



Two credits in the same foreign language, taken for elective credit; and

The postsecondary education common placement test prescribed in s. 240.117, F.S., or its equivalent, and score at or above the established passing score in each test area.

A college-ready diploma entitles a student to admission without placement testing to a public postsecondary education program that terminates in a technical certificate or an associate in science/arts degree, provided that the student enters school within 2 years of earning the college-ready diploma. The Department of Education (DOE) must convene a task force of educators and employers for the purpose of recommending additional incentives for students to pursue a college-ready diploma. Such incentives may include awards and recognition, preference for positions in firms, and early registration privileges.

Section 239.117, F.S., applies to students enrolled in workforce development programs, including programs and courses leading to an associate in applied technology degree or associate in science degree who are reported for funding through the Workforce Development Education Trust Fund. The section prescribes that all student must be charged fees, except for the following:

A student enrolled in adult basic, adult secondary, or vocational-preparatory instruction who does not have a high school diploma, or its equivalent, or who has a diploma, but has academic skills at or below the eighth grade level; and

A student enrolled in a prescribed dual enrollment or early admission program, apprenticeship program, or a student who is in certain foster care programs or adopted from the Department of Children and Family Services (CFS) after December 31, 1997, is enrolled in a WAGES employment and training program and has otherwise been denied student financial aid, or is a shelter resident. Costs incurred for WAGES clients must be paid by the local WAGES coalition.

School districts and community colleges may waive fees for non-exempt students as well.

The Commissioner of Education must annually recommend to the State Board of Education (SBE) a schedule of fees for workforce development education. SBE is charged with adopting a fee schedule and rules for calculating the cost to be borne by students. School boards and community college boards may establish scholarship funds using donations and are authorized to establish separate fees for consumable supplies, capital improvements, technology enhancements, and equipping buildings.

Section 239.225, F.S., establishes the Vocational Improvement Program, to be administered by DOE, in accordance with rules of the State Board for Career Education (SBCE). Funds allocated for the program are prioritized as follows: development of vocational programs for disadvantaged persons; recruitment, pre-service, and in-service activities for vocational counselors and teachers; the development of information systems that are compatible between school districts and community colleges; job placement services for vocational completers; the development of

exploratory vocational courses; activities that provide faculty articulation for the purpose of integrating vocational and academic instruction; and activities that ensure greater community involvement in career education. School boards and community college boards are eligible to apply for vocational improvement funds. The section establishes the Vocational Equipment Challenge Grant Program which provides for a 25 percent match to school districts or community colleges that collect 50 percent of the cost of equipment from private sources and contribute 25 percent from local fund sources. The section provides that SBCE may adopt rules necessary for implementation of the program.

Section 240.1163, F.S., specifies that school districts, community colleges, and state universities may conduct advanced placement instruction within dual enrollment courses, subject to the provisions of articulation agreements pursuant to s. 240.1161, F.S. The section establishes provisions for funding and assigning credit for such courses.

Section 240.235, F.S., authorizes universities to establish activity and service, health, and athletic fees. Universities may permit the deferral of registration and tuition fees for those students receiving financial aid when the delivery of such aid is delayed. The Board of Regents (BOR) is charged with establishing waiver rules for persons age 60 and older. Students enrolled in dual enrollment programs are exempt from fees. Students in foster care or students adopted from CFS after December 31, 1997, are also exempt, provided that the student has been denied financial aid that would otherwise be available for fee payment. Fee exemptions are authorized for not more than 4 consecutive years or eight semesters unless the student is participating in college-preparatory instruction or is requiring additional time to complete the college-level communication and computation skills testing (CLAST) program, where the limits are 5 years or ten semesters, respectively. Continued fee exemption is contingent upon maintaining a 2.0 average on a 4.0 scale. Students in state-approved school psychology training programs are entitled to a waiver for internship credit hours acquired in the public school system and certain members of the Florida National Guard are exempt from paying one-half of tuition and course-related fees.

Section 240.311, F.S., establishes the powers and duties of the State Board of Community Colleges (SBCC). Among other duties, SBCC must receive an annual administrative review of each community college, including all courses offered outside the college's district. Course offered outside the home district of the college which are not approved by the SBCC cannot be counted for funding purposes or to meet enrollment assignments.

Section 240.321, F.S., prescribes that community college boards of trustees establish rules governing admissions of students. Admission to associate degree programs are subject to minimum standards as adopted by SBE and must require a high school diploma or its equivalent, demonstrated competency in college credit postsecondary course work, or in the case of home education students, an affidavit attesting to the fact that the student had completed an authorized home education program. Students enrolled in an authorized dual enrollment or early admission program and secondary students enrolled in college-level instruction creditable to an associate degree are exempt from this requirement. Unless the student has a college-ready diploma, he or she must demonstrate achievement of college-level communication and computation skills. The

board may establish additional requirements and must establish policies that notify students about, 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.

Section 240.324, F.S., requires that SBCC and community college boards of trustees develop and implement a plan to improve and evaluate the instructional and administrative efficiency and effectiveness of the State Community College System. The plan must address the following:

Graduation rates of Associate in Arts/Sciences (A.A./A.S.) degree-seeking students compared to first-time-enrolled students seeking the associate degree;

Minority student enrollment and graduation rates;

Student performance, including college-level academic skills, mean grade point averages for community college A.A. transfer students, and community college student performance on state licensure examinations;

Job placement rates of community college vocational students;

Student progression by admission status and program;

Vocational accountability standards identified in s. 239.229, F.S.; and

Other measures as identified by the Postsecondary Education Planning Commission (PEPC) and approved by the SBCC.

An annual interim report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives detailing the results of initiatives taken the prior year, and plans for initiatives and related objectives for the next year. Annual evaluations of the performance of the SBCC executive director and of each community college president must include the achievement of performance goals established in the community college accountability plan.

Section 240.35, F.S., authorizes SBCC to establish matriculation and tuition fees for community colleges. Students in certain foster care programs and students adopted from CFS after December 31, 1997, are exempt, provided that they have been denied financial aid that would otherwise be available for fee payment. Exemptions can be received for not more than 2 consecutive years or four semesters, unless the student is participating in college-preparatory instruction or requires additional time to complete the CLAST program, where the maxima are 3 consecutive years or six semesters, respectively. The student must maintain a 2.0 average on a 4.0 scale, or have an average below 2.0 only for the previous term, in order to maintain the fee exemption. Students enrolled in authorized dual enrollment and early admissions programs, and students enrolled in authorized employment and training programs under the WAGES program are also exempt from

fees; however, such students cannot be included within calculations of fee-waived enrollments. Community colleges must assist WAGES participants in obtaining financial aid. If financial aid is denied to a WAGES participant, the local WAGES coalition is responsible for costs associated with that participant. Fees are waived for certain members of the Florida National Guard and may be waived for other students as well.

SBCC is charged with adopting rules concerning definitions and procedures to be used in calculating the percentage of costs to be borne by the student. Such rules must be developed in consultation with the Legislature. Community college boards may establish separate activity and service fees, not to exceed ten percent of the matriculation fee, according to SBE rules.

Community colleges are authorized to collect, for financial aid purposes, an additional amount up to five percent of the total tuition or matriculation fees. They may collect an additional two percent if the amount generated at five percent is less than \$250,000; if this amount is also less than \$250,000, the community college may transfer an amount equal to the difference from the general current fund if tuition and matriculation fees charged by the institution are at least equal to average fees established by rule. Up to 25 percent or \$250,000, whichever is greater, of the fees collected may be used to assist students who demonstrate academic merit, who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution, or who are identified as members of a targeted gender or ethnic minority population. Financial aid fee revenues allocated for athletic scholarships and fee exemptions provided pursuant to subsection (14) of the section, which authorizes community colleges to grant up to 40 full-time equivalent (FTE) student exemptions, must be distributed in accordance with the gender equity provisions of s. 228.2001(3), F.S. A minimum of 50 percent of the balance of funds must be used to provide financial aid based on absolute need, with the remainder used for academic merit purposes and other purposes as approved by the board. The section prescribes penalties for improper reporting of FTE enrollments. Reporting must not include students who have been exempted from taking a course or who have been granted academic or vocational credit except as gained by taking course work at the institution. Community college boards may establish separate fees for capital improvements or equipping student buildings; such fees may not exceed \$1 per credit hour or credit-hour equivalent for residents or \$3 per credit hour or credit-hour equivalent for non residents.

Section 240.36, F.S., provides for the Dr. Phillip Benjamin Academic Improvement Trust Fund for Community Colleges. The trust fund must be used to encourage private support in enhancing public community colleges by providing opportunities to receive and match challenge grants. For every year in which there is a legislative appropriation, at least \$25,000 must be reserved to permit each community college and the SBCC an opportunity to match challenge grants. The balance of funds must be made available for matching by any eligible community college or the SBCC. A similar provision applies to trust funds remaining unmatched by March 1 of any year. No community college may receive funds in excess of its percentage of the FTE enrollment, or 15 percent, whichever is greater, of the funds appropriated in a particular fiscal year.

Challenge grants must be proportionally allocated on the basis of matching each \$4 of state funds with \$6 in private funds. To be eligible, a minimum of \$4,500 must be raised from private sources. Each community college must establish its own academic improvement trust fund as a depository for private and matching state contributions.

The community college boards and SBCC are charged with determining the uses for the proceeds of their respective trust funds. Such uses must be limited to expenditures for:

Scientific and technical equipment;

Other activities that will benefit future students as well as currently enrolled students, and that will improve the quality of education; and

Scholarships, which are the lowest priority for use.

If a community college includes scholarships in its proposal, it must create an endowment in its academic improvement trust fund, using the earnings to provide scholarships. Such scholarships must be program-specific and require high academic achievement, and may be used for minority recruitment, but not for athletic participants. Scholarships may be awarded to students in arts programs and vocational programs. However, for vocational programs, the community college board must have designated the program as a program of emphasis for quality improvement, a designation that should be restricted to a limited number of programs. The board must have adopted a specific plan that details how quality improvement will be achieved. The college's operating budget should, over time, show particular financial commitment to programs of emphasis. Fund raising activities must be specifically identified as being for the program of emphasis or scholarship money. Proposed uses of the trust fund must be submitted to SBCC for approval. SBCC is charged with establishing rules for fund administration, including specification of the minimum challenge grant reserved for each community college (or SBCC), as well as the maximum amount which may be received in any fiscal year in accordance with provisions of the annual General Appropriations Act.

Section 240.382, F.S., specifies provisions for establishing child development training centers at community colleges. The primary purpose of such centers is to provide affordable child care for children of adult students, particularly those who demonstrate financial need, as well as for employees and staff of the institution. The centers are also intended to provide both pre-school instruction to the children and clinical experiences for prospective child care and early childhood instructional and administrative personnel. A secondary mission of the centers is to provide instruction in parenting skills for the clients of the center as well as for the community.

Section 240.4097, F.S., establishes provisions for the Florida Postsecondary Student Assistance Grant Program. DOE is charged with administration in accordance with rules of the state board. Student assistance grants through the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general eligibility requirements for state financial aid, except as otherwise provided. Such grants must be awarded for demonstrated unmet

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need of \$200 or more with regard to tuition and fees, and may not exceed \$1,500 per academic year, or as specified in the General Appropriations Act. Grant recipients must have been accepted at a postsecondary institution that is located in and chartered as a domestic corporation by the state that is a private nursing diploma school approved by the Florida Board of Nursing, or an institution either licensed by the State Board of Independent Colleges and Universities (SBICU) or exempt from licensure under s. 246.085(1)(a), F.S., excluding those institutions where students are eligible for a Florida private student assistance grant pursuant to s. 240.4095, F.S. Awards may be received for a maximum of nine semesters or fourteen quarters in a period of not more than 6 consecutive years, except as otherwise provided in s. 240.404(3), F.S. Applicants must apply for the Pell Grant as well, the entitlement of which must be considered by DOE when assessing a student's financial resources. DOE must determine criteria and procedures for eligibility standards, including a rating system upon which to base grant approval, including the use of a nationally recognized system of need analysis. Priority must be given to students with the lowest total family resources. If insufficient funds are available to issue grants to all eligible applicants, each recipient's award is reduced on a pro rata basis.

Section 246.201, F.S., establishes legislative intent regarding minimum educational standards for independent degree career education, technical, trade, and business schools. The section specifies that, because of the common use of diplomas and degrees, the minimum legal requirements provided by ss. 246.201-246.231, F.S., for the establishment and operation of independent degree career education, technical, trade, and business schools are to protect students from deceptive, fraudulent, or sub-standard education. Any school or business regulated by the state or by the Federal Aviation Administration is expressly exempted from the requirements, but may apply for a license. If licensed, the institution would be regulated under the provisions of ss. 246.201-246.231, F.S.

Section 246.203, F.S., provides definitions for the purposes of ss. 246.201-246.231, F.S. Specifically, "school" is defined as any nongovernmental, postsecondary, vocational, technical, trade, or business non-collegiate educational institution, organization program, home study courses, or class maintained or conducted in residence or through correspondence by any person, partnership, association, organization, or corporation, for the purpose of offering instruction of any kind leading to occupational objectives or of furnishing a diploma, as defined in the section, in business, management, trade, technical, or other career education and professional schools not otherwise regulated. Nonpublic colleges and universities are not included in the definition unless they offer the types of diploma programs for which the provisions were established. Non-profit classes offered by employers or a labor union solely for employees, prospective employees, or members are also excluded. "Board" is defined as the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools.

Section 246.205, F.S., establishes the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools (SBIPVTTBS). The board is assigned to DOE for administrative purposes, but otherwise independently exercises powers and duties as prescribed by law. Each of the nine board members is appointed by the Governor, subject to confirmation by the

Senate, for a term of 3 years. Board members are accountable to the Governor for proper performance of their duties.

Section 246.207, F.S., prescribes the powers and duties of SBIPVTTBS. The board is authorized to, among other things, adopt and use an official seal, make rules for its own government, and prescribe and recommend rules to SBE. The board must prepare an annual budget and transmit all receipts to the State Treasurer for deposit in the General Revenue Fund. The board must issue an annual report detailing fund receipts and expenditures, the number of complaints received and investigated, by type, disciplinary actions taken, by statutory classification, administrative hearings and court actions, and major activities during the previous year. The board must serve as a central agency for collection and distribution of current information regarding institutions it has licensed. It must publish and index all policies and agency statements, and adopt them as rules if they meet the criteria of rule as defined in s. 120.52, F.S. The board may sue or be sued, enter into contracts with state and federal agencies, and individuals, and receive bequests and gifts. It may establish and administer the Student Protection Fund, a statewide, fee-supported financial program through which funds are to be available to complete the training of a student who enrolls in a nonpublic school that terminates a program or ceases operation before the student has completed the study program.

Section 246.213, F.S., prescribes the powers and duties of the State Board of Education with regard to independent vocational, technical, trade, and business schools. Acting on SBIPVTTBS recommendations, SBE must establish minimum standards and rules for such institutions. Minimum educational standards for licensing the schools must include the name of the school, purpose, administrative organization, educational program and curricula, finances, financial stability, faculty, library, student personnel services, physical plant and facilities, publications, and disclosure statements regarding the status of the institution relative to professional certification and licensure. The rules must require that nonpublic schools administer an entry-level test of basic skills to students who enroll in a non-degree program of at least 450 clock hours, or credit hour equivalent, which purports to prepare the student for employment. Students lacking the required entry level skills must be provided with a structured basic skills instruction program by the school. A diploma may not be issued until the student has demonstrated mastery of basic skills. SBE is charged with determining means by which students may demonstrate basic skills mastery and thereby be exempted from these requirements. SBIPVTTBS may request that schools under its jurisdiction furnish documents associated with institutional accreditation and may conduct a comprehensive study of schools that fail to provide the necessary documents, the cost of which is borne by the institution. SBIPVTTBS is charged with recommending placement standards for institutions preparing students for employment. Minimum requirements for licensing of agents must include name, residential and business addresses, background training, institutions to be represented, and demonstrated knowledge of applicable statutes and rules. An employee of a nonpublic schools may not solicit prospective students until licensed as an agent. SBIPVTTBS must adopt criteria for specialized associate degrees, diplomas, certificates, or other educational credentials that will be recognized in licensed schools. It must adopt a common definition for each credential.

Section 246.215, F.S., prescribes requirements for licensing independent schools. A license will not be issued until the institution submits articles of incorporation to, and receives approval from, the Department of State. Agents of such institutions may not solicit prospective students, nor may the institution advertise until a license is issued. Similar prohibitions apply to a licensed school that is under an injunction against operating, soliciting students, or offering diplomas. Licenses cannot be transferred and must delineate the specific non-degree programs that the school is authorized to offer.

Section 246.219, F.S., prescribes license fees for nonpublic schools. The initial application fee must be no less than \$500, the annual renewal fee no less than \$300, or for biennial license, no less than \$600. A license for an agent must be at least \$50 at application and at least \$25 for renewal. A fee of at least \$250 must be charged for delinquent renewal applications. License fees must be transmitted through DOE to be deposited in the Institutional Assessment Trust Fund.

Section 246.220, F.S., specifies that surety bonds may not be required of any school licensed by SBIPVTTBS, except under certain prescribed circumstances.

Section 246.2265, F.S., prescribes additional regulatory powers of the board with regard to cease and desist orders for the purpose of protecting the health, safety, and welfare of students, prospective students, and the general public as related to nonpublic schools.

Section 246.227, F.S., authorizes the board to obtain an injunction or take action it deems necessary against any school or agent in violation of ss. 246.201 through 246.231, F.S. The board is authorized to issue cease and desist orders to any independent postsecondary institution or agent required to be licensed that is not so licensed. Civil penalties of \$500 to \$5,000 per offense are authorized.

Section 246.31, F.S., creates the Institutional Assessment Trust Fund, to be administered by DOE, for the deposition of all fees and fines imposed on nonpublic colleges and schools. Separate revenue accounts must be maintained for the SBICU, SBIPVTTBS, and DOE.

Section 20.15, F.S., creates DOE. It establishes SBE as the chief policy making body of public education in the state. It designates the Governor as the chair of the board and the Commissioner of Education as the secretary and executive officer. The Commissioner of Education is established as an elected position and the head of DOE. The section specifies that the following divisions within DOE are established: Division of Community Colleges; Division of Public Schools and Community Education; Division of Universities; Division of Workforce Development; and Division of Human Resource Development. BOR is established as the director of the Division of Universities, and SBCC is established as the director of the Division of Community Colleges. Other division directors are appointed by the Commissioner, subject to approval by the SBE. The section directs SBE and the Commissioner of Education to assign specific duties to the Division of Public Schools and Community Education, the Division of Workforce Development, and SBCC. Unless otherwise indicated, the Commissioner must appoint all members of all councils and committees of DOE, except BOR, SBCC, community college district boards of trustees,

PEPC, The Education Practices Commission, the Education Standards Commission, SBICU, the Florida Commission on Education Reform and Accountability, and SBIPVTTBS.

Section 240.40204, F.S., establishes eligibility requirements for institutions participating in the Florida Bright Futures Scholarship Program. Eligible institutions are: a Florida public university, community college, or technical center; an independent Florida college or university that is accredited by a member of the Commission on Recognition of Postsecondary Accreditation and which has operated in the state for at least 3 years; an independent Florida postsecondary education institution that is licensed by the SBICU and which shows evidence of sound financial condition and has operated in the state for at least 3 years without having its approval, accreditation, or license placed on probation; a Florida independent postsecondary education institution that offers a nursing diploma approved by the Board of Nursing; a Florida independent postsecondary education institution that is licensed by SBIPVTTBS, and which has a specified program completion rate and shows evidence of sound financial condition and is either accredited by an agency recognized by the U.S. Department of Education and has operated in the state for at least 3 years without complaint for which probable cause was found, or has operated in Florida for 5 years without complaint.

Section 246.011, F.S., specifies legislative intent with regard to statutory provisions regarding nonpublic postsecondary institutions as prescribed in ss. 246.011-246.151, F.S. Specifically, a nonpublic college which offers both degrees and vocational certificates or diplomas are subject to the rules of the SBICU and SBIPVTTBS.

Section 246.081, F.S., prescribes license requirements and exemptions with regard to nonpublic postsecondary institutions. The section specifically prohibits operation or establishment of a nonpublic college unless the college has been licensed by the SBICU. Nonpublic colleges may not conduct diploma programs unless licensed or authorized by the SBIPVTTBS for those programs. Agents of such institutions may not solicit prospective students unless licensed, and institutions may not advertise while under an injunction against operating, soliciting students, or offering a diploma or degree.

Section 246.085, F.S., specifies alternatives to licensing for nonpublic colleges. An institution may apply for a certificate of exemption if it is chartered in Florida and meets certain criteria. Any college holding a certificate of exemption and which conducts any diploma program as defined in s. 246.203, F.S., is subject to licensure by SBICU. Certificates of exemption are subject to annual review.

Section 246.111, F.S., specifies that licenses, certificates of exemption, and other such authorizations required under the provisions of ss. 246.011 through 246.151, F.S., may be denied, placed on probation, or revoked. Administrative fines not exceeding \$5,000 may be issued.

Section 246.50, F.S., prescribes requirements for independent postsecondary schools wishing to participate in the Certified Teacher Aide Welfare Transition Program. Such institutions may participate if accredited by the Southern Association of Colleges and Schools and if licensed by

SBIPVTTBS. They must serve recipients of temporary assistance under the WAGES Program in a certified teacher aide program and must be recommended by a participating school district and approved by the Jobs and Education Partnership.

Section 455.2125, F.S., as it relates to the Department of Business and Professional Regulation, specifies that any state agency or board with regulatory authority over a profession or occupation must consult with SBICU, SBIPVTTBS, BOR, and SBCC prior to adopting any changes to training requirements relating to entry into a profession or occupation.

Section 455.554, F.S., as it relates to the Department of Health, specifies that any state agency or board with regulatory authority over a profession or occupation must consult with SBICU, SBIPVTTBS, BOR, and SBCC prior to adopting any changes to training requirements relating to entry into a profession or occupation.

Section 467.009, F.S., directs the Department of Business and Professional Regulation to adopt standards for midwifery programs and prescribes areas that must be addressed by such standards. DOE is directed to adopt curriculum frameworks for midwifery programs in public educational institutions. Nonpublic educational institutions offering approved midwifery programs must be accredited by a member of the Commission on Recognition of Postsecondary Accreditation and must be licensed by SBIPVTTBS.

Section 476.178, F.S., specifies that private schools of barbering may not operate without a license issued by SBIPVTTBS pursuant to ch. 246, F.S.

Section 477.023, F.S., specifies that private schools of cosmetology may not operate without a license issued by SBIPVTTBS pursuant to ch. 246, F.S.

Section 488.01, F.S., specifies that the Department of Highway Safety and Motor Vehicles must oversee and license all commercial driver's schools except truck driving schools. Commercial truck driving schools must be licensed by SBIPVTTBS pursuant to ch. 246.

### **III. Effect of Proposed Changes:**

Section 1 revises the requirements for a college-ready diploma. Beginning with the 1998-1999 school year, students must take high school courses that are adopted by BOR and recommended by the SBCC, rather than a prescribed list of classes, in order to obtain the diploma. This revision assures that standards for the diploma are consistent with the requirements of postsecondary institutions. This section also clarifies that additional placement testing is not required of students who obtain the college-ready diploma and who seek entrance into programs terminating in a technical certificate, an applied technology diploma, an associate in applied science degree, or an associate in science/arts degree if the student enters the program within 2 years of graduation. The section clarifies that DOE must periodically convene a task force to recommend additional incentives for student to pursue the college-ready diploma.

Section 2 revises language regarding workforce development programs to exempt students from paying fees if they are at least 50 percent adversely impacted financially by the Lake Apopka restoration buy-out of nearby property. Such students may receive the exemption if they have not received compensation from the buy-out, if they are Florida residents, and have been denied financial aid which would have otherwise paid the fees. Students must begin course work by fall semester 2000. The exemption is valid for 4 years from the date on which the educational institution confirms that all conditions of the exemption have been met.

Section 3 removes a requirement that rules be established for the Vocational Improvement Program, a program which has not been funded. SBCE is given authority to adopt such rules, but is under no mandate to do so. This revision will provide for rulemaking authority should the program be funded in the future.

Section 4 requires school districts and community colleges to weigh dual enrollment courses the same as honors and advanced placement courses, if such courses are at the college level. Weighting systems that discriminate against dual enrollment courses are prohibited. The Commissioner of Education is authorized to approve dual enrollment agreements for limited course offerings that have statewide appeal. Such programs must be limited to a single site with multiple county participation. This provision would give students wider latitude in terms of courses which could be used to transfer credit statewide.

Section 5 provides for university fee exemptions for individuals adversely impacted by the Lake Apopka restoration project. The provisions of this exemption are similar to those described in section 2 regarding workforce development program fees.

Section 6 provides that a SBCC administrative review of community college courses which are offered electronically is not required as long as the courses are intended for students in the college's home district, and are not marketed outside that district. SBCC is given specific authority to review electronic instruction in order to determine if the material meets the requirements of the exemption.

Section 7 clarifies language regarding admission to community colleges. The language clarifies that admission to associate degree programs is subject to SBE minimum standards and that a standard (24 credit) high school diploma, its equivalent, demonstrated competency in college course work, or a signed affidavit for home schooled students, must be among the SBE requirements. This section also revises language concerning notification of alternatives to traditional college-preparatory instruction. A written list of alternative remedial options must be available to students who score below college level on the common placement test. Alternatively, a college may prominently display the information. At a minimum, the list must include options provided by the community college, adult education programs, and private sector programs. The list must include specific contact information and must disclose the full costs of tuition, fees, and instructional materials. If a private provider is chosen, the student could concurrently enroll in up to 12 credits of college-level courses other than those being remediated. Students would be

specifically prohibited from enrolling in additional college courses until they score above the cut-score on all sections of the common placement test.

Section 8 principally changes the due date of the community college accountability plan so that it coincides with submission of the agency strategic plan SBCC is required to submit each year.

Section 9 provides for community college fee exemptions for individuals adversely impacted by the Lake Apopka restoration project. The provisions of this exemption are similar to those described in section 2 regarding workforce development program fees.

Section 10 revises provisions of the Dr. Philip Benjamin Academic Improvement Trust Fund for community colleges to place scholarships on par with other uses of the fund. The committee substitute adds loans and need-based grants to the list of areas for which the fund can be used. Scholarships would no longer be program-specific and based on high academic achievement. This would increase the pool of students who could take advantage of the scholarships. This section also removes various administrative requirements concerning scholarships.

Section 11 amends language regarding child development training centers at community colleges to revise cross-references.

Section 12 revises admissions deadlines regarding Florida postsecondary student assistance grants. Under the committee substitute, there will be an initial application deadline for fall enrollment. In addition, a deadline of October 1 is established for students who apply after the initial deadline is passed. This provision is effective as of the 1999-2000 school year. It will benefit students who chose to enroll in, for example, the spring term rather than the fall term.

Section 13 revises language regarding the regulation of what are presently termed “independent degree career education, technical, trade, and business schools” to replace the phrase with “nonpublic postsecondary career schools”. The section grants authority for the regulation of such school with regard to fair consumer practices, in addition to minimum educational standards. It removes language regarding exemption for regulation which is included in s. 246.216, F.S., created in section 19 of the bill.

Section 14 revises the definition of “school” as it concerns nonpublic postsecondary career schools to clarify the types of institutions which are subject to regulation. It also revises the definition of “Board” to reflect a name change from “SBIPVTTBS” to “State Board of Nonpublic Career Education (SBNCE)”.

Section 15 revises language regarding the establishment and duties of SBIPVTTBS to reflect a name change to SBNCE.

Section 16 revises language regarding SBIPVTTBS/SBNCE to remove a requirement that the board adopt and use an official seal. It also changes the destination of all fees, donations, and other receipts of money to the Institutional Assessment Trust Fund rather than to the General

Revenue Trust Fund. It deletes a requirement that the board publish and index all policies and agency statements and adopt them as rules if they meet certain criteria.

Section 17 revises language regarding the powers and duties of SBE to reflect the name change from SBIPVTTBS to SBNCE.

Section 18 revises language regarding licensing requirements, to change the phrase “independent school” to “nonpublic postsecondary career school”. It also specifies that a diploma program offered by a nonpublic junior college, college, or university must be licensed, notwithstanding concurrent regulation by the SBICU, if the program qualifies a student for an occupation that does not require a degree and awards a diploma, as defined in s. 246.203, F.S., for successful completion, including any program that is organized to give students an option of exiting at a specified point and receiving a diploma, or continuing and receiving a degree, as defined in s. 246.021(5), F.S.

Section 19 creates s. 246.216, F.S., which specifies which independent schools are exempt from licensure. Exemptions include a church or religious organization whose programs include a religious modifier in the title of the program, and in the title of the diploma, and where there is no representation that completion of the program will qualify an individual for employment with an employer other than a church or religious organization. In addition, students must not be receiving state or federal financial aid. Program providers who are regulated by the Federal Aviation Administration, another federal government agency, or a state agency whose laws are similar in nature and purpose to those of SBIPVTTBS/SBNCE are also exempted. Exemptions also apply to providers offering only examination preparation courses, provided that a diploma is not awarded, and that courses do not include state licensing examinations in occupations where a bachelor’s degree or higher is not required for licensure. Exceptions also apply for employers or trade/professional organizations, or independent contractor thereof, training their own employees or members; providers that offer only continuing education programs recognized by the state; and providers of personal enrichment programs provided that enrollees are advised that the program is only for that purpose and not intended for the purpose of making the individual more employable. Applicants for exception must maintain records documenting qualifications for exception. The section also provides for circumstances under which the board may revoke a statement of exemption or invoke remedies, including injunction and civil penalties, as authorized in s. 246.227, F.S.

Sections 20 through 38 revise language to reflect a name change from SBIPVTTBS to SBNCE and to reflect a designation of schools or institutions as “nonpublic postsecondary career institutions” as it relates to schools that are subject to regulation.

Section 39 specifies an effective date of July 1 of the year in which enacted.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

Indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.