



230384

576-04134-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Education)

A bill to be entitled

An act relating to the dual enrollment program;
amending s. 1002.41, F.S.; authorizing a school
district to provide exceptional student education-
related services to certain home education program
students; requiring reporting and funding through the
Florida Education Finance Program; amending s.
1007.271, F.S.; exempting dual enrollment students
from paying technology fees; requiring a home
education secondary student to be responsible for his
or her own instructional materials and transportation
in order to participate in the dual enrollment program
unless the articulation agreement provides otherwise;
prohibiting dual enrollment course and program
limitations for home education students from exceeding
limitations for other students; providing an exemption
from the grade point average requirement for initial
enrollment in a dual enrollment program for certain
home education students; requiring a postsecondary
institution eligible to participate in the dual
enrollment program to enter into a home education
articulation agreement; requiring the postsecondary
institution to annually complete and submit the
agreement to the Department of Education by a
specified date; conforming provisions to changes made
by the act; authorizing certain instructional
materials to be made available free of charge to dual



230384

576-04134-16

28 enrollment students in home education programs and
29 private schools if provided for in the articulation
30 agreement; requiring the department to review dual
31 enrollment articulation agreements submitted for
32 certain students, including home education students
33 and private school students, to participate in a dual
34 enrollment program; requiring the Commissioner of
35 Education to notify the district school board
36 superintendent and the president of the postsecondary
37 institution if the dual enrollment articulation
38 agreement does not comply with statutory requirements;
39 requiring a district school board and a Florida
40 College System institution to annually complete and
41 submit to the department by a specified date a dual
42 enrollment articulation agreement with a state
43 university or an eligible independent college or
44 university, as applicable; providing requirements for
45 a private school student to participate in a dual
46 enrollment program; requiring a postsecondary
47 institution eligible to participate in the dual
48 enrollment program to enter into an articulation
49 agreement with certain eligible private schools;
50 requiring the postsecondary institution to annually
51 complete and submit the articulation agreement to the
52 department by a specified date; providing requirements
53 for the articulation agreement; providing for funding
54 for each dual enrollment course taken by certain
55 students; amending ss. 1002.20 and 1011.62, F.S.;

56 conforming provisions to changes made by the act;



230384

576-04134-16

57 providing an effective date.

58
59 Be It Enacted by the Legislature of the State of Florida:

60
61 Section 1. Subsection (9) of section 1002.41, Florida
62 Statutes, is amended, and subsections (10) is added to that
63 section, to read:

64 1002.41 Home education programs.—

65 (9) ~~Home education program students may receive~~ Testing and
66 evaluation services at diagnostic and resource centers shall be
67 available to home education program students, in accordance with
68 the provisions of s. 1006.03.

69 (10) A school district may provide exceptional student
70 education-related services, as defined in State Board of
71 Education rule, to a home education program student with a
72 disability who is eligible for the services and who enrolls in a
73 public school solely for the purpose of receiving those related
74 services. The school district providing the services shall
75 report each student as a full-time equivalent student in the
76 class and in a manner prescribed by the Department of Education,
77 and funding shall be provided through the Florida Education
78 Finance Program pursuant to s. 1011.62.

79 Section 2. Subsections (2), (10), (11), (13), (16), (17),
80 (22), (23), and (24) of section 1007.271, Florida Statutes, are
81 amended, and subsection (25) is added to that section, to read:

82 1007.271 Dual enrollment programs.—

83 (2) For the purpose of this section, an eligible secondary
84 student is a student who is enrolled in any of grades 6 through
85 12 in a Florida public school or in a Florida private school



230384

576-04134-16

86 that is in compliance with s. 1002.42(2) and provides a
87 secondary curriculum pursuant to s. 1003.4282. A student
88 ~~Students~~ who is ~~are~~ eligible for dual enrollment pursuant to
89 this section may enroll in dual enrollment courses conducted
90 during school hours, after school hours, and during the summer
91 term. However, if the student is projected to graduate from high
92 school before the scheduled completion date of a postsecondary
93 course, the student may not register for that course through
94 dual enrollment. The student may apply to the postsecondary
95 institution and pay the required registration, tuition, and fees
96 if the student meets the postsecondary institution's admissions
97 requirements under s. 1007.263. Instructional time for dual
98 enrollment may vary from 900 hours; however, the full-time
99 equivalent student membership value is ~~shall be~~ subject to ~~the~~
100 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
101 enrollment student is exempt from the payment of registration,
102 tuition, technology, and laboratory fees. Applied academics for
103 adult education instruction, developmental education, and other
104 forms of precollegiate instruction, as well as physical
105 education courses that focus on the physical execution of a
106 skill, rather than the intellectual attributes of the activity,
107 are ineligible for inclusion in the dual enrollment program.
108 Recreation and leisure studies courses shall be evaluated
109 individually in the same manner as physical education courses
110 for potential inclusion in the program.

111 (10) Early admission is a form of dual enrollment through
112 which an eligible secondary student enrolls ~~students enroll~~ in a
113 postsecondary institution on a full-time basis in courses that
114 are creditable toward the high school diploma and the associate



230384

576-04134-16

115 or baccalaureate degree. A student must enroll in a minimum of
116 12 college credit hours per semester or the equivalent to
117 participate in the early admission program; however, a student
118 may not be required to enroll in more than 15 college credit
119 hours per semester or the equivalent. A student ~~Students~~
120 enrolled pursuant to this subsection is ~~are~~ exempt from the
121 payment of registration, tuition, technology, and laboratory
122 fees.

123 (11) Career early admission is a form of career dual
124 enrollment through which an eligible secondary student enrolls
125 ~~students enroll~~ full time in a career center or a Florida
126 College System institution in postsecondary programs leading to
127 industry certifications, as listed in the CAPE Postsecondary
128 Industry Certification Funding List pursuant to s. 1008.44,
129 which are creditable toward the high school diploma and the
130 certificate or associate degree. Participation in the career
131 early admission program is limited to students who have
132 completed a minimum of 4 semesters of full-time secondary
133 enrollment, including studies undertaken in ~~the ninth~~ grade 9. A
134 student ~~Students~~ enrolled pursuant to this section is ~~are~~ exempt
135 from the payment of registration, tuition, technology, and
136 laboratory fees.

137 (13) (a) The dual enrollment program for a home education
138 student ~~students~~ consists of the enrollment of an eligible home
139 education secondary student in a postsecondary course creditable
140 toward an associate degree, a career certificate, or a
141 baccalaureate degree. To participate in the dual enrollment
142 program, an eligible home education secondary student must:

143 1. Provide proof of enrollment in a home education program



230384

576-04134-16

144 pursuant to s. 1002.41.

145 2. Be responsible for his or her own instructional
146 materials and transportation unless provided for in the
147 articulation agreement ~~otherwise~~.

148 3. Sign a home education articulation agreement pursuant to
149 paragraph (b).

150 (b) Each postsecondary institution eligible to participate
151 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
152 ~~shall~~ enter into a home education articulation agreement with
153 each home education student seeking enrollment in a dual
154 enrollment course and the student's parent. By August 1 of each
155 year, the eligible postsecondary institution shall complete and
156 submit the home education articulation agreement to the
157 Department of Education. The home education articulation
158 agreement must ~~shall~~ include, at a minimum:

159 1. A delineation of courses and programs available to a
160 ~~dually enrolled~~ home education student who participates in a
161 dual enrollment program students. The postsecondary institution
162 may add, revise, or delete courses and programs ~~may be added,~~
163 ~~revised, or deleted~~ at any time ~~by the postsecondary~~
164 institution. Any course or program limitations may not exceed
165 the limitations for other dually enrolled students within a
166 district.

167 2. The initial and continued eligibility requirements for
168 home education student participation, not to exceed those
169 required of other dual enrollment ~~dually enrolled~~ students. A
170 high school grade point average may not be required for home
171 education students who meet the minimum score on a common
172 placement test adopted by the State Board of Education which



230384

576-04134-16

173 indicates that the student is ready for college-level
174 coursework; however, home education student eligibility
175 requirements for continued enrollment in college credit dual
176 enrollment courses must include the maintenance of the minimum
177 postsecondary grade point average established by the
178 postsecondary institution.

179 3. A provision expressing whether the postsecondary
180 institution or the student is responsible ~~The student's~~
181 ~~responsibilities~~ for providing ~~his or her own~~ instructional
182 materials and transportation.

183 4. A copy of the statement on transfer guarantees developed
184 by the Department of Education under subsection (15).

185 (16) A public school, a private school, or a home education
186 program student ~~Students~~ who meets ~~meet~~ the eligibility
187 requirements of this section and who chooses ~~choose~~ to
188 participate in dual enrollment programs is ~~are~~ exempt from the
189 payment of registration, tuition, technology, and laboratory
190 fees.

191 (17) Instructional materials assigned for use in ~~within~~
192 dual enrollment courses shall be made available to dual
193 enrollment students from Florida public high schools free of
194 charge. This subsection does not prohibit a postsecondary
195 ~~Florida College System~~ institution from providing instructional
196 materials at no cost to a home education student or student from
197 a private school, if provided for in the articulation agreement.
198 Instructional materials purchased by a district school board or
199 Florida College System institution board of trustees on behalf
200 of dual enrollment students are ~~shall be~~ the property of the
201 board against which the purchase is charged.



230384

576-04134-16

202 (22) The Department of Education shall develop an
203 electronic submission system for dual enrollment articulation
204 agreements and shall review, for compliance, each dual
205 enrollment articulation agreement submitted pursuant to
206 subsections (13), ~~subsection~~ (21), and (24). The Commissioner of
207 Education shall notify the district school superintendent and
208 the president of the postsecondary institution that is eligible
209 to participate in the dual enrollment program pursuant to s.
210 1011.62(1)(i) ~~Florida College System institution president~~ if
211 the dual enrollment articulation agreement does not comply with
212 statutory requirements and shall submit any dual enrollment
213 articulation agreement with unresolved issues of noncompliance
214 to the State Board of Education.

215 (23) A district school ~~board~~ ~~boards~~ and a Florida College
216 System ~~institution~~ ~~institutions~~ may enter into an additional
217 dual enrollment articulation ~~agreement~~ ~~agreements~~ with a state
218 university ~~universities~~ for the purposes of this section. A
219 school ~~district~~ ~~districts~~ may also enter into a dual enrollment
220 articulation ~~agreement~~ ~~agreements~~ with an eligible independent
221 college or university ~~colleges~~ ~~and~~ ~~universities~~ pursuant to s.
222 1011.62(1)(i). ~~By August 1 of each year, the district school~~
223 ~~board and the Florida College System institution shall complete~~
224 and submit the dual enrollment articulation agreement with the
225 state university or an eligible independent college or
226 university, as applicable, to the Department of Education.

227 (24) (a) The dual enrollment program for a private school
228 student consists of the enrollment of an eligible private school
229 student in a postsecondary course creditable toward an associate
230 degree, a career certificate, or a baccalaureate degree. In



230384

576-04134-16

231 addition, the private school in which the student is enrolled
232 must award credit toward high school completion for the
233 postsecondary course under the dual enrollment program. To
234 participate in the dual enrollment program, an eligible private
235 school student must:

236 1. Provide proof of enrollment in a private school pursuant
237 to subsection (2).

238 2. Be responsible for his or her own instructional
239 materials and transportation unless provided for in the
240 articulation agreement.

241 3. Sign a private school articulation agreement pursuant to
242 paragraph (b).

243 (b) Each postsecondary institution eligible to participate
244 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
245 enter into a private school articulation agreement with each
246 eligible private school in its geographic service area seeking
247 to offer dual enrollment courses to its students. By August 1 of
248 each year, the eligible postsecondary institution shall complete
249 and submit the private school articulation agreement to the
250 Department of Education. The articulation agreement must
251 include, at a minimum:

252 1. A delineation of courses and programs available to the
253 private school. The postsecondary institution may add, revise,
254 or delete courses and programs at any time.

255 2. The initial and continued eligibility requirements for
256 private school student participation, not to exceed those
257 required of other dual enrollment students.

258 3. A provision expressing whether the private school, the
259 postsecondary institution, or the student is responsible for



230384

576-04134-16

260 providing instructional materials and transportation.

261 4. A provision clarifying that the private school will
262 award appropriate credit toward high school completion for the
263 postsecondary course under the dual enrollment program.

264 5. A provision expressing that costs associated with
265 tuition and fees, including technology, registration, and
266 laboratory fees, will not be passed along to the student.

267 6. A provision stating whether the private school will
268 compensate the postsecondary institution for the standard
269 tuition rate per credit hour for each dual enrollment course
270 taken by its students or the postsecondary institution will seek
271 compensation pursuant to subsection (25).

272 7. A copy of the statement on transfer guarantees developed
273 by the Department of Education under subsection (15)
274 ~~Postsecondary institutions may enter into dual enrollment~~
275 ~~articulation agreements with private secondary schools pursuant~~
276 ~~to subsection (2).~~

277 (25) Subject to annual appropriation in the General
278 Appropriations Act, a public postsecondary institution shall
279 receive an amount of funding equivalent to the standard tuition
280 rate per credit hour for each dual enrollment course taken by a
281 private school student pursuant to subsection (24) during the
282 prior academic year, except for any students for whom the
283 postsecondary institution is otherwise compensated at the
284 standard tuition rate per credit hour.

285 Section 3. Paragraph (d) of subsection (19) of section
286 1002.20, Florida Statutes, is amended to read:

287 1002.20 K-12 student and parent rights.—Parents of public
288 school students must receive accurate and timely information



230384

576-04134-16

289 regarding their child's academic progress and must be informed
290 of ways they can help their child to succeed in school. K-12
291 students and their parents are afforded numerous statutory
292 rights including, but not limited to, the following:

293 (19) INSTRUCTIONAL MATERIALS.—

294 (d) *Dual enrollment students.*—Instructional materials
295 purchased by a district school board or Florida College System
296 institution board of trustees on behalf of ~~public school~~ dual
297 enrollment students shall be made available free of charge to
298 the dual enrollment students ~~free of charge~~, in accordance with
299 s. 1007.271(17).

300 Section 4. Paragraph (i) of subsection (1) of section
301 1011.62, Florida Statutes, is amended to read:

302 1011.62 Funds for operation of schools.—If the annual
303 allocation from the Florida Education Finance Program to each
304 district for operation of schools is not determined in the
305 annual appropriations act or the substantive bill implementing
306 the annual appropriations act, it shall be determined as
307 follows:

308 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
309 OPERATION.—The following procedure shall be followed in
310 determining the annual allocation to each district for
311 operation:

312 (i) *Calculation of full-time equivalent membership with*
313 *respect to dual enrollment instruction.*—Students enrolled in
314 dual enrollment instruction pursuant to s. 1007.271 may be
315 included in calculations of full-time equivalent student
316 memberships for basic programs for grades 9 through 12 by a
317 district school board. Instructional time for dual enrollment



230384

576-04134-16

318 may vary from 900 hours; however, the full-time equivalent
319 student membership value shall be subject to the provisions in
320 s. 1011.61(4). Dual enrollment full-time equivalent student
321 membership shall be calculated in an amount equal to the hours
322 of instruction that would be necessary to earn the full-time
323 equivalent student membership for an equivalent course if it
324 were taught in the school district. Students in dual enrollment
325 courses may also be calculated as the proportional shares of
326 full-time equivalent enrollments they generate for a Florida
327 College System institution or university conducting the dual
328 enrollment instruction. Early admission students shall be
329 considered dual enrollments for funding purposes. Students may
330 be enrolled in dual enrollment instruction provided by an
331 eligible independent college or university and may be included
332 in calculations of full-time equivalent student memberships for
333 basic programs for grades 9 through 12 by a district school
334 board. However, those provisions of law which exempt dual
335 enrollment students ~~enrolled~~ and early admission students from
336 payment of instructional materials and tuition and fees,
337 including registration, technology, and laboratory fees, do
338 ~~shall~~ not apply to students who select the option of enrolling
339 in an eligible independent institution. An independent college
340 or university that ~~which~~ is located and chartered in Florida, is
341 not for profit, is accredited by the Commission on Colleges of
342 the Southern Association of Colleges and Schools or the
343 Accrediting Council for Independent Colleges and Schools, and
344 confers degrees as defined in s. 1005.02 is ~~shall be~~ eligible
345 for inclusion in the dual enrollment or early admission program.
346 Students enrolled in dual enrollment instruction are ~~shall be~~



230384

576-04134-16

347 exempt from the payment of tuition and fees, including
348 registration, technology, and laboratory fees. A ~~No~~ student
349 enrolled in college credit mathematics or English dual
350 enrollment instruction may not ~~shall~~ be funded as a dual
351 enrollment unless the student has successfully completed the
352 relevant section of the entry-level examination required
353 pursuant to s. 1008.30.

354 Section 5. This act shall take effect July 1, 2016.