

1 A bill to be entitled
2 An act relating to higher education; amending s.
3 446.021, F.S.; revising definitions relating to state
4 apprenticeship and job-training programs; amending s.
5 446.032, F.S.; conforming provisions; amending s.
6 446.045, F.S.; revising criteria for certain
7 appointments to the State Apprenticeship Advisory
8 Council; amending s. 446.081, F.S.; limiting
9 applicability of state apprenticeship and job-training
10 program requirements with respect to certain
11 provisions for veterans, minority persons, and women;
12 amending s. 446.091, F.S.; conforming provisions;
13 amending s. 446.092, F.S.; revising criteria for
14 apprenticeship occupations; amending s. 1001.03, F.S.;
15 deleting an obsolete prohibition relating to the
16 approval of certain baccalaureate degree program
17 proposals; amending s. 1001.44, F.S.; revising
18 requirements for the establishment and operation of
19 career centers; providing requirements for a career
20 center to be designated as a technical college;
21 amending s. 1002.34, F.S.; providing requirements for
22 a charter technical career center to be designated as
23 a charter technical college; amending s. 1002.345,
24 F.S.; conforming cross-references; amending s.
25 1004.015, F.S.; revising the membership of the Higher
26 Education Coordinating Council; amending s. 1004.02,

27 F.S.; revising definitions relating to public
28 postsecondary education; renaming the applied
29 technology diploma program as the college credit
30 certificate program; amending s. 1004.92, F.S.;
31 revising the program standards for career, adult, and
32 community education programs; providing for
33 rulemaking; amending ss. 1007.23 and 1007.25, F.S.;
34 conforming provisions; amending s. 1007.33, F.S.;
35 deleting provisions authorizing St. Petersburg College
36 to establish additional baccalaureate degree programs
37 under certain circumstances; deleting an obsolete
38 provision; amending s. 1008.30, F.S.; deleting a
39 requirement for high schools to evaluate certain
40 students using results from specified assessments;
41 deleting requirements for the use of the evaluation
42 results and required instruction based on certain
43 evaluation results; deleting an exemption from the
44 common placement assessment and required developmental
45 education instruction; providing that certain students
46 may enroll in a gateway course under certain
47 circumstances; amending s. 1009.22, F.S.; revising
48 tuition and fees for specific workforce education
49 programs; amending ss. 1009.53, 1009.532, and
50 1009.536, F.S.; conforming provisions to changes made
51 by the act; amending s. 1011.80, F.S.; conforming
52 provisions; requiring school districts and Florida

53 College System institutions to maintain certain
 54 records; revising operational and performance funding
 55 calculation and allocation for workforce education
 56 programs; deleting provisions relating to a program to
 57 assist in responding to the needs of new and expanding
 58 businesses; providing an effective date.

59

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

61

62 Section 1. Subsections (2), (4), and (9) of section
 63 446.021, Florida Statutes, are amended to read:

64 446.021 Definitions of terms used in ss. 446.011-446.092.—

65 As used in ss. 446.011-446.092, the term:

66 (2) "Apprentice" means a person at least 16 years of age
 67 who is engaged in learning a recognized skilled trade through
 68 actual work experience under the supervision of a journeyworker
 69 ~~journeymen-craftsmen~~, which training should be combined with
 70 properly coordinated studies of related technical and
 71 supplementary subjects, and who has entered into a written
 72 agreement, which may be cited as an apprentice agreement, with a
 73 registered apprenticeship sponsor who may be ~~either~~ an employer,
 74 an association of employers, or a local joint apprenticeship
 75 committee.

76 (4) "Journeyworker Journeyman" means a worker who has
 77 attained a level of skill and the abilities and competencies
 78 recognized within an industry as having mastered the skills and

79 competencies required for the occupation. The term includes a
80 mentor, technician, or specialist or other skilled worker who
81 has documented sufficient skills and knowledge of an occupation,
82 either through formal apprenticeship or through practical on-
83 the-job experience and formal training ~~person working in an~~
84 ~~apprenticeable occupation who has successfully completed a~~
85 ~~registered apprenticeship program or who has worked the number~~
86 ~~of years required by established industry practices for the~~
87 ~~particular trade or occupation.~~

88 (9) "Related instruction" means an organized and
89 systematic form of instruction designed to provide the
90 apprentice with knowledge of the theoretical and technical
91 subjects related to a specific trade or occupation. Such
92 instruction may be given in a classroom, through occupational or
93 industrial courses or correspondence courses of equivalent
94 value, through electronic media, or through other forms of self-
95 study approved by the department.

96 Section 2. Subsection (1) of section 446.032, Florida
97 Statutes, is amended to read:

98 446.032 General duties of the department for
99 apprenticeship training.—The department shall:

100 (1) Establish uniform minimum standards and policies
101 governing apprentice programs and agreements. The standards and
102 policies shall govern the terms and conditions of the
103 apprentice's employment and training, including the quality
104 training of the apprentice for, but not limited to, such matters

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105 as ratios of apprentices to journeyworkers ~~journeymen~~, safety,
106 related instruction, and on-the-job training; but these
107 standards and policies may not include rules, standards, or
108 guidelines that require the use of apprentices and job trainees
109 on state, county, or municipal contracts. The department may
110 adopt rules necessary to administer the standards and policies.

111 Section 3. Paragraph (b) of subsection (2) of section
112 446.045, Florida Statutes, is amended to read:

113 446.045 State Apprenticeship Advisory Council.—

114 (2) (b) The Commissioner of Education or the commissioner's
115 designee shall serve ex officio as chair of the State
116 Apprenticeship Advisory Council, but may not vote. The state
117 director of the Office of Apprenticeship of the United States
118 Department of Labor shall serve ex officio as a nonvoting member
119 of the council. The Governor shall appoint to the council four
120 members representing employee organizations and four members
121 representing employer organizations. Each of these eight members
122 shall represent industries that have registered apprenticeship
123 programs. The Governor shall also appoint two public members who
124 are knowledgeable about registered apprenticeship and
125 apprenticeable occupations and who are independent of any joint
126 or nonjoint organization, ~~one of whom shall be recommended by~~
127 ~~joint organizations, and one of whom shall be recommended by~~
128 ~~nonjoint organizations~~. Members shall be appointed for 4-year
129 staggered terms. A vacancy shall be filled for the remainder of
130 the unexpired term.

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131 Section 4. Subsection (4) is added to section 446.081,
 132 Florida Statutes, to read:

133 446.081 Limitation.—

134 (4) Nothing in ss. 446.011-446.092 or in any rules
 135 adopted, or in any apprentice agreement approved, under those
 136 sections shall operate to invalidate any special provision for
 137 veterans, minority persons, or women in the standards,
 138 apprentice qualifications, or operation of the program, which is
 139 not otherwise prohibited by law, executive order, or authorized
 140 regulation.

141 Section 5. Section 446.091, Florida Statutes, is amended
 142 to read:

143 446.091 On-the-job training program.—All provisions of ss.
 144 446.011-446.092 relating to apprenticeship and
 145 preapprenticeship, including, but not limited to, programs,
 146 agreements, standards, administration, procedures, definitions,
 147 expenditures, local committees, powers and duties, limitations,
 148 grievances, and ratios of apprentices and job trainees to
 149 journeyworkers ~~journeymen~~ on state, county, and municipal
 150 contracts, shall be appropriately adapted and made applicable to
 151 a program of on-the-job training authorized under those
 152 provisions for persons other than apprentices.

153 Section 6. Section 446.092, Florida Statutes, is amended
 154 to read:

155 446.092 Criteria for apprenticeship occupations.—An
 156 apprenticeable occupation is a skilled trade which possesses all

157 of the following characteristics:

158 (1) It is customarily learned in a practical way through a
159 structured, systematic program of on-the-job, supervised
160 training.

161 (2) It is clearly identified and commonly recognized
162 throughout an the industry ~~or recognized with a positive view~~
163 ~~towards changing technology.~~

164 (3) It involves manual, mechanical, or technical skills
165 and knowledge which, in accordance with the industry standards
166 for the occupation, would require a minimum of 2,000 hours of
167 on-the-job ~~work and~~ training, which hours are excluded from the
168 time spent at related instruction.

169 (4) It requires related instruction to supplement on-the-
170 job training. Such instruction may be given in a classroom,
171 through occupational or industrial courses or ~~through~~
172 correspondence courses of equivalent value, through electronic
173 media, or through other forms of self-study approved by the
174 department.

175 ~~(5) It involves the development of skill sufficiently~~
176 ~~broad to be applicable in like occupations throughout an~~
177 ~~industry, rather than of restricted application to the products~~
178 ~~or services of any one company.~~

179 ~~(6) It does not fall into any of the following categories:~~

180 ~~(a) Selling, retailing, or similar occupations in the~~
181 ~~distributive field.~~

182 ~~(b) Managerial occupations.~~

183 ~~(c) Professional and scientific vocations for which~~
 184 ~~entrance requirements customarily require an academic degree.~~

185 Section 7. Subsection (15) of section 1001.03, Florida
 186 Statutes, is amended to read:

187 1001.03 Specific powers of State Board of Education.—

188 (15) FLORIDA COLLEGE SYSTEM INSTITUTION BACCALAUREATE
 189 DEGREE PROGRAMS.—The State Board of Education shall provide for
 190 the review and approval of proposals by Florida College System
 191 institutions to offer baccalaureate degree programs pursuant to
 192 s. 1007.33. A Florida College System institution, as defined in
 193 s. 1000.21, that is approved to offer baccalaureate degrees
 194 pursuant to s. 1007.33 remains under the authority of the State
 195 Board of Education and the Florida College System institution's
 196 board of trustees. ~~The State Board of Education may not approve~~
 197 ~~Florida College System institution baccalaureate degree program~~
 198 ~~proposals from March 31, 2014, through May 31, 2015.~~

199 Section 8. Section 1001.44, Florida Statutes, is amended
 200 to read:

201 (Substantial rewording of section. See
 202 s. 1001.44, F.S., for present text.)

203 1001.44 Career centers; designation as technical
 204 colleges.—

205 (1) In order to provide additional career pathways, career
 206 centers shall support and enhance a competitive workforce by
 207 offering high-quality career and technical education programs
 208 that prepare graduates for current and emerging careers.

209 (2) (a) A career center is an educational institution that
 210 offers postsecondary career and technical education programs and
 211 is under the control of the district school board of the school
 212 district in which the center is located. A district school
 213 board, after first obtaining the approval of the Commissioner of
 214 Education, may organize, establish, and operate a career center
 215 or acquire and operate a career center previously established. A
 216 career center that uses the "technical college" designation
 217 pursuant to subsection (3) remains under the control of the
 218 district school board of the school district in which the center
 219 is located.

220 (b) The district school boards of two or more contiguous
 221 districts may, after first obtaining the approval of the
 222 commissioner, enter into an agreement to organize, establish,
 223 and operate, or acquire and operate, a career center under this
 224 section.

225 (3) With the approval of its district school board, a
 226 career center may use the designation "technical college" only
 227 if it meets the following requirements:

228 (a) Offers college credit certificate programs or
 229 technical certificate programs that are terminal in nature; and

230 (b) Offers only career and technical education programs
 231 that are approved by an accrediting agency recognized by the
 232 United States Department of Education.

233 (4) A career center shall maintain an academic transcript
 234 for each student enrolled in the center. A student's transcript

235 shall include each course completed, credit earned, and
236 credentials earned by the student. Each course shall be
237 delineated by the course prefix and title assigned pursuant to
238 s. 1007.24. A career center shall make each student's transcript
239 available to that student.

240 (5) A career center shall annually, and upon the request
241 of the state board, the Chancellor of Career and Adult
242 Education, or the Legislature, report on the career center's
243 status using the following performance and compliance
244 indicators:

245 (a) Obtaining and maintaining appropriate accreditation.

246 (b) Maintaining qualified faculty and institutional
247 resources.

248 (c) Maintaining enrollment in previously approved
249 programs.

250 (d) Managing fiscal resources appropriately.

251 (e) Measuring program success, including program
252 completions, placements, licensures, and employer satisfaction
253 with the job performance of graduates.

254 Section 9. Subsections (4) through (19) of section
255 1002.34, Florida Statutes, are renumbered as subsections (5)
256 through (20), respectively, present subsection (4) and
257 paragraphs (b) and (g) of present subsection (11) are amended,
258 and a new subsection (4) is added to that section, to read:

259 1002.34 Charter technical career centers; designation as
260 charter technical colleges.-

261 (4) PROGRAMS.—With the approval of its board of directors,
262 a charter technical career center may use the designation
263 "charter technical college" only if it meets the following
264 requirements:

265 (a) Offers college credit certificate programs or
266 technical certificate programs that are terminal in nature; and

267 (b) Offers only career and technical education programs
268 that are approved by an accrediting agency recognized by the
269 United States Department of Education.

270 (5) ~~(4)~~ CHARTER.—A sponsor may designate centers as
271 provided in this section. An application to establish a center
272 may be submitted by a sponsor or another organization that is
273 determined, by rule of the State Board of Education, to be
274 appropriate. However, an independent school is not eligible for
275 status as a center. The charter must be signed by the governing
276 body of the center and the sponsor and must be approved by the
277 district school board and Florida College System institution
278 board of trustees in whose geographic region the facility is
279 located. If a charter technical career center is established by
280 the conversion to charter status of a public technical center
281 formerly governed by a district school board, the charter status
282 of that center takes precedence in any question of governance.
283 The governance of the center or of any program within the center
284 remains with its board of directors unless the board agrees to a
285 change in governance or its charter is revoked as provided in
286 subsection (16) ~~(15)~~. Such a conversion charter technical career

287 center is not affected by a change in the governance of public
288 technical centers or of programs within other centers that are
289 or have been governed by district school boards. A charter
290 technical career center, or any program within such a center,
291 that was governed by a district school board and transferred to
292 a Florida College System institution prior to the effective date
293 of this act is not affected by this provision. An applicant who
294 wishes to establish a center must submit to the district school
295 board or Florida College System institution board of trustees,
296 or a consortium of one or more of each, an application on a form
297 developed by the Department of Education which includes:

298 (a) The name of the proposed center.

299 (b) The proposed structure of the center, including a list
300 of proposed members of the board of directors or a description
301 of the qualifications for and method of their appointment or
302 election.

303 (c) The workforce development goals of the center, the
304 curriculum to be offered, and the outcomes and the methods of
305 assessing the extent to which the outcomes are met.

306 (d) The admissions policy and criteria for evaluating the
307 admission of students.

308 (e) A description of the staff responsibilities and the
309 proposed qualifications of the teaching staff.

310 (f) A description of the procedures to be implemented to
311 ensure significant involvement of representatives of business
312 and industry in the operation of the center.

313 (g) A method for determining whether a student has
314 satisfied the requirements for graduation specified in s.
315 1002.3105(5), s. 1003.4281, or s. 1003.4282 and for completion
316 of a postsecondary certificate or degree.

317 (h) A method for granting secondary and postsecondary
318 diplomas, certificates, and degrees.

319 (i) A description of and address for the physical facility
320 in which the center will be located.

321 (j) A method for resolving conflicts between the governing
322 body of the center and the sponsor and between consortium
323 members, if applicable.

324 (k) A method for reporting student data as required by law
325 and rule.

326 (l) A statement that the applicant has participated in the
327 training provided by the Department of Education.

328 (m) The identity of all relatives employed by the charter
329 technical career center who are related to the center owner,
330 president, chairperson of the governing board of directors,
331 superintendent, governing board member, principal, assistant
332 principal, or any other person employed by the center who has
333 equivalent decisionmaking authority. As used in this paragraph,
334 the term "relative" means father, mother, son, daughter,
335 brother, sister, uncle, aunt, first cousin, nephew, niece,
336 husband, wife, father-in-law, mother-in-law, son-in-law,
337 daughter-in-law, brother-in-law, sister-in-law, stepfather,
338 stepmother, stepson, stepdaughter, stepbrother, stepsister, half

339 brother, or half sister.

340 (n) Other information required by the district school
341 board or Florida College System institution board of trustees.

342

343 Students at a center must meet the same testing and academic
344 performance standards as those established by law and rule for
345 students at public schools and public technical centers. The
346 students must also meet any additional assessment indicators
347 that are included within the charter approved by the district
348 school board or Florida College System institution board of
349 trustees.

350 (12)~~(11)~~ FUNDING.—

351 (b) Each district school board and Florida College System
352 institution that sponsors a charter technical career center
353 shall pay directly to the center an amount stated in the
354 charter. State funding shall be generated for the center for its
355 student enrollment and program outcomes as provided in law. A
356 center is eligible for funding from workforce education funds,
357 the Florida Education Finance Program, and the Florida College
358 System Program Fund, depending upon the programs offered
359 ~~conducted~~ by the center, pursuant to s. 1011.80.

360 (g) A center must describe ~~define~~ in the charter agreement
361 the delivery system in which the instructional offering of
362 educational services will be placed. The rules governing this
363 delivery system must be applied to all of the center's students
364 and must authorize all other sponsoring educational systems to

365 report required enrollment and student data based solely on the
 366 rules of the offering institution. Each sponsor shall earn full-
 367 time equivalent membership for each student for funding and
 368 reporting purposes.

369 Section 10. Paragraphs (a) and (d) of subsection (1) and
 370 paragraph (b) of subsection (2) of section 1002.345, Florida
 371 Statutes, are amended to read:

372 1002.345 Determination of deteriorating financial
 373 conditions and financial emergencies for charter schools and
 374 charter technical career centers.—This section applies to
 375 charter schools operating pursuant to s. 1002.33 and to charter
 376 technical career centers operating pursuant to s. 1002.34.

377 (1) EXPEDITED REVIEW; REQUIREMENTS.—

378 (a) A charter school or a charter technical career center
 379 is subject to an expedited review by the sponsor if one of the
 380 following occurs:

381 1. Failure to provide for an audit required by s. 218.39.

382 2. Failure to comply with reporting requirements pursuant
 383 to s. 1002.33(9) or s. 1002.34(12)(f) or (15) ~~1002.34(11)(f) or~~
 384 ~~(14)~~.

385 3. A deteriorating financial condition identified through
 386 an annual audit pursuant to s. 218.39(5), a monthly financial
 387 statement pursuant to s. 1002.33(9)(g) or s. 1002.34(12)(f)
 388 ~~1002.34(11)(f)~~, or a quarterly financial statement pursuant to
 389 s. 1002.331(2)(c). "Deteriorating financial condition" means a
 390 circumstance that significantly impairs the ability of a charter

391 school or a charter technical career center to generate enough
 392 revenues to meet its expenditures without causing the occurrence
 393 of a condition described in s. 218.503(1).

394 4. Notification pursuant to s. 218.503(2) that one or more
 395 of the conditions specified in s. 218.503(1) have occurred or
 396 will occur if action is not taken to assist the charter school
 397 or charter technical career center.

398 (d) The governing board shall include the corrective
 399 action plan and the status of its implementation in the annual
 400 progress report to the sponsor which is required pursuant to s.
 401 1002.33(9)(k) or s. 1002.34(15) ~~1002.34(14)~~.

402 (2) FINANCIAL EMERGENCY; REQUIREMENTS.—

403 (b) The governing board shall include the financial
 404 recovery plan and the status of its implementation in the annual
 405 progress report to the sponsor which is required under s.
 406 1002.33(9)(k) or s. 1002.34(15) ~~1002.34(14)~~.

407 Section 11. Subsection (2) of section 1004.015, Florida
 408 Statutes, is amended to read:

409 1004.015 Higher Education Coordinating Council.—

410 (2) Members of the council shall include:

411 (a) One member of the Board of Governors, appointed by the
 412 chair of the Board of Governors.

413 (b) The Chancellor of the State University System.

414 (c) The Chancellor of the Florida College System.

415 (d) The Chancellor of Career and Adult Education.

416 (e) ~~(d)~~ One member of the State Board of Education,

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417 appointed by the chair of the State Board of Education.

418 (f)~~(e)~~ The Executive Director of the Florida Association
419 of Postsecondary Schools and Colleges.

420 (g)~~(f)~~ The president of the Independent Colleges and
421 Universities of Florida.

422 (h)~~(g)~~ The president of Workforce Florida, Inc., or his or
423 her designee.

424 (i)~~(h)~~ The president of Enterprise Florida, Inc., or a
425 designated member of the Stakeholders Council appointed by the
426 president.

427 (j)~~(i)~~ Three representatives of the business community,
428 one appointed by the President of the Senate, one appointed by
429 the Speaker of the House of Representatives, and one appointed
430 by the Governor, who are committed to developing and enhancing
431 world class workforce infrastructure necessary for Florida's
432 citizens to compete and prosper in the ever-changing economy of
433 the 21st century.

434 Section 12. Subsections (7) and (25) of section 1004.02,
435 Florida Statutes, are amended to read:

436 1004.02 Definitions.—As used in this chapter:

437 (7) "College credit certificate ~~Applied technology diploma~~
438 program" means a course of study that is part of a technical
439 degree program, is less than 60 credit hours, and leads to
440 employment in a specific occupation. ~~An applied technology~~
441 ~~diploma program may consist of either technical credit or~~
442 ~~college credit. A public school district may offer an applied~~

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443 ~~technology diploma program only as technical credit, with~~
444 ~~college credit awarded to a student upon articulation to a~~
445 ~~Florida College System institution.~~ Statewide articulation among
446 public schools and Florida College System institutions is
447 guaranteed by s. 1007.23~~7~~ and is subject to guidelines and
448 standards adopted by the State Board of Education pursuant to
449 ss. 1007.24 and 1007.25.

450 (25) "Workforce education" means adult general education
451 or career education and may consist of a continuing workforce
452 education course or a program of study leading to an
453 occupational completion point, a career certificate, a college
454 credit certificate ~~an applied technology diploma~~, or a career
455 degree.

456 Section 13. Paragraph (b) of subsection (2) of section
457 1004.92, Florida Statutes, is amended, and subsection (4) is
458 added to that section, to read:

459 1004.92 Purpose and responsibilities for career
460 education.—

461 (2)

462 (b) Department of Education accountability for career
463 education includes, but is not limited to:

464 1. The provision of timely, accurate technical assistance
465 to school districts and Florida College System institutions.

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

468 3. The development of policies, rules, and procedures that

469 facilitate institutional attainment of the accountability
470 standards and coordinate the efforts of all divisions within the
471 department.

472 4. The development of program standards and industry-
473 driven benchmarks for career, adult, and community education
474 programs, which must be updated every 3 years. The standards
475 must reflect the quality components of a career and technical
476 education program and include career, academic, and workplace
477 skills; viability of distance learning for instruction; and
478 work/learn cycles that are responsive to business and industry.

479 5. Overseeing school district and Florida College System
480 institution compliance with the provisions of this chapter.

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

486 (4) The State Board of Education shall adopt rules to
487 administer this section.

488 Section 14. Subsections (1) and (4) of section 1007.23,
489 Florida Statutes, are amended to read:

490 1007.23 Statewide articulation agreement.—

491 (1) The State Board of Education and the Board of
492 Governors shall enter into a statewide articulation agreement
493 which the State Board of Education shall adopt by rule. The
494 agreement must preserve Florida's "2+2" system of articulation,

495 facilitate the seamless articulation of student credit across
 496 and among Florida's educational entities, and reinforce ~~the~~
 497 ~~provisions of~~ this chapter by governing:

498 (a) Articulation between secondary and postsecondary
 499 education.†

500 (b) Admission of associate in arts degree graduates from
 501 Florida College System institutions and state universities.†

502 (c) Admission of college credit certificate ~~applied~~
 503 ~~technology diploma~~ program graduates from Florida College System
 504 institutions or career centers.†

505 (d) Admission of associate in science degree and associate
 506 in applied science degree graduates from Florida College System
 507 institutions.†

508 (e) The use of acceleration mechanisms, including
 509 nationally standardized examinations through which students may
 510 earn credit.†

511 (f) General education requirements and statewide course
 512 numbers as provided for in ss. 1007.24 and 1007.25.† ~~and~~

513 (g) Articulation among programs in nursing.

514 (4) The articulation agreement must guarantee the
 515 statewide articulation of appropriate workforce development
 516 programs and courses between school districts and Florida
 517 College System institutions and specifically provide that every
 518 college credit certificate ~~applied technology diploma~~ graduate
 519 must be granted the same amount of credit upon admission to an
 520 associate in science degree or associate in applied science

521 degree program unless it is a limited access program. Preference
 522 for admission must be given to graduates who are residents of
 523 Florida.

524 Section 15. Subsections (2) and (11) of section 1007.25,
 525 Florida Statutes, are amended to read:

526 1007.25 General education courses; common prerequisites;
 527 other degree requirements.—

528 (2) The department shall identify postsecondary career
 529 education programs offered by Florida College System
 530 institutions and district school boards. The department shall
 531 also identify career courses designated as college credit
 532 courses applicable toward a college credit certificate ~~career~~
 533 ~~education diploma~~ or degree. Such courses must be identified
 534 within the statewide course numbering system.

535 (11) The Commissioner of Education shall appoint faculty
 536 committees representing both Florida College System institution
 537 and public school faculties to recommend to the commissioner for
 538 approval by the State Board of Education a standard program
 539 length and appropriate occupational completion points for each
 540 postsecondary career certificate program, college credit
 541 certificate ~~diploma~~, and degree offered by a school district or
 542 a Florida College System institution.

543 Section 16. Subsection (4) of section 1007.33, Florida
 544 Statutes, is amended to read:

545 1007.33 Site-determined baccalaureate degree access.—

546 (4) A Florida College System institution may:

547 (a) Offer specified baccalaureate degree programs through
 548 formal agreements between the Florida College System institution
 549 and other regionally accredited postsecondary educational
 550 institutions pursuant to s. 1007.22.

551 (b) Offer baccalaureate degree programs that were
 552 authorized by law before ~~prior to~~ July 1, 2009.

553 (c) Beginning July 1, 2009, establish a first or
 554 subsequent baccalaureate degree program for purposes of meeting
 555 district, regional, or statewide workforce needs if approved by
 556 the State Board of Education under this section.

557
 558 Beginning July 1, 2009, the Board of Trustees of St. Petersburg
 559 College is authorized to establish one or more bachelor of
 560 applied science degree programs based on an analysis of
 561 workforce needs in Pinellas, Pasco, and Hernando Counties and
 562 other counties approved by the Department of Education. For each
 563 program selected, St. Petersburg College must offer a related
 564 associate in science or associate in applied science degree
 565 program, and the baccalaureate degree level program must be
 566 designed to articulate fully with at least one associate in
 567 science degree program. The college is encouraged to develop
 568 articulation agreements for enrollment of graduates of related
 569 associate in applied science degree programs. ~~The Board of~~
 570 ~~Trustees of St. Petersburg College is authorized to establish~~
 571 ~~additional baccalaureate degree programs if it determines a~~
 572 ~~program is warranted and feasible based on each of the factors~~

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573 ~~in paragraph (5) (d). However, the Board of Trustees of St.~~
574 ~~Petersburg College may not establish any new baccalaureate~~
575 ~~degree programs from March 31, 2014, through May 31, 2015.~~ Prior
576 to developing or proposing a new baccalaureate degree program,
577 St. Petersburg College shall engage in need, demand, and impact
578 discussions with the state university in its service district
579 and other local and regional, accredited postsecondary providers
580 in its region. Documentation, data, and other information from
581 inter-institutional discussions regarding program need, demand,
582 and impact shall be provided to the college's board of trustees
583 to inform the program approval process. Employment at St.
584 Petersburg College is governed by the same laws that govern
585 Florida College System institutions, except that upper-division
586 faculty are eligible for continuing contracts upon the
587 completion of the fifth year of teaching. Employee records for
588 all personnel shall be maintained as required by s. 1012.81.

589 Section 17. Subsection (3) and paragraphs (a) and (b) of
590 subsection (4) of section 1008.30, Florida Statutes, are amended
591 to read:

592 1008.30 Common placement testing for public postsecondary
593 education.—

594 ~~(3) The State Board of Education shall adopt rules that~~
595 ~~require high schools to evaluate before the beginning of grade~~
596 ~~12 the college readiness of each student who scores Level 2 or~~
597 ~~Level 3 on grade 10 FCAT Reading or the English Language Arts~~
598 ~~assessment under s. 1008.22, as applicable, or Level 2, Level 3,~~

599 ~~or Level 4 on the Algebra I assessment under s. 1008.22. High~~
600 ~~schools shall perform this evaluation using results from the~~
601 ~~corresponding component of the common placement test prescribed~~
602 ~~in this section, or an alternative test identified by the State~~
603 ~~Board of Education. The high school shall use the results of the~~
604 ~~test to advise the students of any identified deficiencies and~~
605 ~~to provide 12th grade students, and require them to complete,~~
606 ~~appropriate postsecondary preparatory instruction before high~~
607 ~~school graduation. The curriculum provided under this subsection~~
608 ~~shall be identified in rule by the State Board of Education and~~
609 ~~encompass Florida's Postsecondary Readiness Competencies. Other~~
610 ~~elective courses may not be substituted for the selected~~
611 ~~postsecondary mathematics, reading, writing, or English Language~~
612 ~~Arts preparatory course unless the elective course covers the~~
613 ~~same competencies included in the postsecondary mathematics,~~
614 ~~reading, writing, or English Language Arts preparatory course.~~

615 (3)(4) By October 31, 2013, the State Board of Education
616 shall establish by rule the test scores a student must achieve
617 to demonstrate readiness to perform college-level work, and the
618 rules must specify the following:

619 ~~(a) A student who entered 9th grade in a Florida public~~
620 ~~school in the 2003-2004 school year, or any year thereafter, and~~
621 ~~earned a Florida standard high school diploma or a student who~~
622 ~~is serving as an active duty member of any branch of the United~~
623 ~~States Armed Services shall not be required to take the common~~
624 ~~placement test and shall not be required to enroll in~~

625 ~~developmental education instruction in a Florida College System~~
626 ~~institution. However, a student who is not required to take the~~
627 ~~common placement test and is not required to enroll in~~
628 ~~developmental education under this paragraph may opt to be~~
629 ~~assessed and to enroll in developmental education instruction,~~
630 ~~and the college shall provide such assessment and instruction~~
631 ~~upon the student's request.~~

632 (a) ~~(b)~~ A student who takes the common placement test and
633 whose score on the common placement test indicates a need for
634 developmental education must be advised of all the developmental
635 education options offered at the institution and, after
636 advisement, shall be allowed to enroll in a the developmental
637 education option or gateway course, as defined in s. 1008.02, of
638 his or her choice.

639 Section 18. Paragraphs (d) and (e) of subsection (3) of
640 section 1009.22, Florida Statutes, are redesignated as
641 paragraphs (e) and (f), respectively, paragraph (c) of that
642 subsection is amended, and a new paragraph (d) is added to that
643 subsection, to read:

644 1009.22 Workforce education postsecondary student fees.—

645 (3)

646 (c) Effective July 1, 2014, for programs leading to a
647 career certificate ~~or an applied technology diploma,~~ the
648 standard tuition shall be \$2.33 per contact hour for residents
649 and nonresidents and the out-of-state fee shall be \$6.99 per
650 contact hour. For adult general education programs, a block

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651 tuition of \$45 per half year or \$30 per term shall be assessed.
652 Each district school board and Florida College System
653 institution board of trustees shall adopt policies and
654 procedures for the collection of and accounting for the
655 expenditure of the block tuition. All funds received from the
656 block tuition shall be used only for adult general education
657 programs. Students enrolled in adult general education programs
658 may not be assessed the fees authorized in subsection (5),
659 subsection (6), or subsection (7).

660 (d) Effective July 1, 2015, for programs leading to a
661 college credit certificate, the standard tuition shall be \$71.98
662 per credit hour for residents and nonresidents and the out-of-
663 state fee shall be \$215.94 per credit hour in addition to the
664 standard credit hour rate of \$71.98.

665 Section 19. Subsection (1) of section 1009.53, Florida
666 Statutes, is amended to read:

667 1009.53 Florida Bright Futures Scholarship Program.—

668 (1) The Florida Bright Futures Scholarship Program is
669 created to establish a lottery-funded scholarship program to
670 reward any Florida high school graduate who merits recognition
671 of high academic achievement and who enrolls in a degree
672 program, certificate program, or college credit certificate
673 ~~applied technology~~ program at an eligible Florida public or
674 private postsecondary education institution within 3 years after
675 ~~of~~ graduation from high school.

676 Section 20. Paragraph (c) of subsection (3) of section

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677 1009.532, Florida Statutes, is amended to read:

678 1009.532 Florida Bright Futures Scholarship Program;
679 student eligibility requirements for renewal awards.—

680 (3)

681 (c) A student who is initially eligible in the 2012-2013
682 academic year and thereafter may receive an award for a maximum
683 of 100 percent of the number of credit hours required to
684 complete an associate degree program, a baccalaureate degree
685 program, or a postsecondary career certificate program or, for a
686 Florida Gold Seal Vocational Scholars award, may receive an
687 award for a maximum of 100 percent of the number of credit hours
688 or equivalent clock hours required to complete one of the
689 following at a Florida public or nonpublic education institution
690 that offers these specific programs: for a college credit
691 certificate ~~an applied technology diploma~~ program as defined in
692 s. 1004.02(7), up to 60 credit hours or equivalent clock hours;
693 for a technical degree education program as defined in s.
694 1004.02(13), up to the number of hours required for a specific
695 degree not to exceed 72 credit hours or equivalent clock hours;
696 or for a career certificate program as defined in s.
697 1004.02(20), up to the number of hours required for a specific
698 certificate not to exceed 72 credit hours or equivalent clock
699 hours. A student who transfers from one of these program levels
700 to another program level becomes eligible for the higher of the
701 two credit hour limits.

702 Section 21. Paragraph (c) of subsection (4) of section

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703 1009.536, Florida Statutes, is amended to read:

704 1009.536 Florida Gold Seal Vocational Scholars award.—The
705 Florida Gold Seal Vocational Scholars award is created within
706 the Florida Bright Futures Scholarship Program to recognize and
707 reward academic achievement and career preparation by high
708 school students who wish to continue their education.

709 (4)

710 (c) A student who is initially eligible in the 2012-2013
711 academic year and thereafter may earn a Florida Gold Seal
712 Vocational Scholarship for a maximum of 100 percent of the
713 number of credit hours or equivalent clock hours required to
714 complete one of the following at a Florida public or nonpublic
715 education institution that offers these specific programs: for a
716 college credit certificate ~~an applied technology diploma~~ program
717 as defined in s. 1004.02(7), up to 60 credit hours or equivalent
718 clock hours; for a technical degree education program as defined
719 in s. 1004.02(13), up to the number of hours required for a
720 specific degree not to exceed 72 credit hours or equivalent
721 clock hours; or for a career certificate program as defined in
722 s. 1004.02(20), up to the number of hours required for a
723 specific certificate not to exceed 72 credit hours or equivalent
724 clock hours.

725 Section 22. Section 1011.80, Florida Statutes, is
726 reordered and amended to read:

727 1011.80 Funds for operation of workforce education
728 programs.—

729 (1) As used in this section, the terms "workforce
 730 education" and "workforce education program" include:
 731 (a) Adult general education programs designed to improve
 732 the employability skills of the state's workforce as defined in
 733 s. 1004.02(3).
 734 (b) Career certificate programs, as defined in s.
 735 1004.02(20).
 736 (c) College credit certificate ~~Applied technology diploma~~
 737 programs, as defined in s. 1004.02(7).
 738 (d) Continuing workforce education courses.
 739 (e) Degree career education programs.
 740 (f) Apprenticeship and preapprenticeship programs as
 741 defined in s. 446.021.
 742 (2) A ~~Any~~ workforce education program may be conducted by
 743 a Florida College System institution or a school district,
 744 except that ~~college credit in an associate in applied science or~~
 745 an associate in science degree may be awarded only by a Florida
 746 College System institution. However, if an ~~associate in applied~~
 747 ~~science or an~~ associate in science degree program contains
 748 within it an ~~occupational completion point that confers a~~
 749 college credit certificate ~~or an applied technology diploma,~~
 750 that portion of the program may be offered ~~conducted~~ by a school
 751 district career center. ~~Any~~ Instruction designed to articulate
 752 to a degree program is subject to guidelines and standards
 753 adopted by the State Board of Education pursuant to s. 1007.25.
 754 (3) Each school district and Florida College System

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755 institution receiving state appropriations for workforce
756 education programs must maintain adequate and accurate records,
757 including a system to record school district workforce education
758 funding and expenditures, in order to maintain separation of
759 postsecondary workforce education expenditures from secondary
760 education expenditures. These records must be filed with the
761 Department of Education in correct and proper form on or before
762 the date due as provided by law or rule for each annual or
763 periodic report that is required by rules of the State Board of
764 Education.

765 (4)~~(9)~~ School districts shall report full-time equivalent
766 students by discipline category for the programs specified in
767 subsection (1). There shall be an annual cost analysis for the
768 school district workforce education programs that reports cost
769 by discipline category consistent with the reporting for full-
770 time equivalent students. The annual financial reports submitted
771 by the school districts must accurately report on the student
772 fee revenues by fee type according to the programs specified in
773 subsection (1). The Department of Education shall develop a plan
774 for comparable reporting of program, student, facility,
775 personnel, and financial data between the Florida College System
776 institutions and the school district workforce education
777 programs.

778 ~~(3) If a program for disabled adults pursuant to s.~~
779 ~~1004.93 is a workforce program as defined in law, it must be~~
780 ~~funded as provided in this section.~~

781 ~~(4) Funding for all workforce education programs must be~~
782 ~~based on cost categories, performance output measures, and~~
783 ~~performance outcome measures.~~

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

790 ~~(b) The performance output measure for an adult general~~
791 ~~education course of study is measurable improvement in student~~
792 ~~skills. This measure shall include improvement in literacy~~
793 ~~skills, grade level improvement as measured by an approved test,~~
794 ~~or attainment of a State of Florida diploma or an adult high~~
795 ~~school diploma.~~

796 ~~(c) The performance outcome measures for adult general~~
797 ~~education programs are associated with placement and retention~~
798 ~~of students after reaching a completion point or completing a~~
799 ~~program of study. These measures include placement or retention~~
800 ~~in employment. Continuing postsecondary education at a level~~
801 ~~that will further enhance employment is a performance outcome~~
802 ~~for adult general education programs.~~

803 (5) State funding and student fees for workforce education
804 instruction shall be established as follows:

805 (a) Expenditures for the continuing workforce education
806 programs provided by the Florida College System institutions or

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807 school districts must be fully supported by fees. Enrollments in
808 continuing workforce education courses shall not be counted for
809 purposes of funding full-time equivalent enrollment.

810 (b) For all other workforce education programs, state
811 funding shall be calculated based on weighted enrollment and
812 program costs minus fee revenues generated to offset program
813 operational costs equal 75 percent of the average cost of
814 instruction with the remaining 25 percent made up from student
815 fees. Fees for courses within a program shall not vary according
816 to the cost of the individual program, but instead shall be as
817 provided in s. 1009.22 based on a uniform fee calculated and set
818 at the state level, as adopted by the State Board of Education,
819 unless otherwise specified in the General Appropriations Act.

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

823 ~~(c)-(d)~~ For a public educational institution that has been
824 fully funded by an external agency for direct instructional
825 costs of any course or program, the FTE generated shall not be
826 reported for state funding.

827 (6) (a) ~~A school district or a Florida College System~~
828 ~~institution that provides workforce education programs shall~~
829 ~~receive funds in accordance with distributions for base and~~
830 ~~performance funding established by the Legislature in the~~
831 ~~General Appropriations Act.~~ To ensure equitable funding for all
832 school district workforce education programs and to recognize

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833 enrollment growth, the Department of Education shall use the
834 funding model developed by the District Workforce Education
835 Funding Steering Committee to determine each district's
836 workforce education funding needs. To assist the Legislature in
837 allocating workforce education funds in the General
838 Appropriations Act, the funding model shall annually be provided
839 to the legislative appropriations committees no later than March
840 1.

841 (b) Operational funding shall be provided to school
842 districts for workforce education programs based on weighted
843 student enrollment and program costs determined by cost
844 categories. The cost categories must be calculated to identify
845 high-cost programs, medium-cost programs, and low-cost programs.
846 The cost analysis used to calculate and assign a program of
847 study to a cost category must include at least both direct and
848 indirect instructional costs, consumable supplies, equipment,
849 and standard program length.

850 (7) Performance funding for workforce education programs
851 shall be contingent upon specific appropriation in the General
852 Appropriations Act. To assist the Legislature in determining
853 performance funding allocations, the State Board of Education
854 shall provide the Legislature with recommended formulas,
855 criteria, timeframes, and mechanisms for distributing
856 performance funds no later than March 1. These recommendations
857 shall reward programs that:

858 (a) Prepare people to enter high-skill and high-wage
859 occupations identified by the Workforce Estimating Conference
860 pursuant to s. 216.136 and other programs as approved by
861 Workforce Florida, Inc. At a minimum, performance incentives
862 shall be calculated for adults who reach completion points or
863 complete programs that lead to specified high-wage employment
864 and to their placement in that employment.

865 (b) Prepare adults who are eligible for public assistance,
866 economically disadvantaged, disabled, not proficient in English,
867 or dislocated workers, for high-wage occupations. At a minimum,
868 performance incentives shall be calculated at an enhanced value
869 for the completion by adults identified in this paragraph and
870 the job placement of such adults upon completion. In addition,
871 adjustments may be made in payments for job placements for areas
872 of high unemployment.

873 (c) Increase student achievement in adult general
874 education courses by measuring performance output and outcome
875 measures.

876 1. The performance output measure for an adult general
877 education course of study is measurable improvement in student
878 skills. This measure shall include improvement in literacy
879 skills, grade-level improvement as measured by an approved test,
880 or attainment of a Florida diploma or an adult high school
881 diploma.

882 2. The performance outcome measures for adult general
883 education programs are associated with placement and retention

884 of students after reaching a completion point or completing a
885 program of study. These measures include placement or retention
886 in employment. Continuing postsecondary education at a level
887 that will further enhance employment is a performance outcome
888 for adult general education programs.

889 (d) ~~(b)~~ Award industry certifications. Performance funding
890 for industry certifications ~~for school district workforce~~
891 ~~education programs is contingent upon specific appropriation in~~
892 ~~the General Appropriations Act and shall be determined as~~
893 follows:

894 1. Occupational areas for which industry certifications
895 may be earned, as established in the General Appropriations Act,
896 are eligible for performance funding. Priority shall be given to
897 the occupational areas emphasized in state, national, or
898 corporate grants provided to Florida educational institutions.

899 2. The Chancellor of Career and Adult Education shall
900 identify the industry certifications eligible for funding on the
901 Postsecondary Industry Certification Funding List approved by
902 the State Board of Education pursuant to s. 1008.44, based on
903 the occupational areas specified in the General Appropriations
904 Act.

905 3. Each school district shall be provided \$1,000 for each
906 industry certification earned by a workforce education student.
907 The maximum amount of funding appropriated for performance
908 funding pursuant to this paragraph shall be limited to \$15

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909 million annually. If funds are insufficient to fully fund the
910 calculated total award, such funds shall be prorated.

911 ~~(c) A program is established to assist school districts~~
912 ~~and Florida College System institutions in responding to the~~
913 ~~needs of new and expanding businesses and thereby strengthening~~
914 ~~the state's workforce and economy. The program may be funded in~~
915 ~~the General Appropriations Act. The district or Florida College~~
916 ~~System institution shall use the program to provide customized~~
917 ~~training for businesses which satisfies the requirements of s.~~
918 ~~288.047. Business firms whose employees receive the customized~~
919 ~~training must provide 50 percent of the cost of the training.~~
920 ~~Balances remaining in the program at the end of the fiscal year~~
921 ~~shall not revert to the general fund, but shall be carried over~~
922 ~~for 1 additional year and used for the purpose of serving~~
923 ~~incumbent worker training needs of area businesses with fewer~~
924 ~~than 100 employees. Priority shall be given to businesses that~~
925 ~~must increase or upgrade their use of technology to remain~~
926 ~~competitive.~~

927 (8)~~(7)~~(a) A school district or Florida College System
928 institution that receives workforce education funds must use the
929 money to benefit the workforce education programs it provides.
930 The money may be used for equipment upgrades, program
931 expansions, or any other use that would result in workforce
932 education program improvement. The district school board or
933 Florida College System institution board of trustees may not

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934 withhold any portion of the performance funding for indirect
935 costs.

936 (b) State funds provided for the operation of
937 postsecondary workforce programs may not be expended for the
938 education of state or federal inmates.

939 ~~(8) The State Board of Education and Workforce Florida,~~
940 ~~Inc., shall provide the Legislature with recommended formulas,~~
941 ~~criteria, timeframes, and mechanisms for distributing~~
942 ~~performance funds. The commissioner shall consolidate the~~
943 ~~recommendations and develop a consensus proposal for funding.~~
944 ~~The Legislature shall adopt a formula and distribute the~~
945 ~~performance funds to the State Board of Education for Florida~~
946 ~~College System institutions and school districts through the~~
947 ~~General Appropriations Act. These recommendations shall be based~~
948 ~~on formulas that would discourage low-performing or low-demand~~
949 ~~programs and encourage through performance funding awards:~~

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

957 ~~(b) Programs that successfully prepare adults who are~~
958 ~~eligible for public assistance, economically disadvantaged,~~
959 ~~disabled, not proficient in English, or dislocated workers for~~

960 ~~high-wage occupations. At a minimum, performance incentives~~
961 ~~shall be calculated at an enhanced value for the completion of~~
962 ~~adults identified in this paragraph and job placement of such~~
963 ~~adults upon completion. In addition, adjustments may be made in~~
964 ~~payments for job placements for areas of high unemployment.~~

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

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

974 (9) ~~(10)~~ A high school student dually enrolled under s.
975 1007.271 in a workforce education program operated by a Florida
976 College System institution or school district career center
977 generates the amount calculated for workforce education funding,
978 including any payment of performance funding, and the
979 proportional share of full-time equivalent enrollment generated
980 through the Florida Education Finance Program for the student's
981 enrollment in a high school. If a high school student is dually
982 enrolled in a Florida College System institution program,
983 including a program conducted at a high school, the Florida
984 College System institution earns the funds generated for
985 workforce education funding, and the school district earns the

986 | proportional share of full-time equivalent funding from the
987 | Florida Education Finance Program. If a student is dually
988 | enrolled in a career center operated by the same district as the
989 | district in which the student attends high school, that district
990 | earns the funds generated for workforce education funding and
991 | also earns the proportional share of full-time equivalent
992 | funding from the Florida Education Finance Program. If a student
993 | is dually enrolled in a workforce education program provided by
994 | a career center operated by a different school district, the
995 | funds must be divided between the two school districts
996 | proportionally from the two funding sources. A student may not
997 | be reported for funding in a dual enrollment workforce education
998 | program unless the student has completed the basic skills
999 | assessment pursuant to s. 1004.91. A student who is coenrolled
1000 | in a K-12 education program and an adult education program may
1001 | be reported for purposes of funding in an adult education
1002 | program. If a student is coenrolled in core curricula courses
1003 | for credit recovery or dropout prevention purposes and does not
1004 | have a pattern of excessive absenteeism or habitual truancy or a
1005 | history of disruptive behavior in school, the student may be
1006 | reported for funding for up to two courses per year. Such a
1007 | student is exempt from the payment of the block tuition for
1008 | adult general education programs provided in s. 1009.22(3)(c).
1009 | The Department of Education shall develop a list of courses to
1010 | be designated as core curricula courses for the purposes of
1011 | coenrollment.

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1012 (10)~~(11)~~ The State Board of Education may adopt rules to
1013 administer this section.

1014 Section 23. This act shall take effect July 1, 2015.