

By the Committees on Children, Families, and Elder Affairs; and Higher Education; and Senator Oelrich

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1 A bill to be entitled
2 An act relating to postsecondary education; amending
3 s. 1004.68, F.S.; deleting provisions relating to the
4 use of test scores for assessment of college-level
5 communication and computation skills; amending s.
6 1007.01, F.S.; providing legislative intent and
7 requirements relating to articulation; requiring the
8 establishment of the Articulation Coordinating
9 Committee and providing its responsibilities; amending
10 s. 1007.25, F.S.; deleting provisions relating to the
11 CLAST and authorized examinations that demonstrate
12 mastery of certain academic competencies; revising
13 degree requirements; amending ss. 1007.264 and
14 1007.265, F.S.; deleting provisions that exclude
15 students with intellectual disabilities from
16 eligibility for substitute requirements for admission
17 to or graduation from a public postsecondary
18 educational institution; amending s. 1008.30, F.S.;
19 revising requirements of the common placement testing
20 program; requiring access to approved remedial
21 instruction; requiring rules for remediation
22 opportunities, retesting, and academic competencies;
23 requiring that students be advised of academic
24 requirements, financial aid eligibility, and certain
25 costs; amending s. 1008.345, F.S.; deleting Department
26 of Education duties relating to tests and assessment
27 procedures that measure student achievement of
28 college-level communication and computation skills;
29 amending s. 1008.38, F.S.; revising and conforming

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30 provisions relating to the articulation process;
31 amending s. 1009.534, F.S.; revising provisions
32 relating to approval of community service work for
33 eligibility for the Florida Academic Scholars award;
34 amending ss. 1001.64 and 1011.30, F.S.; removing
35 provisions requiring that a budget of a community
36 college be transmitted to the Department of Education
37 for approval; amending s. 467.009, F.S.; deleting
38 provisions relating to the CLAST; repealing s. 6 of
39 chapter 2006-58, Laws of Florida; abrogating the
40 repeal of s. 1004.226, F.S., which created the 21st
41 Century World Class Scholars Program; providing an
42 effective date.

43

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

45

46 Section 1. Section 1004.68, Florida Statutes, is amended to
47 read:

48 1004.68 Community college; degrees and certificates; ~~tests~~
49 ~~for certain skills.~~

50 ~~(1)~~ Each community college board of trustees shall adopt
51 rules establishing student performance standards for the award
52 of degrees and certificates.

53 ~~(2) Each community college board of trustees shall require~~
54 ~~the use of scores on tests for college-level communication and~~
55 ~~computation skills provided in s. 1008.345(7) as a condition for~~
56 ~~graduation with an associate in arts degree.~~

57 Section 2. Section 1007.01, Florida Statutes, is amended to
58 read:

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59 1007.01 Articulation; legislative intent; purpose; role of
60 the State Board of Education and the Board of Governors;
61 articulation coordinating committee.—

62 (1) It is the intent of the Legislature to facilitate
63 articulation and seamless integration of the K-20 education
64 system by building, ~~and~~ sustaining, and strengthening
65 relationships among K-20 public organizations, between public
66 and private organizations, and between the education system as a
67 whole and Florida's communities. The purpose of building, ~~and~~
68 sustaining, and strengthening these relationships is to provide
69 for the efficient and effective progression and transfer of
70 students within the education system and to allow students to
71 proceed toward their educational objectives as rapidly as their
72 circumstances permit. The Legislature further intends that
73 articulation policies and budget actions be implemented
74 consistently in the practices of the Department of Education and
75 postsecondary educational institutions and expressed in the
76 collaborative policy efforts of the State Board of Education and
77 the Board of Governors.

78 (2) To improve and facilitate articulation systemwide, the
79 State Board of Education and the Board of Governors shall
80 collaboratively establish ~~recommend~~ policies and guidelines ~~to~~
81 ~~the Legislature~~ with input from statewide K-20 advisory groups
82 established by the Commissioner of Education and the Chancellor
83 of the State University System and shall recommend the policies
84 and guidelines to the Legislature. The policies and guidelines
85 shall relate ~~relating~~ to:

86 (a) The alignment between the exit requirements of one
87 system and the admissions requirements of another system into

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88 which students typically transfer.

89 (b) The identification of common courses, the level of
90 courses, institutional participation in a statewide course
91 numbering system, and the transferability of credits among such
92 institutions.

93 (c) Identification of courses that meet general education
94 or common degree program prerequisite requirements at public
95 postsecondary educational institutions.

96 (d) Dual enrollment course equivalencies.

97 (e) Articulation agreements.

98 (3) The Commissioner of Education, in consultation with the
99 Chancellor of the State University System, shall establish the
100 Articulation Coordinating Committee, which shall report to the
101 commissioner. The committee shall be a K-20 advisory group that
102 consists of members representing the State University System,
103 the Florida College System, public career and technical
104 education, public K-12 education, and nonpublic education, with
105 at least one member representing students. The commissioner
106 shall appoint a chair from the membership. The committee shall:

107 (a) Propose monitoring, compliance, and reporting systems
108 to facilitate and ensure institutional compliance with state
109 articulation policies.

110 (b) Monitor the alignment between the exit requirements of
111 one system and the admissions requirements of another system
112 into which students typically transfer.

113 (c) Propose guidelines for interinstitutional agreements
114 between and among public schools, career and technical education
115 centers, Florida College System institutions, and state
116 universities.

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117 (d) Establish dual enrollment course and high school
118 subject area equivalencies.

119 (e) Establish groups of public and nonpublic educational
120 institution representatives to facilitate articulation.

121 (f) Conduct a continuing review of statewide articulation
122 statutes, rules, regulations, and agreements and make
123 recommendations to the State Board of Education and the Board of
124 Governors for revisions.

125 (g) Review the statewide course numbering system, the
126 levels of courses, and the application of transfer credit
127 requirements from public and nonpublic institutions
128 participating in the statewide course numbering system,
129 including, but not limited to, instances of student transfer and
130 admissions difficulties.

131 (h) Identify courses that meet general education or common
132 degree program prerequisite requirements at public postsecondary
133 institutions.

134 (i) Examine statewide data regarding articulation,
135 recommend resolutions for issues, and propose programmatic and
136 budget policies and procedures to improve articulation
137 throughout the K-20 education system.

138 (j) Recommend roles and responsibilities of public
139 education entities in interfacing with the single, statewide
140 computer-assisted student advising system established pursuant
141 to s. 1007.28, including, but not limited to, functionality
142 requirements, data needs, and appropriate reporting timelines.

143 Section 3. Subsection (12) of section 1007.25, Florida
144 Statutes, is amended to read:

145 1007.25 General education courses; common prerequisites;

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146 and other degree requirements.—

147 ~~(12)(a) A public postsecondary educational institution may~~
148 ~~not confer an associate in arts or baccalaureate degree upon any~~
149 ~~student who fails to successfully complete one of the following~~
150 ~~requirements:~~

151 ~~1. Achieve a score that meets or exceeds a minimum score on~~
152 ~~a nationally standardized examination, as established by the~~
153 ~~State Board of Education in conjunction with the Board of~~
154 ~~Governors; or~~

155 ~~2. demonstrate successful remediation of any academic~~
156 ~~deficiencies and achieve a cumulative grade point average of 2.5~~
157 ~~or above, on a 4.0 scale, in postsecondary-level coursework~~
158 ~~identified by the State Board of Education in conjunction with~~
159 ~~the Board of Governors. The Department of Education shall~~
160 ~~specify the means by which a student may demonstrate successful~~
161 ~~remediation.~~

162 ~~(b) Any student who, in the best professional opinion of~~
163 ~~the postsecondary educational institution, has a specific~~
164 ~~learning disability such that the student cannot demonstrate~~
165 ~~successful mastery of one or more of the authorized examinations~~
166 ~~but is achieving at the college level in every area despite his~~
167 ~~or her disability, and whose diagnosis indicates that further~~
168 ~~remediation will not succeed in overcoming the disability, may~~
169 ~~appeal through the appropriate dean to a committee appointed by~~
170 ~~the president or the chief academic officer for special~~
171 ~~consideration. The committee shall examine the evidence of the~~
172 ~~student's academic and medical records and may hear testimony~~
173 ~~relevant to the case. The committee may grant a waiver for one~~
174 ~~or more of the authorized examinations based on the results of~~

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175 ~~its review.~~

176 ~~(c) Each public postsecondary educational institution~~
177 ~~president shall establish a committee to consider requests for~~
178 ~~waivers from the requirements in paragraph (a). The committee~~
179 ~~shall be chaired by the chief academic officer of the~~
180 ~~institution and shall have four additional members appointed by~~
181 ~~the president as follows:~~

- 182 ~~1. One faculty member from the mathematics department;~~
- 183 ~~2. One faculty member from the English department;~~
- 184 ~~3. The institutional test administrator; and~~
- 185 ~~4. One faculty member from a department other than English~~
186 ~~or mathematics.~~

187 ~~(d) Any student who has taken the authorized examinations~~
188 ~~and has not achieved a passing score, but has otherwise~~
189 ~~demonstrated proficiency in coursework in the same subject area,~~
190 ~~may request a waiver from the examination requirement. Waivers~~
191 ~~shall be considered only after students have been provided test~~
192 ~~accommodations or other administrative adjustments to permit the~~
193 ~~accurate measurement of the student's proficiency in the subject~~
194 ~~areas measured by the authorized examinations. The committee~~
195 ~~shall consider the student's educational records and other~~
196 ~~evidence as to whether the student should be able to pass the~~
197 ~~authorized examinations. A waiver may be recommended to the~~
198 ~~president upon a majority vote of the committee. The president~~
199 ~~may approve or disapprove the recommendation. The president may~~
200 ~~not approve a request that the committee has disapproved. If a~~
201 ~~waiver is approved, the student's transcript shall include a~~
202 ~~statement that the student did not meet the requirements of this~~
203 ~~subsection and that a waiver was granted.~~

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204 Section 4. Subsection (1) of section 1007.264, Florida
205 Statutes, is amended to read:

206 1007.264 Persons with disabilities; admission to
207 postsecondary educational institutions; substitute requirements;
208 rules and regulations.—

209 (1) Any student with a disability, as defined in s.
210 1007.02(2), who is otherwise eligible ~~except those students who~~
211 ~~have been documented as having intellectual disabilities~~, shall
212 be eligible for reasonable substitution for any requirement for
213 admission into a public postsecondary educational institution
214 where documentation can be provided that the person's failure to
215 meet the admission requirement is related to the disability.

216 Section 5. Subsection (1) of section 1007.265, Florida
217 Statutes, is amended to read:

218 1007.265 Persons with disabilities; graduation, study
219 program admission, and upper-division entry; substitute
220 requirements; rules and regulations.—

221 (1) Any student with a disability, as defined in s.
222 1007.02(2), in a public postsecondary educational institution,
223 ~~except those students who have been documented as having~~
224 ~~intellectual disabilities~~, shall be eligible for reasonable
225 substitution for any requirement for graduation, for admission
226 into a program of study, or for entry into the upper division
227 where documentation can be provided that the person's failure to
228 meet the requirement is related to the disability and where
229 failure to meet the graduation requirement or program admission
230 requirement does not constitute a fundamental alteration in the
231 nature of the program.

232 Section 6. Subsections (2) and (3) and paragraph (a) of

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233 subsection (4) of section 1008.30, Florida Statutes, are amended
234 to read:

235 1008.30 Common placement testing for public postsecondary
236 education.—

237 (2) The common placement testing program shall include ~~at a~~
238 ~~minimum~~ the following: the capacity to diagnose basic
239 competencies in the areas of English, reading, and mathematics
240 which are essential to perform college-level work; an assessment
241 of prerequisite skills that relate to progressively advanced
242 instruction in mathematics and, such as algebra and geometry,
243 ~~prerequisite skills that relate to progressively advanced~~
244 ~~instruction in language arts, such as English composition and~~
245 ~~literature; prerequisite skills which relate to the College~~
246 ~~Level Academic Skills Test (CLAST);~~ and provision of specific
247 ~~test~~ information to students on skill ~~the specific~~ deficiencies.
248 The State Board of Education shall establish by rule the test
249 scores a student must achieve to demonstrate readiness.

250 (3) The State Board of Education shall adopt rules that
251 require high schools to evaluate before the beginning of grade
252 12 the college readiness of each student who indicates an
253 interest in postsecondary education and scores at Level 2 or
254 Level 3 on the reading portion of the grade 10 FCAT or Level 2,
255 Level 3, or Level 4 on the mathematics assessments under s.
256 1008.22(3)(c). High schools shall perform this evaluation using
257 results from the corresponding component of the common placement
258 test prescribed in this section, ~~7~~ or an equivalent test
259 identified by the State Board of Education. The Department of
260 Education shall adopt ~~purchase~~ or develop the assessments
261 necessary to perform the evaluations required by this subsection

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262 and shall work with the school districts to administer the
263 assessments. ~~The State Board of Education shall establish by~~
264 ~~rule the minimum test scores a student must achieve to~~
265 ~~demonstrate readiness.~~ Students who demonstrate readiness by
266 achieving the minimum test scores established by the state board
267 and enroll in a community college within 2 years after ~~of~~
268 achieving such scores shall not be required to enroll in
269 remediation courses as a condition of acceptance to any
270 community college. The high school shall use the results of the
271 test to advise the students of any identified deficiencies and
272 ~~to the maximum extent practicable~~ provide 12th grade students
273 access to approved appropriate remedial instruction prior to
274 high school graduation. The remedial instruction provided under
275 this subsection shall be a collaborative effort between
276 secondary and postsecondary educational institutions, as
277 prescribed by State Board of Education rule. To the extent
278 courses are available, the Florida Virtual School may be used to
279 provide the remedial instruction required by this subsection.
280 Students who demonstrate readiness through successful completion
281 of the approved remedial instruction are eligible to repeat the
282 common placement test prior to high school graduation.

283 (4) (a) ~~Public postsecondary educational institution~~
284 Students who have been identified as requiring additional
285 preparation pursuant to subsection (1) shall enroll in college-
286 preparatory or other adult education pursuant to s. 1004.93 in
287 community colleges to develop needed college-entry skills. The
288 State Board of Education shall specify by rule provisions for
289 alternative remediation opportunities and retesting policies.
290 These students shall be permitted to take courses within their

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291 degree program concurrently in other curriculum areas for which
292 they are qualified while enrolled in college-preparatory
293 instruction courses. A student enrolled in a college-preparatory
294 course may concurrently enroll only in college credit courses
295 that do not require the skills addressed in the college-
296 preparatory course. ~~The State Board of Education, in conjunction~~
297 ~~with the Board of Governors, shall specify the college credit~~
298 ~~courses that are acceptable for students enrolled in each~~
299 ~~college-preparatory skill area.~~ A degree-seeking student ~~who~~
300 ~~wishes to earn an associate in arts or a baccalaureate degree,~~
301 ~~but~~ who is required to complete a college-preparatory course,
302 must successfully complete the required college-preparatory
303 studies by the time the student has accumulated 12 hours of
304 lower-division college credit degree coursework; however, a
305 student may continue enrollment in degree-earning coursework
306 provided the student maintains enrollment in college-preparatory
307 coursework for each subsequent semester until college-
308 preparatory coursework requirements are completed, and provided
309 the student demonstrates satisfactory performance in degree-
310 earning coursework. A student who has accumulated 12 college
311 credit hours and has not yet demonstrated proficiency in the
312 basic competency areas of reading, writing, and mathematics must
313 be advised in writing of the requirements for associate degree
314 completion and state university admission, including information
315 about future financial aid eligibility and the potential costs
316 of accumulating excessive college credit as described in s.
317 1009.286. ~~A passing score on a standardized, institutionally~~
318 ~~developed test must be achieved~~ Before a student is considered
319 to have met basic computation and communication skills

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320 requirements, the student must demonstrate successful mastery of
321 the required developmental education competencies as defined in
322 State Board of Education rule; however, no student shall be
323 required to retake any test or subtest that was previously
324 passed by said student. Credit awarded for college-preparatory
325 instruction may not be counted toward fulfilling the number of
326 credits required for a degree.

327 Section 7. Subsection (7) of section 1008.345, Florida
328 Statutes, is amended to read:

329 1008.345 Implementation of state system of school
330 improvement and education accountability.-

331 (7) As a part of the system of educational accountability,
332 the Department of Education shall:

333 (a) Develop minimum standards for various grades and
334 subject areas, as required in ss. 1001.03, 1008.22, and 1008.34.

335 (b) Administer the statewide assessment testing program
336 created by s. 1008.22.

337 (c) Review the school advisory councils of each district as
338 required by s. 1001.452.

339 (d) Conduct the program evaluations required by s. 1001.03.

340 (e) Maintain a listing of college-level communication and
341 mathematics skills ~~defined pursuant to s. 1008.29 as being~~
342 associated with successful student performance through the
343 baccalaureate level and submit it to the State Board of
344 Education and the Board of Governors for approval.

345 ~~(f) Maintain a listing of tests and other assessment~~
346 ~~procedures which measure and diagnose student achievement of~~
347 ~~college-level communication and computation skills and submit it~~
348 ~~to the State Board of Education and the Board of Governors for~~

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349 approval.

350 ~~(g) Maintain for the information of the State Board of~~
351 ~~Education, the Board of Governors, and the Legislature a file of~~
352 ~~data to reflect achievement of college-level communication and~~
353 ~~mathematics competencies by students in state universities and~~
354 ~~community colleges.~~

355 ~~(h) Develop or contract for, and submit to the State Board~~
356 ~~of Education and the Board of Governors for approval, tests~~
357 ~~which measure and diagnose student achievement of college-level~~
358 ~~communication and mathematics skills. Any tests and related~~
359 ~~documents developed are exempt from the provisions of s.~~
360 ~~119.07(1). The commissioner shall maintain statewide~~
361 ~~responsibility for the administration of such tests and may~~
362 ~~assign administrative responsibilities for the tests to any~~
363 ~~state university or community college. The state board, upon~~
364 ~~recommendation of the commissioner, may enter into contracts for~~
365 ~~such services beginning in one fiscal year and continuing into~~
366 ~~the next year which are paid from the appropriation for either~~
367 ~~or both fiscal years.~~

368 ~~(f)(i)~~ Perform any other functions that may be involved in
369 educational planning, research, and evaluation or that may be
370 required by the commissioner, the State Board of Education, the
371 Board of Governors, or law.

372 Section 8. Subsections (4) and (6) of section 1008.38,
373 Florida Statutes, are amended to read:

374 1008.38 Articulation accountability process.—The State
375 Board of Education, in conjunction with the Board of Governors,
376 shall develop articulation accountability measures which assess
377 the status of systemwide articulation processes authorized under

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378 s. 1007.23 and establish an articulation accountability process
379 which at a minimum shall address:

380 (4) The smooth transfer of Florida College System ~~community~~
381 ~~college~~ associate ~~in arts~~ degree graduates to a Florida College
382 System institution or a state university.

383 (6) The relationship between student attainment of college-
384 level ~~the College Level~~ academic skills ~~Test Program~~ and
385 articulation to the upper division in public postsecondary
386 institutions.

387 Section 9. Subsection (1) of section 1009.534, Florida
388 Statutes, is amended to read:

389 1009.534 Florida Academic Scholars award.—

390 (1) A student is eligible for a Florida Academic Scholars
391 award if the student meets the general eligibility requirements
392 for the Florida Bright Futures Scholarship Program and the
393 student:

394 (a) Has achieved a 3.5 weighted grade point average as
395 calculated pursuant to s. 1009.531, or its equivalent, in high
396 school courses that are designated by the State Board of
397 Education as college-preparatory academic courses; and has
398 attained at least the score pursuant to s. 1009.531(6)(a) on the
399 combined verbal and quantitative parts of the Scholastic
400 Aptitude Test, the Scholastic Assessment Test, or the recentered
401 Scholastic Assessment Test of the College Entrance Examination,
402 or an equivalent score on the ACT Assessment Program;

403 (b) Has attended a home education program according to s.
404 1002.41 during grades 11 and 12 or has completed the
405 International Baccalaureate curriculum but failed to earn the
406 International Baccalaureate Diploma or has completed the

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407 Advanced International Certificate of Education curriculum but
408 failed to earn the Advanced International Certificate of
409 Education Diploma, and has attained at least the score pursuant
410 to s. 1009.531(6)(a) on the combined verbal and quantitative
411 parts of the Scholastic Aptitude Test, the Scholastic Assessment
412 Test, or the recentered Scholastic Assessment Test of the
413 College Entrance Examination, or an equivalent score on the ACT
414 Assessment Program;

415 (c) Has been awarded an International Baccalaureate Diploma
416 from the International Baccalaureate Office or an Advanced
417 International Certificate of Education Diploma from the
418 University of Cambridge International Examinations Office;

419 (d) Has been recognized by the merit or achievement
420 programs of the National Merit Scholarship Corporation as a
421 scholar or finalist; or

422 (e) Has been recognized by the National Hispanic
423 Recognition Program as a scholar recipient.

424

425 A student must complete a program of community service work, as
426 approved by the district school board, ~~or~~ the administrators of
427 a nonpublic school, or the Department of Education for home
428 school students, which shall include a minimum of 75 hours of
429 service work and require the student to identify a social
430 problem that interests him or her, develop a plan for his or her
431 personal involvement in addressing the problem, and, through
432 papers or other presentations, evaluate and reflect upon his or
433 her experience.

434 Section 10. Subsection (11) of section 1001.64, Florida
435 Statutes, is amended to read

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436 1001.64 Community college boards of trustees; powers and
437 duties.—

438 (11) Each board of trustees shall submit an institutional
439 budget request, including a request for fixed capital outlay,
440 and an operating budget to the State Board of Education for
441 review approval in accordance with guidelines established by the
442 State Board of Education.

443 Section 11. Section 1011.30, Florida Statutes, is amended
444 to read:

445 1011.30 Budgets for community colleges.—Each community
446 college president shall recommend to the community college board
447 of trustees a budget of income and expenditures at such time and
448 in such form as the State Board of Education may prescribe. Upon
449 approval of a budget by the community college board of trustees,
450 such budget shall be transmitted to the Department of Education
451 for review ~~and approval~~. Rules of the State Board of Education
452 shall prescribe procedures for effecting budget amendments
453 subsequent to the final approval of a budget for a given year.

454 Section 12. Subsection (3) of section 467.009, Florida
455 Statutes, is amended to read:

456 467.009 Midwifery programs; education and training
457 requirements.—

458 (3) To be accepted into an approved midwifery program, an
459 applicant shall have:

460 (a) A high school diploma or its equivalent.

461 (b) ~~Passed the college level academic scholastic test~~
462 ~~(CLAST) or~~ Taken three college-level credits each of math and
463 English or demonstrated competencies in communication and
464 computation.

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465 Section 13. Section 6 of chapter 2006-58, Laws of Florida,
466 is repealed.

467 Section 14. This act shall take effect upon becoming a law.