

## CHAPTER 2013-51

### Committee Substitute for Committee Substitute for Senate Bill No. 1720

An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 20.15, F.S.; establishing the Office of K-20 Articulation in the Department of Education; amending s. 39.205, F.S.; requiring the adoption of rules and regulations to implement provisions relating to reporting of child abuse, abandonment, or neglect; amending s. 250.10, F.S.; conforming provisions; amending s. 1001.02, F.S.; conforming provisions; revising requirements for general education courses in Florida College System institutions; amending ss. 1001.64 and 1003.433, F.S.; conforming provisions; amending s. 1004.015, F.S.; revising purpose, membership, and guiding principles of the Higher Education Coordinating Council; amending s. 1004.02, F.S.; conforming provisions; amending s. 1004.43, F.S., relating to the H. Lee Moffitt Cancer Center and Research Institute; requiring the Board of Trustees of the University of South Florida to enter into a lease agreement with the not-for-profit corporation operating the institute for the utilization of lands and facilities; revising membership of the corporation's board of directors; deleting certain duties of the Board of Governors; providing for an external advisory board of scientific advisers to the institute's chief executive officer; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; conforming provisions; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; revising duties of the Articulation Coordinating Committee relating to collecting and reporting statewide education data; amending s. 1007.25, F.S.; authorizing revision of postsecondary general education core course options under certain circumstances; increasing the required number of semester hours of general education coursework; amending s. 1007.263, F.S.; requiring each Florida College System institution board of trustees to establish policies to notify students about developmental education options; amending s. 1007.271, F.S.; conforming provisions; creating s. 1008.02, F.S.; providing definitions relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; revising requirements for the common placement test to assess basic computation and communication skills of students who intend to enter a public postsecondary education degree program; providing that certain students shall not be required to take the test; requiring the State Board of Education to establish test scores to demonstrate college readiness; requiring the approval of meta-majors and academic pathways for student progression; requiring Florida College

System institutions to deliver developmental education strategies, develop a plan to implement developmental education, and report student success; amending s. 1008.31, F.S.; requiring the Board of Governors to make data available to the Department of Education to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data; requiring certain educational institutions to annually provide data from the prior year to the K-20 data warehouse or to the department; amending s. 1008.32, F.S.; revising provisions relating to State Board of Education oversight enforcement authority; creating s. 1008.322, F.S.; providing that the Board of Governors shall oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing responsibilities for compliance by state universities; authorizing specified actions by the Board of Governors for noncompliance; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including collocated schools; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.37, F.S.; conforming provisions; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; amending ss. 1009.22 and 1009.23, F.S.; conforming provisions; amending s. 1009.25, F.S.; revising provisions relating to fee exemptions; amending ss. 1009.28, 1009.40, and 1009.53, F.S.; conforming provisions; amending s. 1009.531, F.S.; deleting an eligibility requirement for a Florida Bright Futures Scholarship Program award; amending s. 1009.73, F.S.; conforming provisions; amending s. 1009.89, F.S.; deleting an eligibility requirement for a William L. Boyd, IV, Florida resident access grant; amending s. 1009.891, F.S.; deleting an eligibility requirement for an Access to Better Learning and Education grant; amending s. 1011.84, F.S.; conforming provisions; providing a directive to the Division of Law Revision and Information; providing an effective date.

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

Section 1. Paragraph (j) of subsection (7) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(j) The Auditor General shall notify the Legislative Auditing Committee of any financial or operational audit report prepared pursuant to this section which indicates that a state university or Florida College System institution has failed to take full corrective action in response to a recommendation that was included in the two preceding financial or operational audit reports.

1. The committee may direct the governing body of the state university or Florida College System institution to provide a written statement to the committee explaining why full corrective action has not been taken or, if the governing body intends to take full corrective action, describing the corrective action to be taken and when it will occur.

2. If the committee determines that the written statement is not sufficient, the committee may require the chair of the governing body of the state university or Florida College System institution, or the chair’s designee, to appear before the committee.

3. If the committee determines that the state university or Florida College System institution has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests made pursuant to this section, the committee shall refer the matter to the State Board of Education or the Board of Governors, as appropriate, to proceed in accordance with s. 1008.32 or s. 1008.322, respectively ~~may proceed in accordance with s. 11.40(2).~~

Section 2. Paragraph (h) of subsection (3) of section 20.15, Florida Statutes, is redesignated as paragraph (i), and a new paragraph (h) is added to that subsection, to read:

20.15 Department of Education.—There is created a Department of Education.

(3) DIVISIONS.—The following divisions of the Department of Education are established:

(h) Office of K-20 Articulation.

Section 3. Subsection (10) is added to section 39.205, Florida Statutes, to read:

39.205 Penalties relating to reporting of child abuse, abandonment, or neglect.—

(10) The State Board of Education shall adopt rules to implement this section as it relates to Florida College System institutions; the Commission for Independent Education shall adopt rules to implement this section as it relates to nonpublic colleges, universities, and schools; and the Board of Governors shall adopt regulations to implement this section as it relates to state universities.

Section 4. Paragraph (b) of subsection (7) of section 250.10, Florida Statutes, is amended to read:

250.10 Appointment and duties of the Adjutant General.—

(7) The Adjutant General shall develop an education assistance program for members in good standing of the Florida National Guard who enroll in an

authorized course of study at a public or nonpublic institution of higher learning in the state which has been accredited by an accrediting body recognized by the United States Department of Education or licensed by the Commission for Independent Education. This program shall be known as the Educational Dollars for Duty program (EDD).

(b) The program shall define those members of the Florida National Guard who are ineligible to participate in the program and those courses of study which are not authorized for the program.

1. Ineligible members include, but are not limited to, any member, commissioned officer, warrant officer, or enlisted person who has obtained a master's degree using the program.

2. Courses not authorized include noncredit courses, courses that do not meet degree requirements, courses that do not meet requirements for completion of career training, or other courses as determined by program definitions.

3. Developmental education ~~College-preparatory~~ courses are authorized for the program.

Section 5. Paragraphs (g) and (h) of subsection (4), subsection (5), and paragraph (d) of subsection (6) of section 1001.02, Florida Statutes, are amended to read:

1001.02 General powers of State Board of Education.—

(4) The State Board of Education shall:

~~(g) Specify, by rule, the college credit courses that may be taken by Florida College System institution students concurrently enrolled in college-preparatory instruction.~~

~~(g)(h)~~ Adopt and submit to the Legislature a 3-year list of priorities for fixed-capital-outlay projects. The State Board of Education may not amend the 3-year list of priorities of the Board of Governors.

(5) The State Board of Education is responsible for reviewing and administering the state program of support for the Florida College System institutions and, subject to existing law, shall establish the tuition and out-of-state fees for developmental education ~~college-preparatory instruction~~ and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.

(6) The State Board of Education shall prescribe minimum standards, definitions, and guidelines for Florida College System institutions that will ensure the quality of education, coordination among the Florida College System institutions and state universities, and efficient progress toward accomplishing the Florida College System institution mission. At a minimum, these rules must address:

(d) Provisions for curriculum development, graduation requirements, college calendars, and program service areas. These provisions must include rules that:

1. Provide for the award of an associate in arts degree to a student who successfully completes 60 semester credit hours at the Florida College System institution.

2. Require all of the credits accepted for the associate in arts degree to be in the statewide course numbering system as credits toward a baccalaureate degree offered by a state university or a Florida College System institution.

3. ~~Beginning with students initially entering a Florida College System institution in 2014-2015 and thereafter,~~ Require no more than ~~36~~ 30 semester credit hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

The rules should encourage Florida College System institutions to enter into agreements with state universities that allow Florida College System institution students to complete upper-division-level courses at a Florida College System institution. An agreement may provide for concurrent enrollment at the Florida College System institution and the state university and may authorize the Florida College System institution to offer an upper-division-level course or distance learning.

Section 6. Subsection (9) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(9) A board of trustees may contract with the board of trustees of a state university for the Florida College System institution to provide developmental education ~~college-preparatory instruction~~ on the state university campus.

Section 7. Subsection (2) of section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(2) Students who earn the required 24 credits ~~have met all requirements~~ for the standard high school diploma except for passage of any must-pass assessment under s. 1003.4282 or s. 1008.22 ~~the grade 10 FCAT~~ or an alternate assessment by the end of grade 12 must be provided the following learning opportunities:

(a) Participation in an accelerated high school equivalency diploma preparation program during the summer.

(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to developmental education remedial or credit courses at a Florida College System institution, as appropriate.

(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. Students attending adult basic, adult secondary, or vocational-preparatory instruction are exempt from any requirement for the payment of tuition and fees, including lab fees, pursuant to s. 1009.25. A student attending an adult general education program shall have the opportunity to take the grade 10 FCAT an unlimited number of times in order to receive a standard high school diploma.

Section 8. Section 1004.015, Florida Statutes, is amended to read:

1004.015 Higher Education Coordinating Council.—

(1) The Higher Education Coordinating Council is created for the purposes of identifying unmet needs; ~~and~~ facilitating solutions to disputes regarding the creation of new degree programs and the establishment of new institutes, campuses, or centers; and facilitating solutions to data issues identified by the Articulation Coordinating Committee pursuant to s. 1007.01 to improve the K-20 education performance accountability system.

(2) Members of the council shall include:

(a) One member of the Board of Governors, appointed by the chair of the Board of Governors ~~The Commissioner of Education.~~

(b) The Chancellor of the State University System.

(c) The Chancellor of the Florida College System.

(d) One member of the State Board of Education, appointed by the chair of the State Board of Education.

~~(e)(d)~~ The Executive Director of the Florida Association of Postsecondary Schools and Colleges ~~Commission for Independent Education.~~

~~(f)(e)~~ The president of the Independent Colleges and Universities of Florida.

(g) The president of Workforce Florida, Inc., or his or her designee.

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

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

(3) ~~Appointed members shall serve 2-year terms, and a single chair shall be elected annually by a majority of the members.~~

~~(4)(3)~~ The council shall serve as an advisory board to the Legislature, the State Board of Education, and the Board of Governors. Recommendations of the council shall be consistent with the following guiding principles:

(a) To achieve within existing resources a seamless academic educational system that fosters an integrated continuum of kindergarten through graduate school education for Florida's students.

(b) To promote consistent education policy across all educational delivery systems, focusing on students.

(c) To promote substantially improved articulation across all educational delivery systems.

(d) To promote a system that maximizes educational access and allows the opportunity for a high-quality education for all Floridians.

(e) To promote a system of coordinated and consistent transfer of credit and data collection for improved accountability purposes between the educational delivery systems.

(5)(4) The council shall annually by December 31 submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Board of Governors, and the State Board of Education a report outlining its recommendations relating to:

(a) The primary core mission of public and nonpublic postsecondary education institutions in the context of state access demands and economic development goals.

(b) Performance outputs and outcomes designed to meet annual and long-term state goals, including, but not limited to, increased student access, preparedness, retention, transfer, and completion. Performance measures must be consistent across sectors and allow for a comparison of the state's performance to that of other states.

(c) The state's articulation policies and practices to ensure that cost benefits to the state are maximized without jeopardizing quality. The recommendations shall consider return on investment for both the state and students and propose systems to facilitate and ensure institutional compliance with state articulation policies.

(d) Workforce development education, specifically recommending improvements to the consistency of workforce education data collected and reported by Florida College System institutions and school districts, including the establishment of common elements and definitions for any data that is used for state and federal funding and program accountability.

~~(6)(5)~~ The Office of K-20 Articulation, in collaboration with the Board of Governors and the Division of Florida Colleges, ~~Department of Education~~ shall provide administrative support for the council.

Section 9. Subsection (11) of section 1004.02, Florida Statutes, is amended to read:

1004.02 Definitions.—As used in this chapter:

(11) “Developmental education ~~College-preparatory instruction~~” means instruction courses through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete enroll ~~in~~ college credit instruction.

Section 10. Subsections (1), (2), (4), and (6) and paragraph (f) of subsection (5) of section 1004.43, Florida Statutes, are amended to read:

1004.43 H. Lee Moffitt Cancer Center and Research Institute.—There is established the H. Lee Moffitt Cancer Center and Research Institute, a statewide resource for basic and clinical research and multidisciplinary approaches to patient care.

(1) The Board of Trustees of the University of South Florida ~~Governors~~ shall enter into a lease ~~an agreement~~ for the utilization of the lands and facilities on the campus of the University of South Florida to be known as the H. Lee Moffitt Cancer Center and Research Institute, including all furnishings, equipment, and other chattels used in the operation of such facilities, with a Florida not-for-profit corporation organized solely for the purpose of governing and operating the H. Lee Moffitt Cancer Center and Research Institute. The lease agreement with the not-for-profit corporation shall be rent free as long as the not-for-profit corporation and its subsidiaries utilize the lands and facilities primarily for research, education, treatment, prevention, and early detection of cancer or for teaching and research programs conducted by state universities or other accredited medical schools or research institutes. The lease agreement shall provide for review of construction plans and specifications by the University of South Florida for consistency with the university's campus master plan, impact on the university's utilities infrastructure, compliance with applicable building codes and general design characteristics, and compatibility with university architecture, as appropriate. The not-for-profit corporation may, with the prior approval of the Board of Governors, create either for-profit or not-for-profit corporate subsidiaries, or both, to fulfill its mission. The not-for-profit corporation and any approved not-for-profit subsidiary shall be conclusively deemed corporations primarily acting as instrumentalities of the state,



pursuant to s. 768.28(2), for purposes of sovereign immunity. For-profit subsidiaries of the not-for-profit corporation may not compete with for-profit health care providers in the delivery of radiation therapy services to patients. The not-for-profit corporation and its subsidiaries are authorized to receive, hold, invest, and administer property and any moneys received from private, local, state, and federal sources, as well as technical and professional income generated or derived from practice activities of the institute, for the benefit of the institute and the fulfillment of its mission. The affairs of the corporation shall be managed by a board of directors who shall serve without compensation. The President of the University of South Florida and the chair of the Board of Governors, or his or her designee, shall be directors of the not-for-profit corporation, ~~together with 5 representatives of the state universities and no more than 14 nor fewer than 10 directors who are not medical doctors or state employees.~~ Each director shall have only one vote, shall serve a term of 3 years, and may be reelected to the board. Other than the President of the University of South Florida and the chair of the Board of Governors, directors shall be elected by a majority vote of the board. The chair of the board of directors shall be selected by majority vote of the directors.

~~(2) The Board of Governors shall provide in the agreement with the not-for-profit corporation for the following:~~

~~(a) Approval of the articles of incorporation of the not-for-profit corporation by the Board of Governors.~~

~~(b) Approval of the articles of incorporation of any not-for-profit corporate subsidiary created by the not-for-profit corporation.~~

~~(c) Utilization of lands, facilities, and personnel by the not-for-profit corporation and its subsidiaries for research, education, treatment, prevention, and the early detection of cancer and for mutually approved teaching and research programs conducted by the state universities or other accredited medical schools or research institutes.~~

~~(2)(d) The not-for-profit corporation shall cause to be prepared~~ Preparation of an annual financial audits ~~audit~~ of the not-for-profit corporation's accounts and records and the accounts and records of any subsidiaries to be conducted by an independent certified public accountant. The annual audit report shall include a management letter, as defined in s. 11.45, and shall be submitted to the Auditor General and the Board of Governors. The Board of Governors, the Auditor General, and the Office of Program Policy Analysis and Government Accountability shall have the authority to require and receive from the not-for-profit corporation and any subsidiaries or from their independent auditor any detail or supplemental data relative to the operation of the not-for-profit corporation or subsidiary.

~~(e) Provision by~~ The not-for-profit corporation and its subsidiaries shall provide of equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.

(4) In the event that the agreement between the not-for-profit corporation and the Board of Trustees of the University of South Florida ~~Governors~~ is terminated for any reason, the Board of Governors shall resume governance and operation of such facilities.

(5) The institute shall be administered by a chief executive officer who shall serve at the pleasure of the board of directors of the not-for-profit corporation and who shall have the following powers and duties subject to the approval of the board of directors:

(f) The chief executive officer shall report annually ~~have a reporting relationship to the Board of Governors or its designee on the educational activities of the not-for-profit corporation.~~

(6) The board of directors of the not-for-profit corporation shall create an external advisory board ~~a council~~ of scientific advisers to the chief executive officer comprised of leading researchers, physicians, and scientists. This board council shall review programs and recommend research priorities and initiatives so as to maximize the state's investment in the institute. The board council shall be appointed by the board of directors of the not-for-profit corporation. Each member of the board council shall be appointed to serve a 2-year term and may be reappointed to the board council.

Section 11. Section 1004.58, Florida Statutes, is repealed.

Section 12. Paragraphs (c) and (d) of subsection (4) of section 1004.93, Florida Statutes, are amended to read:

1004.93 Adult general education.—

(4)

(c) The State Board of Education shall define, by rule, the levels and courses of instruction to be funded through the developmental education ~~college-preparatory~~ program. The state board shall coordinate the establishment of costs for developmental education ~~college-preparatory~~ courses, the establishment of statewide standards that define required levels of competence, acceptable rates of student progress, and the maximum amount of time to be allowed for completion of developmental education ~~college-preparatory instruction~~. Developmental education ~~College-preparatory instruction~~ is part of an associate in arts degree program and may not be funded as an adult career education program.

(d) Expenditures for developmental education ~~college-preparatory~~ and lifelong learning students shall be reported separately. Allocations for developmental education ~~college-preparatory~~ courses shall be based on proportional full-time equivalent enrollment. Program review results shall be included in the determination of subsequent allocations. A student shall be funded to enroll in the same developmental education ~~college-preparatory~~ class within a skill area only twice, after which time the student shall pay 100 percent of the full cost of instruction to support the continuous enrollment of

that student in the same class; however, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class, provided approval is granted according to policy established by the board of trustees. Each Florida College System institution shall have the authority to review and reduce payment for increased fees due to continued enrollment in a developmental education ~~college-preparatory~~ class on an individual basis contingent upon the student's financial hardship, pursuant to definitions and fee levels established by the State Board of Education. Developmental education ~~College-preparatory~~ and lifelong learning courses do not generate credit toward an associate or baccalaureate degree.

Section 13. Paragraph (i) of subsection (1) of section 1005.22, Florida Statutes, is amended to read:

1005.22 Powers and duties of commission.—

(1) The commission shall:

(i) Serve as a central agency for collecting and distributing current information regarding institutions licensed by the commission. The commission shall annually collect, and all institutions licensed by the commission shall annually report, student-level data from the prior year for each student who receives state funds, in a format prescribed by the Department of Education. At a minimum, data from the prior year must ~~shall be reported annually~~ and include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By December 31, 2013, the commission shall report the data for the 2012-2013 academic year to the Department of Education. By October 1 of each year thereafter, the commission shall report the data to the department.

Section 14. Subsection (3) of section 1007.01, Florida Statutes, is amended to read:

1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; Articulation Coordinating Committee.—

(3) The Commissioner of Education, in consultation with the Chancellor of the State University System, shall establish the Articulation Coordinating Committee, which shall make recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse, established pursuant to ss. 1001.10 and 1008.31, to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors. The committee shall consist of two members each representing the State University System, the Florida College System, public career and technical education, ~~public~~ K-12 education, and nonpublic postsecondary education and one member representing students. The chair shall be elected from the membership. The Office

of K-20 Articulation shall provide administrative support for the committee.  
The committee shall:

(a) Monitor the alignment between the exit requirements of one education system and the admissions requirements of another education system into which students typically transfer and make recommendations for improvement.

(b) Propose guidelines for interinstitutional agreements between and among public schools, career and technical education centers, Florida College System institutions, state universities, and nonpublic postsecondary institutions.

(c) Annually recommend dual enrollment course and high school subject area equivalencies for approval by the State Board of Education and the Board of Governors.

(d) Annually review the statewide articulation agreement pursuant to s. 1007.23 and make recommendations for revisions.

(e) Annually review the statewide course numbering system, the levels of courses, and the application of transfer credit requirements among public and nonpublic institutions participating in the statewide course numbering system and identify instances of student transfer and admissions difficulties.

(f) Annually publish a list of courses that meet common general education and common degree program prerequisite requirements at public postsecondary institutions identified pursuant to s. 1007.25.

(g) Foster timely collection and reporting of statewide education data  
~~Examine statewide data regarding articulation to identify issues and make recommendations to improve articulation throughout the K-20 education performance accountability system pursuant to ss. 1001.10 and 1008.31, including, but not limited to, data quality, accessibility, and protection of student records.~~

(h) Recommend roles and responsibilities of public education entities in interfacing with the single, statewide computer-assisted student advising system established pursuant to s. 1006.73.

Section 15. Subsections (3), (6), (7), (8), and (10) of section 1007.25, Florida Statutes, are amended to read:

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

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to identify statewide general education core course options. General education core course options shall consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences,

humanities, and natural sciences. The core courses may be revised, or the five-course maximum within each subject area may be exceeded, if approved by the State Board of Education and the Board of Governors, as recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee as necessary for a subject area. Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course. Beginning with students initially entering a Florida College System institution or state university in 2015-2016 ~~2014-2015~~ and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. All public postsecondary educational institutions shall ~~offer and~~ accept these courses as meeting general education core course requirements. The remaining general education course requirements shall be identified by each institution and reported to the department by their statewide course number. The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors.

(6) The universities and Florida College System institutions shall work with their school districts to ensure that high school curricula coordinate with the general education curricula and to prepare students for college-level work. General education curricula for associate in arts programs shall be identified by each institution and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ shall include ~~36~~ 30 semester hours in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

(7) An associate in arts degree shall require no more than 60 semester hours of college credit and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ include ~~36~~ 30 semester hours of general education coursework. Beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, coursework for an associate in arts degree shall include and demonstration of competency in a foreign language pursuant to s. 1007.262. Except for developmental education ~~college-preparatory coursework~~ required pursuant to s. 1008.30, all required coursework shall count toward the associate in arts degree or the baccalaureate degree.

(8) A baccalaureate degree program shall require no more than 120 semester hours of college credit and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ include ~~36~~ 30 semester hours of general education coursework, unless prior approval has been granted by the Board of Governors for baccalaureate degree programs offered by state universities and by the State Board of Education for baccalaureate degree programs offered by Florida College System institutions.

(10) Students at state universities may request associate in arts certificates if they have successfully completed the minimum requirements for the degree of associate in arts (A.A.). The university must grant the student an associate in arts degree if the student has successfully completed minimum requirements for college-level communication and computation skills adopted by the State Board of Education and 60 academic semester hours or the equivalent within a degree program area, including 36 and, beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, include 30 semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement pursuant to s. 1007.23.

Section 16. Section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students. Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(1) Admissions counseling shall be provided to all students entering college or career credit programs. For students who are not otherwise exempt from testing under s. 1008.30, counseling must use Counseling shall utilize tests to measure achievement of college-level communication and computation competencies by all students entering college credit programs or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91. Counseling includes providing developmental education options for students whose assessment results, determined under s. 1008.30, indicate that they need to improve communication or computation skills that are essential to perform college-level work.

(2) Admission to associate degree programs is subject to minimum standards adopted by the State Board of Education and shall require:

(a) A standard high school diploma, a high school equivalency diploma as prescribed in s. 1003.435, previously demonstrated competency in college credit postsecondary coursework, or, in the case of a student who is home educated, a signed affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41. Students who are enrolled in a dual enrollment or early admission program pursuant to s. 1007.271 are exempt from this requirement.

(b) A demonstrated level of achievement of college-level communication and computation skills.

(c) Any other requirements established by the board of trustees.

(3) Admission to other programs within the Florida College System institution shall include education requirements as established by the board of trustees.

(4) A student who has been awarded a special diploma as defined in s. 1003.438 or a certificate of completion as defined in s. 1003.43(10) is eligible to enroll in certificate career education programs.

(5) A student with a documented disability may be eligible for reasonable substitutions, as prescribed in ss. 1007.264 and 1007.265.

Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses and place students into, adult basic education, adult secondary education, or other instructional programs that provide students with alternatives to traditional college preparatory instruction, including private provider instruction. ~~A student is prohibited from enrolling in additional college-level courses until the student scores above the cut score on all sections of the common placement test.~~

Section 17. Subsections (2) and (14) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4). Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Vocational-preparatory instruction, developmental education ~~college-preparatory instruction~~, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(14) The Department of Education shall approve any course for inclusion in the dual enrollment program that is contained within the statewide course numbering system. However, developmental education ~~college preparatory and other forms of precollegiate instruction~~, and physical education and other courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, may not be so approved but must be evaluated individually for potential inclusion in the dual enrollment program. This subsection may not be construed to mean that an independent postsecondary institution eligible for inclusion in a dual enrollment or early admission program pursuant to s. 1011.62 must participate in the statewide course numbering system developed pursuant to s. 1007.24 to participate in a dual enrollment program.

Section 18. Section 1008.02, Florida Statutes, is created to read:

1008.02 Definitions.—As used in this chapter, the term:

(1) “Developmental education” means instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction. Developmental education may be delivered through a variety of accelerated and corequisite strategies and includes any of the following:

(a) Modularized instruction that is customized and targeted to address specific skills gaps.

(b) Compressed course structures that accelerate student progression from developmental instruction to college-level coursework.

(c) Contextualized developmental instruction that is related to meta-majors.

(d) Corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.

(2) “Gateway course” means the first course that provides transferable, college-level credit allowing a student to progress in his or her program of study.

(3) “Meta-major” means a collection of programs of study or academic discipline groupings that share common foundational skills.

Section 19. Section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.

(1) The State Board of Education, in conjunction with the Board of Governors, shall develop and implement a common placement test for the purpose of assessing the basic computation and communication skills of



students who intend to enter a degree program at any public postsecondary educational institution. Alternative assessments that may be accepted in lieu of the common placement test shall also be identified in rule. Public postsecondary educational institutions shall provide appropriate modifications of the test instruments or test procedures for students with disabilities.

(2) The common placement testing program shall include ~~at a minimum the following:~~ the capacity to diagnose basic competencies in the areas of English, reading, and mathematics which are essential for success in meta-majors and to provide to perform college-level work; ~~prerequisite skills that relate to progressively advanced instruction in mathematics, such as algebra and geometry; prerequisite skills that relate to progressively advanced instruction in language arts, such as English composition and literature; and provision of test information to students on the specific~~ skills the student needs to attain deficiencies.

(3) The State Board of Education shall adopt rules that require high schools to evaluate before the beginning of grade 12 the college readiness of each student who scores at Level 2 or Level 3 on ~~the reading portion of the grade 10 FCAT Reading or Level 2, Level 3, or Level 4 on the~~ Algebra I mathematics assessments under s. 1008.22 s. 1008.22(3)(e). High schools shall perform this evaluation using results from the corresponding component of the common placement test prescribed in this section, or an alternative equivalent test identified by the State Board of Education. ~~The State Board of Education shall identify in rule the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a Florida College System institution within 2 years of achieving such scores shall not be required to retest or enroll in remediation when admitted to any Florida College System institution. The high school shall use the results of the test to advise the students of any identified deficiencies and to provide 12th grade students, and require them to complete, appropriate postsecondary preparatory instruction prior to high school graduation. The curriculum provided under this subsection shall be identified in rule by the State Board of Education and encompass Florida's Postsecondary Readiness Competencies. Other elective courses may not be substituted for the selected postsecondary reading, mathematics, or writing preparatory course unless the elective course covers the same competencies included in the postsecondary reading, mathematics, or writing, or English language arts preparatory course.~~

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

(a) A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard

high school diploma or a student who is serving as an active duty member of any branch of the United States Armed Services shall not be required to take the common placement test and shall not be required to enroll in developmental education instruction in a Florida College System institution. However, a student who is not required to take the common placement test and is not required to enroll in developmental education under this paragraph may opt to be assessed and to enroll in developmental education instruction, and the college shall provide such assessment and instruction upon the student's request.

(b) A student who takes the common placement test and whose score on the test indicates a need for developmental education must be advised of all the developmental education options offered at the institution and, after advisement, shall be allowed to enroll in the developmental education option of his or her choice.

~~(c) A student who demonstrates readiness by achieving or exceeding the test scores established by the state board and enrolls in a Florida College System institution within 2 years after achieving such scores shall not be required to retest or complete developmental education when admitted to any Florida College System institution. Students who have been identified as requiring additional preparation pursuant to subsection (1) shall enroll in college preparatory or other adult education pursuant to s. 1004.93 in Florida College System institutions to develop needed college-entry skills. The State Board of Education shall specify by rule provisions for alternative remediation opportunities and retesting policies. These students shall be permitted to take courses within their degree program concurrently in other curriculum areas for which they are qualified while enrolled in college preparatory instruction courses. A student enrolled in a college preparatory course may concurrently enroll only in college credit courses that do not require the skills addressed in the college preparatory course. A degree-seeking student who is required to complete a college preparatory course must successfully complete the required college preparatory studies by the time the student has accumulated 12 hours of lower-division college credit degree coursework; however, a student may continue enrollment in degree-earning coursework provided the student maintains enrollment in college preparatory coursework for each subsequent semester until college preparatory coursework requirements are completed, and provided the student demonstrates satisfactory performance in degree-earning coursework. A student who has accumulated 12 college credit hours and has not yet demonstrated proficiency in the basic competency areas of reading, writing, and mathematics must be advised in writing of the requirements for associate degree completion and state university admission, including information about future financial aid eligibility and the potential costs of accumulating excessive college credit as described in s. 1009.286. Before a student is considered to have met basic computation and communication skills requirements, the student must demonstrate successful mastery of the required developmental education competencies as defined in State Board of~~

Education rule. Credit awarded for college preparatory instruction may not be counted toward fulfilling the number of credits required for a degree.

(5) By December 31, 2013, the State Board of Education, in consultation with the Board of Governors, shall approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. Florida College System institutions shall use placement test results to determine the extent to which each student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major.

(6)(a) Each Florida College System institution board of trustees shall develop a plan to implement the developmental education strategies defined in s. 1008.02 and rules established by the State Board of Education. The plan must be submitted to the Chancellor of the Florida College System for approval no later than March 1, 2014, for implementation no later than the fall semester 2014. Each plan must include, at a minimum, local policies that outline:

1. Documented student achievements such as grade point averages, work history, military experience, participation in juried competitions, career interests, degree major declaration, or any combination of such achievements that the institution may consider, in addition to common placement test scores, for advising students regarding enrollment options.

2. Developmental education strategies available to students.

3. A description of student costs and financial aid opportunities associated with each option.

4. Provisions for the collection of student success data.

5. A comprehensive plan for advising students into appropriate developmental education strategies based on student success data.

(b) Beginning October 31, 2015, each Florida College System institution shall annually prepare an accountability report that includes student success data relating to each developmental education strategy implemented by the institution. The report shall be submitted to the Division of Florida Colleges by October 31 in a format determined by the Chancellor of the Florida College System. By December 31, the chancellor shall compile and submit the institutional reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education.

(c)(b) A university board of trustees may contract with a Florida College System institution board of trustees for the Florida College System institution to provide developmental education such instruction on the state university campus. Any state university in which the percentage of

incoming students requiring developmental education college-preparatory instruction equals or exceeds the average percentage of such students for the Florida College System may offer developmental education college-preparatory instruction without contracting with a Florida College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide such services.

(7)(5) A student may not be enrolled in a college credit mathematics or English course on a dual enrollment basis unless the student has demonstrated adequate precollegiate preparation on the section of the basic computation and communication skills assessment required pursuant to subsection (1) that is appropriate for successful student participation in the course.

Section 20. Subsection (3) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide data required to implement education performance accountability measures in state and federal law, the Commissioner of Education shall initiate and maintain strategies to improve data quality and timeliness. The Board of Governors shall make available to the department all data within the State University Database System to collected from state universities shall, as determined by the commissioner, be integrated into the K-20 data warehouse. The commissioner shall have unlimited access to such data solely for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions shall annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified specified by the commissioner.

(a) School districts and public postsecondary educational institutions shall maintain information systems that will provide the State Board of Education, the Board of Governors of the State University System, and the Legislature with information and reports necessary to address the specifications of the accountability system. The level of comprehensiveness and quality must shall be no less than that which was available as of June 30, 2001.

(b) Colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program shall annually report student-level data from the prior year for each student who receives state funds in a format prescribed by the Department of Education. At a minimum, data from the prior year must shall be reported annually to the department and include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By

December 31, 2013, the colleges and universities described in this paragraph shall report the data for the 2012-2013 academic year to the department. By October 1 of each year thereafter, the colleges and universities described in this paragraph shall report the data to the department.

(c) The Commissioner of Education shall determine the standards for the required data, monitor data quality, and measure improvements. The commissioner shall report annually to the State Board of Education, the Board of Governors of the State University System, the President of the Senate, and the Speaker of the House of Representatives data quality indicators and ratings for all school districts and public postsecondary educational institutions.

(d) The commissioner shall continuously monitor and review the collection of paperwork, data, and reports by school districts and complete an annual review of such collection ~~by no later than~~ June 1 of each year. The annual review must include recommendations for consolidating paperwork, data, and reports, wherever feasible, in order to reduce the burdens on school districts.

(e) By July 1 of each year, the commissioner shall prepare a report assisting the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance.

(f) Before establishing any new reporting or data collection requirements, the commissioner of Education shall use ~~utilize~~ existing data being collected to reduce duplication and minimize paperwork.

Section 21. Subsection (4) of section 1008.32, Florida Statutes, is amended to read:

1008.32 State Board of Education oversight enforcement authority.—The State Board of Education shall oversee the performance of district school boards and Florida College System institution boards of trustees in enforcement of all laws and rules. District school boards and Florida College System institution boards of trustees shall be primarily responsible for compliance with law and state board rule.

(4) If the State Board of Education determines that a district school board or Florida College System institution board of trustees is unwilling or unable to comply with law or state board rule within the specified time, the state board shall have the authority to initiate any of the following actions:

(a) Report to the Legislature that the school district or Florida College System institution is ~~has been~~ unwilling or unable to comply with law or state board rule and recommend action to be taken by the Legislature.

~~(b) Reduce the discretionary lottery appropriation until the school district or Florida College System institution complies with the law or state board rule.~~

~~(b)~~<sup>(e)</sup> Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature until the school district or Florida College System institution complies with the law or state board rule.

~~(c)~~<sup>(d)</sup> Declare the school district or Florida College System institution ineligible for competitive grants.

~~(d)~~<sup>(e)</sup> Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

Section 22. Section 1008.322, Florida Statutes, is created to read:

1008.322 Board of Governors oversight enforcement authority.—

(1) The Board of Governors of the State University System shall oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations. State university boards of trustees shall be primarily responsible for compliance with laws and Board of Governors' rules and regulations.

(2) The Board of Governors' constitutional authority to operate, regulate, control, and be fully responsible for the management of the entire State University System mandates that the state universities comply with all requests by the Board of Governors for information, data, and reports. The state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors.

(3) The Chancellor of the State University System may investigate allegations of noncompliance with any law or Board of Governors' rule or regulation and determine probable cause. The chancellor shall report determinations of probable cause to the Board of Governors, which may require the university board of trustees to document compliance with the law or Board of Governors' rule or regulation.

(4) If the university board of trustees cannot satisfactorily document compliance, the Board of Governors may order compliance within a specified timeframe.

(5) If the Board of Governors determines that a state university board of trustees is unwilling or unable to comply with any law or Board of Governors' rule or regulation or audit recommendation within the specified time, the Board of Governors, in addition to actions constitutionally authorized, may initiate any of the following actions:

(a) Withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds appropriated to the Board of Governors by the Legislature for disbursement to the state university until the university complies with the law or Board of Governors' rule or regulation.

(b) Declare the state university ineligible for competitive grants disbursed by the Board of Governors.

(c) Require monthly or periodic reporting on the situation related to noncompliance until it is remedied.

(d) Report to the Legislature that the state university is unwilling or unable to comply with the law or Board of Governors’ rule or regulation and recommend action to be taken by the Legislature.

(6) Nothing in this section may be construed to create a private cause of action or create any rights for individuals or entities in addition to those provided elsewhere in law, rule, or regulation.

Section 23. Subsection (1) and paragraph (a) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(1) ANNUAL REPORTS.—The Commissioner of Education shall prepare annual reports of the results of the statewide assessment program which describe student achievement in the state, each district, and each school. The commissioner shall prescribe the design and content of these reports, which must include descriptions of the performance of all schools participating in the assessment program and all of their major student populations as determined by the commissioner. The report must also include the percent of students performing at or above grade level and making ~~a year’s~~ gains growth in a year’s time in reading and mathematics. The provisions of s. 1002.22 pertaining to student records apply to this section.

(3) DESIGNATION OF SCHOOL GRADES.—

(a) Beginning with the 2013-2014 school year, each school that has students who are tested and included in the school grading system shall receive a school grade if the number of its students tested on statewide assessments pursuant to s. 1008.22 meets or exceeds the minimum sample size of 10, except as follows:

~~1.—A school shall not receive a school grade if the number of its students tested and included in the school grading system is less than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

1.2. An alternative school may choose to receive a school grade under this section or a school improvement rating under s. 1008.341. For charter schools that meet the definition of an alternative school pursuant to State Board of Education rule, the decision to receive a school grade is the decision of the charter school governing board.

2.3. A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school.

3. If a colocated school does not earn a school grade or school improvement rating for the performance of its students, the student performance data of all schools operating at the same facility must be aggregated to develop a school grade that will be assigned to all schools at that location. A colocated school is a school that has its own unique master school identification number, provides for the education of each of its enrolled students, and operates at the same facility as another school that has its own unique master school identification number and provides for the education of each of its enrolled students.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools earning a grade of “C,” making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students. In order for a high school to earn a grade of “A,” the school must demonstrate that its at-risk students, as defined in this paragraph, are making adequate progress.

Section 24. Subsections (2), (3), and (5) of section 1008.341, Florida Statutes, are amended to read:

1008.341 School improvement rating for alternative schools.—

(2) SCHOOL IMPROVEMENT RATING.—An alternative school is a school that provides dropout prevention and academic intervention services pursuant to s. 1003.53. An alternative school shall receive a school improvement rating pursuant to this section unless the school earns a school grade pursuant to s. 1008.34. Beginning with the 2013-2014 school year, each ~~However, an alternative school that chooses to receive a school improvement rating shall not receive a school improvement rating if the number of its students for whom student performance data on statewide, standardized assessments pursuant to s. 1008.22 which is available for the current year and previous year meets or exceeds is less than the minimum sample size of 10. An alternative school that tests at least 80 percent of its students may receive a school improvement rating. If an alternative school tests less than 90 percent of its students, the school may not earn a rating~~



~~higher than “maintaining.” necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~ The school improvement rating shall identify an alternative school as having one of the following ratings defined according to rules of the State Board of Education:

(a) “Improving” means the students attending the school are making more academic progress than when the students were served in their home schools.

(b) “Maintaining” means the students attending the school are making progress equivalent to the progress made when the students were served in their home schools.

(c) “Declining” means the students attending the school are making less academic progress than when the students were served in their home schools.

The school improvement rating shall be based on a comparison of student performance data for the current year and previous year. Schools that improve at least one level or maintain an “improving” rating pursuant to this section are eligible for school recognition awards pursuant to s. 1008.36.

(3) **DESIGNATION OF SCHOOL IMPROVEMENT RATING.**—Student data used in determining an alternative school’s school improvement rating shall include:

(a) ~~Student performance results based~~ The aggregate scores on state-wide, standardized assessments, including retakes, administered under s. 1008.22 for all eligible students who were assigned to and enrolled in the school during the October or February FTE count and who have assessment scores FCAT or comparable scores for the preceding school year.

(b) ~~Student performance results based~~ The aggregate scores on state-wide, standardized assessments, including retakes, administered under s. 1008.22 for all eligible students who were assigned to and enrolled in the school during the October or February FTE count and who have scored in the lowest 25th percentile of students in the state on FCAT Reading.

Student performance results ~~The assessment scores~~ of students who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice may not be included in an alternative school’s school improvement rating.

(5) **SCHOOL AND STUDENT REPORT CARDS CARD.**—The Department of Education shall annually develop, in collaboration with the school districts, a school report card for alternative schools to be delivered to parents throughout each school district. The report card shall include the

school improvement rating, identification of student learning gains, student attendance data, information regarding school improvement, ~~an explanation of school performance as evaluated by the federal No Child Left Behind Act of 2001,~~ and indicators of return on investment. An alternative school that serves at least 10 students who are tested on the statewide, standardized assessments pursuant to s. 1008.22 in the current year and previous year shall distribute an individual student report card to parents which includes the student's learning gains and progress toward meeting high school graduation requirements. The report card must also include the school's industry certification rate, college readiness rate, dropout rate, and graduation rate. This subsection does not abrogate the provisions of s. 1002.22 relating to student records or the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

Section 25. Subsection (2) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, no later than November 30 of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term, indicating the number of students whose scores on the common placement test indicated the need for developmental education under s. 1008.30 or for applied academics for adult education under remediation through college-preparatory or vocational-preparatory instruction pursuant to s. 1004.91 or s. 1008.30.

Section 26. Paragraph (a) of subsection (2) of section 1008.385, Florida Statutes, is amended to read:

1008.385 Educational planning and information systems.—

(2) **COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.** The Commissioner of Education shall develop and implement an integrated information system for educational management. The system must be designed to collect, via electronic transfer, all student and school performance data required to ascertain the degree to which schools and school districts are meeting state performance standards, and must be capable of producing data for a comprehensive annual report on school and district performance. In addition, the system shall support, as feasible, the management decisions to be made in each division of the department and at the individual school and district levels. Similar data elements among divisions and levels shall be compatible. The system shall be based on an overall conceptual design; the information needed for such decisions, including fiscal, student, program, personnel, facility, community, evaluation, and other relevant data; and the relationship between cost and effectiveness. The system shall be managed and administered by the commissioner and shall

include a district subsystem component to be administered at the district level, with input from the reports-and-forms control management committees. Each district school system with a unique management information system shall assure that compatibility exists between its unique system and the district component of the state system so that all data required as input to the state system is made available via electronic transfer and in the appropriate input format.

(a) The specific responsibilities of the commissioner shall include:

1. Consulting with school district representatives in the development of the system design model and implementation plans for the management information system for public school education management;

2. Providing operational definitions for the proposed system, including criteria for issuing and revoking master school identification numbers to support the maintenance of education records, to enforce and support education accountability, to support the distribution of funds to school districts, to support the preparation and analysis of school district financial reports, and to assist the commissioner in carrying out the duties specified in ss. 1001.10 and 1001.11;

3. Determining the information and specific data elements required for the management decisions made at each educational level, recognizing that the primary unit for information input is the individual school and recognizing that time and effort of instructional personnel expended in collection and compilation of data should be minimized;

4. Developing standardized terminology and procedures to be followed at all levels of the system;

5. Developing a standard transmittal format to be used for collection of data from the various levels of the system;

6. Developing appropriate computer programs to assure integration of the various information components dealing with students, personnel, facilities, fiscal, program, community, and evaluation data;

7. Developing the necessary programs to provide statistical analysis of the integrated data provided in subparagraph 6. in such a way that required reports may be disseminated, comparisons may be made, and relationships may be determined in order to provide the necessary information for making management decisions at all levels;

8. Developing output report formats which will provide district school systems with information for making management decisions at the various educational levels;

9. Developing a phased plan for distributing computer services equitably among all public schools and school districts in the state as rapidly as possible. The plan shall describe alternatives available to the state in

providing such computing services and shall contain estimates of the cost of each alternative, together with a recommendation for action. In developing the plan, the feasibility of shared use of computing hardware and software by school districts, Florida College System institutions, and universities shall be examined. Laws or administrative rules regulating procurement of data processing equipment, communication services, or data processing services by state agencies shall not be construed to apply to local agencies which share computing facilities with state agencies;

10. Assisting the district school systems in establishing their subsystem components and assuring compatibility with current district systems;

11. Establishing procedures for continuous evaluation of system efficiency and effectiveness;

12. Initiating a reports-management and forms-management system to ascertain that duplication in collection of data does not exist and that forms and reports for reporting under state and federal requirements and other forms and reports are prepared in a logical and uncomplicated format, resulting in a reduction in the number and complexity of required reports, particularly at the school level; and

13. Initiating such other actions as are necessary to carry out the intent of the Legislature that a management information system for public school management needs be implemented. Such other actions shall be based on criteria including, but not limited to:

- a. The purpose of the reporting requirement;
- b. The origination of the reporting requirement;
- c. The date of origin of the reporting requirement; and
- d. The date of repeal of the reporting requirement.

Section 27. Paragraph (a) of subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)(a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in vocational-preparatory instruction shall be charged fees equal to the fees charged for adult general education programs. Each Florida College System institution that conducts developmental education ~~college-preparatory~~ and vocational-preparatory instruction in the same class section may charge a single fee for both types of instruction.

Section 28. Subsection (1), paragraph (b) of subsection (2), paragraphs (a) and (b) of subsection (3), and subsections (6) and (10) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(1) Unless otherwise provided, this section applies only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, an associate in science degree, or a baccalaureate degree authorized pursuant to s. 1007.33, for noncollege credit developmental education ~~college preparatory courses~~ defined in s. 1004.02, and for educator preparation institute programs defined in s. 1004.85.

(2)

(b) Tuition and out-of-state fees for upper-division courses must reflect the fact that the Florida College System institution has a less expensive cost structure than that of a state university. Therefore, the board of trustees shall establish tuition and out-of-state fees for upper-division courses in baccalaureate degree programs approved pursuant to s. 1007.33 consistent with law and proviso language in the General Appropriations Act. However, the board of trustees may not vary tuition and out-of-state fees only as provided in subsection (6) and s. 1009.26(11) (4).

(3)(a) Effective July 1, 2011, for advanced and professional, postsecondary vocational, developmental education ~~college preparatory~~, and educator preparation institute programs, the standard tuition shall be \$68.56 per credit hour for residents and nonresidents, and the out-of-state fee shall be \$205.82 per credit hour.

(b) Effective July 1, 2011, for baccalaureate degree programs, the following tuition and fee rates shall apply:

1. The tuition shall be \$87.42 per credit hour for students who are residents for tuition purposes.

2. The sum of the tuition and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes shall be no more than 85 percent of the sum of the tuition and the out-of-state fee at the state university nearest the Florida College System institution.

(6)(a) A Florida College System institution board of trustees that has a service area that borders another state may implement a plan for a differential out-of-state fee.

(b) A Florida College System institution board of trustees may establish a differential out-of-state fee for a student who has been determined to be a nonresident for tuition purposes pursuant to s. 1009.21 and is enrolled in a distance learning course offered by the institution. A differential out-of-state fee established pursuant to this paragraph shall be applicable only to distance learning courses and must be established such that the sum of

tuition and the differential out-of-state fee is sufficient to defray the full cost of instruction.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may apply to both college credit and developmental education ~~college-preparatory instruction~~ and shall not be included in any award under the Florida Bright Futures Scholarship Program. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 29. Subsection (2) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(2) Each Florida College System institution is authorized to grant student fee exemptions from all fees adopted by the State Board of Education and the Florida College System institution board of trustees for up to 54 ~~40~~ full-time equivalent students or 1 percent of the institution's total full-time equivalent enrollment, whichever is greater, at each institution.

Section 30. Section 1009.28, Florida Statutes, is amended to read:

1009.28 Fees for repeated enrollment in developmental education ~~college-preparatory~~ classes.—A student enrolled in the same developmental education ~~college-preparatory~~ class more than twice shall pay 100 percent of the full cost of instruction to support continuous enrollment of that student in the same class, and the student shall not be included in calculations of full-time equivalent enrollments for state funding purposes; however, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class, provided approval is granted according to policy established by the board of trustees. Each Florida College System institution may review and reduce fees paid by students due to continued enrollment in a developmental education ~~college-preparatory~~ class on an individual basis contingent upon the student's financial hardship, pursuant to definitions and fee levels established by the State Board of Education.

Section 31. Subsection (3) of section 1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(3) Undergraduate students are eligible to receive financial aid for a maximum of 8 semesters or 12 quarters. However, undergraduate students participating in developmental education and college-preparatory instruction, ~~students requiring additional time to complete the college-level communication and computation skills testing programs, or~~ students enrolled in a 5-year undergraduate degree program are eligible to receive financial aid for a maximum of 10 semesters or 15 quarters.

Section 32. Subsection (10) of section 1009.53, Florida Statutes, is amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(10) Funds from any scholarship within the Florida Bright Futures Scholarship Program may not be used to pay for remedial coursework or developmental education ~~college-preparatory coursework~~.

Section 33. Subsection (7) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

~~(7) To be eligible for an initial award and each renewal award under the Florida Bright Futures Scholarship Program, a student must submit a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 34. Subsection (6) of section 1009.73, Florida Statutes, is amended to read:

1009.73 Mary McLeod Bethune Scholarship Program.—

(6) The amount of the scholarship to be granted to each recipient is \$3,000 annually. Priority in the awarding of scholarships shall be given to students having financial need as determined by the institution. If funds are insufficient to provide the full amount of the scholarship authorized in this section to each eligible applicant, the institution may prorate available funds and make a partial award to each eligible applicant. A student may not receive an award for more than the equivalent of 8 semesters or 12 quarters over a period of 6 consecutive years, except that a student who is participating in developmental education ~~college-preparatory instruction~~ or who requires additional time to complete the college-level communication and computation skills testing program may continue to receive a scholarship while enrolled for the purpose of receiving developmental education ~~college-preparatory instruction~~ or while completing the testing program.

Section 35. Subsection (4) of section 1009.89, Florida Statutes, is amended to read:

1009.89 The William L. Boyd, IV, Florida resident access grants.—

(4) A person is eligible to receive such William L. Boyd, IV, Florida resident access grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section; and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled; ~~and~~

~~(c) He or she submits a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 36. Subsection (4) of section 1009.891, Florida Statutes, is amended to read:

1009.891 The Access to Better Learning and Education Grant Program.

(4) A person is eligible to receive an access grant if:

(a) He or she meets the general requirements, including residency, for student eligibility as provided in s. 1009.40, except as otherwise provided in this section; and

(b)1. He or she is enrolled as a full-time undergraduate student at an eligible college or university in a program of study leading to a baccalaureate degree;

2. He or she is not enrolled in a program of study leading to a degree in theology or divinity; and

3. He or she is making satisfactory academic progress as defined by the college or university in which he or she is enrolled; ~~and~~

~~(c) He or she submits a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 37. Paragraph (b) of subsection (1) and subsection (5) of section 1011.84, Florida Statutes, are amended to read:



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

(1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

(b) The allocation of funds for Florida College System institutions shall be based on advanced and professional disciplines, developmental education college preparatory programs, and other programs for adults funded pursuant to s. 1011.80.

(5) REPORT OF DEVELOPMENTAL ~~REMEDIAL~~ EDUCATION.— Each Florida College System institution board of trustees shall report, as a separate item in its annual cost accounting system, the volume and cost of developmental education options provided to help students attain the communication and computation skills that are essential for college-level work pursuant to s. 1008.30 ~~remedial education activities as a separate item in its annual cost accounting system~~.

Section 38. The Division of Law Revision and Information is directed to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the terms "General Educational Development test" or "GED test" to "high school equivalency examination" and the terms "general education diploma," "graduate equivalency diploma," or "GED" to "high school equivalency diploma" wherever those terms appear in the Florida Statutes.

Section 39. This act shall take effect July 1, 2013.

Approved by the Governor May 20, 2013.

Filed in Office Secretary of State May 20, 2013.