess the progress of plan
384 implementation and the success of each center of excellence that
385 receives funding under the plan. By March 1, 2006, the State
386 Board of Education shall provide a copy of the plan to the

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387 Governor, the President of the Senate, and the Speaker of the
388 House of Representatives.

389 (4) Beginning July 1, 2006, the State Board of Education
390 shall report annually to the Governor, the President of the
391 Senate, and the Speaker of the House of Representatives on the
392 progress in implementing the plan developed under subsection (3)
393 and the success of each center of excellence that receives
394 funding under that plan.

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

397 Section 14. Subsection (1), paragraph (a) of subsection
398 (7), and subsection (9) of section 1004.65, Florida Statutes,
399 are amended, and subsection (10) is added to said section, to
400 read:

401 1004.65 Community colleges; definition, mission, and
402 responsibilities.--

403 (1) Community colleges shall consist of all public
404 educational institutions identified in s. 1000.21(3). Community
405 colleges, including colleges that have been approved to offer
406 baccalaureate degree programs pursuant to s. 1007.33, shall be
407 operated by community college district boards of trustees under
408 statutory authority and rules of the State Board of Education.
409 Except as otherwise provided in law, all laws and rules that
410 relate to community colleges apply to community colleges
411 authorized to offer baccalaureate degree programs pursuant to s.
412 1007.33.

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413 (7) A separate and secondary role for community colleges
414 includes:

415 (a) Providing upper level instruction and awarding
416 baccalaureate degrees as specifically authorized by law. A
417 community college that is approved to offer baccalaureate degree
418 programs shall maintain its primary mission pursuant to
419 subsection (6) and may not terminate associate in arts or
420 associate in science degree programs as a result of the
421 authorization to offer baccalaureate degree programs.

422 (9) Community colleges are authorized to offer such
423 programs and courses as are necessary to fulfill their mission
424 and are authorized to grant associate in arts degrees, associate
425 in science degrees, associate in applied science degrees,
426 certificates, awards, and diplomas. Each community college is
427 also authorized to make provisions for the General Educational
428 Development test. Each community college may provide access to
429 and award baccalaureate degrees in accordance with law.

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

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

433 1004.68 Community college; degrees and certificates; tests
434 for certain skills.--

435 (3) The board of trustees of a community college
436 authorized to grant baccalaureate degrees pursuant to s. 1007.33
437 may continue to award degrees, diplomas, and certificates as
438 authorized for the college, and in the name of the college,

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439 until the community college receives any necessary changes to
440 its accreditation.

441 Section 16. Section 1006.01, Florida Statutes, is created
442 to read:

443 1006.01 Enhanced secondary and postsecondary academic and
444 career education online student advising and guidance
445 system.--The Department of Education shall enhance the student
446 advising system described in s. 1007.28 into a secondary and
447 postsecondary academic and career education online student
448 advising and guidance system. In addition to the requirements of
449 s. 1007.28, the enhanced system must:

450 (1) Provide access to information from regional workforce
451 boards on local careers and careers that are critical state
452 needs and the secondary and postsecondary career education
453 necessary to enter these careers.

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

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

459 1006.02 Provision of information to students and parents
460 regarding school-to-work transition.--

461 (1) To facilitate each student's ability to easily and
462 seamlessly combine academic and rigorous career education
463 courses throughout the educational experience, each school
464 district all ~~public K-12 schools~~ shall document as part of its
465 guidance report required pursuant to s. 1006.025 that every

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466 | middle and high school student has used the secondary and
467 | postsecondary academic and career education online student
468 | advising and guidance system described in s. 1006.01 as part of
469 | the student's career exploration and planning process. The
470 | report must include the manner in which they have prepared
471 | students to enter the workforce, including information regarding
472 | the provision of accurate, timely career and curricular
473 | counseling to middle school and high school students. This
474 | information shall include a delineation of available career
475 | opportunities, educational requirements associated with each
476 | career, educational institutions that prepare students to enter
477 | each career, and student financial aid available to enable
478 | students to pursue any postsecondary instruction required to
479 | enter that career. This information shall also delineate school
480 | procedures for identifying individual student interests and
481 | aptitudes which enable students to make informed decisions about
482 | the curriculum that best addresses their individual interests
483 | and aptitudes while preparing them to enroll in postsecondary
484 | education and enter the workforce. This information shall
485 | include recommended high school coursework that prepares
486 | students for success in college-level work. The information
487 | shall be made known to parents and students annually through
488 | inclusion in the school's handbook, manual, or similar documents
489 | or other communications regularly provided to parents and
490 | students.

491 | Section 18. Paragraph (f) of subsection (2) of section
492 | 1006.025, Florida Statutes, is amended to read:

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493 1006.025 Guidance services.--

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

496 (f) Actions taken to provide information to students for
497 the school-to-work transition and documentation that every
498 middle and high school student has used the secondary and
499 postsecondary academic and career education online student
500 advising and guidance system described in s. 1006.01 for the
501 student's career exploration and planning process pursuant to s.
502 1006.02.

503 Section 19. Paragraph (c) of subsection (3) of section
504 1007.2615, Florida Statutes, is amended to read:

505 1007.2615 American Sign Language; findings; foreign-
506 language credits authorized; teacher licensing.--

507 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
508 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
509 FOR POSTSECONDARY EDUCATION PROVIDERS.--

510 (c) An ASL teacher must be certified by the Department of
511 Education by January 1, 2009 ~~2008~~, ~~and must obtain current~~
512 ~~certification through the Florida American Sign Language~~
513 ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~
514 ~~certification may be used by current ASL teachers as an~~
515 ~~alternative certification track.~~

516 Section 20. Subsection (1), (2), (4), (5), (6), (11), and
517 (13) of section 1007.271, Florida Statutes, are amended to read:

518 1007.271 Dual enrollment programs.--

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519 (1) The dual enrollment program is the enrollment of an
520 eligible secondary student or home education student in a
521 postsecondary course creditable toward high school completion
522 and a career certificate or an associate or baccalaureate
523 degree.

524 (2) For the purpose of this section, an eligible secondary
525 student is a student who is enrolled in a Florida public
526 secondary school or in a Florida private secondary school which
527 is in compliance with s. 1002.42(2) and conducts a secondary
528 curriculum pursuant to s. 1003.43. Students enrolled in
529 postsecondary instruction that is not creditable toward the high
530 school diploma shall not be classified as dual enrollments.
531 Students who are eligible for dual enrollment pursuant to this
532 section shall be permitted to enroll in dual enrollment courses
533 conducted during school hours, after school hours, and during
534 the summer term. Instructional time for such enrollment may
535 exceed 900 hours; however, the school district may only report
536 the student for a maximum of 1.0 FTE, as provided in s.
537 1011.61(4). Dual enrollment instruction of high school students
538 that is eligible for high school and postsecondary credit shall
539 be reported by the school district in an amount equal to the
540 hours of instruction that would be necessary to earn the FTE
541 for the equivalent course if it were taught in the school
542 district. Any student so enrolled is exempt from the payment of
543 registration, tuition, and laboratory fees. Vocational-
544 preparatory instruction, college-preparatory instruction and
545 other forms of precollegiate instruction, as well as physical

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546 education courses that focus on the physical execution of a
547 skill rather than the intellectual attributes of the activity,
548 are ineligible for inclusion in the dual enrollment program.
549 Recreation and leisure studies courses shall be evaluated
550 individually in the same manner as physical education courses
551 for potential inclusion in the program.

552 (4) Career dual enrollment shall be provided as a
553 curricular option for secondary students to pursue in order to
554 earn a series of elective credits toward the high school
555 diploma. ~~However, career dual enrollment shall not supplant~~
556 ~~student acquisition of the diploma.~~ Career dual enrollment shall
557 be available for secondary students seeking a degree or
558 certificate from a complete career-preparatory program and shall
559 not be used to enroll students, but shall not sustain student
560 enrollment in isolated career courses. It is the intent of the
561 Legislature that career dual enrollment provide ~~reflect the~~
562 ~~interests and aptitudes of the student.~~ The provision of a
563 comprehensive academic and career dual enrollment program within
564 the career center or community college ~~is supportive of~~
565 ~~legislative intent; however, such provision is not mandatory.~~

566 (5) Each district school board shall inform all secondary
567 students of dual enrollment as an educational option and
568 mechanism for acceleration. Students shall be informed of
569 eligibility criteria, the option for taking dual enrollment
570 courses beyond the regular school year, and the 24 minimum
571 academic credits required for graduation. District school boards
572 shall annually assess the demand for dual enrollment and other

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573 advanced courses, and the district school board shall consider
574 strategies and programs to meet that demand.

575 (6) The Commissioner of Education shall appoint faculty
576 committees representing public school, community college, and
577 university faculties to identify postsecondary courses that meet
578 the high school graduation requirements of s. 1003.43, and to
579 establish the number of postsecondary semester credit hours of
580 instruction and equivalent high school credits earned through
581 dual enrollment pursuant to this section that are necessary to
582 meet high school graduation requirements. Such equivalencies
583 shall be determined solely on comparable course content and not
584 on seat time traditionally allocated to such courses in high
585 school. The Commissioner of Education shall recommend to the
586 State Board of Education those postsecondary courses identified
587 to meet high school graduation requirements, based on mastery of
588 course outcomes, by their ~~statewide~~ course numbers ~~number~~, and
589 all high schools shall accept these postsecondary education
590 courses toward meeting the requirements of s. 1003.43.

591 (11) The Department of Education shall approve any course
592 for inclusion in the dual enrollment program that is contained
593 within the statewide course numbering system. However, college-
594 preparatory and other forms of precollegiate instruction, and
595 physical education and other courses that focus on the physical
596 execution of a skill rather than the intellectual attributes of
597 the activity, may not be so approved, but must be evaluated
598 individually for potential inclusion in the dual enrollment
599 program. This subsection does not mean that an independent

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600 postsecondary institution eligible for inclusion in a dual
601 enrollment or early admission program pursuant to s. 1011.62
602 must participate in the statewide course numbering system
603 developed pursuant to s. 1007.24 to participate in a dual
604 enrollment program.

605 (13) ~~It is the intent of the Legislature that~~ Students who
606 meet the eligibility requirements of this section subsection and
607 who choose to participate in dual enrollment programs are be
608 exempt from the payment of registration, tuition, and laboratory
609 fees.

610 Section 21. Section 1007.33, Florida Statutes, is amended
611 to read:

612 1007.33 Site-determined baccalaureate degree access.--

613 (1) The Legislature recognizes that public and private
614 postsecondary educational institutions play essential roles in
615 improving the quality of life and economic well-being of the
616 state and its residents. The Legislature also recognizes that
617 economic development needs and the educational needs of place-
618 bound, nontraditional students have increased the demand for
619 local access to baccalaureate degree programs. In some, but not
620 all, geographic regions, baccalaureate degree programs are being
621 delivered successfully at the local community college through
622 agreements between the community college and 4-year
623 postsecondary institutions within or outside of the state. It is
624 therefore the intent of the Legislature to further expand access
625 for Florida residents to baccalaureate degree programs and to

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626 provide baccalaureate degree programs that meet critical
627 workforce needs through the use of community colleges.

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

631 (3) A community college may develop a proposal to deliver
632 specified baccalaureate degree programs in its district to meet
633 local workforce needs or to expand access to postsecondary
634 education for diverse, nontraditional, or geographically bound
635 students. The proposal must be approved by the board of trustees
636 of the community college.

637 (a) To be eligible to receive state funding to support the
638 proposed program at the baccalaureate level, the proposal must
639 be submitted to the State Board of Education for approval in
640 accordance with timelines and guidelines adopted by the state
641 board and. ~~The community college's proposal~~ must include the
642 following information:

643 1.(a) Documentation of the demand for the baccalaureate
644 degree program as is identified by the workforce development
645 board, local businesses and industry, local chambers of
646 commerce, and potential students who must be residents of the
647 state.

648 2.(b) Documentation of the unmet need for graduates of the
649 proposed degree program ~~is substantiated.~~

650 3.(c) Documentation that the community college has the
651 facilities and academic resources to deliver the program.

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652 4. Documentation that alternative attempts were made to
653 meet the identified need, such as distance learning and
654 partnerships with other public or private postsecondary
655 educational institutions, or justification for not pursuing such
656 alternatives.

657 5. A 5-year financial plan that details steps to ensure
658 that the per-credit-hour costs of the program at the end of the
659 5-year period will be less than the costs of similar programs at
660 state universities.

661 (b) Upon receipt of a proposal submitted pursuant to
662 paragraph (a), the State Board of Education must make the
663 proposal available to other public and private postsecondary
664 educational institutions for 60 days for review and comment,
665 including the opportunity for such institutions to submit
666 alternative proposals to the State Board of Education for
667 meeting the stated need.

668 (c) The State Board of Education may approve, deny, or
669 require revisions to a proposal submitted by a community college
670 pursuant to paragraph (a) or an alternative proposal submitted
671 pursuant to paragraph (b).

672
673 ~~A The proposal must be submitted to the Council for Education~~
674 ~~Policy Research and Improvement for review and comment. Upon~~
675 ~~approval of the State Board of Education for the specific degree~~
676 ~~program or programs, the community college approved to offer~~
677 ~~baccalaureate degrees pursuant to this subsection shall pursue~~
678 ~~regional accreditation by the Commission on Colleges of the~~

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679 Southern Association of Colleges and Schools. Any ~~additional~~
680 baccalaureate degree program ~~programs~~ the community college
681 wishes to offer must be approved by the State Board of Education
682 pursuant to the process outlined in this subsection in order for
683 the community college to receive state funding for the program
684 at the baccalaureate level.

685 (4) Any baccalaureate degree program authorized at a
686 community college pursuant to the provisions of this section
687 must be evaluated by the board of trustees of the community
688 college every 5 years to determine the cost-effectiveness of the
689 program, the effectiveness of the program in providing access to
690 baccalaureate degrees for Florida residents and meeting local
691 workforce needs, and the impact of the program on the college's
692 primary mission of providing associate degrees. A copy of the
693 evaluation must be submitted to the State Board of Education,
694 the Executive Office of the Governor, the President of the
695 Senate, and the Speaker of the House of Representatives.
696 Programs that have excessive per-credit-hour costs, fail to
697 provide meaningful access to baccalaureate degrees for Florida
698 residents, no longer meet workforce needs, or hinder a community
699 college's primary mission may lose eligibility for state funding
700 as a baccalaureate degree program.

701 (5)(4) A community college may not terminate its associate
702 in arts or associate in science degree programs as a result of
703 the authorization provided pursuant to this section ~~in~~
704 ~~subsection (3)~~. The Legislature intends that the primary mission
705 of a community college, including a community college that

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706 offers baccalaureate degree programs, continues to be the
707 provision of associate degrees that provide access to a
708 university.

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

711 Section 22. Section 1009.21, Florida Statutes, is amended
712 to read:

713 1009.21 Determination of resident status for tuition
714 purposes; exemption.--Students shall be classified as residents
715 or nonresidents for the purpose of assessing tuition in
716 community colleges and state universities and for the purpose of
717 assessing tuition for instruction in workforce education
718 programs offered by school districts.

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

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

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

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

730 (d)(e) A "Legal resident" or "resident" means is a person
731 who has maintained his or her residence in this state for the
732 preceding year, has purchased a home which is occupied by him or

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733 her as his or her residence, or has established a domicile in
734 this state pursuant to s. 222.17.

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

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

739 (g)(e) A "Resident for tuition purposes" means is a person
740 who qualifies as provided in subsection (2) for the in-state
741 tuition rate; a "nonresident for tuition purposes" is a person
742 who does not qualify for the in-state tuition rate.

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

744 1. A person or, if that person is a dependent child, his
745 or her parent or parents must have established legal residence
746 in this state and must have maintained legal residence in this
747 state for at least 12 consecutive months immediately prior to
748 his or her initial enrollment in a postsecondary education
749 program in this state qualification.

750 2. Every applicant for admission to an institution of
751 higher education or to a workforce education program offered by
752 a school district shall be required to make a statement as to
753 his or her length of residence in the state and, further, shall
754 establish that his or her presence or, if the applicant is a
755 dependent child, the presence of his or her parent or parents in
756 the state currently is, and during the requisite 12-month
757 qualifying period was, for the purpose of maintaining a bona
758 fide domicile, rather than for the purpose of maintaining a mere
759 temporary residence or abode incident to enrollment in an

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760 institution of higher education or a workforce education program
761 offered by a school district.

762 3. Each institution of higher education or each school
763 district that offers a workforce education program must
764 determine whether an applicant who has been granted admission is
765 a dependent child.

766 4. Each institution of higher education or each school
767 district that offers a workforce education program must
768 affirmatively determine that an applicant who has been granted
769 admission as a Florida resident meets the residency requirements
770 of this section at the time of initial enrollment.

771 (b) However, with respect to a dependent child living with
772 an adult relative other than the child's parent, such child may
773 qualify as a resident for tuition purposes if the adult relative
774 is a legal resident who has maintained legal residence in this
775 state for at least 12 consecutive months immediately prior to
776 the child's initial enrollment in a postsecondary education
777 program in this state ~~qualification~~, provided the child has
778 resided continuously with such relative for the 5 years
779 immediately prior to the child's initial enrollment
780 ~~qualification~~, during which time the adult relative has
781 exercised day-to-day care, supervision, and control of the
782 child.

783 (c) The legal residence of a dependent child whose parents
784 are divorced, separated, or otherwise living apart will be
785 deemed to be this state if either parent is a legal resident of
786 this state, regardless of which parent is entitled to claim, and

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787 does in fact claim, the minor as a dependent pursuant to federal
788 individual income tax provisions.

789 (d) A person who is classified as a nonresident for
790 tuition purposes may become eligible for reclassification as a
791 resident for tuition purposes if that person or, if that person
792 is a dependent child, his or her parent presents documentation
793 that supports permanent residency in this state rather than
794 temporary residency for the purpose of pursuing an education,
795 such as documentation of full-time permanent employment for the
796 previous 12 months or the purchase of a home in this state and
797 residence therein for the prior 12 months. If a person who is a
798 dependent child and his or her parent move to this state while
799 such child is a high school student and the child graduates from
800 a high school in this state, the child may become eligible for
801 reclassification as a resident for tuition purposes when the
802 parent qualifies for permanent residency.

803 (3) An individual shall not be classified as a resident
804 for tuition purposes and, thus, shall not be eligible to receive
805 the in-state tuition rate until he or she has provided such
806 evidence related to legal residence and its duration or, if that
807 individual is a dependent child, documentation of his or her
808 parent's legal residence and its duration, as well as
809 documentation confirming his or her status as a dependent child,
810 as may be required by law and by officials of the institution of
811 higher education or officials of the school district offering
812 the workforce education program from which he or she seeks the
813 in-state tuition rate.

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814 (4) With respect to a dependent child, the legal residence
815 of such individual's parent or parents is prima facie evidence
816 of the individual's legal residence, which evidence may be
817 reinforced or rebutted, relative to the age and general
818 circumstances of the individual, by the other evidence of legal
819 residence required of or presented by the individual. However,
820 the legal residence of an individual whose parent or parents are
821 domiciled outside this state is not prima facie evidence of the
822 individual's legal residence if that individual has lived in
823 this state for 5 consecutive years prior to enrolling or
824 reregistering at the institution of higher education or
825 enrolling or reregistering in a workforce education program
826 offered by a school district at which resident status for
827 tuition purposes is sought.

828 (5) In making a domiciliary determination related to the
829 classification of a person as a resident or nonresident for
830 tuition purposes, the domicile of a married person, irrespective
831 of sex, shall be determined, as in the case of an unmarried
832 person, by reference to all relevant evidence of domiciliary
833 intent. For the purposes of this section:

834 (a) A person shall not be precluded from establishing or
835 maintaining legal residence in this state and subsequently
836 qualifying or continuing to qualify as a resident for tuition
837 purposes solely by reason of marriage to a person domiciled
838 outside this state, even when that person's spouse continues to
839 be domiciled outside of this state, provided such person
840 maintains his or her legal residence in this state.

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841 (b) A person shall not be deemed to have established or
842 maintained a legal residence in this state and subsequently to
843 have qualified or continued to qualify as a resident for tuition
844 purposes solely by reason of marriage to a person domiciled in
845 this state.

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

850 (6) Any nonresident person, irrespective of sex, who
851 marries a legal resident of this state or marries a person who
852 later becomes a legal resident may, upon becoming a legal
853 resident of this state, accede to the benefit of the spouse's
854 immediately precedent duration as a legal resident for purposes
855 of satisfying the 12-month durational requirement of this
856 section.

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

861 (8) A person who has been properly classified as a
862 resident for tuition purposes but who, while enrolled in an
863 institution of higher education or a workforce education program
864 offered by a school district in this state, loses his or her
865 resident tuition status because the person or, if he or she is a
866 dependent child, the person's parent or parents establish
867 domicile or legal residence elsewhere shall continue to enjoy

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868 the in-state tuition rate for a statutory grace period, which
869 period shall be measured from the date on which the
870 circumstances arose that culminated in the loss of resident
871 tuition status and shall continue for 12 months. However, if the
872 12-month grace period ends during a semester or academic term
873 for which such former resident is enrolled, such grace period
874 shall be extended to the end of that semester or academic term.

875 (9) Any person who ceases to be enrolled in ~~at~~ or who
876 graduates from an institution of higher education or a workforce
877 education program offered by a school district while classified
878 as a resident for tuition purposes and who subsequently abandons
879 his or her domicile in this state shall be permitted to reenroll
880 in ~~at~~ an institution of higher education or a workforce
881 education program offered by a school district in this state as
882 a resident for tuition purposes without the necessity of meeting
883 the 12-month durational requirement of this section if that
884 person has reestablished his or her domicile in this state
885 within 12 months of such abandonment and continuously maintains
886 the reestablished domicile during the period of enrollment. The
887 benefit of this subsection shall not be accorded more than once
888 to any one person.

889 (10) The following persons shall be classified as
890 residents for tuition purposes:

891 (a) Active duty members of the Armed Services of the
892 United States residing or stationed in this state, their
893 spouses, and dependent children, and active members of the

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894 Florida National Guard who qualify under s. 250.10(7) and (8)
895 for the tuition assistance program.

896 (b) Active duty members of the Armed Services of the
897 United States, and their spouses and dependent children,
898 ~~dependents~~ attending a public community college or state
899 university within 50 miles of the military establishment where
900 they are stationed, if such military establishment is within a
901 county contiguous to Florida.

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

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

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

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

916 (g) Full-time employees of state agencies or political
917 subdivisions of the state when the student fees are paid by the
918 state agency or political subdivision for the purpose of job-
919 related law enforcement or corrections training.

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920 (h) McKnight Doctoral Fellows and Finalists who are United
921 States citizens.

922 (i) United States citizens living outside the United
923 States who are teaching at a Department of Defense Dependent
924 School or in an American International School and who enroll in
925 a graduate level education program which leads to a Florida
926 teaching certificate.

927 (j) Active duty members of the Canadian military residing
928 or stationed in this state under the North American Aerospace
929 Defense Command Air Defense (NORAD) agreement, and their spouses
930 and dependent children, attending a community college or state
931 university within 50 miles of the military establishment where
932 they are stationed.

933 (k) Active duty members of a foreign nation's military who
934 are serving as liaison officers and are residing or stationed in
935 this state, and their spouses and dependent children, attending
936 a community college or state university within 50 miles of the
937 military establishment where the foreign liaison officer is
938 stationed.

939 (l) Full-time employees of international multilateral
940 organizations based in Florida that are recognized by the United
941 States Department of State and their spouses and dependent
942 children.

943 (11) A student, other than a nonimmigrant alien within the
944 meaning of 8 U.S.C. s. 1101(a)(15), who meets all of the
945 following requirements may apply for an exemption from paying

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946 nonresident tuition at community colleges and state
947 universities:

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

953 (b) The student has registered and enrolled in a community
954 college or a state university. The student may apply for a term
955 deferral of any out-of-state fee assessed by the institution
956 until eligibility for the exemption is determined.

957 (c) The student has provided the community college or
958 state university an affidavit stating that the student will file
959 an application to become a permanent resident of the United
960 States at the earliest opportunity he or she is eligible to do
961 so.

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

965
966 The exemption authorized pursuant to this subsection shall be
967 limited to the top 2,000 students in academic performance in
968 Florida high schools who register and enroll at a community
969 college or state university under the exemption. The Department
970 of Education shall administer the exemption program and shall
971 develop an application form and guidelines for student
972 participation. The community college or state university shall

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973 enter all application criteria submitted by the student into the
974 department's online database, in the manner and timeframe
975 prescribed by the department, for final determination by the
976 department of the student's eligibility to receive the
977 exemption.

978 (12)~~(11)~~ The State Board of Education shall by rule
979 designate classifications of students as residents or
980 nonresidents for tuition purposes at community colleges and
981 state universities.

982 Section 23. Subsections (1), (3), and (11) of section
983 1009.23, Florida Statutes, are amended to read:

984 1009.23 Community college student fees.--

985 (1) Unless otherwise provided, ~~the provisions of this~~
986 section applies apply only to fees charged for college credit
987 instruction leading to an associate in arts degree, an associate
988 in applied science degree, ~~or~~ an associate in science degree, or
989 a baccalaureate degree authorized by the State Board of
990 Education pursuant to s. 1007.33 and for noncollege credit
991 college-preparatory courses defined in s. 1004.02.

992 (3) The State Board of Education shall adopt by December
993 31 of each year a resident fee schedule for the following fall
994 for advanced and professional programs, associate in science
995 degree programs, baccalaureate degree programs authorized by the
996 State Board of Education pursuant to s. 1007.33, and college-
997 preparatory programs that produce revenues in the amount of 25
998 percent of the full prior year's cost of these programs. Fees
999 for courses in college-preparatory programs and associate in

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1000 arts and associate in science degree programs may be established
1001 at the same level. In the absence of a provision to the contrary
1002 in an appropriations act, the fee schedule shall take effect and
1003 the colleges shall expend the funds on instruction. If the
1004 Legislature provides for an alternative fee schedule in an
1005 appropriations act, the fee schedule shall take effect the
1006 subsequent fall semester.

1007 (11)(a) Each community college board of trustees may
1008 establish a separate fee for capital improvements, technology
1009 enhancements, or equipping student buildings which may not
1010 exceed 10 percent of tuition for resident students or 10 percent
1011 of the sum of tuition and out-of-state fees for nonresident
1012 students. The fee for resident students shall be limited to an
1013 increase of \$2 per credit hour over the prior year \$1 per credit
1014 hour or credit-hour equivalent for residents and which equals or
1015 exceeds \$3 per credit hour for nonresidents. Funds collected by
1016 community colleges through these fees may be bonded only as
1017 provided in this subsection for the purpose of financing or
1018 refinancing new construction and equipment, renovation, or
1019 remodeling of educational facilities. The fee shall be collected
1020 as a component part of the tuition and fees, paid into a
1021 separate account, and expended only to construct and equip,
1022 maintain, improve, or enhance the educational facilities of the
1023 community college. Projects funded through the use of the
1024 capital improvement fee shall meet the survey and construction
1025 requirements of chapter 1013. Pursuant to s. 216.0158, each
1026 community college shall identify each project, including

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1027 maintenance projects, proposed to be funded in whole or in part
1028 by such fee.

1029 (b) Capital improvement fee revenues may be pledged by a
1030 board of trustees as a dedicated revenue source to the repayment
1031 of debt, including lease-purchase agreements with an overall
1032 term, including renewals, extensions, and refundings, of not
1033 more than 7 years and revenue bonds, with a term not to exceed
1034 20 annual maturities years, and not to exceed the useful life of
1035 the asset being financed, only for financing or refinancing of
1036 the new construction and equipment, renovation, or remodeling of
1037 educational facilities. Community colleges may use the services
1038 of the Division of Bond Finance of the State Board of
1039 Administration to issue any Bonds authorized through the
1040 provisions of this subsection shall be. Any such bonds issued by
1041 the Division of Bond Finance upon the request of the community
1042 college board of trustees shall be in compliance with the
1043 provisions of s. 11(d), Art. VII of the State Constitution and
1044 the State Bond Act. The Division of Bond Finance may pledge fees
1045 collected by one or more community colleges to secure such
1046 bonds. Any project included in the approved educational plant
1047 survey pursuant to chapter 1013 is approved pursuant to s.
1048 11(d), Art. VII of the State Constitution.

1049 (c) The state does hereby covenant with the holders of the
1050 bonds issued under this subsection that it will not take any
1051 action that will materially and adversely affect the rights of
1052 such holders so long as the bonds authorized by this subsection
1053 are outstanding.

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1054 (d) Any validation of the bonds issued pursuant to the
1055 ~~State Bond Act~~ shall be ~~validated~~ in the manner provided by
1056 chapter 75. Only the initial series of bonds is required to be
1057 validated. The complaint for such validation shall be filed in
1058 the circuit court of the county where the seat of state
1059 government is situated, the notice required to be published by
1060 s. 75.06 shall be published only in the county where the
1061 complaint is filed, and the complaint and order of the circuit
1062 court shall be served only on the state attorney of the circuit
1063 in which the action is pending.

1064 (e) A maximum of 15 percent cents per credit hour may be
1065 allocated from the capital improvement fee for child care
1066 centers conducted by the community college. The use of capital
1067 improvement fees for such purpose shall be subordinate to the
1068 payment of any bonds secured by the fees.

1069 Section 24. Subsection (3) of section 1009.24, Florida
1070 Statutes, is amended to read:

1071 1009.24 State university student fees.--

1072 (3)(a) The Legislature has the responsibility to establish
1073 tuition and fees.

1074 (b) Within proviso in the General Appropriations Act and
1075 law, each board of trustees shall set undergraduate university
1076 tuition and fees.

1077 (c) Except as otherwise provided by law, each board of
1078 trustees shall set university tuition and fees for graduate,
1079 graduate professional, and nonresident students, except that
1080 tuition and fees for graduate, graduate professional, and

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1081 nonresident students who enroll prior to fall 2005 shall be
1082 established within proviso in the General Appropriations Act or
1083 by law. Tuition and fees for graduate, graduate professional,
1084 and nonresident students shall not exceed the average full-time
1085 nonresident tuition and fees for corresponding programs at
1086 public institutions that are members of the Association of
1087 American Universities. The annual percentage increase in tuition
1088 and fees established by each board of trustees pursuant to this
1089 paragraph for students enrolled prior to fall 2005 shall not
1090 exceed the annual percentage increase approved by the
1091 Legislature for resident undergraduate students. At least 20
1092 percent of the amount raised by tuition increases imposed
1093 pursuant to this paragraph shall be allocated by each university
1094 to need-based financial aid for students.

1095 (d) The sum of the activity and service, health, and
1096 athletic fees a student is required to pay to register for a
1097 course shall not exceed 40 percent of the tuition established in
1098 law or in the General Appropriations Act. The tuition and fees
1099 established pursuant to paragraph (c) for graduate, graduate
1100 professional, and nonresident students shall not be subject to
1101 the 40 percent cap. No university shall be required to lower any
1102 fee in effect on the effective date of this act in order to
1103 comply with this subsection. Within the 40 percent cap,
1104 universities may not increase the aggregate sum of activity and
1105 service, health, and athletic fees more than 5 percent per year
1106 unless specifically authorized in law or in the General
1107 Appropriations Act. A university may increase its athletic fee

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1108 to defray the costs associated with changing National Collegiate
1109 Athletic Association divisions. Any such increase in the
1110 athletic fee may exceed both the 40 percent cap and the 5
1111 percent cap imposed by this subsection. Any such increase must
1112 be approved by the athletic fee committee in the process
1113 outlined in subsection (11) and cannot exceed \$2 per credit
1114 hour. Notwithstanding the provisions of ss. 1009.534, 1009.535,
1115 and 1009.536, that portion of any increase in an athletic fee
1116 pursuant to this subsection that causes the sum of the activity
1117 and service, health, and athletic fees to exceed the 40 percent
1118 cap or the annual increase in such fees to exceed the 5 percent
1119 cap shall not be included in calculating the amount a student
1120 receives for a Florida Academic Scholars award, a Florida
1121 Medallion Scholars award, or a Florida Gold Seal Vocational
1122 Scholars award. This subsection does not prohibit a university
1123 from increasing or assessing optional fees related to specific
1124 activities if payment of such fees is not required as a part of
1125 registration for courses.

1126 Section 25. Section 1009.286, Florida Statutes, is created
1127 to read:

1128 1009.286 Additional student payment required for hours
1129 exceeding graduation requirements.--

1130 (1) It is the intent of the Legislature to discourage
1131 undergraduate students in postsecondary education from exceeding
1132 the number of credit hours required to complete the students'
1133 respective degree programs. Accordingly, a student must pay 75
1134 percent over the in-state tuition rate for any credit hours that

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1135 the student takes in excess of 120 percent of the number of
1136 credit hours required to complete the degree program in which he
1137 or she is enrolled.

1138 (2) A student who is enrolled in a community college must
1139 pay 75 percent over the in-state tuition rate for credit hours
1140 that the student takes in excess of 120 percent of the credit
1141 hours required to earn an associate degree, except that a
1142 community college student who has earned the associate degree
1143 need not pay the full cost for a maximum of 24 credit hours
1144 taken while enrolled at a community college which apply to his
1145 or her baccalaureate degree.

1146 (3) An undergraduate student who is enrolled in a state
1147 university must pay 75 percent over the in-state tuition rate
1148 for credit hours that the student takes in excess of 120 percent
1149 of the credit hours required to complete the degree program in
1150 which he or she is enrolled, regardless of whether those hours
1151 were taken while enrolled at a community college, a state
1152 university, or any private postsecondary institution if the
1153 student received state funds while enrolled at the private
1154 postsecondary institution.

1155 (4) An undergraduate student who is enrolled in a
1156 baccalaureate degree program at a community college must pay 75
1157 percent over the in-state tuition rate for credit hours that the
1158 student takes in excess of 120 percent of the number of credit
1159 hours required to complete the degree program in which he or she
1160 is enrolled, regardless of whether those hours were taken while
1161 enrolled at a community college, a state university, or any

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1162 private postsecondary institution if the student received state
1163 funds while enrolled at the private postsecondary institution.

1164 (5) Credit hours earned under the following circumstances
1165 are not calculated as hours required to earn a degree:

1166 (a) College credits earned through an accelerated
1167 mechanism identified in s. 1007.27.

1168 (b) Credit hours earned through internship programs.

1169 (c) Credit hours required for certification,
1170 recertification, or certificate degrees.

1171 (d) Credit hours in courses from which a student must
1172 withdraw due to reasons of medical or personal hardship.

1173 (e) Credit hours taken by active-duty military personnel.

1174 (f) Credit hours required to achieve a dual major
1175 undertaken while pursuing a degree.

1176 (g) Remedial and English as a Second Language credit
1177 hours.

1178 (h) Credit hours earned in military science courses
1179 (R.O.T.C.).

1180 (6) Each postsecondary institution shall implement a
1181 process for notifying students regarding the provisions of this
1182 section. The notice shall be provided upon the student's initial
1183 enrollment in the institution and again upon the student earning
1184 the credit hours required to complete the degree program in
1185 which he or she is enrolled. Additionally, the notice shall
1186 recommend that the student meet with his or her academic advisor
1187 if the student intends to earn additional credit hours at the

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1188 | institution beyond those required for his or her enrolled degree
1189 | program.

1190 | (7) The provisions of this section shall apply to freshmen
1191 | who enroll in a state university or community college in fall
1192 | 2005 and thereafter.

1193 | Section 26. Paragraph (a) of subsection (1) of section
1194 | 1009.40, Florida Statutes, is amended, and subsection (5) is
1195 | added to said section, to read:

1196 | 1009.40 General requirements for student eligibility for
1197 | state financial aid and tuition assistance grants.--

1198 | (1)(a) The general requirements for eligibility of
1199 | students for state financial aid awards and tuition assistance
1200 | grants consist of the following:

1201 | 1. Achievement of the academic requirements of and
1202 | acceptance at a state university or community college; a nursing
1203 | diploma school approved by the Florida Board of Nursing; a
1204 | Florida college, university, or community college which is
1205 | accredited by an accrediting agency recognized by the State
1206 | Board of Education; any Florida institution the credits of which
1207 | are acceptable for transfer to state universities; any career
1208 | center; or any private career institution accredited by an
1209 | accrediting agency recognized by the State Board of Education.

1210 | 2. Residency in this state for no less than 1 year
1211 | preceding the award of aid or a tuition assistance grant for a
1212 | program established pursuant to s. 1009.50, s. 1009.51, s.
1213 | 1009.52, s. 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s.
1214 | 1009.60, s. 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s.

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1215 1009.73, s. 1009.76, s. 1009.77, ~~s. 1009.89~~, s. 1009.891, or
1216 s. 1009.895. Residency in this state must be for purposes other
1217 than to obtain an education. Resident status for purposes of
1218 receiving state financial aid awards or tuition assistance
1219 grants shall be determined in the same manner as resident status
1220 for tuition purposes pursuant to s. 1009.21 and rules of the
1221 State Board of Education implementing s. 1009.21 and the
1222 postsecondary guidelines of the department.

1223 3. Submission of certification attesting to the accuracy,
1224 completeness, and correctness of information provided to
1225 demonstrate a student's eligibility to receive state financial
1226 aid awards or tuition assistance grants. Falsification of such
1227 information shall result in the denial of any pending
1228 application and revocation of any award or grant currently held
1229 to the extent that no further payments shall be made.
1230 Additionally, students who knowingly make false statements in
1231 order to receive state financial aid awards or tuition
1232 assistance grants shall be guilty of a misdemeanor of the second
1233 degree subject to the provisions of s. 837.06 and shall be
1234 required to return all state financial aid awards or tuition
1235 assistance grants wrongfully obtained.

1236 (5) A student who is attending a nonpublic for-profit or
1237 nonprofit institution is ineligible to receive more than one
1238 state award that is a tuition assistance grant during a single
1239 semester.

1240 Section 27. Section 1009.66, Florida Statutes, is amended
1241 to read:

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1242 1009.66 Nursing Student Loan Reimbursement ~~Forgiveness~~
1243 Program.--

1244 (1) To encourage qualified personnel to seek employment in
1245 areas of this state in which critical nursing shortages exist,
1246 there is established the Nursing Student Loan Reimbursement
1247 ~~Forgiveness~~ Program. The primary function of the program is to
1248 increase employment and retention of registered nurses and
1249 licensed practical nurses in nursing homes and hospitals in the
1250 state and in state-operated medical and health care facilities,
1251 public schools, birth centers, federally sponsored community
1252 health centers, family practice teaching hospitals, and
1253 specialty children's hospitals and the employment and retention
1254 of instructional faculty in nursing programs approved by the
1255 Board of Nursing by making repayments toward loans received by
1256 students from federal or state programs or commercial lending
1257 institutions for the support of postsecondary study in
1258 accredited or approved nursing programs or for the support of
1259 study in a preparatory course for foreign-trained nurses offered
1260 by an approved nursing program.

1261 (2) To be eligible, a candidate must have graduated from
1262 an accredited or approved nursing program or have successfully
1263 completed a preparatory course for foreign-trained nurses
1264 offered by an approved nursing program and have received a
1265 Florida license as a licensed practical nurse or a registered
1266 nurse or a Florida certificate as an advanced registered nurse
1267 practitioner.

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1268 (3) Only loans to pay the costs of tuition, books, and
1269 living expenses shall be covered, at an amount not to exceed
1270 \$4,000 for each year of education toward the degree obtained.

1271 (4) From the funds available, the Department of Education
1272 ~~Health~~ may make loan principal repayments of up to \$4,000 a year
1273 for up to 4 years on behalf of eligible candidates pursuant to
1274 subsection (2) selected graduates of an accredited or approved
1275 nursing program. All repayments shall be contingent upon
1276 continued proof of employment in the designated facilities in
1277 this state and shall be made ~~directly~~ to the holder of the loan
1278 or the lending institution for loans held by a lending
1279 institution. The state shall bear no responsibility for the
1280 collection of any interest charges or other remaining balance.
1281 In the event that the designated facilities are changed, a nurse
1282 shall continue to be eligible for loan reimbursement forgiveness
1283 as long as he or she continues to work in the facility for which
1284 the original loan repayment was made and otherwise meets all
1285 conditions of eligibility.

1286 (5) There is created the Nursing Student Loan
1287 Reimbursement Forgiveness Trust Fund to be administered by the
1288 Department of Education ~~Health~~ pursuant to this section and s.
1289 1009.67 and department rules. The Chief Financial Officer shall
1290 authorize expenditures from the trust fund upon receipt of
1291 vouchers approved by the Department of Education ~~Health~~. All
1292 moneys collected from the private health care industry and other
1293 private sources for the purposes of this section shall be
1294 deposited into the Nursing Student Loan Reimbursement

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1295 ~~Forgiveness~~ Trust Fund. Any balance in the trust fund at the end
1296 of any fiscal year shall remain therein and shall be available
1297 for carrying out the purposes of this section and s. 1009.67.

1298 (6) In addition to licensing fees imposed under part I of
1299 chapter 464, there is hereby levied and imposed an additional
1300 fee of \$5, which fee shall be paid upon licensure or renewal of
1301 nursing licensure. Revenues collected from the fee imposed in
1302 this subsection shall be deposited in the Nursing Student Loan
1303 Reimbursement ~~Forgiveness~~ Trust Fund of the Department of
1304 Education ~~Health~~ and will be used solely for the purpose of
1305 carrying out the provisions of this section and s. 1009.67. Up
1306 to 50 percent of the revenues appropriated to implement this
1307 subsection may be used for the nursing scholarship loan program
1308 established pursuant to s. 1009.67.

1309 (7) Funds contained in the Nursing Student Loan
1310 Reimbursement ~~Forgiveness~~ Trust Fund which are to be used for
1311 loan reimbursement ~~forgiveness~~ for those nurses employed by
1312 hospitals, birth centers, and nursing homes and for those nurses
1313 employed as instructional faculty in an approved nursing program
1314 must be matched on a dollar-for-dollar basis by contributions or
1315 tuition reductions from the employing institutions, except that
1316 this provision shall not apply to state-operated medical and
1317 health care facilities, community colleges, state universities,
1318 public schools, county health departments, federally sponsored
1319 community health centers, teaching hospitals as defined in s.
1320 408.07, family practice teaching hospitals as defined in s.
1321 395.805, or specialty hospitals for children as used in s.

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1322 409.9119. An estimate of the annual trust fund dollars shall be
1323 made at the beginning of the fiscal year based on historic
1324 expenditures from the trust fund. Applicant requests shall be
1325 reviewed on a quarterly basis, and applicant awards shall be
1326 based on the following priority of employer until all such
1327 estimated trust funds are awarded: nursing programs approved by
1328 the Board of Nursing if the employer and the award recipient
1329 agree that the award recipient will spend a minimum of 75
1330 percent of his or her time providing instruction, developing
1331 curriculum, or advising or mentoring students for the duration
1332 of the award; state-operated medical and health care facilities;
1333 public schools; county health departments; federally sponsored
1334 community health centers; teaching hospitals as defined in s.
1335 408.07; family practice teaching hospitals as defined in s.
1336 395.805; specialty hospitals for children as used in s.
1337 409.9119; and other hospitals, birth centers, and nursing homes.

1338 ~~(8) The Department of Health may solicit technical~~
1339 ~~assistance relating to the conduct of this program from the~~
1340 ~~Department of Education.~~

1341 ~~(8)(9)~~ The Department of Education ~~Health~~ is authorized to
1342 recover from the Nursing Student Loan Reimbursement ~~Forgiveness~~
1343 Trust Fund its costs for administering the Nursing Student Loan
1344 Reimbursement ~~Forgiveness~~ Program.

1345 ~~(9)(10)~~ The State Board of Education ~~Department of Health~~
1346 may adopt rules necessary to administer this program.

1347 ~~(10)(11)~~ This section shall be implemented only as
1348 specifically funded.

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1349 ~~(11)(12)~~ Students receiving a nursing scholarship loan
1350 pursuant to s. 1009.67 are not eligible to participate in the
1351 Nursing Student Loan Reimbursement ~~Forgiveness~~ Program.

1352 Section 28. Section 1009.67, Florida Statutes, is amended
1353 to read:

1354 1009.67 Nursing Scholarship Loan Program.--

1355 (1) There is established within the Department of
1356 Education Health a scholarship loan program for the purpose of
1357 attracting capable and promising students to the nursing
1358 profession.

1359 (2) A scholarship loan applicant shall be enrolled in an
1360 approved nursing program leading to the award of an associate
1361 degree, a baccalaureate degree, or a graduate degree in nursing
1362 or enrolled in a preparatory course for foreign-trained nurses
1363 offered by an approved nursing program.

1364 (3) A scholarship loan may be awarded for no more than 2
1365 years, in an amount not to exceed \$8,000 per year. However,
1366 registered nurses pursuing a graduate degree for a faculty
1367 position or to practice as an advanced registered nurse
1368 practitioner may receive up to \$12,000 per year. These amounts
1369 shall be adjusted by the amount of increase or decrease in the
1370 consumer price index for urban consumers published by the United
1371 States Department of Commerce.

1372 (4) Credit for repayment of a scholarship loan shall be as
1373 follows:

1374 (a) For each full year of scholarship loan assistance, the
1375 recipient agrees to work for 12 months in a faculty position in

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1376 a college of nursing or community college nursing program in
1377 this state and spend a minimum of 75 percent of his or her time
1378 providing instruction, developing curriculum, or advising or
1379 mentoring students or agrees to work for 12 months at a health
1380 care facility in a medically underserved area as approved by the
1381 Department of Health. Scholarship loan recipients who attend
1382 school on a part-time basis shall have their employment service
1383 obligation prorated in proportion to the amount of scholarship
1384 loan payments received.

1385 (b) Eligible health care facilities include nursing homes
1386 and hospitals in this state, state-operated medical or health
1387 care facilities, public schools, county health departments,
1388 federally sponsored community health centers, colleges of
1389 nursing in universities in this state, and community college
1390 nursing programs in this state, family practice teaching
1391 hospitals as defined in s. 395.805, or specialty children's
1392 hospitals as described in s. 409.9119. The recipient shall be
1393 encouraged to complete the service obligation at a single
1394 employment site. If continuous employment at the same site is
1395 not feasible, the recipient may apply to the department for a
1396 transfer to another approved health care facility.

1397 (c) Any recipient who does not complete an appropriate
1398 program of studies, who does not become licensed, who does not
1399 accept employment as a nurse at an approved health care
1400 facility, or who does not complete 12 months of approved
1401 employment for each year of scholarship loan assistance received
1402 shall repay to the Department of Education Health, on a schedule

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1403 to be determined by the department, the entire amount of the
1404 scholarship loan plus ~~18 percent~~ interest ~~accruing from the date~~
1405 ~~of the scholarship payment~~. Repayment schedules and applicable
1406 interest rates shall be determined by rules of the State Board
1407 of Education. Moneys repaid shall be deposited into the Nursing
1408 Student Loan Reimbursement ~~Forgiveness~~ Trust Fund established in
1409 s. 1009.66. However, the department may provide additional time
1410 for repayment if the department finds that circumstances beyond
1411 the control of the recipient caused or contributed to the
1412 default.

1413 (5) Scholarship loan payments shall be transmitted to the
1414 recipient upon receipt of documentation that the recipient is
1415 enrolled in an approved nursing program. The Department of
1416 Education ~~Health~~ shall develop a formula to prorate payments to
1417 scholarship loan recipients so as not to exceed the maximum
1418 amount per academic year.

1419 (6) The State Board of Education ~~Department of Health~~
1420 shall adopt rules, including rules to address extraordinary
1421 circumstances that may cause a recipient to default on either
1422 the school enrollment or employment contractual agreement, to
1423 implement this section.

1424 (7) The Department of Education ~~Health~~ may recover from
1425 the Nursing Student Loan Reimbursement ~~Forgiveness~~ Trust Fund
1426 its costs for administering the nursing scholarship loan
1427 program.

1428 Section 29. Section 1009.895, Florida Statutes, is created
1429 to read:

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1430 1009.895 Florida Independent Collegiate Assistance Grant
1431 Program.--

1432 (1) The Legislature finds and declares that independent
1433 institutions licensed by the Commission for Independent
1434 Education are an integral part of the higher education system in
1435 this state through which Florida residents seek higher
1436 education. The Legislature finds that a significant number of
1437 state residents choose to pursue higher education at these
1438 institutions and that these institutions and the students they
1439 educate and train make a substantial contribution to the
1440 development of the state's economy. The Legislature intends to
1441 create a tuition assistance grant program for state residents
1442 that is not based upon a student's financial need or other
1443 criteria upon which financial aid programs are based.

1444 (2) The Florida Independent Collegiate Assistance Grant
1445 Program, to be known as the FICA Grant Program, is created as a
1446 student tuition assistance grant program.

1447 (a) The program shall be administered by the Department of
1448 Education according to rules adopted by the State Board of
1449 Education.

1450 (b) The department may issue a tuition assistance grant
1451 under the program to any full-time student who:

1452 1. Meets student residency requirements as provided in s.
1453 1009.40(1)(a)2.

1454 2. Is enrolled as a full-time undergraduate student in a
1455 campus-based program at an eligible independent institution of

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1456 higher education as defined in this section and is seeking an
1457 associate degree or higher.

1458 3. Is making satisfactory academic progress as defined by
1459 the independent institution of higher education in which the
1460 student is enrolled.

1461 4. Enrolls in an undergraduate degree program that leads
1462 to employment in an occupation that is listed on a regional
1463 targeted occupations list of a Florida workforce board at the
1464 time of enrollment.

1465 (3) An "eligible independent institution of higher
1466 education" is:

1467 (a) An institution that is licensed by the Commission for
1468 Independent Education under chapter 1005, is accredited by an
1469 accrediting agency that is recognized by the United States
1470 Secretary of Education as a reliable authority as to the quality
1471 of education or training offered at its accredited institutions,
1472 and has established performance requirements for student
1473 achievement that include minimum objective quantitative
1474 standards, including completion rates and placement rates as
1475 determined by the department or the commission.

1476 (b) An institution whose students are not eligible to
1477 participate in the Access to Better Learning and Education Grant
1478 Program or the William L. Boyd, IV, Florida Resident Access
1479 Grant Program.

1480 (4) This section shall be implemented to the extent funded
1481 and authorized by law.

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1482 Section 30. Paragraph (z) is added to subsection (4) of
1483 section 1009.971, Florida Statutes, to read:

1484 1009.971 Florida Prepaid College Board.--

1485 (4) FLORIDA PREPAID COLLEGE BOARD; POWERS AND DUTIES.--The
1486 board shall have the powers and duties necessary or proper to
1487 carry out the provisions of ss. 1009.97-1009.984, including, but
1488 not limited to, the power and duty to:

1489 (z) Provide for the transfer of ownership of an advance
1490 payment contract or a participation agreement by operation of
1491 law upon inheritance, devise, or bequest. An heir of a deceased
1492 purchaser or a deceased benefactor may make an application to
1493 the board under oath for a change in the purchaser or benefactor
1494 and, upon receipt of a completed application, the board may
1495 change the ownership of the advance payment contract or
1496 participation agreement, as appropriate, to the heir. The board
1497 shall specify by rule the information that must be included in
1498 the application. When the application is made by an heir of a
1499 deceased purchaser or deceased benefactor who died intestate, it
1500 shall not be necessary to accompany the application with an
1501 order of a probate court if the heir files with the board an
1502 affidavit stating that the estate is not indebted and the
1503 surviving spouse, if any, and the heirs, if any, have amicably
1504 agreed among themselves upon a division of the estate. If the
1505 deceased purchaser or deceased benefactor died testate, the
1506 application shall be accompanied by a certified copy of the
1507 will, if probated, and an affidavit stating that the estate is
1508 solvent with sufficient assets to pay all just claims or, if the

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1509 will is not being probated, by a sworn copy of the will and an
1510 affidavit stating that the estate is not indebted. Upon the
1511 approval by the board of an application from an heir, the heir
1512 shall become the purchaser of the advance payment contract or
1513 the benefactor of the participation agreement. This subsection
1514 does not apply when a purchaser or benefactor has designated in
1515 writing to the board the person who will succeed to the
1516 ownership of the advance payment contract or participation
1517 agreement in the event of the purchaser's or benefactor's death,
1518 and that person survives the purchaser or benefactor.

1519 Section 31. Subsection (5) of section 1009.972, Florida
1520 Statutes, is amended to read:

1521 1009.972 Florida Prepaid College Trust Fund.--

1522 (5) Notwithstanding the provisions of chapter 717, funds
1523 associated with terminated advance payment contracts pursuant to
1524 s. 1009.98(4)(k) and canceled contracts for which no refunds
1525 have been claimed shall be retained by the board. The board
1526 shall establish procedures for notifying purchasers who
1527 subsequently cancel their advance payment contracts of any
1528 unclaimed refund and shall establish a time period after which
1529 no refund may be claimed by a purchaser who canceled a contract.
1530 The board may transfer funds retained from such terminated
1531 advance payment contracts and canceled contracts to the direct-
1532 support organization established pursuant to s. 1009.983 for the
1533 Florida Prepaid Tuition Scholarship Program to provide matching
1534 funds for prepaid tuition scholarships for economically
1535 disadvantaged youth who remain drug free and crime free and for

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1536 children of members of the armed forces and Coast Guard of the
1537 United States who die while participating in the combat theater
1538 of operations for Operation Iraqi Freedom or Operation Enduring
1539 Freedom on or after the date on which this act becomes a law and
1540 were Florida residents at the time of their death or have listed
1541 Florida as their domicile at the time of their death.

1542 Section 32. Subsection (3) and paragraph (k) of subsection
1543 (4) of section 1009.98, Florida Statutes, are amended to read:

1544 1009.98 Florida Prepaid College Program.--

1545 (3) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE
1546 COLLEGES AND UNIVERSITIES AND TO CAREER CENTERS.--A qualified
1547 beneficiary may apply the benefits of an advance payment
1548 contract toward:

1549 (a) An independent college or university that is located
1550 and chartered in Florida, ~~that is not for profit~~, that is
1551 accredited by the Commission on Colleges of the Southern
1552 Association of Colleges and Schools or the Accrediting Council
1553 for Independent Colleges and Schools, and that confers degrees
1554 as defined in s. 1005.02.

1555 (b) An out-of-state college or university that ~~is not for~~
1556 ~~profit and~~ is accredited by a regional accrediting association,
1557 and that confers degrees.

1558 (c) An applied technology diploma program or career
1559 certificate program conducted by a community college listed in
1560 s. 1004.02(2) or career center operated by a district school
1561 board.

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1563 The board shall transfer or cause to be transferred to the
1564 institution designated by the qualified beneficiary an amount
1565 not to exceed the redemption value of the advance payment
1566 contract at a state postsecondary institution. If the cost of
1567 registration or housing fees at such institution is less than
1568 the corresponding fees at a state postsecondary institution, the
1569 amount transferred may not exceed the actual cost of
1570 registration and housing fees. A transfer authorized under this
1571 subsection may not exceed the number of semester credit hours or
1572 semesters of dormitory residence contracted on behalf of a
1573 qualified beneficiary. The board may refuse to transfer the
1574 benefits of an advance payment contract to an otherwise eligible
1575 institution if the institution or its representatives distribute
1576 materials, regardless of form, that describe the use or transfer
1577 of the benefits of an advance payment contract and that have not
1578 been approved by the board. Notwithstanding any other provision
1579 in this section, an institution must be an "eligible educational
1580 institution" under s. 529 of the Internal Revenue Code to be
1581 eligible for the transfer of advance payment contract benefits.

1582 (4) ADVANCE PAYMENT CONTRACTS.--The board shall develop
1583 advance payment contracts for registration and may develop
1584 advance payment contracts for dormitory residence as provided in
1585 this section. Advance payment contracts shall be exempt from
1586 chapter 517 and the Florida Insurance Code. Such contracts shall
1587 include, but not be limited to, the following:

1588 (k) The period of time after which advance payment
1589 contracts that have not been terminated or the benefits used

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1590 shall be considered terminated. Time expended by a qualified
1591 beneficiary as an active duty member of any of the armed
1592 services of the United States shall be added to the period of
1593 time specified by the board. No purchaser or qualified
1594 beneficiary whose advance payment contract is terminated
1595 pursuant to this paragraph shall be entitled to a refund.
1596 Notwithstanding chapter 717, the board shall retain any moneys
1597 paid by the purchaser for an advance payment contract that has
1598 been terminated in accordance with this paragraph. Such moneys
1599 may be transferred to the direct-support organization
1600 established pursuant to s. 1009.983 for the Florida Prepaid
1601 Tuition Scholarship Program to provide matching funds for
1602 prepaid tuition scholarships for economically disadvantaged
1603 youths who remain drug free and crime free and for children of
1604 members of the armed forces and Coast Guard of the United States
1605 who die while participating in the combat theater of operations
1606 for Operation Iraqi Freedom or Operation Enduring Freedom on or
1607 after the date on which this act becomes a law and were Florida
1608 residents at the time of their death or have listed Florida as
1609 their domicile at the time of their death.

1610 Section 33. Paragraph (b) of subsection (2) of section
1611 1009.981, Florida Statutes, is amended to read:

1612 1009.981 Florida College Savings Program.--

1613 (2) PARTICIPATION AGREEMENTS.--

1614 (b) The board shall develop a participation agreement
1615 which shall be the agreement between the board and each
1616 benefactor, which may include, but is not limited to:

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- 1617 1. The name, date of birth, and social security number of
1618 the designated beneficiary.
- 1619 2. The amount of the contribution or contributions and
1620 number of contributions required from a benefactor on behalf of
1621 a designated beneficiary.
- 1622 3. The terms and conditions under which benefactors shall
1623 remit contributions, including, but not limited to, the date or
1624 dates upon which each contribution is due. Deposits to the
1625 savings program by benefactors may only be in cash. Benefactors
1626 may contribute in a lump sum, periodically, in installments, or
1627 through electronic funds transfer or employer payroll
1628 deductions.
- 1629 4. Provisions for late contribution charges and for
1630 default.
- 1631 5. Provisions for penalty fees for withdrawals from the
1632 program.
- 1633 6. The name of the person who may terminate participation
1634 in the program. The participation agreement must specify whether
1635 the account may be terminated by the benefactor, the designated
1636 beneficiary, a specific designated person, or any combination of
1637 these persons.
- 1638 7. The terms and conditions under which an account may be
1639 terminated, modified, or converted, the name of the person
1640 entitled to any refund due as a result of termination of the
1641 account pursuant to such terms and conditions, and the amount of
1642 refund, if any, due to the person so named.

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1643 8. Penalties for distributions not used or made in
1644 accordance with s. 529 of the Internal Revenue Code.

1645 9. Any charges or fees in connection with the
1646 administration of the savings fund.

1647 10. The period of time after which each participation
1648 agreement shall be considered to be terminated. Time expended by
1649 a designated beneficiary as an active duty member of any of the
1650 armed services of the United States shall be added to the period
1651 specified pursuant to this subparagraph. Should a participation
1652 agreement be terminated, the balance of the account, after
1653 notice to the benefactor, shall be declared unclaimed and
1654 abandoned property. The board shall retain any moneys paid by
1655 the benefactor for a participation agreement that has been
1656 terminated in accordance with this subparagraph. Such moneys may
1657 be transferred to the direct-support organization established
1658 pursuant to s. 1009.983 for the Florida Prepaid Tuition
1659 Scholarship Program to provide matching funds for prepaid
1660 tuition scholarships for economically disadvantaged youths who
1661 remain drug free and crime free and for children of members of
1662 the armed forces and Coast Guard of the United States who die
1663 while participating in the combat theater of operations for
1664 Operation Iraqi Freedom or Operation Enduring Freedom on or
1665 after the date on which this act becomes a law and were Florida
1666 residents at the time of their death or have listed Florida as
1667 their domicile at the time of their death.

1668 11. Other terms and conditions deemed by the board to be
1669 necessary or proper.

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1670 Section 34. Paragraph (i) of subsection (1) of section
1671 1011.62, Florida Statutes, is amended to read:

1672 1011.62 Funds for operation of schools.--If the annual
1673 allocation from the Florida Education Finance Program to each
1674 district for operation of schools is not determined in the
1675 annual appropriations act or the substantive bill implementing
1676 the annual appropriations act, it shall be determined as
1677 follows:

1678 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1679 OPERATION.--The following procedure shall be followed in
1680 determining the annual allocation to each district for
1681 operation:

1682 (i) Calculation of full-time equivalent membership with
1683 respect to dual enrollment instruction ~~from community colleges~~
1684 ~~or state universities~~.--Students enrolled in community college
1685 or university dual enrollment instruction pursuant to s.
1686 1007.271 may be included in calculations of full-time equivalent
1687 student memberships for basic programs for grades 9 through 12
1688 by a district school board. Dual enrollment instruction of high
1689 school students that is eligible for high school and
1690 postsecondary credit shall be reported by the school district in
1691 an amount equal to the hours of instruction that would be
1692 necessary to earn the FTE for the equivalent course if it were
1693 taught in the school district. Such students may also be
1694 calculated as the proportional shares of full-time equivalent
1695 enrollments they generate for a ~~the~~ community college or
1696 university conducting the dual enrollment instruction. Early

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1697 admission students shall be considered dual enrollments for
1698 funding purposes. Students may be enrolled in dual enrollment
1699 instruction provided by an eligible independent college or
1700 university and may be included in calculations of full-time
1701 equivalent student memberships for basic programs for grades 9
1702 through 12 by a district school board. However, those provisions
1703 of law which exempt dual enrolled and early admission students
1704 from payment of instructional materials and tuition and fees,
1705 including laboratory fees, shall not apply to students who
1706 select the option of enrolling in an eligible independent
1707 institution. An independent college or university which is
1708 located and chartered in Florida, is not for profit, is
1709 accredited by the Commission on Colleges of the Southern
1710 Association of Colleges and Schools or the Accrediting Council
1711 for Independent Colleges and Schools, and which confers degrees
1712 as defined in s. 1005.02 shall be eligible for inclusion in the
1713 dual enrollment or early admission program. Students enrolled in
1714 dual enrollment instruction shall be exempt from the payment of
1715 tuition and fees, including laboratory fees. No student enrolled
1716 in college credit mathematics or English dual enrollment
1717 instruction shall be funded as a dual enrollment unless the
1718 student has successfully completed the relevant section of the
1719 entry-level examination required pursuant to s. 1008.30.

1720 Section 35. Section 1011.83, Florida Statutes, is amended
1721 to read:

1722 1011.83 Financial support of community colleges.--

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1723 (1) Each community college that has been approved by the
1724 Department of Education and meets the requirements of law and
1725 rules of the State Board of Education shall participate in the
1726 Community College Program Fund. However, funds to support
1727 workforce education programs conducted by community colleges
1728 shall be provided pursuant to s. 1011.80.

1729 (2) Funding for baccalaureate degree programs approved
1730 pursuant to s. 1007.33 shall be specified in the General
1731 Appropriations Act. A student in a baccalaureate degree program
1732 approved pursuant to s. 1007.33 who is not classified as a
1733 resident for tuition purposes pursuant to s. 1009.21 shall not
1734 be included in calculations of full-time equivalent enrollments
1735 for state funding purposes.

1736 (3) Funds specifically appropriated by the Legislature for
1737 baccalaureate degree programs approved pursuant to s. 1007.033
1738 may be used only for such programs. A new baccalaureate degree
1739 program may not accept students without a recurring legislative
1740 appropriation for this purpose. However, community colleges that
1741 have been approved by the State Board of Education prior to July
1742 1, 2005, to offer baccalaureate degrees are not subject to the
1743 requirement for recurring funds until the 2006-2007 budget year.

1744 (4) A community college that grants baccalaureate degrees
1745 shall maintain reporting and funding distinctions between any
1746 baccalaureate degree program approved under s. 1007.33 and any
1747 other baccalaureate degree programs involving traditional
1748 concurrent-use partnerships.

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1749 Section 36. Part VI of chapter 1011, Florida Statutes,
1750 consisting of sections 1011.96, 1011.965, 1011.97, and 1011.98,
1751 is created to read:

1752 1011.96 SUCCEED, FLORIDA! Crucial Professionals Program.--

1753 (1) The SUCCEED, FLORIDA! Crucial Professionals Program is
1754 established to award funds to accredited postsecondary
1755 educational institutions in the state on a competitive basis to
1756 offer programs that meet the critical workforce needs of the
1757 state and to maximize the number of diplomas, certificates, and
1758 degrees that are awarded to postsecondary education students in
1759 fields vital to the citizens of the state.

1760 (2) Beginning with the 2006-2007 fiscal year, funds
1761 appropriated by the Legislature to the Department of Education
1762 for the SUCCEED, FLORIDA! Crucial Professionals Program shall be
1763 distributed according to the provisions of this section.

1764 (3) The department shall develop and issue annually a
1765 request for proposals. The department shall establish
1766 application procedures, guidelines, accountability measures, and
1767 timelines for implementation of the grant program.

1768 (4) Proposals for a grant authorized pursuant to this
1769 section must:

1770 (a) Indicate the number of students to be served, the
1771 length of the proposed program, and the total projected cost to
1772 students and the state. Funds for a grant provided pursuant to
1773 this section must be used to support new students and not to
1774 supplant current funding or students.

1775 (b) Document the workforce need to be addressed.

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- 1776 (c) Demonstrate a pool of qualified applicants.
- 1777 (d) Include a plan to increase the minority graduation
1778 rate and minority presence in the workforce.
- 1779 (e) Be submitted by an accredited public or nonpublic
1780 postsecondary educational institution in the state that provides
1781 postsecondary instruction in a field specified in the priority
1782 list established pursuant to subsection (5). For purposes of
1783 this section, postsecondary educational institutions include
1784 school district career centers that offer postsecondary
1785 programs.
- 1786 (f) Indicate the number of postsecondary diplomas,
1787 certificates, or degrees that the institution will award using
1788 funds received pursuant to this section and the fields in which
1789 the diplomas, certificates, or degrees will be awarded.
- 1790 (g) Indicate how the funds received will leverage private
1791 industry contributions, grants, or scholarships and how the
1792 funds will be used to offset costs to the state for program
1793 startup or expansion or to offset student tuition costs.
- 1794 (5) By March 1, 2006, and annually thereafter, the State
1795 Board of Education, the Board of Governors, and the board of
1796 directors of Workforce Florida, Inc., shall each advise the
1797 Legislature of the state's most pressing workforce needs for
1798 postsecondary instruction and the geographic locations of these
1799 needs. The Legislature shall annually establish a priority list
1800 for funds provided pursuant to this section in the General
1801 Appropriations Act.

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1802 (6) The rankings and decisions of the request-for-
1803 proposals process shall be made by the State Board of Education
1804 based on the priority list established pursuant to subsection
1805 (5).

1806 (7) Grant recipients must enter into a contract with the
1807 state to produce a specific number of graduates in the
1808 designated program within a specific time period. Grant
1809 recipients must submit periodic reports to the department
1810 documenting compliance with the accountability measures
1811 established by the department.

1812 (8) Subsequent to the first year of funding for the
1813 SUCCEED, FLORIDA! Crucial Professionals Program, priority for
1814 awarding grants shall be for renewal grants to programs that are
1815 making adequate progress toward their contracted production,
1816 including nursing programs and teaching programs at institutions
1817 that received funding from the SUCCEED, FLORIDA! Crucial
1818 Professionals Program during the 2005-2006 fiscal year. Renewal
1819 award amounts shall be tied to student retention; the production
1820 of degrees, certificates, or diplomas; the number of graduates
1821 placed in the targeted professions in the state; or other
1822 accountability measures determined by the department.

1823 1011.965 SUCCEED, FLORIDA! Crucial Professionals Nursing
1824 Education Grant Program.--The SUCCEED, FLORIDA! Crucial
1825 Professionals Nursing Education Grant Program is established as
1826 a contract grant program within the Department of Education to
1827 increase the capacity of nursing programs approved by the Board
1828 of Nursing at postsecondary educational institutions to produce

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1829 more nurses or nursing faculty to enter the workforce in the
1830 state. The department shall establish application procedures,
1831 guidelines, accountability measures, and timelines for
1832 implementation of the grant program and advise all Board of
1833 Nursing approved programs accordingly.

1834 (1) Proposals for a grant authorized pursuant to this
1835 section must:

1836 (a) Indicate the number of students to be served, the
1837 length of the proposed program, and the projected cost.

1838 (b) Document the workforce need to be addressed through
1839 the expanded capacity of the existing nursing program.

1840 (c) Demonstrate a pool of qualified applicants to fill the
1841 expanded capacity.

1842 (2) Funds for a grant provided pursuant to this section
1843 must be used to support new students and not to supplant current
1844 funding or students. An institution applying for a grant must
1845 certify to the department that it will not reduce funding or the
1846 current level of enrollment in its existing nursing program. Any
1847 such reduction shall result in a pro rata reduction in the grant
1848 awarded pursuant to this section.

1849 (3) Priority in the awarding of new grants authorized
1850 pursuant to this section shall be given to proposals that comply
1851 with three or more of the following:

1852 (a) Proposals that result in new nurses in the workforce
1853 or nurses moving to a higher level on the career ladder.

1854 (b) Proposals that could be implemented as early as the
1855 fall 2005.

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1856 (c) Proposals that include partnerships or collaborations
1857 with other institutions, programs, or health care providers.

1858 (d) Proposals for programs offered at the worksite or
1859 through distance learning that permit nurses to achieve a higher
1860 level of nursing licensure.

1861 (e) Proposals for accelerated programs that shorten the
1862 time required to receive a diploma, certificate, or degree;
1863 obtain licensure; and enter the workforce.

1864 (f) Proposals that target exiting military personnel or
1865 other persons interested in making career changes.

1866 (g) Proposals from nursing programs with demonstrated
1867 success as evidenced by graduation rates, licensure examination
1868 passage rates, and placement of graduates in nursing employment
1869 in the state.

1870 (h) Proposals for programs that would address the state's
1871 need for rapid production of highly skilled clinical nurses and
1872 qualified nursing faculty, such as the fast-track baccalaureate
1873 to doctoral program, the Clinical Nurse Leader Program, and the
1874 Doctor of Nursing Practice program.

1875 (4) Subsequent to the first year of funding for the grant
1876 program, priority for awarding grants shall be for renewal
1877 grants to nursing programs that are making adequate progress
1878 towards their contracted production.

1879 (5) Grant recipients must enter into a contract between
1880 the postsecondary educational institution and the state to
1881 produce a specific number of nursing graduates within a specific
1882 time period.

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1883 (6) Nursing programs receiving grants pursuant to this
1884 section must submit periodic reports to the department
1885 documenting compliance with the accountability measures
1886 established by the department. Award amounts in subsequent years
1887 shall be tied to student retention; the production of degrees,
1888 certificates, or diplomas; and the number of graduates placed in
1889 a nursing position in the state.

1890 (7) Proposals submitted pursuant to this section shall be
1891 reviewed by the Board of Nursing and the State Board of
1892 Education. Final approval and level of funding shall be
1893 determined by the State Board of Education with consideration
1894 given to comments submitted to the State Board of Education by
1895 the Board of Nursing.

1896 (8) The State Board of Education shall monitor compliance
1897 with accountability requirements.

1898 (9) By February 1, 2006, the State Board of Education
1899 shall submit a report to the President of the Senate and the
1900 Speaker of the House of Representatives on the status of
1901 implementation of the grant program.

1902 1011.97 SUCCEED, FLORIDA! Career Paths Program.--

1903 (1) The SUCCEED, FLORIDA! Career Paths Program is
1904 established as a grant program within the Department of
1905 Education to provide startup grants to offset implementation
1906 costs of partnerships between a district school board or the
1907 Florida Virtual School and one or more businesses, industries,
1908 or postsecondary educational institutions to operate a career
1909 and professional academy pursuant to s. 1014.21. The Office of

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1910 Career Education in the department shall administer the startup
1911 grants.

1912 (2) A district school board or the Florida Virtual School
1913 may apply to the Office of Career Education for a grant which
1914 must be provided through a competitive process and may be used
1915 only for a career and professional academy.

1916 (3) A high school that currently has a career academy,
1917 career institute, industry-certified program, or
1918 preapprenticeship program as well as a charter technical career
1919 center shall be eligible to apply for a grant to redesign its
1920 programs to meet the rigorous and relevant academic standards of
1921 a career and professional academy.

1922 (4) Curriculum and content developed in a career and
1923 professional academy as a result of a startup grant shall be
1924 made available to all school districts.

1925 1011.98 SUCCEED, FLORIDA! Great Jobs Program.--

1926 (1) The SUCCEED, FLORIDA! Great Jobs Program is
1927 established to award funds to public and private postsecondary
1928 educational institutions in the state on a competitive basis to
1929 produce more qualified and trained graduates to enter high-
1930 skill, high-wage occupations in the state.

1931 (2) Beginning with the 2006-2007 fiscal year, funds
1932 appropriated by the Legislature to the Department of Education
1933 for the SUCCEED, FLORIDA! Great Jobs Program shall be
1934 distributed according to the provisions of this section.

1935 (3) The department shall develop and issue annually a
1936 request for proposals. The department shall establish

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1937 application procedures, guidelines, accountability measures, and
1938 timelines for implementation of the grant program.

1939 (4) Proposals for a grant authorized pursuant to this
1940 section must:

1941 (a) Indicate the number of students to be served, the
1942 length of the proposed program, and the total projected cost to
1943 students and the state. Funds for a grant provided pursuant to
1944 this section must be used to support new students and not to
1945 supplant current funding or students.

1946 (b) Document the workforce need to be addressed.

1947 (c) Demonstrate a pool of qualified applicants.

1948 (d) Be submitted by a public or nonpublic postsecondary
1949 educational institution in the state that provides postsecondary
1950 instruction in a field that produces graduates prepared to enter
1951 an occupation identified in the priority list established
1952 pursuant to subsection (5). For purposes of this section,
1953 postsecondary educational institutions include school district
1954 career centers that offer postsecondary programs.

1955 (e) Indicate the number of postsecondary diplomas,
1956 certificates, or degrees that the institution will award using
1957 funds received pursuant to this section and the fields in which
1958 the diplomas, certificates, or degrees will be awarded.

1959 (f) Indicate how the funds received will leverage private
1960 industry contributions, grants, or scholarships and how the
1961 funds will be used to offset costs to the state for program
1962 startup or expansion or to offset student tuition costs.

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1963 (5) By March 1, 2006, and annually thereafter, the State
1964 Board of Education, using information provided by the Workforce
1965 Estimating Conference pursuant to s. 216.136(9), shall advise
1966 the Legislature of the workforce needs in high-skill, high-wage
1967 occupations and the geographic locations of these needs. The
1968 Legislature shall annually establish a priority list for funds
1969 provided pursuant to this section in the General Appropriations
1970 Act.

1971 (6) The State Board of Education must review proposals and
1972 determine funding to be provided based on the priority list
1973 established pursuant to subsection (5).

1974 (7) Grant recipients must enter into a contract with the
1975 state to produce a specific number of graduates in the
1976 designated program within a specific time period. Grant
1977 recipients must submit periodic reports to the department
1978 documenting compliance with the accountability measures
1979 established by the department. The State Board of Education must
1980 monitor compliance with the accountability requirements.

1981 (8) Final payments shall be tied to the number of degrees,
1982 certificates, or diplomas produced and the number of graduates
1983 placed in the state.

1984 Section 37. Section 1012.82, Florida Statutes, is amended
1985 to read:

1986 1012.82 Teaching faculty; minimum teaching hours per
1987 week.--Each full-time member of the teaching faculty at any
1988 community college, including faculty who teach upper-division
1989 courses that are a component part of a baccalaureate degree

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HOUSE AMENDMENT

Bill No. SB 670

Amendment No. (for drafter's use only)

1990 | program approved pursuant to s. 1007.33, who is paid wholly from
1991 | funds appropriated from the community college program fund shall
1992 | teach a minimum of 15 classroom contact hours per week at such
1993 | institution. However, the required classroom contact hours per
1994 | week may be reduced upon approval of the president of the
1995 | institution in direct proportion to specific duties and
1996 | responsibilities assigned the faculty member by his or her
1997 | departmental chair or other appropriate college administrator.
1998 | Such specific duties may include specific research duties,
1999 | specific duties associated with developing television, video
2000 | tape, or other specifically assigned innovative teaching
2001 | techniques or devices, or assigned responsibility for off-campus
2002 | student internship or work-study programs. A "classroom contact
2003 | hour" consists of a regularly scheduled classroom activity of
2004 | not less than 50 minutes in a course of instruction which has
2005 | been approved by the community college board of trustees. Any
2006 | full-time faculty member who is paid partly from community
2007 | college program funds and partly from other funds or
2008 | appropriations shall teach a minimum number of classroom contact
2009 | hours per week in such proportion to 15 classroom contact hours
2010 | as his or her salary paid from community college program funds
2011 | bears to his or her total salary.

2012 | Section 38. Subsection (2) of section 1013.60, Florida
2013 | Statutes, is amended to read:

2014 | 1013.60 Legislative capital outlay budget request.--

2015 | (2) The commissioner shall submit to the Governor and to
2016 | the Legislature an integrated, comprehensive budget request for

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Amendment No. (for drafter's use only)

2017 educational facilities construction and fixed capital outlay
2018 needs for school districts, community colleges, and
2019 universities, pursuant to the provisions of s. 1013.64 and
2020 applicable provisions of chapter 216. Each community college
2021 board of trustees and each university board of trustees shall
2022 submit to the commissioner a 3-year plan and data required in
2023 the development of the annual capital outlay budget. Community
2024 college boards of trustees may request funding for all
2025 authorized programs, including approved baccalaureate degree
2026 programs. Such a request for funding must be submitted as a part
2027 of the 3-year priority list for community colleges pursuant to
2028 s. 1013.64(4)(a). Enrollment in approved baccalaureate degree
2029 programs or baccalaureate degree programs offered under a formal
2030 agreement with another college or university pursuant to s.
2031 1007.33 may be computed into the survey of need for facilities
2032 if the partner is not defraying the cost. No further
2033 disbursements shall be made from the Public Education Capital
2034 Outlay and Debt Service Trust Fund to a board of trustees that
2035 fails to timely submit the required data until such board of
2036 trustees submits the data.

2037 Section 39. Chapter 1014, Florida Statutes, consisting of
2038 sections 1014.01, 1014.05, 1014.15, 1014.18, and 1014.21, is
2039 created to read:

2040 1014.01 Career education.--

2041 (1) As used in this chapter, the term "career education"
2042 includes career certificate programs, applied technology diploma
2043 programs, degree career education programs, apprenticeship and

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2044 preapprenticeship programs, career academy programs, and other
2045 rigorous career education programs offered by school districts,
2046 the Florida Virtual School, and postsecondary educational
2047 institutions to prepare students for rewarding careers.

2048 (2) The rigorous career education system shall:

2049 (a) Prepare students in career education programs,
2050 including career and professional academies, to:

2051 1. Succeed in postsecondary education.

2052 2. Attain and sustain employment and have the opportunity
2053 to realize economic self-sufficiency.

2054 (b) Prepare students to enter rewarding careers identified
2055 by the Workforce Estimating Conference, pursuant to s. 216.136,
2056 and other programs of critical state need as approved by
2057 Workforce Florida, Inc.

2058 (c) Produce skilled employees for employers in the state
2059 pursuant to s. 445.006(1).

2060 1014.05 Guiding principles for career education.--

2061 (1) All students should have the opportunity to graduate
2062 from high school ready to embark on rewarding careers and
2063 prepared for postsecondary education.

2064 (2) Both secondary and postsecondary career education
2065 programs must include a rigorous and relevant academic program.

2066 (3) Instructional delivery systems for both secondary and
2067 postsecondary career education programs should include qualified
2068 teachers delivering a career education curriculum in a relevant
2069 context with student-centered, research-based instructional
2070 strategies and a rigorous standards-based academic curriculum.

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2071 1014.15 Deputy Commissioner of Career Education; Office of
2072 Career Education.--

2073 (1) The position of Deputy Commissioner of Career
2074 Education is established in the Department of Education to
2075 direct the department's Office of Career Education established
2076 in s. 1001.20(4). The deputy commissioner shall be responsible
2077 for evaluating the role of public and private secondary and
2078 postsecondary educational programs in providing rigorous career
2079 education and reporting to the Commissioner of Education the
2080 effectiveness of such programs; developing in partnership with
2081 the business community and Workforce Florida, Inc., a statewide
2082 marketing plan for secondary career education to attract high
2083 school students into careers of critical state need; and
2084 promoting seamless articulation throughout the career education
2085 system. The deputy commissioner shall be a person with
2086 established business credentials or proven success in
2087 collaborating with the private sector in designing and
2088 implementing successful career education programs as described
2089 in s. 1014.21. The deputy commissioner shall be appointed by the
2090 Commissioner of Education and shall report to the commissioner.

2091 (2) The Office of Career Education shall promote a
2092 seamless secondary through postsecondary career education system
2093 that is flexible, able to respond in a timely manner to student
2094 and workforce needs, and not controlled by any one education
2095 sector.

2096 1014.18 Legislative expectations and funding criteria for
2097 the career education system.--Legislative expectations and

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Amendment No. (for drafter's use only)

2098 funding criteria for the rigorous career education system are as
2099 follows:

2100 (1) Seamless career education articulation both vertically
2101 and horizontally.

2102 (2) Creative career counseling strategies and enhanced
2103 guidance structures, including:

2104 (a) A secondary and postsecondary academic and career
2105 education online student advising and guidance system that is
2106 student and parent friendly and partners with the business and
2107 industry community as well as postsecondary educational
2108 institutions in this state and other states.

2109 (b) Promotion in middle school of secondary and
2110 postsecondary career education programs, including opportunities
2111 to participate in a career and professional academy. Such
2112 promotion shall take place through middle school exploratory
2113 courses and use of the secondary and postsecondary academic and
2114 career education online student advising and guidance system
2115 described in s. 1006.01.

2116 (c) Involvement of Workforce Florida, Inc., and regional
2117 workforce boards.

2118 (d) Partnerships with business and industry using tools,
2119 equipment, and systems used in the business setting, including
2120 internships, externships, and on-the-job training.

2121 (e) Opportunities and encouragement for parent
2122 participation in secondary and postsecondary career education
2123 planning.

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2124 (f) Professional development programs to assist guidance
2125 counselors in using a mentor-teacher guidance model.

2126 (3) Review of Sunshine State Standards for high school to
2127 ensure that they incorporate the appropriate rigor and relevance
2128 based on research-based programs that have been proven to be
2129 effective.

2130 (4) Review, by December 1, 2006, of current high school
2131 graduation requirements and high school course enrollments to
2132 determine the effect of increasing high school graduation
2133 requirements to include four credits in mathematics and science
2134 and eliminate the options for satisfying Algebra I.

2135 (5) Review of teaching practices and pedagogy in all
2136 teacher preparation pathways to ensure that future teachers are
2137 able to deliver rigorous instruction in a relevant manner using
2138 real world work experience to teach specific skills.

2139 (6) Professional development for current teachers which
2140 focuses on student-centered instructional strategies that move
2141 students from the early learning stage of awareness to higher
2142 learning stages of analysis, adaptation, and application of
2143 knowledge.

2144 (7) Development of career and professional academies,
2145 including:

2146 (a) Rigorous and relevant academic standards and curricula
2147 and increased academic performance of students and schools using
2148 school-level accountability data.

2149 (b) Best practices that include rigorous and relevant
2150 academic standards and curricula, are based on research and

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2151 proven effective programs, and include preparation of high
2152 school graduates for rewarding careers and postsecondary
2153 education.

2154 (c) A plan for replicating successful academies that
2155 demonstrate high performance in preparing students for both
2156 rewarding careers and postsecondary education and that respond
2157 to workforce needs.

2158 (8) Significant improvements in coordination and quality
2159 of career education data collection, including comparison of
2160 diploma, certificate, and degree production to workforce needs;
2161 secondary and postsecondary career education program followup
2162 surveys to determine student outcomes; second-year postsecondary
2163 student resume postings on the Workforce Florida, Inc.,
2164 employment website; and submission of student enrollment and
2165 graduation information to the Florida Education and Training
2166 Placement Information Program.

2167 (9) Elimination of waiting lists for rigorous secondary
2168 and postsecondary career education programs.

2169 (10) Aggressive promotion of the Bright Futures Florida
2170 Gold Seal Vocational Scholarship as a career-enhancing
2171 scholarship applicable to all postsecondary career education
2172 programs.

2173 (11) Establishment of secondary and postsecondary career
2174 education best practices for relevant student-centered,
2175 research-based instructional strategies.

2176 (12) Regular review of all secondary career education
2177 courses to identify those courses equivalent to postsecondary

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2178 career education courses based on course content for inclusion
2179 in dual enrollment programs.

2180 (13) A marketing plan for secondary career education to
2181 attract high school students into careers of critical state
2182 need, developed in partnership with the business community and
2183 Workforce Florida, Inc., that includes:

2184 (a) Direct statewide marketing to students and families in
2185 cooperation with Workforce Florida, Inc., and the Agency for
2186 Workforce Innovation.

2187 (b) Business participation in all career education
2188 programs through the use of incentives.

2189 (c) Professional recruiters to provide information and
2190 career opportunities.

2191 (d) Advertisements and public service announcement
2192 campaigns designed by business representatives to inform
2193 students and their parents about career education programs and
2194 career and employment opportunities.

2195 (14) Strong coordination with Workforce Florida, Inc., and
2196 the Agency for Workforce Innovation.

2197 (15) Workforce skills-based training that assesses
2198 workforce skills and matches these skills with specific careers.

2199 (16) Strong criteria and accountability measures for
2200 postsecondary career education programs, including increased
2201 participant completion rates, program accountability, and
2202 longitudinal program evaluation.

2203 (17) Identification and elimination of low-performing and
2204 geographically duplicative career education programs.

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2205 (18) Incentives to encourage successful participant
2206 completion of postsecondary career education programs.

2207 (19) A methodology for business experts to be able to
2208 teach career education subjects within their areas of expertise
2209 in postsecondary career education programs.

2210 (20) Provision of postsecondary career education programs
2211 in time segments needed by business.

2212 (21) Career education regional strategic plans coordinated
2213 with regional workforce boards, area chambers of commerce, local
2214 employers, school districts, career centers, and community
2215 colleges that address:

2216 (a) Articulation agreements between secondary and
2217 postsecondary career education and college programs for a
2218 seamless transition of students and maximum transferability of
2219 coursework through the career education system.

2220 (b) Career ladders for students from high school through
2221 higher levels of postsecondary training.

2222 (c) Access to career education programs through multiple
2223 site offerings, short-term accelerated training options, and
2224 distance learning.

2225 (22) Beginning December 31, 2005, and each year
2226 thereafter, an articulation audit for secondary and
2227 postsecondary career education that:

2228 (a) Focuses on courses and programs within the industry
2229 sector targeted by Enterprise Florida, Inc., for economic
2230 development.

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2231 (b) Identifies specific improvements needed to maximize
2232 credit given to public and private secondary and postsecondary
2233 students.

2234 (c) Identifies successful local articulation agreements
2235 that could be replicated statewide.

2236 (d) Identifies courses in career centers that articulate
2237 to degree programs at postsecondary educational institutions.

2238 (23) Recommendations for changes to the current funding
2239 methodology leading to:

2240 (a) Heightened recognition of the critical role of
2241 rigorous career education to the state's workforce needs.

2242 (b) Flexibility of rigorous career education programs to
2243 fill critical need careers.

2244 (c) Leveraging of private resources to create public-
2245 private career education partnerships.

2246 (d) Criteria for funding public postsecondary career
2247 education that is consistent whether offered in the community
2248 college system or the public school system.

2249 (e) SUCCEED, FLORIDA! Career Paths Program competitive
2250 grants as provided in the General Appropriations Act.

2251 (f) Identification of appropriate cost categories and, if
2252 needed, weighted enrollment funding for each cost category in
2253 the Florida Education Finance Program for career and
2254 professional academy courses or programs that use technology,
2255 equipment, materials, and consumable supplies reflective of
2256 industry requirements or industry certification requirements.

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2257 (24) Annual recommendations for statutory and funding
2258 revisions needed to enhance the career education system.

2259 (25) A clear and detailed annual report on the progress of
2260 full implementation of the career education system.

2261 1014.21 Career and professional academies.--

2262 (1) Effective July 1, 2005, a "career and professional
2263 academy" means a research-based, rigorous career education
2264 program that combines relevant academic and technical curricula
2265 around a career theme and is offered by a school district,
2266 collaborating school districts, or the Florida Virtual School
2267 for the purpose of providing an instructional delivery system
2268 that incorporates relevant and rigorous academic standards with
2269 industry and business relevancy.

2270 (2) Career and professional academies may be offered
2271 through career academies, career institutes, industry-certified
2272 career education programs, preapprenticeship programs, or
2273 charter technical career centers.

2274 (3) Use of the title "career and professional academy" may
2275 be employed by one or more programs in a high school, a school
2276 within a high school, or a career center, but may only be used
2277 when each program using the title is fully compliant with the
2278 criteria in subsection (4).

2279 (4) Each career and professional academy must:

2280 (a) Provide a rigorous and relevant standards-based
2281 academic curriculum through a career-based theme, using
2282 instruction relevant to the career. The curriculum must take
2283 into consideration multiple styles of student learning; promote

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2284 learning by doing through application and adaptation; maximize
2285 relevance of the subject matter; enhance each student's capacity
2286 to excel; and include an emphasis on work habits and work
2287 ethics. Such instruction may include diversified cooperative
2288 education, work experience, on-the-job training, and dual
2289 enrollment.

2290 (b) Include one or more partnerships with businesses,
2291 employers, industry economic development agencies, or other
2292 appropriate sectors of the local community. Such a partnership
2293 should include the opportunity for persons who are highly
2294 skilled in the targeted subject matter of an academy program to
2295 provide instruction for the academy.

2296 (c) Include one or more partnerships with a private or
2297 public postsecondary educational institution accredited by a
2298 regional or national accrediting agency recognized by the United
2299 States Department of Education. The educational partner must
2300 agree to articulate coursework to maximize transferability of
2301 credit.

2302 (d) Include program offerings which correlate directly
2303 with industry certifications, with targeted high-priority local
2304 business and career opportunities, and with high-growth, high-
2305 demand, and high-pay occupations identified on the statewide
2306 targeted occupations list of the Workforce Estimating
2307 Conference.

2308 (e) Establish strong eligibility criteria for student
2309 participation. While recognizing that rigorous academic
2310 performance will be expected of all students participating in an

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2311 academy, initial eligibility criteria should permit
2312 opportunities for students who may not yet meet the academic
2313 requirements but demonstrate characteristics that may lead to
2314 success in an academy. The aim of an academy should be to serve
2315 not only students who are already succeeding but also students
2316 who would succeed if the proper teaching and motivational
2317 opportunities are provided.

2318 (f) Establish relationships with business partners for use
2319 of state-of-the-art equipment in the instructional program of
2320 each academy.

2321 (5) A course offered by the Florida Virtual School related
2322 to a career and professional academy program shall give priority
2323 for enrollment to public school students in a career and
2324 professional academy that does not have the specific career or
2325 professional course offering.

2326 (6) Middle schools are encouraged to develop curricula and
2327 classes that will prepare students to easily and seamlessly
2328 enter high school career and professional academies.

2329 (7)(a) The State Board of Education shall adopt rules
2330 under ss. 120.536(1) and 120.54 to administer the provisions of
2331 this section.

2332 (b) The State Board of Education, pursuant to s. 1008.32,
2333 shall enforce the provisions of this section.

2334 Section 40. Paragraphs (h) and (l) of subsection (4) of
2335 section 215.20, Florida Statutes, are amended to read:

2336 215.20 Certain income and certain trust funds to
2337 contribute to the General Revenue Fund.--

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2338 (4) The income of a revenue nature deposited in the
2339 following described trust funds, by whatever name designated, is
2340 that from which the appropriations authorized by subsection (3)
2341 shall be made:

2342 (h) Within the Department of Education:

- 2343 1. The Educational Certification and Service Trust Fund.
2344 2. The Phosphate Research Trust Fund.
2345 3. The Nursing Student Loan Reimbursement Trust Fund.

2346 (l) Within the Department of Health:

- 2347 1. The Administrative Trust Fund.
2348 2. The Brain and Spinal Cord Injury Program Trust Fund.
2349 3. The Donations Trust Fund.
2350 4. The Emergency Medical Services Trust Fund.
2351 5. The Epilepsy Services Trust Fund.
2352 6. The Florida Drug, Device, and Cosmetic Trust Fund.
2353 7. The Grants and Donations Trust Fund.
2354 8. The Medical Quality Assurance Trust Fund.
2355 ~~9. The Nursing Student Loan Forgiveness Trust Fund.~~
2356 9.10. The Planning and Evaluation Trust Fund.
2357 10.11. The Radiation Protection Trust Fund.

2358

2359 The enumeration of the foregoing moneys or trust funds shall not
2360 prohibit the applicability thereto of s. 215.24 should the
2361 Governor determine that for the reasons mentioned in s. 215.24
2362 the money or trust funds should be exempt herefrom, as it is the
2363 purpose of this law to exempt income from its force and effect
2364 when, by the operation of this law, federal matching funds or

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2365 contributions or private grants to any trust fund would be lost
2366 to the state.

2367 Section 41. Discounted computers and Internet access for
2368 students.--

2369 (1) There is created a program to offer computers and
2370 Internet access at a discounted price to students enrolled in
2371 grades 5 through 12 in a public school in the state.

2372 (2) The Department of Education shall negotiate with
2373 computer manufacturers and with nonprofit corporations that
2374 obtain reconditioned computer hardware concerning:

2375 (a) The prices of discounted computers and whether
2376 computer accessories such as printers or scanners will be
2377 offered to the students at reduced prices.

2378 (b) Specialized software and hardware packages, including,
2379 but not limited to:

2380 1. A word processor;

2381 2. Software and hardware necessary to enable broadband
2382 Internet access; and

2383 3. An operating system.

2384 (c) The type of warranty that is to be provided to the
2385 students and whether an extended warranty will be available to
2386 the students and under what terms.

2387 (3) The Department of Education shall negotiate with
2388 broadband Internet access providers concerning the prices of
2389 discounted broadband Internet access packages. In areas in which
2390 broadband Internet access is not currently available, the

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2391 department shall negotiate with non-broadband Internet access
2392 providers.

2393 (4) The Department of Education shall adopt rules
2394 concerning:

2395 (a) How to integrate into this program the provision of
2396 computer or technical training to students in their respective
2397 school districts.

2398 (b) How parents and students may be notified of the
2399 discounted computer and Internet access choices available.

2400 (c) The distribution of eligibility certificates to the
2401 students, the locations at which discounted computers and
2402 Internet access services are available for purchase, and how
2403 students may obtain and pay for the equipment and services
2404 covered by this program.

2405 Section 42. Discounted computers and Internet access for
2406 low-income students; pilot project.--

2407 (1) The Digital Divide Council, in consultation with the
2408 Department of Education, shall implement a pilot project to
2409 assist low-income students to purchase discounted computers and
2410 Internet access services as negotiated by the department. The
2411 council shall identify counties, grade levels, and low-income
2412 eligibility criteria for participation in the pilot project.

2413 (2) The pilot project shall be funded in an amount to be
2414 determined in the General Appropriations Act. The Digital Divide
2415 Council is authorized to accept grants from additional public
2416 and private sources to implement the pilot project.

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2417 Section 43. The Office of Program Policy Analysis and
2418 Government Accountability shall monitor and study how career and
2419 professional academies are implemented in the state. The
2420 following shall be the major focus of the study: to determine
2421 whether and how much postsecondary course credit is awarded to
2422 students and whether that credit is transferable to institutions
2423 other than the postsecondary partner; to determine the extent to
2424 which courses are articulating to higher certificates and
2425 degrees; to determine if there is a better way to coordinate a
2426 seamless progression for students in a career and professional
2427 academy program from middle school through high school and
2428 postsecondary education; and to make recommendations for future
2429 changes for oversight and coordination of career education
2430 courses and programs. The Office of Program Policy Analysis and
2431 Government Accountability shall also determine the extent to
2432 which and under what conditions vocational and technical centers
2433 in states that are members of the Southern Regional Education
2434 Board are permitted to use the term "college" as part of their
2435 name and the impact of such usage on accreditation, transfer of
2436 credit, and other articulation issues. The report and
2437 recommendations shall be submitted to the Governor, the
2438 President of the Senate, and the Speaker of the House of
2439 Representatives by December 1, 2007.

2440 Section 44. The Office of Program Policy Analysis and
2441 Government Accountability shall conduct a study to examine how
2442 each state university supports students in making timely
2443 progress toward the completion of the student's degree. The

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2444 study shall review, at a minimum, how each university informs
2445 students of the courses they must successfully complete for
2446 their majors; how students are advised of satisfactory progress
2447 toward completion of degrees; and the process used by the
2448 institution to ensure that courses required for completion of a
2449 degree are available each term. The study shall also evaluate
2450 the effectiveness of each state university's current procedures,
2451 assess the cost of implementing a universal tracking degree
2452 audit system, and assess what savings would be accrued from such
2453 a system. A report of the results of the study shall be
2454 submitted to the Governor, the President of the Senate, and the
2455 Speaker of the House of Representatives by January 1, 2006.

2456 Section 45. By July 1, 2006, the Department of Education,
2457 with input from public and private postsecondary educational
2458 institutions, shall identify national standardized or licensure
2459 examinations by which secondary and postsecondary students may
2460 demonstrate mastery of postsecondary nursing course material and
2461 earn postsecondary credit for such courses. The examinations and
2462 corresponding minimum scores required for an award of credit
2463 shall be delineated by the State Board of Education in the
2464 statewide articulation agreement. The delineation of such
2465 examinations shall not preclude community colleges and
2466 universities from awarding credit by examination based on
2467 student performance on examinations developed within and
2468 recognized by the individual postsecondary educational
2469 institutions. By February 1, 2006, the Department of Education
2470 shall provide to the Governor, the President of the Senate, and

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2471 the Speaker of the House of Representatives a status report on
2472 implementation of this section.

2473 Section 46. All statutory powers, duties, functions,
2474 records, positions, property, and unexpended balances of
2475 appropriations, allocations, or other funds of the Department of
2476 Health relating to the Nursing Student Loan Reimbursement
2477 Program and the Nursing Student Loan Reimbursement Trust Fund as
2478 created in s. 1009.66, Florida Statutes, and the Nursing
2479 Scholarship Loan Program as created in s. 1009.67, Florida
2480 Statutes, are transferred by a type two transfer as provided for
2481 in s. 20.06(2), Florida Statutes, from the Department of Health
2482 to the Department of Education.

2483 Section 47. To provide statewide guidance and coordination
2484 with regard to bachelor of applied science degree programs,
2485 minimize the unnecessary proliferation of such programs in
2486 narrowly defined specialty areas, and assist the State Board of
2487 Education in making decisions relating to the approval of
2488 proposals from community colleges to offer such programs, the
2489 state board shall convene a workgroup with representatives from
2490 community colleges, state universities, and independent colleges
2491 and universities to develop recommendations on the degree
2492 requirements for a bachelor of applied science degree and
2493 protocols for accepting credits earned by transfer students in
2494 such programs. The State Board of Education shall submit a
2495 report on the findings and recommendations of the workgroup to
2496 the President of the Senate and the Speaker of the House of
2497 Representatives by February 1, 2006. This does not preclude any

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2498 recommendation or authorization regarding the Daytona Beach
2499 Community College proposal for a bachelor of applied science
2500 degree program presented at the April 2005 meeting of the State
2501 Board of Education.

2502 Section 48. Approval is granted for the endowment for the
2503 Appleton Museum of Art, currently held by the Appleton Cultural
2504 Center, Inc., to be transferred to the Central Florida Community
2505 College Foundation. The endowment to be transferred, which
2506 includes state matching funds, was established in 1987 through
2507 the Cultural Arts Endowment Program. By this provision, the
2508 Central Florida Community College Foundation is authorized to
2509 manage the endowment only for the support of the educational
2510 program at the Appleton Museum of Art and is released from all
2511 other provisions of the Trust Agreement dated July 17, 1987, by
2512 and between the State of Florida and the Appleton Cultural
2513 Center, Inc., and ss. 265.601-265.607, Florida Statutes.

2514 Section 49. This act shall take effect July 1, 2005.

2515 ===== T I T L E A M E N D M E N T =====

2516 Remove the entire title and insert:

2517 A bill to be entitled

2518 An act relating to enhanced student opportunities;
2519 providing a popular name; amending s. 20.15, F.S.;
2520 providing for appointment of a Deputy Commissioner of
2521 Career Education in the Department of Education; amending
2522 s. 446.032, F.S.; providing duties of the department
2523 relating to apprenticeship programs and services;
2524 repealing s. 446.609, F.S., relating to the Jobs for

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Amendment No. (for drafter's use only)

2525 Florida's Graduates program; amending s. 464.019, F.S. ;
2526 authorizing the Board of Nursing to change faculty-to-
2527 student ratios only under certain circumstances; requiring
2528 a study to evaluate rules regarding clinical instruction;
2529 providing for assistance to approved nursing programs to
2530 expand capacity; amending s. 464.0195, F.S.; requiring the
2531 Florida Center for Nursing to develop and maintain an
2532 information system; requiring an implementation plan;
2533 amending s. 1001.02, F.S.; revising State Board of
2534 Education duties with respect to developing a
2535 postsecondary enrollment plan; requiring State Board of
2536 Education rules that address baccalaureate degree programs
2537 at community colleges; amending s. 1001.20, F.S.; creating
2538 the Office of Career Education in the Department of
2539 Education and providing responsibilities of the office;
2540 amending s. 1001.64, F.S.; providing that community
2541 colleges that grant baccalaureate degrees remain under the
2542 authority of the State Board of Education with respect to
2543 specified responsibilities; providing that the board of
2544 trustees is the governing board for purposes of granting
2545 baccalaureate degrees; providing powers of the boards of
2546 trustees, including the power to establish tuition and
2547 out-of-state fees; providing restrictions; requiring such
2548 boards to adopt a policy requiring teachers who teach
2549 certain upper-division courses to teach a specified
2550 minimum number of hours; amending s. 1002.23, F.S. ;
2551 requiring guidelines for parents relating to the

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2552 availability of the online student advising and guidance
2553 system and additional educational opportunities; amending
2554 s. 1003.492, F.S., relating to industry-certified career
2555 education programs; deleting obsolete provisions relating
2556 to studies; amending and renumbering s. 1004.85, F.S.;
2557 providing additional purposes for creation of educator
2558 preparation institutes; creating s. 1004.226, F.S.;
2559 defining the term "center of excellence"; providing
2560 purposes and objectives of centers of excellence;
2561 providing for proposals for establishing or expanding
2562 centers of excellence; requiring the State Board of
2563 Education to develop a plan recommending the establishment
2564 or expansion of centers of excellence; requiring
2565 reporting; amending s. 1004.65, F.S.; including community
2566 colleges approved to offer baccalaureate degree programs
2567 under authority to operate; requiring such community
2568 colleges to maintain their primary mission and prohibiting
2569 them from terminating associate degree programs;
2570 prohibiting a community college from offering graduate
2571 programs; amending s. 1004.68, F.S.; authorizing the
2572 continued awarding of degrees, diplomas, and certificates
2573 by community colleges approved to offer baccalaureate
2574 degree programs; creating s. 1006.01, F.S.; requiring the
2575 department to provide a secondary and postsecondary
2576 academic and career education online student advising and
2577 guidance system; providing requirements for such system;
2578 amending s. 1006.02, F.S.; requiring documentation that

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2579 students have utilized the online student advising and
2580 guidance system; amending s. 1006.025, F.S.; requiring
2581 such documentation in guidance reports; amending s.
2582 1007.2615, F.S.; revising provisions relating to
2583 certification of American Sign Language teachers; amending
2584 s. 1007.271, F.S.; specifying that dual enrollment courses
2585 are creditable toward high school graduation; providing
2586 for FTE calculation; conforming to law minimum academic
2587 credits required for graduation; clarifying requirements
2588 for participation of independent postsecondary
2589 institutions in a dual enrollment program; providing for
2590 fee exemption; amending s. 1007.33, F.S.; revising
2591 requirements for a proposal by a community college to
2592 deliver a baccalaureate degree program; requiring the
2593 State Board of Education to make proposals available for
2594 review and comment by other postsecondary educational
2595 institutions and authorizing alternative proposals;
2596 eliminating requirement for review and comment by the
2597 Council for Education Policy Research and Improvement;
2598 authorizing the State Board of Education to approve, deny,
2599 or require revisions to proposals; requiring periodic
2600 evaluation of approved programs; authorizing termination
2601 of funding for certain approved programs; requiring
2602 rulemaking; amending s. 1009.21, F.S.; revising provisions
2603 relating to determination of resident status for tuition
2604 purposes; providing for such determination for purpose of
2605 assessing tuition for instruction in workforce education

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2606 programs offered by school districts; revising definitions
2607 and updating terminology; revising requirements for
2608 qualification as a resident; providing duties of
2609 institutions of higher education and school districts;
2610 providing for reclassification under certain
2611 circumstances; classifying as residents certain employees
2612 of international organizations; providing eligibility
2613 criteria for certain students who are not permanent
2614 residents of the United States for exemption from payment
2615 of nonresident tuition; limiting enrollment and requiring
2616 the department to administer the exemption program;
2617 amending s. 1009.23, F.S.; providing guidelines and
2618 restrictions for setting community college tuition and
2619 out-of-state fees for upper-division courses; requiring
2620 the State Board of Education to adopt a resident fee
2621 schedule for baccalaureate degree programs offered by
2622 community colleges; revising provisions relating to the
2623 fee for capital improvements, technology enhancements, or
2624 equipping student buildings and the use thereof; providing
2625 requirements for the issuance and validation of bonds;
2626 revising provisions relating to the allocation for child
2627 care centers; amending s. 1009.24, F.S.; providing
2628 responsibilities of the Legislature and state university
2629 boards of trustees to establish tuition and fees;
2630 providing restrictions; creating s. 1009.286, F.S.;
2631 requiring students to pay 75 percent over the in-state
2632 tuition rate for certain excess credit hours; restricting

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HOUSE AMENDMENT

Bill No. SB 670

Amendment No. (for drafter's use only)

2633 certain credit hours for purpose of calculation; providing
2634 for notice of requirements; amending s. 1009.40, F.S.;
2635 providing general requirements for student eligibility for
2636 tuition assistance grants; providing that certain students
2637 are ineligible to receive more than one state-funded
2638 tuition assistance grant; amending s. 1009.66, F.S.;
2639 renaming the Nursing Student Loan Forgiveness Program and
2640 transferring administration of the program to the
2641 Department of Education; revising criteria for receiving
2642 funds under the program and for repayment of loans;
2643 requiring that certain nurses employed as faculty in an
2644 approved nursing program be given priority in receiving
2645 funds under the program; renaming the Nursing Student Loan
2646 Forgiveness Trust Fund and transferring administration of
2647 the trust fund to the Department of Education; authorizing
2648 the adoption of rules; amending s. 1009.67, F.S.; renaming
2649 the Nursing Scholarship Program and transferring
2650 administration of the program to the Department of
2651 Education; revising criteria for receiving funds under the
2652 program; revising repayment provisions; requiring the
2653 adoption of rules; creating s. 1009.895, F.S.; creating
2654 the Florida Independent Collegiate Assistance Grant
2655 Program; providing for program administration; authorizing
2656 tuition assistance grants to certain postsecondary
2657 education students enrolling in undergraduate degree
2658 programs for specified occupations; providing institution
2659 eligibility requirements; amending s. 1009.971, F.S.;

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Amendment No. (for drafter's use only)

2660 providing that the Florida Prepaid College Board shall
2661 have the power to provide for the transfer of ownership of
2662 an advance payment contract under the Florida Prepaid
2663 College Program or a participation agreement under the
2664 Florida College Savings Program upon inheritance, devise,
2665 or bequest; providing procedures and requirements with
2666 respect to such transfer of ownership; providing for
2667 specification of application contents by rule; providing
2668 applicability; amending ss. 1009.972, 1009.98, and
2669 1009.981, F.S.; authorizing the transfer of funds retained
2670 from terminated advance payment contracts, canceled
2671 contracts, and terminated participation agreements to the
2672 direct-support organization established under pt. IV of
2673 ch. 1009, F.S., for use by the Florida Prepaid Tuition
2674 Scholarship Program and for children of specified members
2675 of the armed forces of the United States who die while
2676 participating in the combat theater of operations for
2677 Operation Iraqi Freedom or Operation Enduring Freedom;
2678 deleting the requirement that an independent college or
2679 university be a not-for-profit institution to be eligible
2680 for transfer of benefits; providing a restriction on
2681 transfer of benefits; amending s. 1011.62, F.S.; providing
2682 for FTE calculation for dual enrollment instruction;
2683 amending s. 1011.83, F.S.; providing for funding of
2684 approved baccalaureate programs at community colleges;
2685 providing for use of funds and reporting requirements;
2686 creating pt. VI of ch. 1011, F.S.; establishing the

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Amendment No. (for drafter's use only)

2687 SUCCEED, FLORIDA! Crucial Professionals Program; providing
2688 for the appropriation of funds to the Department of
2689 Education to be distributed on a competitive basis to
2690 postsecondary educational institutions to offer programs
2691 that meet critical workforce needs; providing for a
2692 request for proposals and requirements of such proposals;
2693 requiring establishment annually by the Legislature of a
2694 priority list; providing for funding of proposals;
2695 providing requirements for grant recipients and renewal
2696 grants; establishing the SUCCEED, FLORIDA! Crucial
2697 Professionals Nursing Education Grant Program, a contract
2698 grant program for increasing the capacity of approved
2699 nursing programs; requiring the Department of Education to
2700 establish guidelines and procedures; specifying
2701 requirements for grant proposals; establishing priorities
2702 for receipt of grants; providing for review, approval, and
2703 funding of proposals; requiring the State Board of
2704 Education to submit a report on implementation status;
2705 establishing the SUCCEED, FLORIDA! Career Paths Program to
2706 provide career and professional academy startup grants;
2707 providing qualification criteria; establishing the
2708 SUCCEED, FLORIDA! Great Jobs Program; providing for the
2709 appropriation of funds to the Department of Education to
2710 be distributed on a competitive basis to postsecondary
2711 educational institutions to produce graduates to enter
2712 certain occupations in the state; providing for a request
2713 for proposals and requirements of such proposals;

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Amendment No. (for drafter's use only)

2714 requiring establishment annually by the Legislature of a
2715 priority list; providing for funding of proposals;
2716 providing requirements for grant recipients; amending s.
2717 1012.82, F.S.; revising provisions relating to minimum
2718 contact hours for community college faculty who teach
2719 upper-division courses; amending s. 1013.60, F.S.;
2720 allowing community college boards of trustees to request
2721 funding for all authorized programs and specifying
2722 requirements; requiring that enrollment in baccalaureate
2723 degree programs be computed into the survey of need for
2724 facilities; creating ch. 1014, F.S., relating to career
2725 education; defining the term "career education"; providing
2726 elements of the rigorous career education system;
2727 providing guiding principles for career education;
2728 establishing the position of Deputy Commissioner of Career
2729 Education to direct the Office of Career Education in the
2730 Department of Education and specifying qualifications for
2731 the deputy commissioner; specifying responsibilities and
2732 duties; providing legislative expectations and funding
2733 criteria for the career education system; defining the
2734 term "career and professional academy"; providing elements
2735 and duties of a career and professional academy and for
2736 certification thereof; requiring adoption of rules;
2737 amending s. 215.20, F.S.; conforming provisions relating
2738 to a trust fund; creating a program to offer discounted
2739 computers and Internet access to public school students in
2740 grades 5 through 12; requiring the department to negotiate

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2741 terms with computer manufacturers, nonprofit corporations
2742 that obtain reconditioned computer hardware, and broadband
2743 Internet access providers; requiring the adoption of
2744 rules; requiring the Digital Divide Council to implement a
2745 pilot project to assist low-income students with
2746 purchasing discounted computers and Internet access
2747 services; providing for funding and authorizing the
2748 council to accept grants to implement the pilot project;
2749 requiring the Office of Program Policy Analysis and
2750 Government Accountability to study implementation of
2751 career and professional academies and make
2752 recommendations; requiring a study and report by the
2753 Office of Program Policy Analysis and Government
2754 Accountability relating to student progression in state
2755 universities; requiring the department to identify
2756 specified examinations for earning postsecondary credit
2757 for mastery of nursing course material; requiring a status
2758 report; providing for a type two transfer with respect to
2759 nursing loan programs; requiring the convening of a
2760 workgroup to make recommendations regarding bachelor of
2761 applied science degree programs; requiring a report;
2762 approving a transfer of an endowment from the Appleton
2763 Cultural Center, Inc., to the Central Florida Community
2764 College Foundation; providing restrictions on the
2765 management of the endowment; releasing the foundation from
2766 a trust agreement and statutory requirements; providing an
2767 effective date.

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