

CHAMBER ACTION

1 The Education Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to postsecondary education; amending s.
7 1001.44, F.S.; authorizing an articulation agreement for
8 delivery of associate in applied science degree programs
9 by career centers; providing requirements for use of the
10 designation "technical college"; providing a definition;
11 amending s. 1002.34, F.S.; providing for a charter
12 technical career center to use the designation "technical
13 college"; providing a definition; amending s. 1007.22,
14 F.S.; revising provisions relating to establishment of
15 interinstitutional mechanisms by public postsecondary
16 educational institutions; amending s. 1007.23, F.S.;
17 revising components of the statewide articulation
18 agreement; revising terminology; creating s. 1007.234,
19 F.S.; requiring the State Board of Education, in
20 consultation with the Board of Governors, to establish
21 statewide articulation agreements for articulated career
22 paths for specific professions; requiring career paths to
23 provide for the articulation of credit for certain

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24 | programs and experiential learning; providing criteria for
25 | participation by nonpublic colleges and schools in the
26 | statewide articulation agreements for articulated career
27 | paths; requiring the Office of Program Policy Analysis and
28 | Government Accountability to assess articulation
29 | agreements and identify career center programs that may
30 | articulate to certain degree programs; requiring the
31 | office to review career paths for articulation of credit
32 | awarded by public and private institutions; requiring
33 | reporting to the Legislature; creating s. 1011.802, F.S.;
34 | establishing the School District Career Center Facility
35 | Enhancement Challenge Grant Program; authorizing a school
36 | district direct-support organization to solicit funds and
37 | establish a separate career center capital facilities
38 | matching account for private contributions for
39 | instructional facility construction projects; providing
40 | for match by state appropriations; providing for a portion
41 | of the cost of a facility construction project to be
42 | provided from a school district's local capital funds;
43 | providing State Board of Education requirements relating
44 | to capital outlay budget requests for such projects;
45 | providing for reversion of funds; amending s. 1011.94,
46 | F.S., relating to the Trust Fund for University Major
47 | Gifts; authorizing the Board of Governors Foundation to
48 | participate in the program; transferring responsibilities
49 | relating to the trust fund from the State Board of
50 | Education to the Board of Governors; revising match

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51 | provisions; removing authority for encumbrances; providing
52 | an effective date.

53 |
54 | Be It Enacted by the Legislature of the State of Florida:

55 |
56 | Section 1. Subsection (4) is added to section 1001.44,
57 | Florida Statutes, to read:

58 | 1001.44 Career centers.--

59 | (4) DISTRICT SCHOOL BOARD CAREER CENTER PROGRAM
60 | DELIVERY.--

61 | (a) A district school board with an established career
62 | center as part of the district school system may enter into an
63 | articulation agreement for the delivery of specified associate
64 | in applied science degree programs.

65 | (b) A career center that offers a postsecondary adult
66 | vocational program designed to articulate into an associate in
67 | applied science degree program and enters into an articulation
68 | agreement for the delivery of such an associate in applied
69 | science degree program may use the designation "technical
70 | college."

71 | (c) For purposes of this subsection, "postsecondary adult
72 | vocational program" is a job preparatory program, excluding
73 | continuing workforce education, through which a student receives
74 | a vocational certificate upon completion of instruction.

75 | Section 2. Subsection (20) is added to section 1002.34,
76 | Florida Statutes, to read:

77 | 1002.34 Charter technical career centers.--

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78 | (20) DESIGNATION AS A TECHNICAL COLLEGE.--A charter
 79 | technical career center that offers a postsecondary adult
 80 | vocational program designed to articulate into an associate in
 81 | applied science degree program and enters into an articulation
 82 | agreement for the delivery of such an associate in applied
 83 | science degree program may use the designation "technical
 84 | college." For purposes of this subsection, "postsecondary adult
 85 | vocational program" is a job preparatory program, excluding
 86 | continuing workforce education, through which a student receives
 87 | a vocational certificate upon completion of instruction.

88 | Section 3. Subsection (3) of section 1007.22, Florida
 89 | Statutes, is amended to read:

90 | 1007.22 Articulation; postsecondary institution
 91 | coordination and collaboration.--

92 | (3) Public postsecondary educational institutions ~~erving~~
 93 | ~~the same students in a geographic and service area~~ are
 94 | encouraged to establish appropriate interinstitutional
 95 | mechanisms to achieve cooperative planning and delivery of
 96 | academic programs and related services, share a high-cost
 97 | instructional facility and equipment, coordinate credit and
 98 | noncredit outreach activities, have access to each other's
 99 | library and media holdings and services, and provide cooperative
 100 | campus activities and consultative relationships for the
 101 | discussion and resolution of interinstitutional issues and
 102 | problems which discourage student access or transfer.

103 | Section 4. Subsections (1) and (3) of section 1007.23,
 104 | Florida Statutes, are amended to read:

105 | 1007.23 Statewide articulation agreement.--

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

108 (a) Articulation between secondary and postsecondary
109 education, including credit earned through high school career
110 and technical education majors and career academies;

111 (b) Admission of associate in arts degree graduates from
112 community colleges and state universities;

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

115 (d) Admission of associate in science degree and associate
116 in applied science degree graduates from community colleges;

117 (e) The use of acceleration mechanisms, including
118 nationally standardized examinations through which students may
119 earn credit;

120 (f) General education requirements and statewide course
121 numbers as provided for in ss. 1007.24 and 1007.25; ~~and~~

122 (g) Articulation among programs in nursing; ~~and-~~

123 (h) Admission of postsecondary vocational, technical, or
124 career certificate or diploma graduates from school district
125 career centers or charter technical career centers.

126 (3) The articulation agreement must guarantee the
127 statewide articulation of appropriate workforce education
128 ~~development~~ programs and courses between school districts and
129 community colleges and specifically provide that every applied
130 technology diploma graduate must be granted the same amount of
131 credit upon admission to an associate in science degree or
132 associate in applied science degree program unless it is a

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133 | limited access program. Preference for admission must be given
134 | to graduates who are residents of Florida.

135 | Section 5. Section 1007.234, Florida Statutes, is created
136 | to read:

137 | 1007.234 Statewide articulation agreements for articulated
138 | career paths.--

139 | (1) By March 1, 2007, the State Board of Education, in
140 | consultation with the Board of Governors, shall establish
141 | statewide articulation agreements for articulated career paths
142 | for specific workforce education professions, including, but not
143 | limited to, the program areas of criminal justice, business,
144 | manufacturing, nursing, allied health, and early childhood
145 | education. The career paths shall provide for the articulation
146 | of:

147 | (a) Credit earned in vocational, technical, or career
148 | certificate or diploma programs to associate in science degrees
149 | or associate in applied science degrees.

150 | (b) Credit earned in associate in science degree programs
151 | to credit in baccalaureate degree programs.

152 | (c) Credit awarded by public and private institutions.

153 | (d) Credit for experiential learning associated with
154 | minimum training requirements for employment.

155 | (2) To participate in a statewide articulation agreement
156 | for an articulated career path required in this section,
157 | nonpublic colleges and schools must be fully accredited by a
158 | regional or national accrediting agency recognized by the United
159 | States Department of Education, must participate in the Florida

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160 Education and Training Placement Information Program pursuant to
161 s. 1008.39, and must meet one of the following criteria:

162 (a) Be eligible to participate in the William L. Boyd, IV,
163 Florida Resident Access Grant Program; or

164 (b) Have been issued a license pursuant to s. 1005.31 or
165 s. 1005.32 and use an assessment required in s. 1005.04(1)(b)
166 that has been recommended by the State Board of Education. In
167 these licensed colleges and schools for courses not in the
168 statewide course numbering system pursuant to s. 1007.24,
169 credits to be accepted by a receiving institution must be
170 generated in courses for which the faculty possess credentials
171 that are comparable to those required by the accrediting
172 association of the receiving institution.

173 (3) To determine the appropriate courses and programs for
174 statewide articulation agreements for articulated career paths,
175 the Office of Program Policy Analysis and Government
176 Accountability, by December 31, 2006, shall collect, review, and
177 conduct an assessment of all existing articulation agreements
178 between school district career centers or charter technical
179 career centers and community colleges.

180 (4) The Office of Program Policy Analysis and Government
181 Accountability shall use the information compiled pursuant to
182 subsection (3) to evaluate the effectiveness of articulation
183 agreements for articulated career paths and to identify other
184 postsecondary technical or career programs within a school
185 district career center or charter technical career center that
186 may articulate to an associate in science degree program or an
187 associate in applied science degree program on an individual

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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188 course or block basis for statewide articulation agreements for
189 articulated career paths. By December 31, 2007, the Office of
190 Program Policy Analysis and Government Accountability shall
191 submit a report to the President of the Senate and the Speaker
192 of the House of Representatives.

193 (5) The Office of Program Policy Analysis and Government
194 Accountability shall review all career paths that provide for
195 the articulation of credit awarded by public and private
196 institutions as required pursuant to subsection (1). The review
197 shall include an assessment of methods used to evaluate the
198 following: a student's ability to successfully complete the
199 course of study for which the student has applied before
200 accepting the student into the program; completion rates; job
201 placement rates; and the method used by institutions to report
202 data. By December 31, 2007, the Office of Program Policy
203 Analysis and Government Accountability shall submit a report to
204 the President of the Senate and the Speaker of the House of
205 Representatives.

206 Section 6. Section 1011.802, Florida Statutes, is created
207 to read:

208 1011.802 School District Career Center Facility
209 Enhancement Challenge Grant Program.--

210 (1) There is established the School District Career Center
211 Facility Enhancement Challenge Grant Program for the purpose of
212 assisting career centers in building high priority instructional
213 capital facilities consistent with s. 1001.44, including common
214 areas connecting such facilities. The direct-support
215 organizations that serve the school districts may solicit gifts

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216 from private sources which are eligible for state matching funds
217 for capital facilities. For purposes of this section, private
218 sources of funds shall not include any federal, state, or local
219 government funds that a school district may receive.

220 (2) The School District Career Center Facility Enhancement
221 Challenge Grant Program shall provide funds to match private
222 contributions for the development of high priority instructional
223 capital facilities, including common areas connecting such
224 facilities, within the career centers.

225 (3) Within the direct-support organization of each school
226 district, a separate career center capital facilities matching
227 account must be established for the purpose of providing
228 matching funds from the direct-support organization's
229 unrestricted donations or other private contributions for the
230 development of high priority instructional capital facilities,
231 including common areas connecting such facilities. The
232 Legislature may appropriate funds for distribution to a school
233 district after matching funds are certified by the direct-
234 support organization and school district to the Department of
235 Education. The Public Education Capital Outlay and Debt Service
236 Trust Fund shall not be used as the source of the state match
237 for private contributions.

238 (4) A project may not be initiated unless all private
239 funds for planning, construction, and equipping the facility
240 have been received and deposited in the direct-support
241 organization's matching account and the state's share for the
242 minimum amount of funds needed to begin the project has been
243 appropriated by the Legislature. The Legislature may appropriate

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244 the state's matching funds in one or more fiscal years for the
245 planning, construction, and equipping of an eligible facility.
246 However, these requirements shall not preclude the school
247 district or direct-support organization from expending available
248 funds from private sources to develop a prospectus, including
249 preliminary architectural schematics or models, for use in its
250 efforts to raise private funds for a facility. Additionally, any
251 private sources of funds expended for this purpose are eligible
252 for state matching funds if the project is awarded grant funds
253 under this section.

254 (5) To be eligible to participate in the School District
255 Career Center Facility Enhancement Challenge Grant Program, a
256 school district, through its direct-support organization, shall
257 raise contributions from private sources equal to one-third of
258 the total cost of a facility construction project. After raising
259 such contributions, the school district shall be eligible for a
260 match by a state appropriation equal to the amount raised for a
261 facility construction project up to one-third of the cost of the
262 project, subject to the General Appropriations Act. Another one-
263 third of the total cost must be provided from the school
264 district's local capital funds.

265 (6) If the state's share of the required match is
266 insufficient to meet the requirements of subsection (5), the
267 school district shall renegotiate the terms of the contribution
268 with the donors. If the project is terminated, each private
269 donation, plus accrued interest, shall revert to the direct-
270 support organization for remittance to the donor at the donor's
271 discretion.

272 (7) By September 1 of each year, the State Board of
273 Education shall transmit to the Legislature, in the capital
274 outlay budget request, a list of projects that meet all
275 eligibility requirements to participate in the School District
276 Career Center Facility Enhancement Challenge Grant Program and a
277 budget request that includes the recommended schedule necessary
278 to complete each project.

279 (8) In order for a project to be eligible under this
280 program, it must be survey-recommended under the provisions of
281 s. 1013.31, included in the school district's 5-year capital
282 improvement plan, and receive prior approval from the State
283 Board of Education.

284 (9) Any project funds that are unexpended after a project
285 is completed shall revert to the school district direct-support
286 organization's career center capital facilities matching
287 account. One-third of such unexpended funds shall be reserved
288 for the school district career center that originally received
289 the private contribution for the purpose of providing private
290 matching funds for future facility construction projects as
291 provided in this section. One-third of such unexpended funds
292 shall be returned to the General Revenue Fund. One-third of such
293 unexpended funds shall be returned to the school district.

294 (10) The surveys, architectural plans, facility, and
295 equipment shall be the property of the participating school
296 district.

297 Section 7. Subsections (1), (2), (3), and (5) of section
298 1011.94, Florida Statutes, are amended, and subsection (7) is
299 added to that section, to read:

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300 | 1011.94 Trust Fund for University Major Gifts.--
 301 | (1) There is established a Trust Fund for University Major
 302 | Gifts. The purpose of the trust fund is to enable the Board of
 303 | Governors Foundation and each state university ~~and New College~~
 304 | to provide donors with an incentive in the form of matching
 305 | grants for donations for the establishment of permanent
 306 | endowments and sales tax exemption matching funds received
 307 | pursuant to s. 212.08(5)(j), which must be invested, with the
 308 | proceeds of the investment used to support libraries and
 309 | instruction and research programs, as defined by the Board of
 310 | Governors ~~State Board of Education~~. All funds appropriated for
 311 | the challenge grants, new donors, major gifts, sales tax
 312 | exemption matching funds pursuant to s. 212.08(5)(j), or eminent
 313 | scholars program may be deposited into the trust fund and
 314 | invested pursuant to s. 17.61 until ~~the State Board of Education~~
 315 | ~~allocates~~ the funds are allocated to universities to match
 316 | private donations. Notwithstanding s. 216.301 and pursuant to s.
 317 | 216.351, any undisbursed balance remaining in the trust fund and
 318 | interest income accruing to the portion of the trust fund which
 319 | is not matched and distributed to universities must remain in
 320 | the trust fund and be used to increase the total funds available
 321 | for challenge grants. Funds deposited in the trust fund for the
 322 | sales tax exemption matching program authorized in s.
 323 | 212.08(5)(j), and interest earnings thereon, shall be maintained
 324 | in a separate account within the Trust Fund for University Major
 325 | Gifts, and may be used only to match qualified sales tax
 326 | exemptions that a certified business designates for use by state
 327 | universities and community colleges to support research and

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328 development projects requested by the certified business. ~~The~~
 329 ~~State Board of Education may authorize any university to~~
 330 ~~encumber the state matching portion of a challenge grant from~~
 331 ~~funds available under s. 1011.45.~~

332 (2) The Board of Governors ~~State Board of Education~~ shall
 333 specify the process for submission, documentation, and approval
 334 of requests for matching funds, accountability for endowments
 335 and proceeds of endowments, allocations to universities,
 336 restrictions on the use of the proceeds from endowments, and
 337 criteria used in determining the value of donations.

338 (3) ~~(a) The State Board of Education shall allocate the~~
 339 ~~amount appropriated to the trust fund to each university and New~~
 340 ~~College based on the amount of the donation and the restrictions~~
 341 ~~applied to the donation.~~

342 ~~(b)~~ Donations for a specific purpose are eligible to ~~must~~
 343 be matched in the following manner:

344 (a)1. Each university that raises at least \$100,000 but no
 345 more than \$599,999 from a private source may ~~must~~ receive a
 346 matching grant equal to 50 percent of the private contribution.

347 (b)2. Each university that raises a contribution of at
 348 least \$600,000 but no more than \$1 million from a private source
 349 may ~~must~~ receive a matching grant equal to 70 percent of the
 350 private contribution.

351 (c)3. Each university that raises a contribution in excess
 352 of \$1 million but no more than \$1.5 million from a private
 353 source may ~~must~~ receive a matching grant equal to 75 percent of
 354 the private contribution.

355 (d)4- Each university that raises a contribution in excess
 356 of \$1.5 million but no more than \$2 million from a private
 357 source may ~~must~~ receive a matching grant equal to 80 percent of
 358 the private contribution.

359 (e)5- Each university that raises a contribution in excess
 360 of \$2 million from a private source may ~~must~~ receive a matching
 361 grant equal to 100 percent of the private contribution.

362 ~~(c) The State Board of Education shall encumber state~~
 363 ~~matching funds for any pledged contributions, pro rata, based on~~
 364 ~~the requirements for state matching funds as specified for the~~
 365 ~~particular challenge grant and the amount of the private~~
 366 ~~donations actually received by the university for the respective~~
 367 ~~challenge grant.~~

368 (5) (a) The Board of Governors Foundation and each state
 369 ~~university foundation and New College Foundation~~ shall establish
 370 a challenge grant account for each challenge grant as a
 371 depository for private contributions and state matching funds to
 372 be administered on behalf of the Board of Governors or the state
 373 ~~Board of Education, the university, or New College.~~ State
 374 matching funds must be transferred to a university foundation ~~or~~
 375 ~~New College Foundation~~ upon notification that the university ~~or~~
 376 ~~New College~~ has received and deposited the amount specified in
 377 this section in a foundation challenge grant account.

378 (b) The foundation serving a state university and New
 379 ~~College Foundation~~ each has the responsibility for the
 380 maintenance and investment of its challenge grant account and
 381 for the administration of the program on behalf of the
 382 university ~~or New College~~, pursuant to procedures specified by

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383 | the Board of Governors ~~State Board of Education~~. Each foundation
384 | shall include in its annual report to the Board of Governors
385 | ~~State Board of Education~~ information concerning collection and
386 | investment of matching gifts and donations and investment of the
387 | account.

388 | (c) A donation of at least \$600,000 and associated state
389 | matching funds may be used to designate an Eminent Scholar
390 | Endowed Chair pursuant to procedures specified by the Board of
391 | Governors ~~State Board of Education~~.

392 | (7) The Board of Governors Foundation may participate in
393 | the same manner as a university foundation with regard to the
394 | provisions of this section.

395 | Section 8. This act shall take effect July 1, 2006.