

**By** the Appropriations Committee on Pre-K - 12 Education; and the Committee on Education Postsecondary

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1                                   A bill to be entitled  
2       An act relating to education; amending s. 251.001,  
3       F.S.; requiring each Florida College System  
4       institution and state university to waive tuition and  
5       fees for members of the Florida State Guard if certain  
6       conditions are met; creating s. 413.0114, F.S.;  
7       requiring entities that offer fee-based services to  
8       individuals who are blind or visually impaired to  
9       disclose in writing whether the service may be  
10      obtained elsewhere at no cost; providing requirements  
11      for the disclosure; authorizing the State Board of  
12      Education to adopt rules; amending s. 413.208, F.S.;  
13      requiring certain service providers to apply to,  
14      rather than register with, the Division of Vocational  
15      Rehabilitation; requiring the division to establish  
16      minimum qualifications for service providers;  
17      requiring the division to establish an annual  
18      application period; authorizing the division to  
19      approve or deny any service provider application;  
20      providing that, as of a specified date, only certain  
21      service providers may participate in the vocational  
22      rehabilitation program; requiring the division to  
23      develop and make publicly available a certain annual  
24      report; requiring service providers to meet certain  
25      standards to maintain approved status; requiring that  
26      the rates for vocational rehabilitation services meet  
27      certain criteria; amending s. 491.005, F.S.; revising  
28      the date for a requirement to obtain a license as a  
29      marriage and family therapist; amending s. 1001.92,

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30 F.S.; revising access rate performance-based metric;  
31 amending s. 1003.437, F.S.; requiring the State Board  
32 of Education to establish a statewide uniform weighted  
33 grading system for specified courses and articulated  
34 acceleration mechanisms; requiring district school  
35 boards to use the system for a specified purpose;  
36 amending s. 1005.06, F.S.; revising the list of  
37 institutions that are not under the jurisdiction of  
38 the Commission for Independent Education; amending s.  
39 1007.25, F.S.; revising the timeframe for Florida  
40 College System institutions and state universities to  
41 submit comments in response to a specified notice of  
42 intent; amending s. 1007.271, F.S.; revising the list  
43 of postsecondary institutions that are eligible to  
44 participate in a dual enrollment program; amending s.  
45 1008.30, F.S.; deleting a requirement for the State  
46 Board of Education to adopt rules; authorizing school  
47 district career centers to use alternative methods  
48 adopted by the board in lieu of common placement tests  
49 to assess students in basic communication and  
50 computation skills; authorizing Florida College System  
51 institutions to request approval of institution-  
52 specific alternative methods; making conforming  
53 changes; amending s. 1008.44, F.S.; deleting a  
54 provision limiting how supplemental funding may be  
55 earned for the CAPE Industry Certification Funding  
56 List; amending s. 1008.47, F.S.; revising the  
57 timeframe for a public postsecondary institution to  
58 seek and obtain accreditation; amending s. 1009.21,

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59 F.S.; providing that a person may not lose his or her  
60 resident status for tuition purposes due to  
61 incarceration; providing that a person may not lose  
62 his or her resident status for tuition purposes due to  
63 his or her parent serving outside this state in  
64 certain capacities; amending s. 1009.26, F.S.;  
65 providing that a fee waiver only applies to a full-  
66 time undergraduate student, beginning with a specified  
67 academic year; revising requirements for a fee waiver;  
68 amending s. 1009.30, F.S.; requiring that certain  
69 postsecondary institutions be reimbursed for public  
70 school students under the Dual Enrollment Scholarship  
71 Program; amending s. 1009.536, F.S.; revising student  
72 eligibility requirements for the Florida Gold Seal  
73 Vocational Scholars and Florida Gold Seal CAPE  
74 Scholars awards; authorizing a student to apply for  
75 the Florida Gold Seal CAPE Scholars award within a  
76 specified timeframe; amending s. 1009.893, F.S.;  
77 authorizing a student to defer an award under the  
78 Benacquisto Scholarship Program; amending s. 1009.983,  
79 F.S.; authorizing a specified designee with certain  
80 credentials to serve as director of the direct-support  
81 organization for the Florida Prepaid College  
82 Foundation, Inc.; amending s. 1009.986, F.S.; revising  
83 the membership of the board of directors of Florida  
84 ABLE, Inc.; amending s. 1011.62, F.S.; revising the  
85 academic acceleration options supplement in the  
86 Florida Education Finance Program to include a method  
87 for calculating additional full-time equivalent

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88 membership based on a specified course and test score;  
89 providing specified bonuses; amending s. 1011.84,  
90 F.S.; revising the components to be considered by the  
91 Legislature in determining an apportionment of state  
92 funds to a Florida College System institution;  
93 deleting obsolete provisions; amending s. 1013.841,  
94 F.S.; requiring all Florida College System  
95 institutions, rather than only certain institutions,  
96 to maintain a specified carry forward balance;  
97 providing that a Florida College System institution  
98 may retain an annual reserve amount exceeding the  
99 carry forward balance; deleting obsolete provisions;  
100 authorizing the inclusion in a carry forward spending  
101 plan of the retention of a carry forward balance as a  
102 reserve fund for a specified use; providing an  
103 effective date.

104  
105 Be It Enacted by the Legislature of the State of Florida:

106  
107 Section 1. Subsection (9) of section 251.001, Florida  
108 Statutes, is amended to read:

109 251.001 Florida State Guard Act.—

110 (9) REIMBURSEMENT, BENEFIT, AND COMPENSATION.—

111 (a) The division shall reimburse members of the Florida  
112 State Guard for per diem and travel expenses incurred to attend  
113 required training or in the course of active service as provided  
114 in s. 112.061.

115 (b) Members of the Florida State Guard may be compensated  
116 for time spent training or in the course of active service at

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117 rates established by the director, subject to appropriation.

118 (c) A member of the Florida State Guard may not make any  
119 purchase or enter into any contract or agreement for purchases  
120 or services as a charge against the state without the authority  
121 of the director.

122 (d) As a benefit to the active members of the Florida State  
123 Guard, subject to approval by the director of the Division of  
124 the State Guard, each Florida College System institution and  
125 state university shall waive tuition and fees for active members  
126 of the Florida State Guard to enroll for up to 6 credit hours of  
127 courses per term on a space-available basis.

128 Section 2. Section 413.0114, Florida Statutes, is created  
129 to read:

130 413.0114 Consumer disclosure for blind-related services.-

131 (1) An individual, business, nonprofit, or other entity  
132 offering fee-based services to individuals who are blind or  
133 visually impaired shall, before entering into a contract or  
134 accepting payment, disclose in writing whether equivalent or  
135 substantially similar services may be available at no cost  
136 through the Division of Blind Services or another public agency.

137 (2) The written disclosure must:

138 (a) Be provided in plain language and, upon request, in an  
139 accessible format, such as braille, large print, or audio.

140 (b) Include contact information for the Division of Blind  
141 Services.

142 (c) Be signed or electronically acknowledged by the  
143 consumer or his or her representative.

144 (3) A violation of this section constitutes an unfair or  
145 deceptive trade practice under part II of chapter 501 and is

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146 subject to penalties and enforcement as provided therein.

147 (4) The State Board of Education may adopt rules to  
148 implement this section.

149 Section 3. Subsection (1) of section 413.208, Florida  
150 Statutes, is amended to read:

151 413.208 Service providers; quality assurance; fitness for  
152 responsibilities; background screening.—

153 (1) Service providers must apply to ~~register with~~ the  
154 division. To qualify for approval, ~~a registration,~~ ~~the division~~  
155 ~~must ensure that the~~ service provider must maintain ~~maintains~~ an  
156 internal system of quality assurance, have ~~has~~ proven functional  
157 systems, meet the minimum qualifications, and be ~~is~~ subject to a  
158 due-diligence inquiry as to its fitness to undertake service  
159 responsibilities.

160 (a) The division shall establish minimum qualifications for  
161 service providers. The division shall establish an annual  
162 application period for service providers to submit applications.  
163 The division may approve or deny any service provider  
164 application. Beginning January 1, 2027, only service providers  
165 that meet the minimum qualifications established by the division  
166 and that have been approved to provide employment-related  
167 services to individuals with disabilities may participate in the  
168 vocational rehabilitation program.

169 (b) The division shall develop and make publicly available  
170 an annual report of service provider effectiveness which  
171 includes an evaluation system measuring the effectiveness of all  
172 service providers that are approved by the division to provide  
173 employment-related services to individuals with disabilities.

174 (c) In order to maintain approved status with the division,

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175 service providers must meet minimum standards of effectiveness  
176 in the provision of vocational rehabilitation services,  
177 including placement of individuals in competitive and integrated  
178 employment.

179 (d) Rates for vocational rehabilitation services must be  
180 allocable, reasonable, and necessary, as determined by the  
181 division.

182 Section 4. Paragraph (c) of subsection (3) of section  
183 491.005, Florida Statutes, is amended to read:

184 491.005 Licensure by examination.—

185 (3) MARRIAGE AND FAMILY THERAPY.—Upon verification of  
186 documentation and payment of a fee not to exceed \$200, as set by  
187 board rule, the department shall issue a license as a marriage  
188 and family therapist to an applicant whom the board certifies  
189 has met all of the following criteria:

190 (c)1. Attained one of the following:

191 a. A minimum of a master's degree in marriage and family  
192 therapy from a program accredited by the Commission on  
193 Accreditation for Marriage and Family Therapy Education.

194 b. A minimum of a master's degree with a major emphasis in  
195 marriage and family therapy or a closely related field from a  
196 university program accredited by the Council on Accreditation of  
197 Counseling and Related Educational Programs and graduate courses  
198 approved by the board.

199 c. A minimum of a master's degree with an emphasis in  
200 marriage and family therapy or a closely related field, with a  
201 degree conferred before September 1, 2032 ~~2027~~, from an  
202 institutionally accredited college or university and graduate  
203 courses approved by the board.

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204           2. If the course title that appears on the applicant's  
205 transcript does not clearly identify the content of the  
206 coursework, the applicant provided additional documentation,  
207 including, but not limited to, a syllabus or catalog description  
208 published for the course. The required master's degree must have  
209 been received in an institution of higher education that, at the  
210 time the applicant graduated, was fully accredited by an  
211 institutional accrediting body recognized by the Council for  
212 Higher Education Accreditation or its successor organization or  
213 was a member in good standing with Universities Canada, or an  
214 institution of higher education located outside the United  
215 States and Canada which, at the time the applicant was enrolled  
216 and at the time the applicant graduated, maintained a standard  
217 of training substantially equivalent to the standards of  
218 training of those institutions in the United States which are  
219 accredited by an institutional accrediting body recognized by  
220 the Council for Higher Education Accreditation or its successor  
221 organization. Such foreign education and training must have been  
222 received in an institution or program of higher education  
223 officially recognized by the government of the country in which  
224 it is located as an institution or program to train students to  
225 practice as professional marriage and family therapists or  
226 psychotherapists. The applicant has the burden of establishing  
227 that the requirements of this provision have been met, and the  
228 board shall require documentation, such as an evaluation by a  
229 foreign equivalency determination service, as evidence that the  
230 applicant's graduate degree program and education were  
231 equivalent to an accredited program in this country. An  
232 applicant with a master's degree from a program that did not

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233 emphasize marriage and family therapy may complete the  
234 coursework requirement in a training institution fully  
235 accredited by the Commission on Accreditation for Marriage and  
236 Family Therapy Education recognized by the United States  
237 Department of Education.

238

239 For the purposes of dual licensure, the department shall license  
240 as a marriage and family therapist any person who meets the  
241 requirements of s. 491.0057. Fees for dual licensure may not  
242 exceed those stated in this subsection.

243 Section 5. Subsection (1) of section 1001.92, Florida  
244 Statutes, is amended to read:

245 1001.92 State University System Performance-Based  
246 Incentive.—

247 (1) A State University System Performance-Based Incentive  
248 shall be awarded to state universities using performance-based  
249 metrics adopted by the Board of Governors of the State  
250 University System. Beginning with the Board of Governors'  
251 determination of each university's performance improvement and  
252 achievement ratings, and the related distribution of annual  
253 fiscal year appropriation, the performance-based metrics must  
254 include:

255 (a) The 4-year graduation rate for first-time-in-college  
256 students;

257 (b) Beginning in fiscal year 2022-2023, the 3-year  
258 graduation rate for associate in arts transfer students;

259 (c) Retention rates;

260 (d) Postgraduation education rates;

261 (e) Degree production;

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262 (f) Affordability;

263 (g) Postgraduation employment and salaries, including wage  
264 thresholds that reflect the added value of a baccalaureate  
265 degree;

266 (h) Access rate, based on the percentage of first-year  
267 undergraduate students enrolled during the fall term who  
268 received a Pell Grant during the fall term; and

269 (i) Beginning in fiscal year 2021-2022, the 6-year  
270 graduation rate for students who are awarded a Pell Grant in  
271 their first year.

272

273 The Board of Governors may approve other metrics in a publicly  
274 noticed meeting. The board shall adopt benchmarks to evaluate  
275 each state university's performance on the metrics to measure  
276 the state university's achievement of institutional excellence  
277 or need for improvement and minimum requirements for eligibility  
278 to receive performance funding. Benchmarks and metrics may not  
279 be adjusted after university performance data has been received  
280 by the Board of Governors.

281 Section 6. Section 1003.437, Florida Statutes, is amended  
282 to read:

283 1003.437 Middle and high school grading system.—The grading  
284 system and interpretation of letter grades used to measure  
285 student success in grade 6 through grade 12 courses for students  
286 in public schools shall be as follows:

287 (1) Grade "A" equals 90 percent through 100 percent, has a  
288 grade point average value of 4, and is defined as "outstanding  
289 progress."

290 (2) Grade "B" equals 80 percent through 89 percent, has a

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291 grade point average value of 3, and is defined as "above average  
292 progress."

293 (3) Grade "C" equals 70 percent through 79 percent, has a  
294 grade point average value of 2, and is defined as "average  
295 progress."

296 (4) Grade "D" equals 60 percent through 69 percent, has a  
297 grade point average value of 1, and is defined as "lowest  
298 acceptable progress."

299 (5) Grade "F" equals zero percent through 59 percent, has a  
300 grade point average value of zero, and is defined as "failure."

301 (6) Grade "I" equals zero percent, has a grade point  
302 average value of zero, and is defined as "incomplete."

303

304 The State Board of Education must establish a statewide uniform  
305 weighted grading system for honors courses and articulated  
306 acceleration mechanisms identified in s. 1007.27. ~~For the~~  
307 ~~purposes of class ranking,~~ District school boards shall use the  
308 ~~may exercise a~~ weighted grading system to calculate weighted  
309 high school grade point averages pursuant to s. 1007.271.

310 Section 7. Paragraph (b) of subsection (1) of section  
311 1005.06, Florida Statutes, is amended to read:

312 1005.06 Institutions not under the jurisdiction or purview  
313 of the commission.—

314 (1) Except as otherwise provided in law, the following  
315 institutions are not under the jurisdiction or purview of the  
316 commission and are not required to obtain licensure:

317 (b) Any college or, school, ~~or course~~ licensed or approved  
318 as an institution for establishment and operation by another  
319 state agency. A college or school, or any of its programs or

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320 courses, does not qualify for exemption from the commission's  
321 jurisdiction under this paragraph solely because another state  
322 agency licenses or approves one or more of its programs or  
323 courses for establishment and operation under part I of chapter  
324 464, chapter 466, or chapter 475, or any other chapter of the  
325 Florida Statutes requiring licensing or approval as defined in  
326 this chapter.

327 Section 8. Paragraph (b) of subsection (9) of section  
328 1007.25, Florida Statutes, is amended to read:

329 1007.25 General education courses; common prerequisites;  
330 other degree requirements.-

331 (9)

332 (b) An associate in arts specialized transfer degree must  
333 include 36 semester hours of general education coursework and  
334 require 60 semester hours or more of college credit. Specialized  
335 transfer degrees are designed for Florida College System  
336 institution students who need supplemental lower-level  
337 coursework in preparation for transfer to another institution.  
338 The State Board of Education shall establish criteria for the  
339 review and approval of new specialized transfer degrees. The  
340 approval process must require:

341 1. A Florida College System institution to submit a notice  
342 of its intent to propose a new associate in arts specialized  
343 degree program to the Division of Florida Colleges. The notice  
344 must include the recommended credit hours, the rationale for the  
345 specialization, the demand for students entering the field, and  
346 the coursework being proposed to be included beyond the 60  
347 semester hours required for the general transfer degree, if  
348 applicable. Notices of intent may be submitted by a Florida

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349 College System institution at any time.

350       2. The Division of Florida Colleges to forward the notice  
351 of intent within 10 business days after receipt to all Florida  
352 College System institutions and to the Chancellor of the State  
353 University System, who shall forward the notice to all state  
354 universities. State universities and Florida College System  
355 institutions shall have 30 ~~60~~ days after receipt of the notice  
356 to submit comments to the proposed associate in arts specialized  
357 transfer degree.

358       3. After the submission of comments pursuant to  
359 subparagraph 2., the requesting Florida College System  
360 institution to submit a proposal that, at a minimum, includes:

361       a. Evidence that the coursework for the associate in arts  
362 specialized transfer degree includes demonstration of competency  
363 in a foreign language pursuant to s. 1007.262 and demonstration  
364 of civic literacy competency as provided in subsection (5).

365       b. Demonstration that all required coursework will count  
366 toward the associate in arts degree or the baccalaureate degree.

367       c. An analysis of demand and unmet need for students  
368 entering the specialized field of study at the baccalaureate  
369 level.

370       d. Justification for the program length if it exceeds 60  
371 credit hours, including references to the common prerequisite  
372 manual or other requirements for the baccalaureate degree. This  
373 includes documentation of alignment between the exit  
374 requirements of a Florida College System institution and the  
375 admissions requirements of a baccalaureate program at a state  
376 university to which students would typically transfer.

377       e. Articulation agreements for graduates of the associate

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378 in arts specialized transfer degree.

379 f. Responses to the comments received under subparagraph 2.

380 Section 9. Subsections (1) and (16) of section 1007.271,

381 Florida Statutes, are amended to read:

382 1007.271 Dual enrollment programs.—

383 (1) The dual enrollment program is the enrollment of an  
384 eligible secondary student in this state or home education  
385 student in this state in a postsecondary course creditable  
386 toward high school completion and a career certificate or an  
387 associate or baccalaureate degree. Postsecondary institutions  
388 that are eligible to participate in the dual enrollment program  
389 are Florida public postsecondary institutions and eligible not-  
390 for-profit independent colleges and universities pursuant to s.  
391 1011.62(1)(i). A student ~~who is~~ enrolled in postsecondary  
392 instruction that is not creditable toward a high school diploma  
393 may not be classified as a dual enrollment student.

394 (16) Students who ~~meet the eligibility requirements of this~~  
395 ~~section and who choose to~~ participate in dual enrollment  
396 programs are exempt from the payment of registration, tuition,  
397 and laboratory fees.

398 Section 10. Subsections (2) and (3) and paragraphs (a) and  
399 (b) of subsection (4) of section 1008.30, Florida Statutes, are  
400 amended to read:

401 1008.30 Assessing college-level communication and  
402 computation skills for public postsecondary education.—

403 (2) ~~By January 31, 2022, the State Board of Education shall~~  
404 ~~adopt rules to develop and implement alternative methods for~~  
405 ~~assessing the basic communication and computation skills of~~  
406 ~~students who intend to enter a degree program at a Florida~~

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407 ~~College System institution.~~ Florida College System institutions  
408 and school district career centers may use ~~these~~ alternative  
409 methods adopted by the State Board of Education for assessing  
410 the basic communication and computation skills of students who  
411 intend to enter a degree program at a Florida College System  
412 institution or school district career center in lieu of the  
413 common placement tests under subsection (1) to assess student  
414 readiness for college-level work in communication and  
415 computation. Florida College System institutions may request  
416 approval of institution-specific alternative methods in  
417 accordance with State Board of Education rules.

418 (3) The rules adopted under subsection (2) must specify the  
419 following:

420 (a) A student who ~~entered 9th grade in a Florida public~~  
421 ~~school in the 2003-2004 school year, or any year thereafter, and~~  
422 earned a Florida standard high school diploma and who  
423 demonstrated readiness for college-level communication and  
424 computation skills by any of the approved common placement tests  
425 or alternative methods pursuant to this section or a student who  
426 is serving as an active duty member of any branch of the United  
427 States Armed Services is not required to be assessed for  
428 readiness for college-level work in communication and  
429 computation and is not required to enroll in developmental  
430 education instruction in a Florida College System institution or  
431 a school district career center. However, a student who is not  
432 required to be assessed for readiness for college-level work in  
433 communication and computation and is not required to enroll in  
434 developmental education under this paragraph may opt to be  
435 assessed and to enroll in developmental education instruction,

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436 and the college or school district career center shall provide  
437 such assessment and instruction upon the student's request.

438 (b) A student who earned a Florida standard high school  
439 diploma and has not demonstrated readiness for college-level  
440 courses pursuant to subsection (1) or subsection (2) must be  
441 offered the opportunity to be ~~is~~ assessed for readiness for  
442 college-level communication and computation and, if the  
443 student's ~~whose~~ assessment results indicate a need for  
444 developmental education, he or she must be advised of ~~all~~ the  
445 developmental education options offered at the institution. ~~and,~~  
446 After advisement, the student may enroll in the developmental  
447 education option of his or her choice.

448 (c) A student who demonstrates readiness by achieving or  
449 exceeding the test scores established under subsection (1) by  
450 the state board and enrolls in a Florida College System  
451 institution or a school district career center within 2 years  
452 after achieving such scores may ~~shall~~ not be required to retest  
453 or complete developmental education when admitted to any Florida  
454 College System institution or school district career center.

455 (4) (a) Each Florida College System institution and school  
456 district career center shall implement the developmental  
457 education strategies defined in s. 1008.02 and rules established  
458 by the State Board of Education.

459 (b) Each Florida College System institution and school  
460 district career center shall use placement test results or  
461 alternative methods as established by the State Board of  
462 Education to determine the extent to which each student  
463 demonstrates sufficient communication and computation skills to  
464 indicate readiness for his or her chosen meta-major. Florida

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465 College System institutions and school district career centers  
466 shall counsel students into college credit courses as quickly as  
467 possible, with developmental education limited to that content  
468 needed for success in the meta-major.

469 Section 11. Subsection (1) of section 1008.44, Florida  
470 Statutes, is amended to read:

471 1008.44 CAPE Industry Certification Funding List.—

472 (1) The State Board of Education shall adopt, at least  
473 annually, based upon recommendations by the Commissioner of  
474 Education, the CAPE Industry Certification Funding List that  
475 assigns categories of certificates and certifications as  
476 provided for in s. 1003.4203 to certifications identified in the  
477 Master Credentials List under s. 445.004(4) which meet a  
478 statewide, regional, or local demand. ~~Supplemental funding for  
479 regional and local demand certifications may only be earned in  
480 those areas with regional or local demand as identified by the  
481 Credentials Review Committee.~~

482 Section 12. Subsection (2) of section 1008.47, Florida  
483 Statutes, is amended to read:

484 1008.47 Postsecondary education institution accreditation.—

485 (2) ACCREDITATION.—

486 (a) ~~By September 1, 2022,~~ The Board of Governors or the  
487 State Board of Education, as applicable, shall identify and  
488 determine the accrediting agencies or associations best suited  
489 to serve as an accreditor for public postsecondary institutions.  
490 Such accrediting agencies or associations must be recognized by  
491 the database created and maintained by the United States  
492 Department of Education. Within 3 years ~~In the year~~ following  
493 reaffirmation or fifth-year review by its accrediting agencies

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494 or associations, each public postsecondary institution must seek  
495 and obtain accreditation from an accrediting agency or  
496 association identified by the Board of Governors or State Board  
497 of Education, respectively, before its next reaffirmation or  
498 fifth-year review date. The requirements in this section are  
499 limited to a one-time change in accreditation. The requirements  
500 of this subsection are not applicable to those professional,  
501 graduate, departmental, or certificate programs at public  
502 postsecondary institutions that have specific accreditation  
503 requirements or best practices, including, but not limited to,  
504 law, pharmacy, engineering, or other similarly situated  
505 educational programs.

506 (b) Once a public postsecondary institution is required to  
507 seek and obtain accreditation from an agency or association  
508 identified pursuant to paragraph (a), the institution shall seek  
509 accreditation from an ~~a regional~~ accrediting agency or  
510 association and provide quarterly reports of its progress to the  
511 Board of Governors or State Board of Education, as applicable.  
512 If each ~~regional~~ accreditation agency or association identified  
513 pursuant to paragraph (a) has refused to grant candidacy status  
514 to an institution, the institution must seek and obtain  
515 accreditation from any accrediting agency or association that is  
516 different from its current accrediting agency or association and  
517 is recognized by the database created and maintained by the  
518 United States Department of Education. If a public postsecondary  
519 institution is not granted candidacy status before its next  
520 reaffirmation or fifth-year review date, the institution may  
521 remain with its current accrediting agency or association.

522 (c) This subsection expires December 31, 2032.

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523 Section 13. Present subsections (4) through (13) of section  
 524 1009.21, Florida Statutes, are redesignated as subsections (5)  
 525 through (14), respectively, a new subsection (4) is added to  
 526 that section, and present subsection (7) of that section is  
 527 amended, to read:

528 1009.21 Determination of resident status for tuition  
 529 purposes.—Students shall be classified as residents or  
 530 nonresidents for the purpose of assessing tuition in  
 531 postsecondary educational programs offered by charter technical  
 532 career centers or career centers operated by school districts,  
 533 in Florida College System institutions, and in state  
 534 universities.

535 (4) An individual may not lose his or her resident status  
 536 for tuition purposes solely by reason of his or her  
 537 incarceration in a state or federal correctional facility in  
 538 this state.

539 (8) ~~(7)~~ A person may ~~shall~~ not lose his or her resident  
 540 status for tuition purposes solely by reason of his or her  
 541 serving, or, if such person is a dependent child, by reason of  
 542 his or her parent's or parents' serving outside this state as  
 543 active duty or civilian personnel:—

544 (a) In the Armed Forces ~~outside this state.~~

545 (b) On assignment for the United States Department of State  
 546 or Department of Defense.

547 (c) Teaching at a Department of Defense Dependent School.

548 Section 14. Paragraph (a) of subsection (20) of section  
 549 1009.26, Florida Statutes, is amended to read:

550 1009.26 Fee waivers.—

551 (20) (a) Beginning with the 2026-2027 ~~2022-2023~~ academic

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552 year, a state university shall waive the out-of-state fee for a  
553 full-time undergraduate student who:

554 1. Has a grandparent who is a legal resident as defined in  
555 s. 1009.21(1). For purposes of this subsection, the term  
556 "grandparent" means a person who has a legal relationship to a  
557 student's parent as the natural or adoptive parent or legal  
558 guardian of the student's parent.

559 2. Earns a high school diploma comparable to a Florida  
560 standard high school diploma, or its equivalent, or completes a  
561 home education program.

562 3.a. Achieves an SAT combined score no lower than the 89th  
563 national percentile on the SAT;

564 b. Achieves an ACT score concordant to the required SAT  
565 score in sub-subparagraph a., using the latest published  
566 national concordance table developed jointly by the College  
567 Board and ACT, Inc.; or

568 c. If a state university accepts the Classic Learning Test  
569 (CLT) for admission purposes, achieves a CLT score concordant to  
570 the required SAT score specified in sub-subparagraph a., using  
571 the latest published scoring comparison developed by Classic  
572 Learning Initiatives.

573 ~~4. Beginning with students who initially enroll in the 2022~~  
574 ~~fall academic term and thereafter, enrolls as a full-time~~  
575 ~~undergraduate student at a state university in the fall academic~~  
576 ~~term immediately following high school graduation.~~

577 Section 15. Subsection (3) of section 1009.30, Florida  
578 Statutes, is amended to read:

579 1009.30 Dual Enrollment Scholarship Program.—

580 (3) (a) The program shall reimburse eligible postsecondary

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581 institutions for tuition and related instructional materials  
582 costs for dual enrollment courses taken during the fall or  
583 spring terms by eligible students, consisting of:

- 584 1. Private school students who take dual enrollment courses  
585 pursuant to s. 1007.271(24)(b);  
586 2. Home education program secondary students; or  
587 3. Personalized education program secondary students.

588 (b) The program shall reimburse eligible independent  
589 postsecondary institutions for tuition and related instructional  
590 materials costs for dual enrollment courses taken by public  
591 school students during the fall or spring terms.

592 (c) The program shall reimburse institutions for tuition  
593 and related instructional materials costs for dual enrollment  
594 courses taken by public school, private school, home education  
595 program, or personalized education program secondary students  
596 during the summer term.

597 Section 16. Subsection (2) of section 1009.536, Florida  
598 Statutes, is amended, and subsection (6) is added to that  
599 section, to read:

600 1009.536 Florida Gold Seal Vocational Scholars and Florida  
601 Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational  
602 Scholars award and the Florida Gold Seal CAPE Scholars award are  
603 created within the Florida Bright Futures Scholarship Program to  
604 recognize and reward academic achievement and career preparation  
605 by high school students who wish to continue their education.

606 (2) A student is eligible for a Florida Gold Seal CAPE  
607 Scholars award if he or she meets the general eligibility  
608 requirements for the Florida Bright Futures Scholarship Program,  
609 and the student:

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610 (a) Earns a minimum of 3 ~~5~~ postsecondary credits ~~credit~~  
611 ~~hours~~ through CAPE industry certifications approved pursuant to  
612 s. 1008.44 which articulate for college credit; ~~and~~

613 (b) Earns a minimum cumulative weighted grade point average  
614 of 2.5, as calculated pursuant to s. 1009.531, on all subjects  
615 required for a standard high school diploma, excluding elective  
616 courses; and

617 (c) Completes at least 30 hours of volunteer service, or 75  
618 hours of volunteer service for students entering grade 9 in the  
619 2024-2025 school year and thereafter, or 100 hours of paid work,  
620 approved by the district school board, the administrators of a  
621 nonpublic school, or the Department of Education for home  
622 education program students, or 100 hours of a combination of  
623 both. The student may identify a social or civic issue or a  
624 professional area that interests him or her and develop a plan  
625 for his or her personal involvement in addressing the issue or  
626 learning about the area. The student must, through papers or  
627 other presentations, evaluate and reflect upon his or her  
628 experience. Such volunteer service or paid work may include, but  
629 is not limited to, a business or governmental internship, work  
630 for a nonprofit community service organization, or activities on  
631 behalf of a candidate for public office. The hours of volunteer  
632 service or paid work must be documented in writing, and the  
633 document must be signed by the student, the student's parent or  
634 guardian, and a representative of the organization for which the  
635 student performed the volunteer service or paid work.

636 (6) Before or within 3 months after completion of the GATE  
637 Program as provided in s. 1004.933, a student may apply for the  
638 Florida Gold Seal CAPE Scholars award.

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639 Section 17. Paragraph (a) of subsection (4) of section  
640 1009.893, Florida Statutes, is amended to read:

641 1009.893 Benacquisto Scholarship Program.—

642 (4) In order to be eligible for an initial award under the  
643 scholarship program, a student must meet the requirements of  
644 paragraph (a) or paragraph (b).

645 (a) A student who is a resident of this state, as  
646 determined in s. 1009.40 and rules of the State Board of  
647 Education, must:

648 1. Earn a standard Florida high school diploma or its  
649 equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282,  
650 or s. 1003.435 unless:

651 a. The student completes a home education program according  
652 to s. 1002.41; or

653 b. The student earns a high school diploma from a non-  
654 Florida school while living with a parent who is on military or  
655 public service assignment out of this state;

656 2. Be accepted by and enroll in a Florida public or  
657 independent postsecondary educational institution that is  
658 regionally accredited; and

659 3. Be enrolled full-time in a baccalaureate degree program  
660 at an eligible regionally accredited Florida public or  
661 independent postsecondary educational institution during the  
662 fall academic term following high school graduation. A student  
663 may defer the initial scholarship award for up to 1 year.

664 Section 18. Subsection (5) of section 1009.983, Florida  
665 Statutes, is amended to read:

666 1009.983 Direct-support organization; authority.—

667 (5) The chair of the board or a designee who possesses

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668 knowledge, skill, and experience in the areas of accounting,  
669 risk management, or investment management shall serve as a  
670 director of the direct-support organization. The chair and the  
671 executive director of the board shall jointly name, at a  
672 minimum, four other individuals to serve as directors of the  
673 organization.

674 Section 19. Paragraph (d) of subsection (3) of section  
675 1009.986, Florida Statutes, is amended to read:

676 1009.986 Florida ABLE program.—

677 (3) DIRECT-SUPPORT ORGANIZATION; FLORIDA ABLE, INC.—

678 (d)1. The board of directors of Florida ABLE, Inc., shall  
679 consist of:

680 a. The chair of the Florida Prepaid College Board, ~~or a his~~  
681 ~~or her~~ designee who possesses knowledge, skill, and experience  
682 in the areas of accounting, risk management, or investment  
683 management.

684 b. Up to three individuals who possess knowledge, skill,  
685 and experience in the areas of accounting, risk management, or  
686 investment management, one of whom may be a current member of  
687 the Florida Prepaid College Board, who shall be appointed by the  
688 Florida Prepaid College Board.

689 c. One individual who possesses knowledge, skill, and  
690 experience in the areas of accounting, risk management, or  
691 investment management, who shall be appointed by the Governor.

692 d. Two individuals who are advocates of persons with  
693 disabilities, one of whom shall be appointed by the President of  
694 the Senate and one of whom shall be appointed by the Speaker of  
695 the House of Representatives. At least one of the individuals  
696 appointed under this sub-subparagraph must be an advocate of

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697 persons with developmental disabilities, as that term is defined  
698 in s. 393.063.

699 2.a. The term of the appointees under sub-subparagraph 1.b.  
700 shall be up to 3 years as determined by the Florida Prepaid  
701 College Board. Such appointees may be reappointed.

702 b. The term of the appointees under sub-subparagraphs 1.c.  
703 and d. shall be 3 years. Such appointees may be reappointed.

704 3. Unless authorized by the board of directors of Florida  
705 ABLE, Inc., an individual director has no authority to control  
706 or direct the operations of Florida ABLE, Inc., or the actions  
707 of its officers and employees.

708 4. The board of directors of Florida ABLE, Inc.:

709 a. Shall meet at least quarterly and at other times upon  
710 the call of the chair.

711 b. May use any method of telecommunications to conduct, or  
712 establish a quorum at, its meetings or the meetings of a  
713 subcommittee or other subdivision if the public is given proper  
714 notice of the telecommunications meeting and provided reasonable  
715 access to observe and, if appropriate, to participate.

716 c. Shall annually elect a board member to serve as chair.

717 5. A majority of the total current membership of the board  
718 of directors of Florida ABLE, Inc., constitutes a quorum of the  
719 board.

720 6. Members of the board of directors of Florida ABLE, Inc.,  
721 and the board's subcommittees or other subdivisions shall serve  
722 without compensation; however, the members may be reimbursed for  
723 reasonable, necessary, and actual travel expenses pursuant to s.  
724 112.061.

725 Section 20. Present paragraphs (h) and (i) of subsection

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726 (17) of section 1011.62, Florida Statutes, are redesignated as  
727 paragraphs (i) and (j), respectively, and a new paragraph (h) is  
728 added to that subsection, to read:

729 1011.62 Funds for operation of schools.—If the annual  
730 allocation from the Florida Education Finance Program to each  
731 district for operation of schools is not determined in the  
732 annual appropriations act or the substantive bill implementing  
733 the annual appropriations act, it shall be determined as  
734 follows:

735 (17) ACADEMIC ACCELERATION OPTIONS SUPPLEMENT.—The academic  
736 acceleration options supplement is created to assist school  
737 districts in providing academic acceleration options, career-  
738 themed courses, and courses that lead to digital tool  
739 certificates and industry certifications for prekindergarten  
740 through grade 12 students and shall be allocated annually in the  
741 General Appropriations Act.

742 (h) Calculation of additional full-time equivalent  
743 membership based on the Florida Advanced Courses and Tests  
744 (FACT) College Algebra course and test score of students.—A  
745 value of 0.16 full-time equivalent student membership shall be  
746 calculated for each student in the Florida Advanced Courses and  
747 Tests (FACT) College Algebra course who achieves a minimum score  
748 on an assessment identified by the Department of Education  
749 pursuant to s. 1007.27(2) and added to the total full-time  
750 equivalent student membership in basic programs for grades 9  
751 through 12 in the subsequent fiscal year. Each district shall  
752 allocate at least 80 percent of the funds provided to the  
753 district for the FACT College Algebra course instruction, in  
754 accordance with this paragraph, to the high school that

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755 generates the funds. The school district shall distribute to  
756 each classroom teacher who provided the FACT College Algebra  
757 course instruction:

758 1. A bonus in the amount of \$50 for each student taught by  
759 the FACT College Algebra course teacher in each FACT College  
760 Algebra course who achieves a minimum score on an assessment  
761 identified by the Department of Education pursuant to s.  
762 1007.27(2).

763 2. An additional bonus of \$500 to each FACT College Algebra  
764 course teacher in a school designated with a grade of "D" or "F"  
765 who has at least one student who achieves a minimum score on an  
766 assessment identified by the Department of Education pursuant to  
767 s. 1007.27(2), regardless of the number of classes taught or of  
768 the number of students who achieve a minimum score on an  
769 assessment identified by the Department of Education pursuant to  
770 s. 1007.27(2).

771 Section 21. Paragraphs (b) and (e) of subsection (3) of  
772 section 1011.84, Florida Statutes, are amended to read:

773 1011.84 Procedure for determining state financial support  
774 and annual apportionment of state funds to each Florida College  
775 System institution district.—The procedure for determining state  
776 financial support and the annual apportionment to each Florida  
777 College System institution district authorized to operate a  
778 Florida College System institution under the provisions of s.  
779 1001.61 shall be as follows:

780 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

781 (b) The apportionment to each Florida College System  
782 institution from the Florida College System Program Fund shall  
783 be determined annually in the General Appropriations Act. In

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784 determining each college's apportionment, the Legislature shall  
785 consider the following components:

786 1. Base budget, which includes the state appropriation to  
787 the Florida College System Program Fund in the current year plus  
788 the related student tuition and out-of-state fees assigned in  
789 the current General Appropriations Act.

790 2. The cost-to-continue allocation, which consists of  
791 incremental changes to the base budget, including salaries,  
792 price levels, and other related costs allocated through a  
793 funding model developed by the Florida College System presidents  
794 in consultation with the Department of Education and approved by  
795 the Legislature. The model must ~~which may~~ recognize a minimum  
796 level of funding per FTE and differing economic factors arising  
797 from the individual educational approaches of the various  
798 Florida College System institutions, including, but not limited  
799 to:

800 a. Program offerings, weighting workforce FTE to account  
801 for priorities and costs ~~Direct Instructional Funding, including~~  
802 ~~class size, faculty productivity factors, average faculty~~  
803 ~~salary, ratio of full-time to part-time faculty, costs of~~  
804 ~~programs, and enrollment factors.~~

805 b. Completion of credentials, including certificates,  
806 certifications, and degrees ~~Academic Support, including small~~  
807 ~~colleges factor, multicampus factor, and enrollment factor.~~

808 c. Size of the college ~~Student Services Support, including~~  
809 ~~headcount of students as well as FTE count and enrollment~~  
810 ~~factors.~~

811 d. Economies of scale ~~Library Support, including volume and~~  
812 ~~other materials/audiovisual requirements.~~

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813 e. Regional cost differentials ~~Special Projects.~~

814 ~~f. Operations and Maintenance of Plant, including square~~

815 ~~footage and utilization factors.~~

816 ~~g. Comparable wage factor.~~

817 3. Students enrolled in a recreation and leisure program

818 and students enrolled in a lifelong learning program who may not

819 be counted as full-time equivalent enrollments for purposes of

820 enrollment workload adjustments.

821 ~~4. Operating costs of new facilities adjustments, which~~

822 ~~shall be provided, from funds available, for each new facility~~

823 ~~that is owned by the college and is recommended in accordance~~

824 ~~with s. 1013.31.~~

825 ~~5. New and improved program enhancements, which shall be~~

826 ~~determined by the Legislature.~~

827

828 ~~Student fees in the base budget plus student fee revenues~~

829 ~~generated by increases in fee rates shall be deducted from the~~

830 ~~sum of the components determined in subparagraphs 1.-5. The~~

831 ~~amount remaining shall be the net annual state apportionment to~~

832 ~~each college.~~

833 (e) If at any time the unencumbered balance in the general

834 fund of the Florida College System institution board of trustees

835 approved operating budget goes below 7 ~~5~~ percent for a Florida

836 College System institution ~~with a final FTE less than 15,000 for~~

837 ~~the prior year, or below 7 percent for a Florida College System~~

838 ~~institution with a final FTE of 15,000 or greater for the prior~~

839 ~~year, the president must shall provide written notification to~~

840 the State Board of Education. By September 30 of each year, the

841 chief financial officer of each Florida College System

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842 institution shall certify the unexpended amount of state funds  
843 remaining in the general fund of an institution as of June 30 of  
844 the previous fiscal year.

845 Section 22. Subsections (2), (3), and (4) of section  
846 1013.841, Florida Statutes, are amended to read:

847 1013.841 End of year balance of Florida College System  
848 institution funds.—

849 (2) (a) Each Florida College System institution ~~with a final~~  
850 ~~FTE less than 15,000 for the prior year~~ shall maintain a minimum  
851 carry forward balance of at least 7 5 percent of its state  
852 operating budget; however, a Florida College System institution  
853 may retain and report to the State Board of Education an annual  
854 reserve balance exceeding that amount. If a Florida College  
855 System institution fails to maintain a 7 5 percent balance in  
856 state operating funds, the president must ~~shall~~ provide written  
857 notification to the State Board of Education.

858 (b) Each Florida College System institution ~~with a final~~  
859 ~~FTE less than 15,000 for the prior year~~ that retains a state  
860 operating fund carry forward balance in excess of the 7 5  
861 percent minimum shall submit a spending plan for its excess  
862 carry forward balance. The spending plan must ~~shall~~ include all  
863 excess carry forward funds from state operating funds. The  
864 spending plan must ~~shall~~ be submitted to the Florida College  
865 System institution's board of trustees for approval by September  
866 30 of each year, 2020, and each September 30 thereafter. The  
867 State Board of Education shall review and publish each Florida  
868 College System institution's carry forward spending plan by  
869 November 15 of each year, 2020, and each November 15 thereafter.

870 (3) (a) ~~Each Florida College System institution with a final~~

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871 ~~FTE of 15,000 or greater for the prior year shall maintain a~~  
872 ~~minimum carry forward balance of at least 7 percent of its state~~  
873 ~~operating budget. If a Florida College System institution fails~~  
874 ~~to maintain a 7 percent balance in state operating funds, the~~  
875 ~~institution shall submit a plan to the State Board of Education~~  
876 ~~to attain the minimum balance.~~

877 ~~(b) Each Florida College System institution with a final~~  
878 ~~FTE of 15,000 or greater for the prior year that retains a state~~  
879 ~~operating fund carry forward balance in excess of the 7 percent~~  
880 ~~minimum shall submit a spending plan for its excess carry~~  
881 ~~forward balance. The spending plan shall include all excess~~  
882 ~~carry forward funds from state operating funds. The spending~~  
883 ~~plan shall be submitted to the Florida College System~~  
884 ~~institution's board of trustees for approval by September 30,~~  
885 ~~2020, and each September 30 thereafter. The State Board of~~  
886 ~~Education shall review and publish each Florida College System~~  
887 ~~institution's carry forward spending plan by November 15, 2020,~~  
888 ~~and each November 15 thereafter.~~

889 ~~(4)~~ A Florida College System institution identified in  
890 paragraph (2)(b) ~~(3)(b)~~ must include in its carry forward  
891 spending plan the estimated cost per planned expenditure and a  
892 timeline for completion of the expenditure. A carry forward  
893 spending plan may include retention of the carry forward balance  
894 as a reserve fund to be used for authorized expenses in  
895 subsequent years. Authorized expenditures in a carry forward  
896 spending plan may include:

897 (a) Commitment of funds to a public education capital  
898 outlay project for which an appropriation was previously  
899 provided, which requires additional funds for completion, and

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900 which is included in the list required by s. 1001.03(18)(d);

901 (b) Completion of a renovation, repair, or maintenance  
902 project that is consistent with s. 1013.64(1) or replacement of  
903 a minor facility;

904 (c) Completion of a remodeling or infrastructure project,  
905 if such project is survey recommended pursuant to s. 1013.31;

906 (d) Completion of a repair or replacement project necessary  
907 due to damage caused by a natural disaster for buildings  
908 included in the inventory required pursuant to s. 1013.31;

909 (e) Operating expenditures that support the Florida College  
910 System institution's mission;

911 (f) Any purpose approved by the state board or specified in  
912 the General Appropriations Act; and

913 (g) A commitment of funds to a contingency reserve for  
914 expenses incurred as a result of a state of emergency declared  
915 by the Governor pursuant to s. 252.36.

916 Section 23. This act shall take effect July 1, 2026.