

1 A bill to be entitled

2 An act relating to enhanced student opportunities;
3 providing a popular name; amending s. 20.15, F.S.;
4 providing for appointment of a Deputy Commissioner of
5 Career Education in the Department of Education; amending
6 s. 446.032, F.S.; providing duties of the department
7 relating to apprenticeship programs and services;
8 repealing s. 446.609, F.S., relating to the Jobs for
9 Florida's Graduates program; amending s. 464.019, F.S.;
10 authorizing the Board of Nursing to change faculty-to-
11 student ratios only under certain circumstances; requiring
12 a study to evaluate rules regarding clinical instruction;
13 providing for assistance to approved nursing programs to
14 expand capacity; amending s. 464.0195, F.S.; requiring the
15 Florida Center for Nursing to develop and maintain an
16 information system; requiring an implementation plan;
17 amending s. 1001.02, F.S.; revising State Board of
18 Education duties with respect to developing a
19 postsecondary enrollment plan; requiring State Board of
20 Education rules that address baccalaureate degree programs
21 at community colleges; amending s. 1001.20, F.S.; creating
22 the Office of Career Education in the Department of
23 Education and providing responsibilities of the office;
24 amending s. 1001.64, F.S.; providing that community
25 colleges that grant baccalaureate degrees remain under the
26 authority of the State Board of Education with respect to
27 specified responsibilities; providing that the board of
28 trustees is the governing board for purposes of granting

29 | baccalaureate degrees; providing powers of the boards of
30 | trustees, including the power to establish tuition and
31 | out-of-state fees; providing restrictions; requiring such
32 | boards to adopt a policy requiring teachers who teach
33 | certain upper-division courses to teach a specified
34 | minimum number of hours; amending s. 1002.23, F.S.;
35 | requiring guidelines for parents relating to the
36 | availability of the online student advising and guidance
37 | system and additional educational opportunities; amending
38 | s. 1003.492, F.S., relating to industry-certified career
39 | education programs; deleting obsolete provisions relating
40 | to studies; amending and renumbering s. 1004.85, F.S.;
41 | providing additional purposes for creation of educator
42 | preparation institutes; creating s. 1004.226, F.S.;
43 | defining the term "center of excellence"; providing
44 | purposes and objectives of centers of excellence;
45 | providing for proposals for establishing or expanding
46 | centers of excellence; requiring the State Board of
47 | Education to develop a plan recommending the establishment
48 | or expansion of centers of excellence; requiring
49 | reporting; amending s. 1004.65, F.S.; including community
50 | colleges approved to offer baccalaureate degree programs
51 | under authority to operate; requiring such community
52 | colleges to maintain their primary mission and prohibiting
53 | them from terminating associate degree programs;
54 | prohibiting a community college from offering graduate
55 | programs; amending s. 1004.68, F.S.; authorizing the
56 | continued awarding of degrees, diplomas, and certificates

57 | by community colleges approved to offer baccalaureate
58 | degree programs; creating s. 1006.01, F.S.; requiring the
59 | department to provide a secondary and postsecondary
60 | academic and career education online student advising and
61 | guidance system; providing requirements for such system;
62 | amending s. 1006.02, F.S.; requiring documentation that
63 | students have utilized the online student advising and
64 | guidance system; amending s. 1006.025, F.S.; requiring
65 | such documentation in guidance reports; amending s.
66 | 1007.2615, F.S.; revising provisions relating to
67 | certification of American Sign Language teachers; amending
68 | s. 1007.271, F.S.; specifying that dual enrollment courses
69 | are creditable toward high school graduation; providing
70 | for FTE calculation; conforming to law minimum academic
71 | credits required for graduation; clarifying requirements
72 | for participation of independent postsecondary
73 | institutions in a dual enrollment program; providing for
74 | fee exemption; amending s. 1007.33, F.S.; revising
75 | requirements for a proposal by a community college to
76 | deliver a baccalaureate degree program; requiring the
77 | State Board of Education to make proposals available for
78 | review and comment by other postsecondary educational
79 | institutions and authorizing alternative proposals;
80 | eliminating requirement for review and comment by the
81 | Council for Education Policy Research and Improvement;
82 | authorizing the State Board of Education to approve, deny,
83 | or require revisions to proposals; requiring periodic
84 | evaluation of approved programs; authorizing termination

85 of funding for certain approved programs; requiring
86 rulemaking; amending s. 1009.21, F.S.; revising provisions
87 relating to determination of resident status for tuition
88 purposes; providing for such determination for purpose of
89 assessing tuition for instruction in workforce education
90 programs offered by school districts; revising definitions
91 and updating terminology; revising requirements for
92 qualification as a resident; providing duties of
93 institutions of higher education and school districts;
94 providing for reclassification under certain
95 circumstances; classifying as residents certain employees
96 of international organizations; providing eligibility
97 criteria for certain students who are not permanent
98 residents of the United States for exemption from payment
99 of nonresident tuition; limiting enrollment and requiring
100 the department to administer the exemption program;
101 amending s. 1009.23, F.S.; providing guidelines and
102 restrictions for setting community college tuition and
103 out-of-state fees for upper-division courses; requiring
104 the State Board of Education to adopt a resident fee
105 schedule for baccalaureate degree programs offered by
106 community colleges; revising provisions relating to the
107 fee for capital improvements, technology enhancements, or
108 equipping student buildings and the use thereof; providing
109 requirements for the issuance and validation of bonds;
110 revising provisions relating to the allocation for child
111 care centers; amending s. 1009.24, F.S.; providing
112 responsibilities of the Legislature and state university

113 boards of trustees to establish tuition and fees;
114 providing restrictions; creating s. 1009.286, F.S.;
115 requiring students to pay 75 percent over the in-state
116 tuition rate for certain excess credit hours; restricting
117 certain credit hours for purpose of calculation; providing
118 for notice of requirements; amending s. 1009.40, F.S.;
119 providing general requirements for student eligibility for
120 tuition assistance grants; providing that certain students
121 are ineligible to receive more than one state-funded
122 tuition assistance grant; amending s. 1009.66, F.S.;
123 renaming the Nursing Student Loan Forgiveness Program and
124 transferring administration of the program to the
125 Department of Education; revising criteria for receiving
126 funds under the program and for repayment of loans;
127 requiring that certain nurses employed as faculty in an
128 approved nursing program be given priority in receiving
129 funds under the program; renaming the Nursing Student Loan
130 Forgiveness Trust Fund and transferring administration of
131 the trust fund to the Department of Education; authorizing
132 the adoption of rules; amending s. 1009.67, F.S.; renaming
133 the Nursing Scholarship Program and transferring
134 administration of the program to the Department of
135 Education; revising criteria for receiving funds under the
136 program; revising repayment provisions; requiring the
137 adoption of rules; creating s. 1009.895, F.S.; creating
138 the Florida Independent Collegiate Assistance Grant
139 Program; providing for program administration; authorizing
140 tuition assistance grants to certain postsecondary

141 education students enrolling in undergraduate degree
142 programs for specified occupations; providing institution
143 eligibility requirements; amending s. 1009.971, F.S.;
144 providing that the Florida Prepaid College Board shall
145 have the power to provide for the transfer of ownership of
146 an advance payment contract under the Florida Prepaid
147 College Program or a participation agreement under the
148 Florida College Savings Program upon inheritance, devise,
149 or bequest; providing procedures and requirements with
150 respect to such transfer of ownership; providing for
151 specification of application contents by rule; providing
152 applicability; amending ss. 1009.972, 1009.98, and
153 1009.981, F.S.; authorizing the transfer of funds retained
154 from terminated advance payment contracts, canceled
155 contracts, and terminated participation agreements to the
156 direct-support organization established under pt. IV of
157 ch. 1009, F.S., for use by the Florida Prepaid Tuition
158 Scholarship Program and for children of specified members
159 of the armed forces of the United States who die while
160 participating in the combat theater of operations for
161 Operation Iraqi Freedom or Operation Enduring Freedom;
162 deleting the requirement that an independent college or
163 university be a not-for-profit institution to be eligible
164 for transfer of benefits; providing a restriction on
165 transfer of benefits; amending s. 1011.62, F.S.; providing
166 for FTE calculation for dual enrollment instruction;
167 amending s. 1011.83, F.S.; providing for funding of
168 approved baccalaureate programs at community colleges;

169 providing for use of funds and reporting requirements;
170 creating pt. VI of ch. 1011, F.S.; establishing the
171 SUCCEED, FLORIDA! Crucial Professionals Program; providing
172 for the appropriation of funds to the Department of
173 Education to be distributed on a competitive basis to
174 postsecondary educational institutions to offer programs
175 that meet critical workforce needs; providing for a
176 request for proposals and requirements of such proposals;
177 requiring establishment annually by the Legislature of a
178 priority list; providing for funding of proposals;
179 providing requirements for grant recipients and renewal
180 grants; establishing the SUCCEED, FLORIDA! Crucial
181 Professionals Nursing Education Grant Program, a contract
182 grant program for increasing the capacity of approved
183 nursing programs; requiring the Department of Education to
184 establish guidelines and procedures; specifying
185 requirements for grant proposals; establishing priorities
186 for receipt of grants; providing for review, approval, and
187 funding of proposals; requiring the State Board of
188 Education to submit a report on implementation status;
189 establishing the SUCCEED, FLORIDA! Career Paths Program to
190 provide career and professional academy startup grants;
191 providing qualification criteria; establishing the
192 SUCCEED, FLORIDA! Great Jobs Program; providing for the
193 appropriation of funds to the Department of Education to
194 be distributed on a competitive basis to postsecondary
195 educational institutions to produce graduates to enter
196 certain occupations in the state; providing for a request

197 for proposals and requirements of such proposals;
198 requiring establishment annually by the Legislature of a
199 priority list; providing for funding of proposals;
200 providing requirements for grant recipients; amending s.
201 1012.82, F.S.; revising provisions relating to minimum
202 contact hours for community college faculty who teach
203 upper-division courses; amending s. 1013.60, F.S.;
204 allowing community college boards of trustees to request
205 funding for all authorized programs and specifying
206 requirements; requiring that enrollment in baccalaureate
207 degree programs be computed into the survey of need for
208 facilities; creating ch. 1014, F.S., relating to career
209 education; defining the term "career education"; providing
210 elements of the rigorous career education system;
211 providing guiding principles for career education;
212 establishing the position of Deputy Commissioner of Career
213 Education to direct the Office of Career Education in the
214 Department of Education and specifying qualifications for
215 the deputy commissioner; specifying responsibilities and
216 duties; providing legislative expectations and funding
217 criteria for the career education system; defining the
218 term "career and professional academy"; providing elements
219 and duties of a career and professional academy and for
220 certification thereof; requiring adoption of rules;
221 amending s. 215.20, F.S.; conforming provisions relating
222 to a trust fund; creating a program to offer discounted
223 computers and Internet access to public school students in
224 grades 5 through 12; requiring the department to negotiate

225 terms with computer manufacturers, nonprofit corporations
226 that obtain reconditioned computer hardware, and broadband
227 Internet access providers; requiring the adoption of
228 rules; requiring the Digital Divide Council to implement a
229 pilot project to assist low-income students with
230 purchasing discounted computers and Internet access
231 services; providing for funding and authorizing the
232 council to accept grants to implement the pilot project;
233 requiring the Office of Program Policy Analysis and
234 Government Accountability to study implementation of
235 career and professional academies and make
236 recommendations; requiring a study and report by the
237 Office of Program Policy Analysis and Government
238 Accountability relating to student progression in state
239 universities; requiring the department to identify
240 specified examinations for earning postsecondary credit
241 for mastery of nursing course material; requiring a status
242 report; authorizing the position of Deputy Commissioner of
243 Career Education and providing an appropriation; requiring
244 the transfer of positions and funds for the creation of
245 the Office of Career Education; providing for a type two
246 transfer with respect to nursing loan programs; requiring
247 the convening of a workgroup to make recommendations
248 regarding bachelor of applied science degree programs;
249 requiring a report; approving a transfer of an endowment
250 from the Appleton Cultural Center, Inc., to the Central
251 Florida Community College Foundation; providing
252 restrictions on the management of the endowment; releasing

253 the foundation from a trust agreement and statutory
 254 requirements; providing an effective date.

255

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

257

258 Section 1. This act may be cited as the "SUCCEED, FLORIDA!
 259 Initiative."

260 Section 2. Subsections (3), (4), (5), (6), and (7) of
 261 section 20.15, Florida Statutes, are renumbered as subsections
 262 (4), (5), (6), (7), and (8), respectively, and a new subsection
 263 (3) is added to said section to read:

264 20.15 Department of Education.--There is created a
 265 Department of Education.

266 (3) DEPUTY COMMISSIONER OF CAREER EDUCATION.--The
 267 Commissioner of Education shall appoint a Deputy Commissioner of
 268 Career Education pursuant to s. 1014.15 to direct the Office of
 269 Career Education established in s. 1001.20(4).

270 Section 3. Subsection (2) of section 446.032, Florida
 271 Statutes, is renumbered as subsection (3) and a new subsection
 272 (2) is added to said section to read:

273 446.032 General duties of the department for
 274 apprenticeship training.--The department shall:

275 (2) (a) Encourage partnerships with registered
 276 apprenticeship programs as a means to address the community's
 277 labor market training needs.

278 (b) Require contracts between local educational agencies
 279 and apprenticeship sponsors to delineate:

280 1. The scope of services, including, but not limited to,

281 each party's specific obligations regarding the provision of
 282 equipment, materials, instructors, classroom space, facilities,
 283 labs, or money.

284 2. Service level agreements, including appropriate
 285 performance measures.

286 3. A detailed description of the direct cost for each
 287 service to be delivered pursuant to the scope of services.

288
 289 This paragraph shall not be interpreted to require that any
 290 services or materials must be provided by an apprenticeship
 291 sponsor if not required in a contract or that payments must be
 292 made by a local educational agency to an apprenticeship sponsor
 293 for any services or materials other than those required to be
 294 delivered pursuant to a contract.

295 Section 4. Section 446.609, Florida Statutes, is repealed.

296 Section 5. Subsection (2) of section 464.019, Florida
 297 Statutes, is amended, and subsection (8) is added to said
 298 section, to read:

299 464.019 Approval of nursing programs.--

300 (2) (a) The board shall adopt rules, applicable to initial
 301 review and conditional approval of a program, regarding
 302 educational objectives, faculty qualifications, curriculum
 303 guidelines, administrative procedures, and clinical training. An
 304 applicant institution shall comply with such rules in order to
 305 obtain conditional program approval. No program shall be
 306 considered fully approved, nor shall any program be exempted
 307 from such rules, prior to the graduation of the program's first
 308 class.

309 (b) The board shall adopt rules regarding educational
310 objectives and curriculum guidelines as are necessary to grant
311 full approval to a program and to ensure that fully approved
312 programs graduate nurses capable of competent practice under
313 this part. Rules regarding educational objectives shall consider
314 student attrition rate standards, availability of qualified
315 faculty, and appropriate clinical training facilities. However,
316 the board shall adopt no rule that prohibits a qualified
317 institution from placing a student in a facility for clinical
318 experience, regardless of whether more than one nursing program
319 is using the same facility for clinical experience.

320 (c) The board shall adopt rules governing probation,
321 suspension, and termination status of programs that fail to
322 comply with the standards of this part.

323 (d) The board shall not adopt any rule limiting the number
324 of students admitted to a nursing program, provided appropriate
325 faculty-to-student ratios are maintained, and provided the board
326 shall not enact any changes to faculty-to-student ratios that
327 have the effect of limiting capacity in approved nursing
328 programs unless such changes are based in scientific research
329 prior to 2004.

330 (e) The board, in conjunction with the Florida Center for
331 Nursing, shall conduct a study of research literature to
332 evaluate existing rules regarding clinical instruction,
333 including an assessment of expanding the use of qualified
334 registered nurses as supervisors and simulation as effective
335 ways to maximize the opportunities for clinical experiences.

336 (8) The board shall work with the Department of Health,

337 the Department of Education, and the Florida Center for Nursing
338 to assist any approved nursing program with increasing capacity
339 to produce more nurses to enter the workforce in the state. Such
340 assistance may include, but is not limited to:

341 (a) Identifying strategies for reducing the demands of
342 nonclinical requirements on nursing faculty, including
343 consolidating core requirements across nursing majors and tracks
344 and identifying courses that are taught in other health and
345 medical fields that could be jointly offered, taught by non-
346 nurse faculty, or substituted for nursing courses.

347 (b) Developing alternative models of clinical education
348 that reduce the burden on nursing faculty, including expanding
349 the use of preceptors, providing more clinical instruction as a
350 concentrated clinical experience later in the program, and
351 increasing the use of simulators.

352 Section 6. Subsections (4) and (5) are added to section
353 464.0195, Florida Statutes, to read:

354 464.0195 Florida Center for Nursing; goals; information
355 system.--

356 (4) The Florida Center for Nursing, in collaboration with
357 the Department of Health, the Agency for Health Care
358 Administration, the Agency for Workforce Innovation, and the
359 Department of Education, and in consultation with the Office of
360 Program Policy Analysis and Government Accountability, shall
361 develop and maintain an information system to assess the
362 workforce needs of the nursing profession in the state. The
363 information system shall be designed to enable the center to
364 produce reliable, comparable, and comprehensive data on the

365 nursing workforce in the state; identify potential nursing
 366 shortages and the areas in which they may occur; assess the
 367 productivity of approved nursing programs, especially in
 368 responding to identified workforce needs; and establish a
 369 registry to link approved nursing programs that need additional
 370 clinical sites or faculty to expand their capacity with licensed
 371 health care providers that may be able to assist in meeting such
 372 needs. Data to support the information system may be collected
 373 as part of the initial and renewal licensure process for both
 374 individuals and health care facilities and as part of the Board
 375 of Nursing program approval process. No later than November 1,
 376 2005, the Florida Center for Nursing shall submit to the
 377 President of the Senate and the Speaker of the House of
 378 Representatives an implementation plan for the information
 379 system, including projected cost and recommended rule changes
 380 that may be required to collect the information necessary for
 381 the system to be successful.

382 (5) The information system required by subsection (4)
 383 shall be implemented to the extent funded in the General
 384 Appropriations Act.

385 Section 7. Paragraph (v) of subsection (2) of section
 386 1001.02, Florida Statutes, is amended, and paragraph (i) is
 387 added to subsection (7) of said section, to read:

388 1001.02 General powers of State Board of Education.--

389 (2) The State Board of Education has the following duties:

390 (v) To develop, with input from the Board of Governors and
 391 the independent postsecondary educational institutions in the
 392 state and periodically review for adjustment, a coordinated 5-

393 year plan for postsecondary enrollment ~~and annually submit the~~
 394 ~~plan to the Legislature.~~ The plan shall indicate the capacity of
 395 each sector, including state universities, community colleges,
 396 postsecondary career centers, and independent postsecondary
 397 educational institutions, to respond to the planned enrollment
 398 and estimate the costs to the state of expanding capacity if
 399 necessary to accommodate the enrollment plan. The plan shall be
 400 periodically reviewed for adjustment and submitted to the
 401 Governor, the President of the Senate, and the Speaker of the
 402 House of Representatives no later than December 1 of each year.

403 (7) The State Board of Education shall:

404 (i) Adopt by rule policies that address the baccalaureate
 405 degree programs at community colleges approved pursuant to s.
 406 1007.33, including, but not limited to, reporting policies and
 407 performance accountability requirements for both upper-division
 408 and lower-division programs.

409 Section 8. Paragraph (f) is added to subsection (4) of
 410 section 1001.20, Florida Statutes, to read:

411 1001.20 Department under direction of state board.--

412 (4) The Department of Education shall establish the
 413 following offices within the Office of the Commissioner of
 414 Education which shall coordinate their activities with all other
 415 divisions and offices:

416 (f) Office of Career Education.--Responsible for
 417 evaluating the effectiveness of public and private secondary and
 418 postsecondary education programs in providing rigorous career
 419 education; developing in partnership with the business community
 420 and Workforce Florida, Inc., a marketing plan for secondary and

421 postsecondary career education, including career and
 422 professional academies, to attract secondary and postsecondary
 423 students into careers of critical state need; promoting seamless
 424 articulation throughout the career education system; and
 425 administering the SUCCEED, FLORIDA! Career Paths Program
 426 pursuant to s. 1011.97.

427 Section 9. Subsections (1), (2), and (8) of section
 428 1001.64, Florida Statutes, are amended to read:

429 1001.64 Community college boards of trustees; powers and
 430 duties.--

431 (1) The boards of trustees shall be responsible for cost-
 432 effective policy decisions appropriate to the community
 433 college's mission, the implementation and maintenance of high-
 434 quality education programs within law and rules of the State
 435 Board of Education, the measurement of performance, the
 436 reporting of information, and the provision of input regarding
 437 state policy, budgeting, and education standards. Community
 438 colleges may grant baccalaureate degrees pursuant to s. 1007.33
 439 and shall remain under the authority of the State Board of
 440 Education in accordance with current statutory provisions
 441 relating to community colleges as defined in s. 1000.21.

442 (2) Each board of trustees is vested with the
 443 responsibility to govern its respective community college and
 444 with such necessary authority as is needed for the proper
 445 operation and improvement thereof in accordance with rules of
 446 the State Board of Education. This authority includes serving as
 447 the governing board for purposes of granting baccalaureate
 448 degrees as authorized in s. 1007.33 and approved by the State

449 Board of Education.

450 (8) Each board of trustees has authority for policies
451 related to students, enrollment of students, student records,
452 student activities, financial assistance, and other student
453 services.

454 (a) Each board of trustees shall govern admission of
455 students pursuant to s. 1007.263 and rules of the State Board of
456 Education. A board of trustees may establish additional
457 admissions criteria, which shall be included in the district
458 interinstitutional articulation agreement developed according to
459 s. 1007.235, to ensure student readiness for postsecondary
460 instruction. Each board of trustees may consider the past
461 actions of any person applying for admission or enrollment and
462 may deny admission or enrollment to an applicant because of
463 misconduct if determined to be in the best interest of the
464 community college.

465 (b) Each board of trustees shall adopt rules establishing
466 student performance standards for the award of degrees and
467 certificates pursuant to s. 1004.68. The board of trustees of a
468 community college that is authorized to grant a baccalaureate
469 degree under s. 1007.33 may continue to award degrees, diplomas,
470 and certificates as authorized for the college, and in the name
471 of the college, until the college receives any necessary changes
472 to its accreditation.

473 (c) Each board of trustees shall establish tuition and
474 out-of-state fees for approved baccalaureate degree programs,
475 consistent with law and proviso language in the General
476 Appropriations Act.

477 ~~(d)(e)~~ Boards of trustees are authorized to establish
478 intrainstitutional and interinstitutional programs to maximize
479 articulation pursuant to s. 1007.22.

480 ~~(e)(d)~~ Boards of trustees shall identify their core
481 curricula, which shall include courses required by the State
482 Board of Education, pursuant to the provisions of s. 1007.25(6).

483 ~~(f)(e)~~ Each board of trustees must adopt a written
484 antihazing policy, provide a program for the enforcement of such
485 rules, and adopt appropriate penalties for violations of such
486 rules pursuant to the provisions of s. 1006.63(1)-(3).

487 ~~(g)(f)~~ Each board of trustees may establish a uniform code
488 of conduct and appropriate penalties for violation of its rules
489 by students and student organizations, including rules governing
490 student academic honesty. Such penalties, unless otherwise
491 provided by law, may include fines, the withholding of diplomas
492 or transcripts pending compliance with rules or payment of
493 fines, and the imposition of probation, suspension, or
494 dismissal.

495 ~~(h)(g)~~ Each board of trustees pursuant to s. 1006.53 shall
496 adopt a policy in accordance with rules of the State Board of
497 Education that reasonably accommodates the religious observance,
498 practice, and belief of individual students in regard to
499 admissions, class attendance, and the scheduling of examinations
500 and work assignments.

501 (i) Each board of trustees shall adopt a policy providing
502 that faculty who teach upper-division courses that are a
503 component part of a baccalaureate degree program must meet the
504 requirements of s. 1012.82.

505 Section 10. Paragraphs (a) and (d) of subsection (2) of
 506 section 1002.23, Florida Statutes, are amended to read:

507 1002.23 Family and School Partnership for Student
 508 Achievement Act.--

509 (2) To facilitate meaningful parent and family
 510 involvement, the Department of Education shall develop
 511 guidelines for a parent guide to successful student achievement
 512 which describes what parents need to know about their child's
 513 educational progress and how they can help their child to
 514 succeed in school. The guidelines shall include, but need not be
 515 limited to:

516 (a) Parental information regarding:

517 1. Requirements for their child to be promoted to the next
 518 grade, as provided for in s. 1008.25;

519 2. Progress of their child toward achieving state and
 520 district expectations for academic proficiency;

521 3. Assessment results, including report cards and progress
 522 reports; ~~and~~

523 4. Qualifications of their child's teachers; and

524 5. Availability of the secondary and postsecondary
 525 academic and career education online student advising and
 526 guidance system described in s. 1006.01;

527 (d) Opportunities for parents to learn about rigorous
 528 academic programs that may be available for their child, such as
 529 honors programs, dual enrollment, advanced placement,
 530 International Baccalaureate, Florida Virtual High School
 531 courses, career and professional academies, and accelerated
 532 access to postsecondary education;

533 Section 11. Section 1003.492, Florida Statutes, is amended
534 to read:

535 1003.492 Industry-certified career education programs.--

536 (1) A career education program within a comprehensive high
537 school program of study shall be coordinated with the
538 appropriate industry indicating that all components of the
539 program are relevant and appropriate to prepare the student for
540 further education or for employment in that industry.

541 (2) The State Board of Education shall adopt rules
542 pursuant to ss. 120.536(1) and 120.54 for implementing an
543 industry certification process, which rules must establish any
544 necessary procedures for obtaining appropriate business partners
545 and requirements for business and industry involvement in
546 curriculum oversight and equipment procurement.

547 ~~(3) The Department of Education shall study student~~
548 ~~performance in industry certified career education programs. The~~
549 ~~department shall identify districts that currently operate~~
550 ~~industry certified career education programs. The study shall~~
551 ~~examine the performance of participating students over time.~~
552 ~~Performance factors shall include, but not be limited to,~~
553 ~~graduation rates, retention rates, additional educational~~
554 ~~attainment, employment records, earnings, and industry~~
555 ~~satisfaction. The results of this study shall be submitted to~~
556 ~~the President of the Senate and the Speaker of the House of~~
557 ~~Representatives by December 31, 2004.~~

558 ~~(4) The Department of Education shall conduct a study to~~
559 ~~determine if a cost factor should be applied to industry~~
560 ~~certified career education programs and review the need for~~

561 ~~startup funding for the programs. The study shall be completed~~
562 ~~by December 31, 2004, and shall be submitted to the President of~~
563 ~~the Senate and the Speaker of the House of Representatives.~~

564 Section 12. Section 1004.85, Florida Statutes, is
565 renumbered as section 1004.045, Florida Statutes, and paragraphs
566 (e), (f), and (g) are added to subsection (2) of said section to
567 read:

568 1004.045 ~~1004.85~~ Postsecondary educator preparation
569 institutes.--

570 (2) Postsecondary institutions that are accredited or
571 approved as described in state board rule may seek approval from
572 the Department of Education to create educator preparation
573 institutes for the purpose of providing any or all of the
574 following:

575 (e) Instruction to assist associate degree holders who
576 have business experience in demonstrating teaching competencies
577 for career education courses in the specific area relating to
578 their business experience.

579 (f) Professional development instruction to assist career
580 education teachers in delivering a career education curriculum
581 in a relevant context with student-centered, research-based
582 instructional strategies and a rigorous standards-based academic
583 curriculum.

584 (g) Professional development instruction to assist
585 guidance counselors in using a mentor-teacher guidance model.

586 Section 13. Section 1004.226, Florida Statutes, is created
587 to read:

588 1004.226 Florida technology development; centers of

589 excellence.--

590 (1) The term "center of excellence," as used in this
591 section, means an organization of personnel, facilities, and
592 equipment established at or in collaboration with one or more
593 universities in Florida to accomplish the purposes and
594 objectives set forth in this section. The purposes and
595 objectives of a center of excellence include:

596 (a) Identifying and pursuing opportunities for university
597 scholars, research center scientists and engineers, and private
598 businesses to form collaborative partnerships to foster and
599 promote the research required to develop commercially promising,
600 advanced, and innovative technologies and to transfer those
601 technologies to commercial sectors.

602 (b) Acquiring and leveraging public and private sector
603 funding to provide the totality of funds, personnel, facilities,
604 equipment, and other resources needed to support the research
605 required to develop commercially promising, advanced, and
606 innovative technologies and to transfer those technologies to
607 commercial sectors.

608 (c) Recruiting and retaining world class scholars, high-
609 performing students, and leading scientists and engineers in
610 technology disciplines to engage in research in this state to
611 develop commercially promising, advanced, and innovative
612 technologies.

613 (d) Enhancing and expanding technology curricula and
614 laboratory resources at universities in this state.

615 (e) Increasing the number of high-performing students in
616 technology disciplines who graduate from universities in this

617 state and pursue careers in this state.

618 (f) Stimulating and supporting the inception, growth, and
619 diversification of technology-based businesses and ventures in
620 Florida and increasing employment opportunities for the
621 workforce needed to support such businesses.

622 (2) The State Board of Education shall notify the
623 president of each university in the state of the opportunity to
624 submit to the state board a written proposal for establishing a
625 center of excellence under this section or expanding a center of
626 excellence designated under former s. 1004.225. A proposal from
627 a university must be submitted to the state board before
628 November 1, 2005.

629 (3) (a) By February 15, 2006, the State Board of Education,
630 in consultation with the Florida Research Consortium, shall
631 develop a plan for establishing or expanding one or more centers
632 of excellence from proposals submitted pursuant to subsection
633 (2) and shall authorize expenditures for implementing the plan.

634 (b) The plan must include performance and accountability
635 measures that can be used to assess the progress of plan
636 implementation and the success of each center of excellence that
637 receives funding under the plan. By March 1, 2006, the State
638 Board of Education shall provide a copy of the plan to the
639 Governor, the President of the Senate, and the Speaker of the
640 House of Representatives.

641 (4) Beginning July 1, 2006, the State Board of Education
642 shall report annually to the Governor, the President of the
643 Senate, and the Speaker of the House of Representatives on the
644 progress in implementing the plan developed under subsection (3)

645 and the success of each center of excellence that receives
 646 funding under that plan.

647 (5) This program shall be implemented to the extent funds
 648 are provided in the General Appropriations Act.

649 Section 14. Subsection (1), paragraph (a) of subsection
 650 (7), and subsection (9) of section 1004.65, Florida Statutes,
 651 are amended, and subsection (10) is added to said section, to
 652 read:

653 1004.65 Community colleges; definition, mission, and
 654 responsibilities.--

655 (1) Community colleges shall consist of all public
 656 educational institutions identified in s. 1000.21(3). Community
 657 colleges, including colleges that have been approved to offer
 658 baccalaureate degree programs pursuant to s. 1007.33, shall be
 659 operated by community college district boards of trustees under
 660 statutory authority and rules of the State Board of Education.
 661 Except as otherwise provided in law, all laws and rules that
 662 relate to community colleges apply to community colleges
 663 authorized to offer baccalaureate degree programs pursuant to s.
 664 1007.33.

665 (7) A separate and secondary role for community colleges
 666 includes:

667 (a) Providing upper level instruction and awarding
 668 baccalaureate degrees as specifically authorized by law. A
 669 community college that is approved to offer baccalaureate degree
 670 programs shall maintain its primary mission pursuant to
 671 subsection (6) and may not terminate associate in arts or
 672 associate in science degree programs as a result of the

673 authorization to offer baccalaureate degree programs.

674 (9) Community colleges are authorized to offer such
675 programs and courses as are necessary to fulfill their mission
676 and are authorized to grant associate in arts degrees, associate
677 in science degrees, associate in applied science degrees,
678 certificates, awards, and diplomas. Each community college is
679 also authorized to make provisions for the General Educational
680 Development test. Each community college may provide access to
681 and award baccalaureate degrees in accordance with law.

682 (10) A community college may not offer graduate programs.

683 Section 15. Subsection (3) is added to section 1004.68,
684 Florida Statutes, to read:

685 1004.68 Community college; degrees and certificates; tests
686 for certain skills.--

687 (3) The board of trustees of a community college
688 authorized to grant baccalaureate degrees pursuant to s. 1007.33
689 may continue to award degrees, diplomas, and certificates as
690 authorized for the college, and in the name of the college,
691 until the community college receives any necessary changes to
692 its accreditation.

693 Section 16. Section 1006.01, Florida Statutes, is created
694 to read:

695 1006.01 Enhanced secondary and postsecondary academic and
696 career education online student advising and guidance
697 system.--The Department of Education shall enhance the student
698 advising system described in s. 1007.28 into a secondary and
699 postsecondary academic and career education online student
700 advising and guidance system. In addition to the requirements of

701 s. 1007.28, the enhanced system must:

702 (1) Provide access to information from regional workforce
 703 boards on local careers and careers that are critical state
 704 needs and the secondary and postsecondary career education
 705 necessary to enter these careers.

706 (2) Provide continuous secondary and postsecondary career
 707 education guidance beginning in middle school and store student
 708 information until completion of the student's education.

709 Section 17. Subsection (1) of section 1006.02, Florida
 710 Statutes, is amended to read:

711 1006.02 Provision of information to students and parents
 712 regarding school-to-work transition.--

713 (1) To facilitate each student's ability to easily and
 714 seamlessly combine academic and rigorous career education
 715 courses throughout the educational experience, each school
 716 district ~~all public K-12 schools~~ shall document as part of its
 717 guidance report required pursuant to s. 1006.025 that every
 718 middle and high school student has used the secondary and
 719 postsecondary academic and career education online student
 720 advising and guidance system described in s. 1006.01 as part of
 721 the student's career exploration and planning process. The
 722 report must include the manner in which they have prepared
 723 students to enter the workforce, including information regarding
 724 the provision of accurate, timely career and curricular
 725 counseling to middle school and high school students. This
 726 information shall include a delineation of available career
 727 opportunities, educational requirements associated with each
 728 career, educational institutions that prepare students to enter

729 each career, and student financial aid available to enable
730 students to pursue any postsecondary instruction required to
731 enter that career. This information shall also delineate school
732 procedures for identifying individual student interests and
733 aptitudes which enable students to make informed decisions about
734 the curriculum that best addresses their individual interests
735 and aptitudes while preparing them to enroll in postsecondary
736 education and enter the workforce. This information shall
737 include recommended high school coursework that prepares
738 students for success in college-level work. The information
739 shall be made known to parents and students annually through
740 inclusion in the school's handbook, manual, or similar documents
741 or other communications regularly provided to parents and
742 students.

743 Section 18. Paragraph (f) of subsection (2) of section
744 1006.025, Florida Statutes, is amended to read:

745 1006.025 Guidance services.--

746 (2) The guidance report shall include, but not be limited
747 to, the following:

748 (f) Actions taken to provide information to students for
749 the school-to-work transition and documentation that every
750 middle and high school student has used the secondary and
751 postsecondary academic and career education online student
752 advising and guidance system described in s. 1006.01 for the
753 student's career exploration and planning process pursuant to s.
754 1006.02.

755 Section 19. Paragraph (c) of subsection (3) of section
756 1007.2615, Florida Statutes, is amended to read:

757 1007.2615 American Sign Language; findings; foreign-
758 language credits authorized; teacher licensing.--

759 (3) DUTIES OF COMMISSIONER OF EDUCATION AND STATE BOARD OF
760 EDUCATION; LICENSING OF AMERICAN SIGN LANGUAGE TEACHERS; PLAN
761 FOR POSTSECONDARY EDUCATION PROVIDERS.--

762 (c) An ASL teacher must be certified by the Department of
763 Education by January 1, 2009 ~~2008~~, and ~~must obtain current~~
764 ~~certification through the Florida American Sign Language~~
765 ~~Teachers' Association (FASLTA) by January 1, 2006. New FASLTA~~
766 ~~certification may be used by current ASL teachers as an~~
767 ~~alternative certification track.~~

768 Section 20. Subsection (1), (2), (4), (5), (6), (11), and
769 (13) of section 1007.271, Florida Statutes, are amended to read:

770 1007.271 Dual enrollment programs.--

771 (1) The dual enrollment program is the enrollment of an
772 eligible secondary student or home education student in a
773 postsecondary course creditable toward high school completion
774 and a career certificate or an associate or baccalaureate
775 degree.

776 (2) For the purpose of this section, an eligible secondary
777 student is a student who is enrolled in a Florida public
778 secondary school or in a Florida private secondary school which
779 is in compliance with s. 1002.42(2) and conducts a secondary
780 curriculum pursuant to s. 1003.43. Students enrolled in
781 postsecondary instruction that is not creditable toward the high
782 school diploma shall not be classified as dual enrollments.
783 Students who are eligible for dual enrollment pursuant to this
784 section shall be permitted to enroll in dual enrollment courses

785 conducted during school hours, after school hours, and during
 786 the summer term. Instructional time for such enrollment may
 787 exceed 900 hours; however, the school district may only report
 788 the student for a maximum of 1.0 FTE, as provided in s.
 789 1011.61(4). Dual enrollment instruction of high school students
 790 that is eligible for high school and postsecondary credit shall
 791 be reported by the school district in an amount equal to the
 792 hours of instruction that would be necessary to earn the FTE
 793 for the equivalent course if it were taught in the school
 794 district. Any student so enrolled is exempt from the payment of
 795 registration, tuition, and laboratory fees. Vocational-
 796 preparatory instruction, college-preparatory instruction and
 797 other forms of precollegiate instruction, as well as physical
 798 education courses that focus on the physical execution of a
 799 skill rather than the intellectual attributes of the activity,
 800 are ineligible for inclusion in the dual enrollment program.
 801 Recreation and leisure studies courses shall be evaluated
 802 individually in the same manner as physical education courses
 803 for potential inclusion in the program.

804 (4) Career dual enrollment shall be provided as a
 805 curricular option for secondary students to pursue in order to
 806 earn a series of elective credits toward the high school
 807 diploma. ~~However, career dual enrollment shall not supplant~~
 808 ~~student acquisition of the diploma.~~ Career dual enrollment shall
 809 be available for secondary students seeking a degree or
 810 certificate from a complete career-preparatory program and shall
 811 not be used to enroll students, ~~but shall not sustain student~~
 812 ~~enrollment~~ in isolated career courses. It is the intent of the

813 Legislature that career dual enrollment provide ~~reflect the~~
814 ~~interests and aptitudes of the student. The provision of a~~
815 comprehensive academic and career dual enrollment program within
816 the career center or community college ~~is supportive of~~
817 ~~legislative intent; however, such provision is not mandatory.~~

818 (5) Each district school board shall inform all secondary
819 students of dual enrollment as an educational option and
820 mechanism for acceleration. Students shall be informed of
821 eligibility criteria, the option for taking dual enrollment
822 courses beyond the regular school year, and the ~~24~~ minimum
823 academic credits required for graduation. District school boards
824 shall annually assess the demand for dual enrollment and other
825 advanced courses, and the district school board shall consider
826 strategies and programs to meet that demand.

827 (6) The Commissioner of Education shall appoint faculty
828 committees representing public school, community college, and
829 university faculties to identify postsecondary courses that meet
830 the high school graduation requirements of s. 1003.43, and to
831 establish the number of postsecondary semester credit hours of
832 instruction and equivalent high school credits earned through
833 dual enrollment pursuant to this section that are necessary to
834 meet high school graduation requirements. Such equivalencies
835 shall be determined solely on comparable course content and not
836 on seat time traditionally allocated to such courses in high
837 school. The Commissioner of Education shall recommend to the
838 State Board of Education those postsecondary courses identified
839 to meet high school graduation requirements, based on mastery of
840 course outcomes, by their ~~statewide~~ course numbers ~~number~~, and

841 all high schools shall accept these postsecondary education
 842 courses toward meeting the requirements of s. 1003.43.

843 (11) The Department of Education shall approve any course
 844 for inclusion in the dual enrollment program that is contained
 845 within the statewide course numbering system. However, college-
 846 preparatory and other forms of precollegiate instruction, and
 847 physical education and other courses that focus on the physical
 848 execution of a skill rather than the intellectual attributes of
 849 the activity, may not be so approved, but must be evaluated
 850 individually for potential inclusion in the dual enrollment
 851 program. This subsection does not mean that an independent
 852 postsecondary institution eligible for inclusion in a dual
 853 enrollment or early admission program pursuant to s. 1011.62
 854 must participate in the statewide course numbering system
 855 developed pursuant to s. 1007.24 to participate in a dual
 856 enrollment program.

857 ~~It is the intent of the Legislature that~~ Students who
 858 meet the eligibility requirements of this section ~~subsection~~ and
 859 who choose to participate in dual enrollment programs are ~~be~~
 860 exempt from the payment of registration, tuition, and laboratory
 861 fees.

862 Section 21. Section 1007.33, Florida Statutes, is amended
 863 to read:

864 1007.33 Site-determined baccalaureate degree access.--

865 (1) The Legislature recognizes that public and private
 866 postsecondary educational institutions play essential roles in
 867 improving the quality of life and economic well-being of the
 868 state and its residents. The Legislature also recognizes that

869 economic development needs and the educational needs of place-
 870 bound, nontraditional students have increased the demand for
 871 local access to baccalaureate degree programs. In some, but not
 872 all, geographic regions, baccalaureate degree programs are being
 873 delivered successfully at the local community college through
 874 agreements between the community college and 4-year
 875 postsecondary institutions within or outside of the state. It is
 876 therefore the intent of the Legislature to further expand access
 877 for Florida residents to baccalaureate degree programs and to
 878 provide baccalaureate degree programs that meet critical
 879 workforce needs through the use of community colleges.

880 (2) A community college may enter into a formal agreement
 881 pursuant to the provisions of s. 1007.22 for the delivery of
 882 specified baccalaureate degree programs.

883 (3) A community college may develop a proposal to deliver
 884 specified baccalaureate degree programs in its district to meet
 885 local workforce needs or to expand access to postsecondary
 886 education for diverse, nontraditional, or geographically bound
 887 students. The proposal must be approved by the board of trustees
 888 of the community college.

889 (a) To be eligible to receive state funding to support the
 890 proposed program at the baccalaureate level, the proposal must
 891 be submitted to the State Board of Education for approval in
 892 accordance with timelines and guidelines adopted by the state
 893 board and. ~~The community college's proposal~~ must include the
 894 following information:

895 1. ~~(a)~~ Documentation of the demand for the baccalaureate
 896 degree program as ~~is~~ identified by the workforce development

897 board, local businesses and industry, local chambers of
 898 commerce, and potential students who must be residents of the
 899 state.

900 2.-(b) Documentation of the unmet need for graduates of the
 901 proposed degree program is substantiated.

902 3.-(e) Documentation that the community college has the
 903 facilities and academic resources to deliver the program.

904 4. Documentation that alternative attempts were made to
 905 meet the identified need, such as distance learning and
 906 partnerships with other public or private postsecondary
 907 educational institutions, or justification for not pursuing such
 908 alternatives.

909 5. A 5-year financial plan that details steps to ensure
 910 that the per-credit-hour costs of the program at the end of the
 911 5-year period will be less than the costs of similar programs at
 912 state universities.

913 (b) Upon receipt of a proposal submitted pursuant to
 914 paragraph (a), the State Board of Education must make the
 915 proposal available to other public and private postsecondary
 916 educational institutions for 60 days for review and comment,
 917 including the opportunity for such institutions to submit
 918 alternative proposals to the State Board of Education for
 919 meeting the stated need.

920 (c) The State Board of Education may approve, deny, or
 921 require revisions to a proposal submitted by a community college
 922 pursuant to paragraph (a) or an alternative proposal submitted
 923 pursuant to paragraph (b).

924

925 ~~A The proposal must be submitted to the Council for Education~~
926 ~~Policy Research and Improvement for review and comment. Upon~~
927 ~~approval of the State Board of Education for the specific degree~~
928 ~~program or programs, the community college approved to offer~~
929 ~~baccalaureate degrees pursuant to this subsection shall pursue~~
930 ~~regional accreditation by the Commission on Colleges of the~~
931 ~~Southern Association of Colleges and Schools. Any ~~additional~~~~
932 ~~baccalaureate degree program ~~programs~~ the community college~~
933 ~~wishes to offer must be approved by the State Board of Education~~
934 ~~pursuant to the process outlined in this subsection in order for~~
935 ~~the community college to receive state funding for the program~~
936 ~~at the baccalaureate level.~~

937 (4) Any baccalaureate degree program authorized at a
938 community college pursuant to the provisions of this section
939 must be evaluated by the board of trustees of the community
940 college every 5 years to determine the cost-effectiveness of the
941 program, the effectiveness of the program in providing access to
942 baccalaureate degrees for Florida residents and meeting local
943 workforce needs, and the impact of the program on the college's
944 primary mission of providing associate degrees. A copy of the
945 evaluation must be submitted to the State Board of Education,
946 the Executive Office of the Governor, the President of the
947 Senate, and the Speaker of the House of Representatives.
948 Programs that have excessive per-credit-hour costs, fail to
949 provide meaningful access to baccalaureate degrees for Florida
950 residents, no longer meet workforce needs, or hinder a community
951 college's primary mission may lose eligibility for state funding
952 as a baccalaureate degree program.

953 ~~(5)(4)~~ A community college may not terminate its associate
 954 in arts or associate in science degree programs as a result of
 955 the authorization provided pursuant to this section ~~in~~
 956 ~~subsection (3)~~. The Legislature intends that the primary mission
 957 of a community college, including a community college that
 958 offers baccalaureate degree programs, continues to be the
 959 provision of associate degrees that provide access to a
 960 university.

961 (6) The State Board of Education shall adopt rules to
 962 administer this section.

963 Section 22. Section 1009.21, Florida Statutes, is amended
 964 to read:

965 1009.21 Determination of resident status for tuition
 966 purposes; exemption.--Students shall be classified as residents
 967 or nonresidents for the purpose of assessing tuition in
 968 community colleges and state universities and for the purpose of
 969 assessing tuition for instruction in workforce education
 970 programs offered by school districts.

971 (1) As used in this section, the term:

972 (a) ~~The term~~ "Dependent child" means any person, whether
 973 or not living with his or her parent, who is eligible to be
 974 claimed by his or her parent as a dependent under the federal
 975 income tax code and who receives at least 51 percent of the true
 976 cost-of-living expenses from his or her parent, as further
 977 defined in rules of the department and postsecondary residential
 978 guidelines.

979 (b) "Initial enrollment" means the first day of class.

980 (c) ~~(b)~~ ~~The term~~ "Institution of higher education" means

981 any public community college or state university.

982 (d)~~(e)~~ A "Legal resident" or "resident" means ~~is~~ a person
 983 who has maintained his or her residence in this state for the
 984 preceding year, has purchased a home which is occupied by him or
 985 her as his or her residence, or has established a domicile in
 986 this state pursuant to s. 222.17.

987 (e) "Nonresident for tuition purposes" means a person who
 988 does not qualify for the in-state tuition rate.

989 (f)~~(d)~~ ~~The term~~ "Parent" means the natural or adoptive
 990 parent or legal guardian of a dependent child.

991 (g)~~(e)~~ A "Resident for tuition purposes" means ~~is~~ a person
 992 who qualifies as provided in subsection (2) for the in-state
 993 tuition rate; ~~a "nonresident for tuition purposes" is a person~~
 994 ~~who does not qualify for the in state tuition rate.~~

995 (2) (a) To qualify as a resident for tuition purposes:

996 1. A person or, if that person is a dependent child, his
 997 or her parent or parents must have established legal residence
 998 in this state and must have maintained legal residence in this
 999 state for at least 12 consecutive months immediately prior to
 1000 his or her initial enrollment in a postsecondary education
 1001 program in this state ~~qualification.~~

1002 2. Every applicant for admission to an institution of
 1003 higher education or to a workforce education program offered by
 1004 a school district shall be required to make a statement as to
 1005 his or her length of residence in the state and, further, shall
 1006 establish that his or her presence or, if the applicant is a
 1007 dependent child, the presence of his or her parent or parents in
 1008 the state currently is, and during the requisite 12-month

1009 | qualifying period was, for the purpose of maintaining a bona
 1010 | fide domicile, rather than for the purpose of maintaining a mere
 1011 | temporary residence or abode incident to enrollment in an
 1012 | institution of higher education or a workforce education program
 1013 | offered by a school district.

1014 | 3. Each institution of higher education or each school
 1015 | district that offers a workforce education program must
 1016 | determine whether an applicant who has been granted admission is
 1017 | a dependent child.

1018 | 4. Each institution of higher education or each school
 1019 | district that offers a workforce education program must
 1020 | affirmatively determine that an applicant who has been granted
 1021 | admission as a Florida resident meets the residency requirements
 1022 | of this section at the time of initial enrollment.

1023 | (b) However, with respect to a dependent child living with
 1024 | an adult relative other than the child's parent, such child may
 1025 | qualify as a resident for tuition purposes if the adult relative
 1026 | is a legal resident who has maintained legal residence in this
 1027 | state for at least 12 consecutive months immediately prior to
 1028 | the child's initial enrollment in a postsecondary education
 1029 | program in this state ~~qualification~~, provided the child has
 1030 | resided continuously with such relative for the 5 years
 1031 | immediately prior to the child's initial enrollment
 1032 | ~~qualification~~, during which time the adult relative has
 1033 | exercised day-to-day care, supervision, and control of the
 1034 | child.

1035 | (c) The legal residence of a dependent child whose parents
 1036 | are divorced, separated, or otherwise living apart will be

1037 deemed to be this state if either parent is a legal resident of
1038 this state, regardless of which parent is entitled to claim, and
1039 does in fact claim, the minor as a dependent pursuant to federal
1040 individual income tax provisions.

1041 (d) A person who is classified as a nonresident for
1042 tuition purposes may become eligible for reclassification as a
1043 resident for tuition purposes if that person or, if that person
1044 is a dependent child, his or her parent presents documentation
1045 that supports permanent residency in this state rather than
1046 temporary residency for the purpose of pursuing an education,
1047 such as documentation of full-time permanent employment for the
1048 previous 12 months or the purchase of a home in this state and
1049 residence therein for the prior 12 months. If a person who is a
1050 dependent child and his or her parent move to this state while
1051 such child is a high school student and the child graduates from
1052 a high school in this state, the child may become eligible for
1053 reclassification as a resident for tuition purposes when the
1054 parent qualifies for permanent residency.

1055 (3) An individual shall not be classified as a resident
1056 for tuition purposes and, thus, shall not be eligible to receive
1057 the in-state tuition rate until he or she has provided such
1058 evidence related to legal residence and its duration or, if that
1059 individual is a dependent child, documentation of his or her
1060 parent's legal residence and its duration, as well as
1061 documentation confirming his or her status as a dependent child,
1062 as may be required by law and by officials of the institution of
1063 higher education or officials of the school district offering
1064 the workforce education program from which he or she seeks the

1065 in-state tuition rate.

1066 (4) With respect to a dependent child, the legal residence
1067 of such individual's parent or parents is prima facie evidence
1068 of the individual's legal residence, which evidence may be
1069 reinforced or rebutted, relative to the age and general
1070 circumstances of the individual, by the other evidence of legal
1071 residence required of or presented by the individual. However,
1072 the legal residence of an individual whose parent or parents are
1073 domiciled outside this state is not prima facie evidence of the
1074 individual's legal residence if that individual has lived in
1075 this state for 5 consecutive years prior to enrolling or
1076 reregistering at the institution of higher education or
1077 enrolling or reregistering in a workforce education program
1078 offered by a school district at which resident status for
1079 tuition purposes is sought.

1080 (5) In making a domiciliary determination related to the
1081 classification of a person as a resident or nonresident for
1082 tuition purposes, the domicile of a married person, irrespective
1083 of sex, shall be determined, as in the case of an unmarried
1084 person, by reference to all relevant evidence of domiciliary
1085 intent. For the purposes of this section:

1086 (a) A person shall not be precluded from establishing or
1087 maintaining legal residence in this state and subsequently
1088 qualifying or continuing to qualify as a resident for tuition
1089 purposes solely by reason of marriage to a person domiciled
1090 outside this state, even when that person's spouse continues to
1091 be domiciled outside of this state, provided such person
1092 maintains his or her legal residence in this state.

1093 (b) A person shall not be deemed to have established or
1094 maintained a legal residence in this state and subsequently to
1095 have qualified or continued to qualify as a resident for tuition
1096 purposes solely by reason of marriage to a person domiciled in
1097 this state.

1098 (c) In determining the domicile of a married person,
1099 irrespective of sex, the fact of the marriage and the place of
1100 domicile of such person's spouse shall be deemed relevant
1101 evidence to be considered in ascertaining domiciliary intent.

1102 (6) Any nonresident person, irrespective of sex, who
1103 marries a legal resident of this state or marries a person who
1104 later becomes a legal resident may, upon becoming a legal
1105 resident of this state, accede to the benefit of the spouse's
1106 immediately precedent duration as a legal resident for purposes
1107 of satisfying the 12-month durational requirement of this
1108 section.

1109 (7) A person shall not lose his or her resident status for
1110 tuition purposes solely by reason of serving, or, if such person
1111 is a dependent child, by reason of his or her parent's or
1112 parents' serving, in the Armed Forces outside this state.

1113 (8) A person who has been properly classified as a
1114 resident for tuition purposes but who, while enrolled in an
1115 institution of higher education or a workforce education program
1116 offered by a school district in this state, loses his or her
1117 resident tuition status because the person or, if he or she is a
1118 dependent child, the person's parent or parents establish
1119 domicile or legal residence elsewhere shall continue to enjoy
1120 the in-state tuition rate for a statutory grace period, which

1121 period shall be measured from the date on which the
 1122 circumstances arose that culminated in the loss of resident
 1123 tuition status and shall continue for 12 months. However, if the
 1124 12-month grace period ends during a semester or academic term
 1125 for which such former resident is enrolled, such grace period
 1126 shall be extended to the end of that semester or academic term.

1127 (9) Any person who ceases to be enrolled in ~~at~~ or who
 1128 graduates from an institution of higher education or a workforce
 1129 education program offered by a school district while classified
 1130 as a resident for tuition purposes and who subsequently abandons
 1131 his or her domicile in this state shall be permitted to reenroll
 1132 in ~~at~~ an institution of higher education or a workforce
 1133 education program offered by a school district in this state as
 1134 a resident for tuition purposes without the necessity of meeting
 1135 the 12-month durational requirement of this section if that
 1136 person has reestablished his or her domicile in this state
 1137 within 12 months of such abandonment and continuously maintains
 1138 the reestablished domicile during the period of enrollment. The
 1139 benefit of this subsection shall not be accorded more than once
 1140 to any one person.

1141 (10) The following persons shall be classified as
 1142 residents for tuition purposes:

1143 (a) Active duty members of the Armed Services of the
 1144 United States residing or stationed in this state, their
 1145 spouses, and dependent children, and active members of the
 1146 Florida National Guard who qualify under s. 250.10(7) and (8)
 1147 for the tuition assistance program.

1148 (b) Active duty members of the Armed Services of the

1149 United States, and their spouses and dependent children,
 1150 ~~dependents~~ attending a public community college or state
 1151 university within 50 miles of the military establishment where
 1152 they are stationed, if such military establishment is within a
 1153 county contiguous to Florida.

1154 (c) United States citizens living on the Isthmus of
 1155 Panama, who have completed 12 consecutive months of college work
 1156 at the Florida State University Panama Canal Branch, and their
 1157 spouses and dependent children.

1158 (d) Full-time instructional and administrative personnel
 1159 employed by state public schools, community colleges, and
 1160 institutions of higher education, as defined in s. 1000.04, and
 1161 their spouses and dependent children.

1162 (e) Students from Latin America and the Caribbean who
 1163 receive scholarships from the federal or state government. Any
 1164 student classified pursuant to this paragraph shall attend, on a
 1165 full-time basis, a Florida institution of higher education.

1166 (f) Southern Regional Education Board's Academic Common
 1167 Market graduate students attending Florida's state universities.

1168 (g) Full-time employees of state agencies or political
 1169 subdivisions of the state when the student fees are paid by the
 1170 state agency or political subdivision for the purpose of job-
 1171 related law enforcement or corrections training.

1172 (h) McKnight Doctoral Fellows and Finalists who are United
 1173 States citizens.

1174 (i) United States citizens living outside the United
 1175 States who are teaching at a Department of Defense Dependent
 1176 School or in an American International School and who enroll in

1177 a graduate level education program which leads to a Florida
 1178 teaching certificate.

1179 (j) Active duty members of the Canadian military residing
 1180 or stationed in this state under the North American Aerospace
 1181 Defense Command ~~Air Defense~~ (NORAD) agreement, and their spouses
 1182 and dependent children, attending a community college or state
 1183 university within 50 miles of the military establishment where
 1184 they are stationed.

1185 (k) Active duty members of a foreign nation's military who
 1186 are serving as liaison officers and are residing or stationed in
 1187 this state, and their spouses and dependent children, attending
 1188 a community college or state university within 50 miles of the
 1189 military establishment where the foreign liaison officer is
 1190 stationed.

1191 (l) Full-time employees of international multilateral
 1192 organizations based in Florida that are recognized by the United
 1193 States Department of State and their spouses and dependent
 1194 children.

1195 (11) A student, other than a nonimmigrant alien within the
 1196 meaning of 8 U.S.C. s. 1101(a)(15), who meets all of the
 1197 following requirements may apply for an exemption from paying
 1198 nonresident tuition at community colleges and state
 1199 universities:

1200 (a) The student has resided in Florida with a parent, as
 1201 defined in paragraph (1)(f), for at least 3 consecutive years
 1202 immediately preceding the date the student received a high
 1203 school diploma or its equivalent and has attended a Florida high
 1204 school for at least 3 consecutive school years during such time.

1205 (b) The student has registered and enrolled in a community
1206 college or a state university. The student may apply for a term
1207 deferral of any out-of-state fee assessed by the institution
1208 until eligibility for the exemption is determined.

1209 (c) The student has provided the community college or
1210 state university an affidavit stating that the student will file
1211 an application to become a permanent resident of the United
1212 States at the earliest opportunity he or she is eligible to do
1213 so.

1214 (d) The student has submitted an application for the
1215 exemption to the community college or state university in the
1216 manner prescribed by the Department of Education.

1217
1218 The exemption authorized pursuant to this subsection shall be
1219 limited to the top 2,000 students in academic performance in
1220 Florida high schools who register and enroll at a community
1221 college or state university under the exemption. The Department
1222 of Education shall administer the exemption program and shall
1223 develop an application form and guidelines for student
1224 participation. The community college or state university shall
1225 enter all application criteria submitted by the student into the
1226 department's online database, in the manner and timeframe
1227 prescribed by the department, for final determination by the
1228 department of the student's eligibility to receive the
1229 exemption.

1230 (12)~~(11)~~ The State Board of Education shall by rule
1231 designate classifications of students as residents or
1232 nonresidents for tuition purposes at community colleges and

1233 state universities.

1234 Section 23. Subsections (1), (3), and (11) of section
 1235 1009.23, Florida Statutes, are amended to read:

1236 1009.23 Community college student fees.--

1237 (1) Unless otherwise provided, ~~the provisions of this~~
 1238 section applies ~~apply~~ only to fees charged for college credit
 1239 instruction leading to an associate in arts degree, an associate
 1240 in applied science degree, ~~or~~ an associate in science degree, or
 1241 a baccalaureate degree authorized by the State Board of
 1242 Education pursuant to s. 1007.33 and for noncollege credit
 1243 college-preparatory courses defined in s. 1004.02.

1244 (3) The State Board of Education shall adopt by December
 1245 31 of each year a resident fee schedule for the following fall
 1246 for advanced and professional programs, associate in science
 1247 degree programs, baccalaureate degree programs authorized by the
 1248 State Board of Education pursuant to s. 1007.33, and college-
 1249 preparatory programs that produce revenues in the amount of 25
 1250 percent of the full prior year's cost of these programs. Fees
 1251 for courses in college-preparatory programs and associate in
 1252 arts and associate in science degree programs may be established
 1253 at the same level. In the absence of a provision to the contrary
 1254 in an appropriations act, the fee schedule shall take effect and
 1255 the colleges shall expend the funds on instruction. If the
 1256 Legislature provides for an alternative fee schedule in an
 1257 appropriations act, the fee schedule shall take effect the
 1258 subsequent fall semester.

1259 (11) (a) Each community college board of trustees may
 1260 establish a separate fee for capital improvements, technology

1261 enhancements, or equipping student buildings which may not
 1262 exceed 10 percent of tuition for resident students or 10 percent
 1263 of the sum of tuition and out-of-state fees for nonresident
 1264 students. The fee for resident students shall be limited to an
 1265 increase of \$2 per credit hour over the prior year ~~\$1 per credit~~
 1266 ~~hour or credit hour equivalent for residents and which equals or~~
 1267 ~~exceeds \$3 per credit hour for nonresidents.~~ Funds collected by
 1268 community colleges through these fees may be bonded only as
 1269 provided in this subsection for the purpose of financing or
 1270 refinancing new construction and equipment, renovation, or
 1271 remodeling of educational facilities. The fee shall be collected
 1272 as a component part of the tuition and fees, paid into a
 1273 separate account, and expended only to construct and equip,
 1274 maintain, improve, or enhance the educational facilities of the
 1275 community college. Projects funded through the use of the
 1276 capital improvement fee shall meet the survey and construction
 1277 requirements of chapter 1013. Pursuant to s. 216.0158, each
 1278 community college shall identify each project, including
 1279 maintenance projects, proposed to be funded in whole or in part
 1280 by such fee.

1281 (b) Capital improvement fee revenues may be pledged by a
 1282 board of trustees as a dedicated revenue source to the repayment
 1283 of debt, including lease-purchase agreements with an overall
 1284 term, including renewals, extensions, and refundings, of not
 1285 more than 7 years and revenue bonds~~,~~ with a term not to exceed
 1286 20 annual maturities ~~years,~~ and not to exceed the useful life of
 1287 the asset being financed, only for financing or refinancing of
 1288 the new construction and equipment, renovation, or remodeling of

1289 educational facilities. ~~Community colleges may use the services~~
 1290 ~~of the Division of Bond Finance of the State Board of~~
 1291 ~~Administration to issue any Bonds authorized through the~~
 1292 provisions of this subsection shall be. ~~Any such bonds~~ issued by
 1293 the Division of Bond Finance upon the request of the community
 1294 college board of trustees shall be in compliance with the
 1295 provisions of s. 11(d), Art. VII of the State Constitution and
 1296 the State Bond Act. The Division of Bond Finance may pledge fees
 1297 collected by one or more community colleges to secure such
 1298 bonds. Any project included in the approved educational plant
 1299 survey pursuant to chapter 1013 is approved pursuant to s.
 1300 11(d), Art. VII of the State Constitution.

1301 (c) The state does hereby covenant with the holders of the
 1302 bonds issued under this subsection that it will not take any
 1303 action that will materially and adversely affect the rights of
 1304 such holders so long as the bonds authorized by this subsection
 1305 are outstanding.

1306 (d) Any validation of the bonds issued pursuant to the
 1307 State Bond Act shall be validated in the manner provided by
 1308 chapter 75. Only the initial series of bonds is required to be
 1309 validated. The complaint for such validation shall be filed in
 1310 the circuit court of the county where the seat of state
 1311 government is situated, the notice required to be published by
 1312 s. 75.06 shall be published only in the county where the
 1313 complaint is filed, and the complaint and order of the circuit
 1314 court shall be served only on the state attorney of the circuit
 1315 in which the action is pending.

1316 (e) A maximum of 15 percent ~~cents per credit hour~~ may be
1317 allocated from the capital improvement fee for child care
1318 centers conducted by the community college. The use of capital
1319 improvement fees for such purpose shall be subordinate to the
1320 payment of any bonds secured by the fees.

1321 Section 24. Subsection (3) of section 1009.24, Florida
1322 Statutes, is amended to read:

1323 1009.24 State university student fees.--

1324 (3) (a) The Legislature has the responsibility to establish
1325 tuition and fees.

1326 (b) Within proviso in the General Appropriations Act and
1327 law, each board of trustees shall set undergraduate university
1328 tuition and fees.

1329 (c) Except as otherwise provided by law, each board of
1330 trustees shall set university tuition and fees for graduate,
1331 graduate professional, and nonresident students, except that
1332 tuition and fees for graduate, graduate professional, and
1333 nonresident students who enroll prior to fall 2005 shall be
1334 established within proviso in the General Appropriations Act or
1335 by law. Tuition and fees for graduate, graduate professional,
1336 and nonresident students shall not exceed the average full-time
1337 nonresident tuition and fees for corresponding programs at
1338 public institutions that are members of the Association of
1339 American Universities. The annual percentage increase in tuition
1340 and fees established by each board of trustees pursuant to this
1341 paragraph for students enrolled prior to fall 2005 shall not
1342 exceed the annual percentage increase approved by the
1343 Legislature for resident undergraduate students. At least 20

1344 percent of the amount raised by tuition increases imposed
 1345 pursuant to this paragraph shall be allocated by each university
 1346 to need-based financial aid for students.

1347 (d) The sum of the activity and service, health, and
 1348 athletic fees a student is required to pay to register for a
 1349 course shall not exceed 40 percent of the tuition established in
 1350 law or in the General Appropriations Act. The tuition and fees
 1351 established pursuant to paragraph (c) for graduate, graduate
 1352 professional, and nonresident students shall not be subject to
 1353 the 40 percent cap. No university shall be required to lower any
 1354 fee in effect on the effective date of this act in order to
 1355 comply with this subsection. Within the 40 percent cap,
 1356 universities may not increase the aggregate sum of activity and
 1357 service, health, and athletic fees more than 5 percent per year
 1358 unless specifically authorized in law or in the General
 1359 Appropriations Act. A university may increase its athletic fee
 1360 to defray the costs associated with changing National Collegiate
 1361 Athletic Association divisions. Any such increase in the
 1362 athletic fee may exceed both the 40 percent cap and the 5
 1363 percent cap imposed by this subsection. Any such increase must
 1364 be approved by the athletic fee committee in the process
 1365 outlined in subsection (11) and cannot exceed \$2 per credit
 1366 hour. Notwithstanding the provisions of ss. 1009.534, 1009.535,
 1367 and 1009.536, that portion of any increase in an athletic fee
 1368 pursuant to this subsection that causes the sum of the activity
 1369 and service, health, and athletic fees to exceed the 40 percent
 1370 cap or the annual increase in such fees to exceed the 5 percent
 1371 cap shall not be included in calculating the amount a student

1372 receives for a Florida Academic Scholars award, a Florida
 1373 Medallion Scholars award, or a Florida Gold Seal Vocational
 1374 Scholars award. This subsection does not prohibit a university
 1375 from increasing or assessing optional fees related to specific
 1376 activities if payment of such fees is not required as a part of
 1377 registration for courses.

1378 Section 25. Section 1009.286, Florida Statutes, is created
 1379 to read:

1380 1009.286 Additional student payment required for hours
 1381 exceeding graduation requirements.--

1382 (1) It is the intent of the Legislature to discourage
 1383 undergraduate students in postsecondary education from exceeding
 1384 the number of credit hours required to complete the students'
 1385 respective degree programs. Accordingly, a student must pay 75
 1386 percent over the in-state tuition rate for any credit hours that
 1387 the student takes in excess of 120 percent of the number of
 1388 credit hours required to complete the degree program in which he
 1389 or she is enrolled.

1390 (2) A student who is enrolled in a community college must
 1391 pay 75 percent over the in-state tuition rate for credit hours
 1392 that the student takes in excess of 120 percent of the credit
 1393 hours required to earn an associate degree, except that a
 1394 community college student who has earned the associate degree
 1395 need not pay the full cost for a maximum of 24 credit hours
 1396 taken while enrolled at a community college which apply to his
 1397 or her baccalaureate degree.

1398 (3) An undergraduate student who is enrolled in a state
 1399 university must pay 75 percent over the in-state tuition rate

1400 for credit hours that the student takes in excess of 120 percent
1401 of the credit hours required to complete the degree program in
1402 which he or she is enrolled, regardless of whether those hours
1403 were taken while enrolled at a community college, a state
1404 university, or any private postsecondary institution if the
1405 student received state funds while enrolled at the private
1406 postsecondary institution.

1407 (4) An undergraduate student who is enrolled in a
1408 baccalaureate degree program at a community college must pay 75
1409 percent over the in-state tuition rate for credit hours that the
1410 student takes in excess of 120 percent of the number of credit
1411 hours required to complete the degree program in which he or she
1412 is enrolled, regardless of whether those hours were taken while
1413 enrolled at a community college, a state university, or any
1414 private postsecondary institution if the student received state
1415 funds while enrolled at the private postsecondary institution.

1416 (5) Credit hours earned under the following circumstances
1417 are not calculated as hours required to earn a degree:

1418 (a) College credits earned through an accelerated
1419 mechanism identified in s. 1007.27.

1420 (b) Credit hours earned through internship programs.

1421 (c) Credit hours required for certification,
1422 recertification, or certificate degrees.

1423 (d) Credit hours in courses from which a student must
1424 withdraw due to reasons of medical or personal hardship.

1425 (e) Credit hours taken by active-duty military personnel.

1426 (f) Credit hours required to achieve a dual major
1427 undertaken while pursuing a degree.

1428 (g) Remedial and English as a Second Language credit
 1429 hours.

1430 (h) Credit hours earned in military science courses
 1431 (R.O.T.C.).

1432 (6) Each postsecondary institution shall implement a
 1433 process for notifying students regarding the provisions of this
 1434 section. The notice shall be provided upon the student's initial
 1435 enrollment in the institution and again upon the student earning
 1436 the credit hours required to complete the degree program in
 1437 which he or she is enrolled. Additionally, the notice shall
 1438 recommend that the student meet with his or her academic advisor
 1439 if the student intends to earn additional credit hours at the
 1440 institution beyond those required for his or her enrolled degree
 1441 program.

1442 (7) The provisions of this section shall apply to freshmen
 1443 who enroll in a state university or community college in fall
 1444 2005 and thereafter.

1445 Section 26. Paragraph (a) of subsection (1) of section
 1446 1009.40, Florida Statutes, is amended, and subsection (5) is
 1447 added to said section, to read:

1448 1009.40 General requirements for student eligibility for
 1449 state financial aid and tuition assistance grants.--

1450 (1) (a) The general requirements for eligibility of
 1451 students for state financial aid awards and tuition assistance
 1452 grants consist of the following:

1453 1. Achievement of the academic requirements of and
 1454 acceptance at a state university or community college; a nursing
 1455 diploma school approved by the Florida Board of Nursing; a

1456 Florida college, university, or community college which is
 1457 accredited by an accrediting agency recognized by the State
 1458 Board of Education; any Florida institution the credits of which
 1459 are acceptable for transfer to state universities; any career
 1460 center; or any private career institution accredited by an
 1461 accrediting agency recognized by the State Board of Education.

1462 2. Residency in this state for no less than 1 year
 1463 preceding the award of aid or a tuition assistance grant for a
 1464 program established pursuant to s. 1009.50, s. 1009.51, s.
 1465 1009.52, s. 1009.53, s. 1009.54, s. 1009.56, s. 1009.57, s.
 1466 1009.60, s. 1009.62, s. 1009.63, s. 1009.68, s. 1009.72, s.
 1467 1009.73, s. 1009.76, s. 1009.77, ~~or~~ s. 1009.89, s. 1009.891, or
 1468 s. 1009.895. Residency in this state must be for purposes other
 1469 than to obtain an education. Resident status for purposes of
 1470 receiving state financial aid awards or tuition assistance
 1471 grants shall be determined in the same manner as resident status
 1472 for tuition purposes pursuant to s. 1009.21 and rules of the
 1473 State Board of Education implementing s. 1009.21 and the
 1474 postsecondary guidelines of the department.

1475 3. Submission of certification attesting to the accuracy,
 1476 completeness, and correctness of information provided to
 1477 demonstrate a student's eligibility to receive state financial
 1478 aid awards or tuition assistance grants. Falsification of such
 1479 information shall result in the denial of any pending
 1480 application and revocation of any award or grant currently held
 1481 to the extent that no further payments shall be made.
 1482 Additionally, students who knowingly make false statements in
 1483 order to receive state financial aid awards or tuition

1484 assistance grants shall be guilty of a misdemeanor of the second
 1485 degree subject to the provisions of s. 837.06 and shall be
 1486 required to return all state financial aid awards or tuition
 1487 assistance grants wrongfully obtained.

1488 (5) A student who is attending a nonpublic for-profit or
 1489 nonprofit institution is ineligible to receive more than one
 1490 state award that is a tuition assistance grant during a single
 1491 semester.

1492 Section 27. Section 1009.66, Florida Statutes, is amended
 1493 to read:

1494 1009.66 Nursing Student Loan Reimbursement ~~Forgiveness~~
 1495 Program.--

1496 (1) To encourage qualified personnel to seek employment in
 1497 areas of this state in which critical nursing shortages exist,
 1498 there is established the Nursing Student Loan Reimbursement
 1499 ~~Forgiveness~~ Program. The primary function of the program is to
 1500 increase employment and retention of registered nurses and
 1501 licensed practical nurses in nursing homes and hospitals in the
 1502 state and in state-operated medical and health care facilities,
 1503 public schools, birth centers, federally sponsored community
 1504 health centers, family practice teaching hospitals, and
 1505 specialty children's hospitals and the employment and retention
 1506 of instructional faculty in nursing programs approved by the
 1507 Board of Nursing by making repayments toward loans received by
 1508 students from federal or state programs or commercial lending
 1509 institutions for the support of postsecondary study in
 1510 accredited or approved nursing programs or for the support of
 1511 study in a preparatory course for foreign-trained nurses offered

1512 by an approved nursing program.

1513 (2) To be eligible, a candidate must have graduated from
1514 an accredited or approved nursing program or have successfully
1515 completed a preparatory course for foreign-trained nurses
1516 offered by an approved nursing program and have received a
1517 Florida license as a licensed practical nurse or a registered
1518 nurse or a Florida certificate as an advanced registered nurse
1519 practitioner.

1520 (3) Only loans to pay the costs of tuition, books, and
1521 living expenses shall be covered, at an amount not to exceed
1522 \$4,000 for each year of education toward the degree obtained.

1523 (4) From the funds available, the Department of Education
1524 ~~Health~~ may make loan principal repayments of up to \$4,000 a year
1525 for up to 4 years on behalf of eligible candidates pursuant to
1526 subsection (2) ~~selected graduates of an accredited or approved~~
1527 nursing program. All repayments shall be contingent upon
1528 continued proof of employment in the designated facilities in
1529 this state and shall be made ~~directly~~ to the holder of the loan
1530 or the lending institution for loans held by a lending
1531 institution. The state shall bear no responsibility for the
1532 collection of any interest charges or other remaining balance.
1533 In the event that the designated facilities are changed, a nurse
1534 shall continue to be eligible for loan reimbursement ~~forgiveness~~
1535 as long as he or she continues to work in the facility for which
1536 the original loan repayment was made and otherwise meets all
1537 conditions of eligibility.

1538 (5) There is created the Nursing Student Loan
1539 Reimbursement ~~Forgiveness~~ Trust Fund to be administered by the

1540 Department of Education Health pursuant to this section and s.
 1541 1009.67 and department rules. The Chief Financial Officer shall
 1542 authorize expenditures from the trust fund upon receipt of
 1543 vouchers approved by the Department of Education Health. All
 1544 moneys collected from the private health care industry and other
 1545 private sources for the purposes of this section shall be
 1546 deposited into the Nursing Student Loan Reimbursement
 1547 ~~Forgiveness~~ Trust Fund. Any balance in the trust fund at the end
 1548 of any fiscal year shall remain therein and shall be available
 1549 for carrying out the purposes of this section and s. 1009.67.

1550 (6) In addition to licensing fees imposed under part I of
 1551 chapter 464, there is hereby levied and imposed an additional
 1552 fee of \$5, which fee shall be paid upon licensure or renewal of
 1553 nursing licensure. Revenues collected from the fee imposed in
 1554 this subsection shall be deposited in the Nursing Student Loan
 1555 Reimbursement ~~Forgiveness~~ Trust Fund of the Department of
 1556 Education Health and will be used solely for the purpose of
 1557 carrying out the provisions of this section and s. 1009.67. Up
 1558 to 50 percent of the revenues appropriated to implement this
 1559 subsection may be used for the nursing scholarship loan program
 1560 established pursuant to s. 1009.67.

1561 (7) Funds contained in the Nursing Student Loan
 1562 Reimbursement ~~Forgiveness~~ Trust Fund which are to be used for
 1563 loan reimbursement ~~forgiveness~~ for those nurses employed by
 1564 hospitals, birth centers, and nursing homes and for those nurses
 1565 employed as instructional faculty in an approved nursing program
 1566 must be matched on a dollar-for-dollar basis by contributions or
 1567 tuition reductions from the employing institutions, except that

1568 this provision shall not apply to state-operated medical and
 1569 health care facilities, community colleges, state universities,
 1570 public schools, county health departments, federally sponsored
 1571 community health centers, teaching hospitals as defined in s.
 1572 408.07, family practice teaching hospitals as defined in s.
 1573 395.805, or specialty hospitals for children as used in s.
 1574 409.9119. An estimate of the annual trust fund dollars shall be
 1575 made at the beginning of the fiscal year based on historic
 1576 expenditures from the trust fund. Applicant requests shall be
 1577 reviewed on a quarterly basis, and applicant awards shall be
 1578 based on the following priority of employer until all such
 1579 estimated trust funds are awarded: nursing programs approved by
 1580 the Board of Nursing if the employer and the award recipient
 1581 agree that the award recipient will spend a minimum of 75
 1582 percent of his or her time providing instruction, developing
 1583 curriculum, or advising or mentoring students for the duration
 1584 of the award; state-operated medical and health care facilities;
 1585 public schools; county health departments; federally sponsored
 1586 community health centers; teaching hospitals as defined in s.
 1587 408.07; family practice teaching hospitals as defined in s.
 1588 395.805; specialty hospitals for children as used in s.
 1589 409.9119; and other hospitals, birth centers, and nursing homes.

1590 ~~(8) The Department of Health may solicit technical~~
 1591 ~~assistance relating to the conduct of this program from the~~
 1592 ~~Department of Education.~~

1593 (8)(9) The Department of Education ~~Health~~ is authorized to
 1594 recover from the Nursing Student Loan Reimbursement ~~Forgiveness~~
 1595 Trust Fund its costs for administering the Nursing Student Loan

1596 Reimbursement ~~Forgiveness~~ Program.

1597 ~~(9)-(10)~~ The State Board of Education ~~Department of Health~~

1598 may adopt rules necessary to administer this program.

1599 ~~(10)-(11)~~ This section shall be implemented only as

1600 specifically funded.

1601 ~~(11)-(12)~~ Students receiving a nursing scholarship loan

1602 pursuant to s. 1009.67 are not eligible to participate in the

1603 Nursing Student Loan Reimbursement ~~Forgiveness~~ Program.

1604 Section 28. Section 1009.67, Florida Statutes, is amended

1605 to read:

1606 1009.67 Nursing Scholarship Loan Program.--

1607 (1) There is established within the Department of

1608 Education ~~Health~~ a scholarship loan program for the purpose of

1609 attracting capable and promising students to the nursing

1610 profession.

1611 (2) A scholarship loan applicant shall be enrolled in an

1612 approved nursing program leading to the award of an associate

1613 degree, a baccalaureate degree, or a graduate degree in nursing

1614 or enrolled in a preparatory course for foreign-trained nurses

1615 offered by an approved nursing program.

1616 (3) A scholarship loan may be awarded for no more than 2

1617 years, in an amount not to exceed \$8,000 per year. However,

1618 registered nurses pursuing a graduate degree for a faculty

1619 position or to practice as an advanced registered nurse

1620 practitioner may receive up to \$12,000 per year. These amounts

1621 shall be adjusted by the amount of increase or decrease in the

1622 consumer price index for urban consumers published by the United

1623 States Department of Commerce.

1624 (4) Credit for repayment of a scholarship loan shall be as
1625 follows:

1626 (a) For each full year of scholarship loan assistance, the
1627 recipient agrees to work for 12 months in a faculty position in
1628 a college of nursing or community college nursing program in
1629 this state and spend a minimum of 75 percent of his or her time
1630 providing instruction, developing curriculum, or advising or
1631 mentoring students or agrees to work for 12 months at a health
1632 care facility in a medically underserved area as approved by the
1633 Department of Health. Scholarship loan recipients who attend
1634 school on a part-time basis shall have their employment service
1635 obligation prorated in proportion to the amount of scholarship
1636 loan payments received.

1637 (b) Eligible health care facilities include nursing homes
1638 and hospitals in this state, state-operated medical or health
1639 care facilities, public schools, county health departments,
1640 federally sponsored community health centers, colleges of
1641 nursing in universities in this state, and community college
1642 nursing programs in this state, family practice teaching
1643 hospitals as defined in s. 395.805, or specialty children's
1644 hospitals as described in s. 409.9119. The recipient shall be
1645 encouraged to complete the service obligation at a single
1646 employment site. If continuous employment at the same site is
1647 not feasible, the recipient may apply to the department for a
1648 transfer to another approved health care facility.

1649 (c) Any recipient who does not complete an appropriate
1650 program of studies, who does not become licensed, who does not
1651 accept employment as a nurse at an approved health care

1652 facility, or who does not complete 12 months of approved
1653 employment for each year of scholarship loan assistance received
1654 shall repay to the Department of Education Health, on a schedule
1655 to be determined by the department, the entire amount of the
1656 scholarship loan plus ~~18 percent~~ interest ~~accruing from the date~~
1657 ~~of the scholarship payment~~. Repayment schedules and applicable
1658 interest rates shall be determined by rules of the State Board
1659 of Education. Moneys repaid shall be deposited into the Nursing
1660 Student Loan Reimbursement ~~Forgiveness~~ Trust Fund established in
1661 s. 1009.66. However, the department may provide additional time
1662 for repayment if the department finds that circumstances beyond
1663 the control of the recipient caused or contributed to the
1664 default.

1665 (5) Scholarship loan payments shall be transmitted to the
1666 recipient upon receipt of documentation that the recipient is
1667 enrolled in an approved nursing program. The Department of
1668 Education Health shall develop a formula to prorate payments to
1669 scholarship loan recipients so as not to exceed the maximum
1670 amount per academic year.

1671 (6) The State Board of Education ~~Department of Health~~
1672 shall adopt rules, including rules to address extraordinary
1673 circumstances that may cause a recipient to default on either
1674 the school enrollment or employment contractual agreement, to
1675 implement this section.

1676 (7) The Department of Education Health may recover from
1677 the Nursing Student Loan Reimbursement ~~Forgiveness~~ Trust Fund
1678 its costs for administering the nursing scholarship loan
1679 program.

1680 Section 29. Section 1009.895, Florida Statutes, is created
 1681 to read:

1682 1009.895 Florida Independent Collegiate Assistance Grant
 1683 Program.--

1684 (1) The Legislature finds and declares that independent
 1685 institutions licensed by the Commission for Independent
 1686 Education are an integral part of the higher education system in
 1687 this state through which Florida residents seek higher
 1688 education. The Legislature finds that a significant number of
 1689 state residents choose to pursue higher education at these
 1690 institutions and that these institutions and the students they
 1691 educate and train make a substantial contribution to the
 1692 development of the state's economy. The Legislature intends to
 1693 create a tuition assistance grant program for state residents
 1694 that is not based upon a student's financial need or other
 1695 criteria upon which financial aid programs are based.

1696 (2) The Florida Independent Collegiate Assistance Grant
 1697 Program, to be known as the FICA Grant Program, is created as a
 1698 student tuition assistance grant program.

1699 (a) The program shall be administered by the Department of
 1700 Education according to rules adopted by the State Board of
 1701 Education.

1702 (b) The department may issue a tuition assistance grant
 1703 under the program to any full-time student who:

1704 1. Meets student residency requirements as provided in s.
 1705 1009.40(1)(a)2.

1706 2. Is enrolled as a full-time undergraduate student in a
 1707 campus-based program at an eligible independent institution of

1708 higher education as defined in this section and is seeking an
1709 associate degree or higher.

1710 3. Is making satisfactory academic progress as defined by
1711 the independent institution of higher education in which the
1712 student is enrolled.

1713 4. Enrolls in an undergraduate degree program that leads
1714 to employment in an occupation that is listed on a regional
1715 targeted occupations list of a Florida workforce board at the
1716 time of enrollment.

1717 (3) An "eligible independent institution of higher
1718 education" is:

1719 (a) An institution that is licensed by the Commission for
1720 Independent Education under chapter 1005, is accredited by an
1721 accrediting agency that is recognized by the United States
1722 Secretary of Education as a reliable authority as to the quality
1723 of education or training offered at its accredited institutions,
1724 and has established performance requirements for student
1725 achievement that include minimum objective quantitative
1726 standards, including completion rates and placement rates as
1727 determined by the department or the commission.

1728 (b) An institution whose students are not eligible to
1729 participate in the Access to Better Learning and Education Grant
1730 Program or the William L. Boyd, IV, Florida Resident Access
1731 Grant Program.

1732 (4) This section shall be implemented to the extent funded
1733 and authorized by law.

1734 Section 30. Paragraph (z) is added to subsection (4) of
1735 section 1009.971, Florida Statutes, to read:

1736 1009.971 Florida Prepaid College Board.--
1737 (4) FLORIDA PREPAID COLLEGE BOARD; POWERS AND DUTIES.--The
1738 board shall have the powers and duties necessary or proper to
1739 carry out the provisions of ss. 1009.97-1009.984, including, but
1740 not limited to, the power and duty to:

1741 (z) Provide for the transfer of ownership of an advance
1742 payment contract or a participation agreement by operation of
1743 law upon inheritance, devise, or bequest. An heir of a deceased
1744 purchaser or a deceased benefactor may make an application to
1745 the board under oath for a change in the purchaser or benefactor
1746 and, upon receipt of a completed application, the board may
1747 change the ownership of the advance payment contract or
1748 participation agreement, as appropriate, to the heir. The board
1749 shall specify by rule the information that must be included in
1750 the application. When the application is made by an heir of a
1751 deceased purchaser or deceased benefactor who died intestate, it
1752 shall not be necessary to accompany the application with an
1753 order of a probate court if the heir files with the board an
1754 affidavit stating that the estate is not indebted and the
1755 surviving spouse, if any, and the heirs, if any, have amicably
1756 agreed among themselves upon a division of the estate. If the
1757 deceased purchaser or deceased benefactor died testate, the
1758 application shall be accompanied by a certified copy of the
1759 will, if probated, and an affidavit stating that the estate is
1760 solvent with sufficient assets to pay all just claims or, if the
1761 will is not being probated, by a sworn copy of the will and an
1762 affidavit stating that the estate is not indebted. Upon the
1763 approval by the board of an application from an heir, the heir

1764 shall become the purchaser of the advance payment contract or
 1765 the benefactor of the participation agreement. This subsection
 1766 does not apply when a purchaser or benefactor has designated in
 1767 writing to the board the person who will succeed to the
 1768 ownership of the advance payment contract or participation
 1769 agreement in the event of the purchaser's or benefactor's death,
 1770 and that person survives the purchaser or benefactor.

1771 Section 31. Subsection (5) of section 1009.972, Florida
 1772 Statutes, is amended to read:

1773 1009.972 Florida Prepaid College Trust Fund.--

1774 (5) Notwithstanding the provisions of chapter 717, funds
 1775 associated with terminated advance payment contracts pursuant to
 1776 s. 1009.98(4)(k) and canceled contracts for which no refunds
 1777 have been claimed shall be retained by the board. The board
 1778 shall establish procedures for notifying purchasers who
 1779 subsequently cancel their advance payment contracts of any
 1780 unclaimed refund and shall establish a time period after which
 1781 no refund may be claimed by a purchaser who canceled a contract.
 1782 The board may transfer funds retained from such terminated
 1783 advance payment contracts and canceled contracts to the direct-
 1784 support organization established pursuant to s. 1009.983 for the
 1785 Florida Prepaid Tuition Scholarship Program to provide matching
 1786 funds for prepaid tuition scholarships for economically
 1787 disadvantaged youth who remain drug free and crime free and for
 1788 children of members of the armed forces and Coast Guard of the
 1789 United States who die while participating in the combat theater
 1790 of operations for Operation Iraqi Freedom or Operation Enduring
 1791 Freedom on or after the date on which this act becomes a law and

1792 were Florida residents at the time of their death or have listed
 1793 Florida as their domicile at the time of their death.

1794 Section 32. Subsection (3) and paragraph (k) of subsection
 1795 (4) of section 1009.98, Florida Statutes, are amended to read:

1796 1009.98 Florida Prepaid College Program.--

1797 (3) TRANSFER OF BENEFITS TO PRIVATE AND OUT-OF-STATE
 1798 COLLEGES AND UNIVERSITIES AND TO CAREER CENTERS.--A qualified
 1799 beneficiary may apply the benefits of an advance payment
 1800 contract toward:

1801 (a) An independent college or university that is located
 1802 and chartered in Florida, ~~that is not for profit~~, that is
 1803 accredited by the Commission on Colleges of the Southern
 1804 Association of Colleges and Schools or the Accrediting Council
 1805 for Independent Colleges and Schools, and that confers degrees
 1806 as defined in s. 1005.02.

1807 (b) An out-of-state college or university that ~~is not for~~
 1808 ~~profit and~~ is accredited by a regional accrediting association,
 1809 and that confers degrees.

1810 (c) An applied technology diploma program or career
 1811 certificate program conducted by a community college listed in
 1812 s. 1004.02(2) or career center operated by a district school
 1813 board.

1814
 1815 The board shall transfer or cause to be transferred to the
 1816 institution designated by the qualified beneficiary an amount
 1817 not to exceed the redemption value of the advance payment
 1818 contract at a state postsecondary institution. If the cost of
 1819 registration or housing fees at such institution is less than

1820 the corresponding fees at a state postsecondary institution, the
1821 amount transferred may not exceed the actual cost of
1822 registration and housing fees. A transfer authorized under this
1823 subsection may not exceed the number of semester credit hours or
1824 semesters of dormitory residence contracted on behalf of a
1825 qualified beneficiary. The board may refuse to transfer the
1826 benefits of an advance payment contract to an otherwise eligible
1827 institution if the institution or its representatives distribute
1828 materials, regardless of form, that describe the use or transfer
1829 of the benefits of an advance payment contract and that have not
1830 been approved by the board. Notwithstanding any other provision
1831 in this section, an institution must be an "eligible educational
1832 institution" under s. 529 of the Internal Revenue Code to be
1833 eligible for the transfer of advance payment contract benefits.

1834 (4) ADVANCE PAYMENT CONTRACTS.--The board shall develop
1835 advance payment contracts for registration and may develop
1836 advance payment contracts for dormitory residence as provided in
1837 this section. Advance payment contracts shall be exempt from
1838 chapter 517 and the Florida Insurance Code. Such contracts shall
1839 include, but not be limited to, the following:

1840 (k) The period of time after which advance payment
1841 contracts that have not been terminated or the benefits used
1842 shall be considered terminated. Time expended by a qualified
1843 beneficiary as an active duty member of any of the armed
1844 services of the United States shall be added to the period of
1845 time specified by the board. No purchaser or qualified
1846 beneficiary whose advance payment contract is terminated
1847 pursuant to this paragraph shall be entitled to a refund.

1848 Notwithstanding chapter 717, the board shall retain any moneys
 1849 paid by the purchaser for an advance payment contract that has
 1850 been terminated in accordance with this paragraph. Such moneys
 1851 may be transferred to the direct-support organization
 1852 established pursuant to s. 1009.983 for the Florida Prepaid
 1853 Tuition Scholarship Program to provide matching funds for
 1854 prepaid tuition scholarships for economically disadvantaged
 1855 youths who remain drug free and crime free and for children of
 1856 members of the armed forces and Coast Guard of the United States
 1857 who die while participating in the combat theater of operations
 1858 for Operation Iraqi Freedom or Operation Enduring Freedom on or
 1859 after the date on which this act becomes a law and were Florida
 1860 residents at the time of their death or have listed Florida as
 1861 their domicile at the time of their death.

1862 Section 33. Paragraph (b) of subsection (2) of section
 1863 1009.981, Florida Statutes, is amended to read:

1864 1009.981 Florida College Savings Program.--

1865 (2) PARTICIPATION AGREEMENTS.--

1866 (b) The board shall develop a participation agreement
 1867 which shall be the agreement between the board and each
 1868 benefactor, which may include, but is not limited to:

1869 1. The name, date of birth, and social security number of
 1870 the designated beneficiary.

1871 2. The amount of the contribution or contributions and
 1872 number of contributions required from a benefactor on behalf of
 1873 a designated beneficiary.

1874 3. The terms and conditions under which benefactors shall
 1875 remit contributions, including, but not limited to, the date or

1876 dates upon which each contribution is due. Deposits to the
 1877 savings program by benefactors may only be in cash. Benefactors
 1878 may contribute in a lump sum, periodically, in installments, or
 1879 through electronic funds transfer or employer payroll
 1880 deductions.

1881 4. Provisions for late contribution charges and for
 1882 default.

1883 5. Provisions for penalty fees for withdrawals from the
 1884 program.

1885 6. The name of the person who may terminate participation
 1886 in the program. The participation agreement must specify whether
 1887 the account may be terminated by the benefactor, the designated
 1888 beneficiary, a specific designated person, or any combination of
 1889 these persons.

1890 7. The terms and conditions under which an account may be
 1891 terminated, modified, or converted, the name of the person
 1892 entitled to any refund due as a result of termination of the
 1893 account pursuant to such terms and conditions, and the amount of
 1894 refund, if any, due to the person so named.

1895 8. Penalties for distributions not used or made in
 1896 accordance with s. 529 of the Internal Revenue Code.

1897 9. Any charges or fees in connection with the
 1898 administration of the savings fund.

1899 10. The period of time after which each participation
 1900 agreement shall be considered to be terminated. Time expended by
 1901 a designated beneficiary as an active duty member of any of the
 1902 armed services of the United States shall be added to the period
 1903 specified pursuant to this subparagraph. Should a participation

1904 agreement be terminated, the balance of the account, after
 1905 notice to the benefactor, shall be declared unclaimed and
 1906 abandoned property. The board shall retain any moneys paid by
 1907 the benefactor for a participation agreement that has been
 1908 terminated in accordance with this subparagraph. Such moneys may
 1909 be transferred to the direct-support organization established
 1910 pursuant to s. 1009.983 for the Florida Prepaid Tuition
 1911 Scholarship Program to provide matching funds for prepaid
 1912 tuition scholarships for economically disadvantaged youths who
 1913 remain drug free and crime free and for children of members of
 1914 the armed forces and Coast Guard of the United States who die
 1915 while participating in the combat theater of operations for
 1916 Operation Iraqi Freedom or Operation Enduring Freedom on or
 1917 after the date on which this act becomes a law and were Florida
 1918 residents at the time of their death or have listed Florida as
 1919 their domicile at the time of their death.

1920 11. Other terms and conditions deemed by the board to be
 1921 necessary or proper.

1922 Section 34. Paragraph (i) of subsection (1) of section
 1923 1011.62, Florida Statutes, is amended to read:

1924 1011.62 Funds for operation of schools.--If the annual
 1925 allocation from the Florida Education Finance Program to each
 1926 district for operation of schools is not determined in the
 1927 annual appropriations act or the substantive bill implementing
 1928 the annual appropriations act, it shall be determined as
 1929 follows:

1930 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1931 OPERATION.--The following procedure shall be followed in

1932 determining the annual allocation to each district for
1933 operation:

1934 (i) Calculation of full-time equivalent membership with
1935 respect to dual enrollment instruction ~~from community colleges~~
1936 ~~or state universities~~.--Students enrolled in community college
1937 or university dual enrollment instruction pursuant to s.
1938 1007.271 may be included in calculations of full-time equivalent
1939 student memberships for basic programs for grades 9 through 12
1940 by a district school board. Dual enrollment instruction of high
1941 school students that is eligible for high school and
1942 postsecondary credit shall be reported by the school district in
1943 an amount equal to the hours of instruction that would be
1944 necessary to earn the FTE for the equivalent course if it were
1945 taught in the school district. Such students may also be
1946 calculated as the proportional shares of full-time equivalent
1947 enrollments they generate for a ~~the~~ community college or
1948 university conducting the dual enrollment instruction. Early
1949 admission students shall be considered dual enrollments for
1950 funding purposes. Students may be enrolled in dual enrollment
1951 instruction provided by an eligible independent college or
1952 university and may be included in calculations of full-time
1953 equivalent student memberships for basic programs for grades 9
1954 through 12 by a district school board. However, those provisions
1955 of law which exempt dual enrolled and early admission students
1956 from payment of instructional materials and tuition and fees,
1957 including laboratory fees, shall not apply to students who
1958 select the option of enrolling in an eligible independent
1959 institution. An independent college or university which is

1960 located and chartered in Florida, is not for profit, is
 1961 accredited by the Commission on Colleges of the Southern
 1962 Association of Colleges and Schools or the Accrediting Council
 1963 for Independent Colleges and Schools, and which confers degrees
 1964 as defined in s. 1005.02 shall be eligible for inclusion in the
 1965 dual enrollment or early admission program. Students enrolled in
 1966 dual enrollment instruction shall be exempt from the payment of
 1967 tuition and fees, including laboratory fees. No student enrolled
 1968 in college credit mathematics or English dual enrollment
 1969 instruction shall be funded as a dual enrollment unless the
 1970 student has successfully completed the relevant section of the
 1971 entry-level examination required pursuant to s. 1008.30.

1972 Section 35. Section 1011.83, Florida Statutes, is amended
 1973 to read:

1974 1011.83 Financial support of community colleges.--

1975 (1) Each community college that has been approved by the
 1976 Department of Education and meets the requirements of law and
 1977 rules of the State Board of Education shall participate in the
 1978 Community College Program Fund. However, funds to support
 1979 workforce education programs conducted by community colleges
 1980 shall be provided pursuant to s. 1011.80.

1981 (2) Funding for baccalaureate degree programs approved
 1982 pursuant to s. 1007.33 shall be specified in the General
 1983 Appropriations Act. A student in a baccalaureate degree program
 1984 approved pursuant to s. 1007.33 who is not classified as a
 1985 resident for tuition purposes pursuant to s. 1009.21 shall not
 1986 be included in calculations of full-time equivalent enrollments
 1987 for state funding purposes.

1988 (3) Funds specifically appropriated by the Legislature for
 1989 baccalaureate degree programs approved pursuant to s. 1007.033
 1990 may be used only for such programs. A new baccalaureate degree
 1991 program may not accept students without a recurring legislative
 1992 appropriation for this purpose. However, community colleges that
 1993 have been approved by the State Board of Education prior to July
 1994 1, 2005, to offer baccalaureate degrees are not subject to the
 1995 requirement for recurring funds until the 2006-2007 budget year.

1996 (4) A community college that grants baccalaureate degrees
 1997 shall maintain reporting and funding distinctions between any
 1998 baccalaureate degree program approved under s. 1007.33 and any
 1999 other baccalaureate degree programs involving traditional
 2000 concurrent-use partnerships.

2001 Section 36. Part VI of chapter 1011, Florida Statutes,
 2002 consisting of sections 1011.96, 1011.965, 1011.97, and 1011.98,
 2003 is created to read:

2004 1011.96 SUCCEED, FLORIDA! Crucial Professionals Program.--

2005 (1) The SUCCEED, FLORIDA! Crucial Professionals Program is
 2006 established to award funds to accredited postsecondary
 2007 educational institutions in the state on a competitive basis to
 2008 offer programs that meet the critical workforce needs of the
 2009 state and to maximize the number of diplomas, certificates, and
 2010 degrees that are awarded to postsecondary education students in
 2011 fields vital to the citizens of the state.

2012 (2) Beginning with the 2006-2007 fiscal year, funds
 2013 appropriated by the Legislature to the Department of Education
 2014 for the SUCCEED, FLORIDA! Crucial Professionals Program shall be
 2015 distributed according to the provisions of this section.

2016 (3) The department shall develop and issue annually a
2017 request for proposals. The department shall establish
2018 application procedures, guidelines, accountability measures, and
2019 timelines for implementation of the grant program.

2020 (4) Proposals for a grant authorized pursuant to this
2021 section must:

2022 (a) Indicate the number of students to be served, the
2023 length of the proposed program, and the total projected cost to
2024 students and the state. Funds for a grant provided pursuant to
2025 this section must be used to support new students and not to
2026 supplant current funding or students.

2027 (b) Document the workforce need to be addressed.

2028 (c) Demonstrate a pool of qualified applicants.

2029 (d) Include a plan to increase the minority graduation
2030 rate and minority presence in the workforce.

2031 (e) Be submitted by an accredited public or nonpublic
2032 postsecondary educational institution in the state that provides
2033 postsecondary instruction in a field specified in the priority
2034 list established pursuant to subsection (5). For purposes of
2035 this section, postsecondary educational institutions include
2036 school district career centers that offer postsecondary
2037 programs.

2038 (f) Indicate the number of postsecondary diplomas,
2039 certificates, or degrees that the institution will award using
2040 funds received pursuant to this section and the fields in which
2041 the diplomas, certificates, or degrees will be awarded.

2042 (g) Indicate how the funds received will leverage private
2043 industry contributions, grants, or scholarships and how the

2044 funds will be used to offset costs to the state for program
 2045 startup or expansion or to offset student tuition costs.

2046 (5) By March 1, 2006, and annually thereafter, the State
 2047 Board of Education, the Board of Governors, and the board of
 2048 directors of Workforce Florida, Inc., shall each advise the
 2049 Legislature of the state's most pressing workforce needs for
 2050 postsecondary instruction and the geographic locations of these
 2051 needs. The Legislature shall annually establish a priority list
 2052 for funds provided pursuant to this section in the General
 2053 Appropriations Act.

2054 (6) The rankings and decisions of the request-for-
 2055 proposals process shall be made by the State Board of Education
 2056 based on the priority list established pursuant to subsection
 2057 (5).

2058 (7) Grant recipients must enter into a contract with the
 2059 state to produce a specific number of graduates in the
 2060 designated program within a specific time period. Grant
 2061 recipients must submit periodic reports to the department
 2062 documenting compliance with the accountability measures
 2063 established by the department.

2064 (8) Subsequent to the first year of funding for the
 2065 SUCCEED, FLORIDA! Crucial Professionals Program, priority for
 2066 awarding grants shall be for renewal grants to programs that are
 2067 making adequate progress toward their contracted production,
 2068 including nursing programs and teaching programs at institutions
 2069 that received funding from the SUCCEED, FLORIDA! Crucial
 2070 Professionals Program during the 2005-2006 fiscal year. Renewal
 2071 award amounts shall be tied to student retention; the production

2072 of degrees, certificates, or diplomas; the number of graduates
2073 placed in the targeted professions in the state; or other
2074 accountability measures determined by the department.

2075 1011.965 SUCCEED, FLORIDA! Crucial Professionals Nursing
2076 Education Grant Program.--The SUCCEED, FLORIDA! Crucial
2077 Professionals Nursing Education Grant Program is established as
2078 a contract grant program within the Department of Education to
2079 increase the capacity of nursing programs approved by the Board
2080 of Nursing at postsecondary educational institutions to produce
2081 more nurses or nursing faculty to enter the workforce in the
2082 state. The department shall establish application procedures,
2083 guidelines, accountability measures, and timelines for
2084 implementation of the grant program and advise all Board of
2085 Nursing approved programs accordingly.

2086 (1) Proposals for a grant authorized pursuant to this
2087 section must:

2088 (a) Indicate the number of students to be served, the
2089 length of the proposed program, and the projected cost.

2090 (b) Document the workforce need to be addressed through
2091 the expanded capacity of the existing nursing program.

2092 (c) Demonstrate a pool of qualified applicants to fill the
2093 expanded capacity.

2094 (2) Funds for a grant provided pursuant to this section
2095 must be used to support new students and not to supplant current
2096 funding or students. An institution applying for a grant must
2097 certify to the department that it will not reduce funding or the
2098 current level of enrollment in its existing nursing program. Any
2099 such reduction shall result in a pro rata reduction in the grant

2100 awarded pursuant to this section.

2101 (3) Priority in the awarding of new grants authorized

2102 pursuant to this section shall be given to proposals that comply

2103 with three or more of the following:

2104 (a) Proposals that result in new nurses in the workforce

2105 or nurses moving to a higher level on the career ladder.

2106 (b) Proposals that could be implemented as early as the

2107 fall 2005.

2108 (c) Proposals that include partnerships or collaborations

2109 with other institutions, programs, or health care providers.

2110 (d) Proposals for programs offered at the worksite or

2111 through distance learning that permit nurses to achieve a higher

2112 level of nursing licensure.

2113 (e) Proposals for accelerated programs that shorten the

2114 time required to receive a diploma, certificate, or degree;

2115 obtain licensure; and enter the workforce.

2116 (f) Proposals that target exiting military personnel or

2117 other persons interested in making career changes.

2118 (g) Proposals from nursing programs with demonstrated

2119 success as evidenced by graduation rates, licensure examination

2120 passage rates, and placement of graduates in nursing employment

2121 in the state.

2122 (h) Proposals for programs that would address the state's

2123 need for rapid production of highly skilled clinical nurses and

2124 qualified nursing faculty, such as the fast-track baccalaureate

2125 to doctoral program, the Clinical Nurse Leader Program, and the

2126 Doctor of Nursing Practice program.

2127 (4) Subsequent to the first year of funding for the grant

2128 program, priority for awarding grants shall be for renewal
 2129 grants to nursing programs that are making adequate progress
 2130 towards their contracted production.

2131 (5) Grant recipients must enter into a contract between
 2132 the postsecondary educational institution and the state to
 2133 produce a specific number of nursing graduates within a specific
 2134 time period.

2135 (6) Nursing programs receiving grants pursuant to this
 2136 section must submit periodic reports to the department
 2137 documenting compliance with the accountability measures
 2138 established by the department. Award amounts in subsequent years
 2139 shall be tied to student retention; the production of degrees,
 2140 certificates, or diplomas; and the number of graduates placed in
 2141 a nursing position in the state.

2142 (7) Proposals submitted pursuant to this section shall be
 2143 reviewed by the Board of Nursing and the State Board of
 2144 Education. Final approval and level of funding shall be
 2145 determined by the State Board of Education with consideration
 2146 given to comments submitted to the State Board of Education by
 2147 the Board of Nursing.

2148 (8) The State Board of Education shall monitor compliance
 2149 with accountability requirements.

2150 (9) By February 1, 2006, the State Board of Education
 2151 shall submit a report to the President of the Senate and the
 2152 Speaker of the House of Representatives on the status of
 2153 implementation of the grant program.

2154 1011.97 SUCCEED, FLORIDA! Career Paths Program.--

2155 (1) The SUCCEED, FLORIDA! Career Paths Program is

2156 established as a grant program within the Department of
 2157 Education to provide startup grants to offset implementation
 2158 costs of partnerships between a district school board or the
 2159 Florida Virtual School and one or more businesses, industries,
 2160 or postsecondary educational institutions to operate a career
 2161 and professional academy pursuant to s. 1014.21. The Office of
 2162 Career Education in the department shall administer the startup
 2163 grants.

2164 (2) A district school board or the Florida Virtual School
 2165 may apply to the Office of Career Education for a grant which
 2166 must be provided through a competitive process and may be used
 2167 only for a career and professional academy.

2168 (3) A high school that currently has a career academy,
 2169 career institute, industry-certified program, or
 2170 preapprenticeship program as well as a charter technical career
 2171 center shall be eligible to apply for a grant to redesign its
 2172 programs to meet the rigorous and relevant academic standards of
 2173 a career and professional academy.

2174 (4) Curriculum and content developed in a career and
 2175 professional academy as a result of a startup grant shall be
 2176 made available to all school districts.

2177 1011.98 SUCCEED, FLORIDA! Great Jobs Program.--

2178 (1) The SUCCEED, FLORIDA! Great Jobs Program is
 2179 established to award funds to public and private postsecondary
 2180 educational institutions in the state on a competitive basis to
 2181 produce more qualified and trained graduates to enter high-
 2182 skill, high-wage occupations in the state.

2183 (2) Beginning with the 2006-2007 fiscal year, funds

2184 appropriated by the Legislature to the Department of Education
 2185 for the SUCCEED, FLORIDA! Great Jobs Program shall be
 2186 distributed according to the provisions of this section.

2187 (3) The department shall develop and issue annually a
 2188 request for proposals. The department shall establish
 2189 application procedures, guidelines, accountability measures, and
 2190 timelines for implementation of the grant program.

2191 (4) Proposals for a grant authorized pursuant to this
 2192 section must:

2193 (a) Indicate the number of students to be served, the
 2194 length of the proposed program, and the total projected cost to
 2195 students and the state. Funds for a grant provided pursuant to
 2196 this section must be used to support new students and not to
 2197 supplant current funding or students.

2198 (b) Document the workforce need to be addressed.

2199 (c) Demonstrate a pool of qualified applicants.

2200 (d) Be submitted by a public or nonpublic postsecondary
 2201 educational institution in the state that provides postsecondary
 2202 instruction in a field that produces graduates prepared to enter
 2203 an occupation identified in the priority list established
 2204 pursuant to subsection (5). For purposes of this section,
 2205 postsecondary educational institutions include school district
 2206 career centers that offer postsecondary programs.

2207 (e) Indicate the number of postsecondary diplomas,
 2208 certificates, or degrees that the institution will award using
 2209 funds received pursuant to this section and the fields in which
 2210 the diplomas, certificates, or degrees will be awarded.

2211 (f) Indicate how the funds received will leverage private

2212 industry contributions, grants, or scholarships and how the
 2213 funds will be used to offset costs to the state for program
 2214 startup or expansion or to offset student tuition costs.

2215 (5) By March 1, 2006, and annually thereafter, the State
 2216 Board of Education, using information provided by the Workforce
 2217 Estimating Conference pursuant to s. 216.136(9), shall advise
 2218 the Legislature of the workforce needs in high-skill, high-wage
 2219 occupations and the geographic locations of these needs. The
 2220 Legislature shall annually establish a priority list for funds
 2221 provided pursuant to this section in the General Appropriations
 2222 Act.

2223 (6) The State Board of Education must review proposals and
 2224 determine funding to be provided based on the priority list
 2225 established pursuant to subsection (5).

2226 (7) Grant recipients must enter into a contract with the
 2227 state to produce a specific number of graduates in the
 2228 designated program within a specific time period. Grant
 2229 recipients must submit periodic reports to the department
 2230 documenting compliance with the accountability measures
 2231 established by the department. The State Board of Education must
 2232 monitor compliance with the accountability requirements.

2233 (8) Final payments shall be tied to the number of degrees,
 2234 certificates, or diplomas produced and the number of graduates
 2235 placed in the state.

2236 Section 37. Section 1012.82, Florida Statutes, is amended
 2237 to read:

2238 1012.82 Teaching faculty; minimum teaching hours per
 2239 week.--Each full-time member of the teaching faculty at any

2240 community college, including faculty who teach upper-division
 2241 courses that are a component part of a baccalaureate degree
 2242 program approved pursuant to s. 1007.33, who is paid wholly from
 2243 funds appropriated from the community college program fund shall
 2244 teach a minimum of 15 classroom contact hours per week at such
 2245 institution. However, the required classroom contact hours per
 2246 week may be reduced upon approval of the president of the
 2247 institution in direct proportion to specific duties and
 2248 responsibilities assigned the faculty member by his or her
 2249 departmental chair or other appropriate college administrator.
 2250 Such specific duties may include specific research duties,
 2251 specific duties associated with developing television, video
 2252 tape, or other specifically assigned innovative teaching
 2253 techniques or devices, or assigned responsibility for off-campus
 2254 student internship or work-study programs. A "classroom contact
 2255 hour" consists of a regularly scheduled classroom activity of
 2256 not less than 50 minutes in a course of instruction which has
 2257 been approved by the community college board of trustees. Any
 2258 full-time faculty member who is paid partly from community
 2259 college program funds and partly from other funds or
 2260 appropriations shall teach a minimum number of classroom contact
 2261 hours per week in such proportion to 15 classroom contact hours
 2262 as his or her salary paid from community college program funds
 2263 bears to his or her total salary.

2264 Section 38. Subsection (2) of section 1013.60, Florida
 2265 Statutes, is amended to read:

2266 1013.60 Legislative capital outlay budget request.--

2267 (2) The commissioner shall submit to the Governor and to

2268 the Legislature an integrated, comprehensive budget request for
 2269 educational facilities construction and fixed capital outlay
 2270 needs for school districts, community colleges, and
 2271 universities, pursuant to the provisions of s. 1013.64 and
 2272 applicable provisions of chapter 216. Each community college
 2273 board of trustees and each university board of trustees shall
 2274 submit to the commissioner a 3-year plan and data required in
 2275 the development of the annual capital outlay budget. Community
 2276 college boards of trustees may request funding for all
 2277 authorized programs, including approved baccalaureate degree
 2278 programs. Such a request for funding must be submitted as a part
 2279 of the 3-year priority list for community colleges pursuant to
 2280 s. 1013.64(4) (a). Enrollment in approved baccalaureate degree
 2281 programs or baccalaureate degree programs offered under a formal
 2282 agreement with another college or university pursuant to s.
 2283 1007.33 may be computed into the survey of need for facilities
 2284 if the partner is not defraying the cost. No further
 2285 disbursements shall be made from the Public Education Capital
 2286 Outlay and Debt Service Trust Fund to a board of trustees that
 2287 fails to timely submit the required data until such board of
 2288 trustees submits the data.

2289 Section 39. Chapter 1014, Florida Statutes, consisting of
 2290 sections 1014.01, 1014.05, 1014.15, 1014.18, and 1014.21, is
 2291 created to read:

2292 1014.01 Career education.--

2293 (1) As used in this chapter, the term "career education"
 2294 includes career certificate programs, applied technology diploma
 2295 programs, degree career education programs, apprenticeship and

2296 preapprenticeship programs, career academy programs, and other
 2297 rigorous career education programs offered by school districts,
 2298 the Florida Virtual School, and postsecondary educational
 2299 institutions to prepare students for rewarding careers.

2300 (2) The rigorous career education system shall:

2301 (a) Prepare students in career education programs,
 2302 including career and professional academies, to:

2303 1. Succeed in postsecondary education.

2304 2. Attain and sustain employment and have the opportunity
 2305 to realize economic self-sufficiency.

2306 (b) Prepare students to enter rewarding careers identified
 2307 by the Workforce Estimating Conference, pursuant to s. 216.136,
 2308 and other programs of critical state need as approved by
 2309 Workforce Florida, Inc.

2310 (c) Produce skilled employees for employers in the state
 2311 pursuant to s. 445.006(1).

2312 1014.05 Guiding principles for career education.--

2313 (1) All students should have the opportunity to graduate
 2314 from high school ready to embark on rewarding careers and
 2315 prepared for postsecondary education.

2316 (2) Both secondary and postsecondary career education
 2317 programs must include a rigorous and relevant academic program.

2318 (3) Instructional delivery systems for both secondary and
 2319 postsecondary career education programs should include qualified
 2320 teachers delivering a career education curriculum in a relevant
 2321 context with student-centered, research-based instructional
 2322 strategies and a rigorous standards-based academic curriculum.

2323 1014.15 Deputy Commissioner of Career Education; Office of

2324 Career Education.--

2325 (1) The position of Deputy Commissioner of Career
 2326 Education is established in the Department of Education to
 2327 direct the department's Office of Career Education established
 2328 in s. 1001.20(4). The deputy commissioner shall be responsible
 2329 for evaluating the role of public and private secondary and
 2330 postsecondary educational programs in providing rigorous career
 2331 education and reporting to the Commissioner of Education the
 2332 effectiveness of such programs; developing in partnership with
 2333 the business community and Workforce Florida, Inc., a statewide
 2334 marketing plan for secondary career education to attract high
 2335 school students into careers of critical state need; and
 2336 promoting seamless articulation throughout the career education
 2337 system. The deputy commissioner shall be a person with
 2338 established business credentials or proven success in
 2339 collaborating with the private sector in designing and
 2340 implementing successful career education programs as described
 2341 in s. 1014.21. The deputy commissioner shall be appointed by the
 2342 Commissioner of Education and shall report to the commissioner.

2343 (2) The Office of Career Education shall promote a
 2344 seamless secondary through postsecondary career education system
 2345 that is flexible, able to respond in a timely manner to student
 2346 and workforce needs, and not controlled by any one education
 2347 sector.

2348 1014.18 Legislative expectations and funding criteria for
 2349 the career education system.--Legislative expectations and
 2350 funding criteria for the rigorous career education system are as
 2351 follows:

2352 (1) Seamless career education articulation both vertically
2353 and horizontally.

2354 (2) Creative career counseling strategies and enhanced
2355 guidance structures, including:

2356 (a) A secondary and postsecondary academic and career
2357 education online student advising and guidance system that is
2358 student and parent friendly and partners with the business and
2359 industry community as well as postsecondary educational
2360 institutions in this state and other states.

2361 (b) Promotion in middle school of secondary and
2362 postsecondary career education programs, including opportunities
2363 to participate in a career and professional academy. Such
2364 promotion shall take place through middle school exploratory
2365 courses and use of the secondary and postsecondary academic and
2366 career education online student advising and guidance system
2367 described in s. 1006.01.

2368 (c) Involvement of Workforce Florida, Inc., and regional
2369 workforce boards.

2370 (d) Partnerships with business and industry using tools,
2371 equipment, and systems used in the business setting, including
2372 internships, externships, and on-the-job training.

2373 (e) Opportunities and encouragement for parent
2374 participation in secondary and postsecondary career education
2375 planning.

2376 (f) Professional development programs to assist guidance
2377 counselors in using a mentor-teacher guidance model.

2378 (3) Review of Sunshine State Standards for high school to
2379 ensure that they incorporate the appropriate rigor and relevance

2380 based on research-based programs that have been proven to be
2381 effective.

2382 (4) Review, by December 1, 2006, of current high school
2383 graduation requirements and high school course enrollments to
2384 determine the effect of increasing high school graduation
2385 requirements to include four credits in mathematics and science
2386 and eliminate the options for satisfying Algebra I.

2387 (5) Review of teaching practices and pedagogy in all
2388 teacher preparation pathways to ensure that future teachers are
2389 able to deliver rigorous instruction in a relevant manner using
2390 real world work experience to teach specific skills.

2391 (6) Professional development for current teachers which
2392 focuses on student-centered instructional strategies that move
2393 students from the early learning stage of awareness to higher
2394 learning stages of analysis, adaptation, and application of
2395 knowledge.

2396 (7) Development of career and professional academies,
2397 including:

2398 (a) Rigorous and relevant academic standards and curricula
2399 and increased academic performance of students and schools using
2400 school-level accountability data.

2401 (b) Best practices that include rigorous and relevant
2402 academic standards and curricula, are based on research and
2403 proven effective programs, and include preparation of high
2404 school graduates for rewarding careers and postsecondary
2405 education.

2406 (c) A plan for replicating successful academies that
2407 demonstrate high performance in preparing students for both

2408 rewarding careers and postsecondary education and that respond
 2409 to workforce needs.

2410 (8) Significant improvements in coordination and quality
 2411 of career education data collection, including comparison of
 2412 diploma, certificate, and degree production to workforce needs;
 2413 secondary and postsecondary career education program followup
 2414 surveys to determine student outcomes; second-year postsecondary
 2415 student resume postings on the Workforce Florida, Inc.,
 2416 employment website; and submission of student enrollment and
 2417 graduation information to the Florida Education and Training
 2418 Placement Information Program.

2419 (9) Elimination of waiting lists for rigorous secondary
 2420 and postsecondary career education programs.

2421 (10) Aggressive promotion of the Bright Futures Florida
 2422 Gold Seal Vocational Scholarship as a career-enhancing
 2423 scholarship applicable to all postsecondary career education
 2424 programs.

2425 (11) Establishment of secondary and postsecondary career
 2426 education best practices for relevant student-centered,
 2427 research-based instructional strategies.

2428 (12) Regular review of all secondary career education
 2429 courses to identify those courses equivalent to postsecondary
 2430 career education courses based on course content for inclusion
 2431 in dual enrollment programs.

2432 (13) A marketing plan for secondary career education to
 2433 attract high school students into careers of critical state
 2434 need, developed in partnership with the business community and
 2435 Workforce Florida, Inc., that includes:

2436 (a) Direct statewide marketing to students and families in
 2437 cooperation with Workforce Florida, Inc., and the Agency for
 2438 Workforce Innovation.

2439 (b) Business participation in all career education
 2440 programs through the use of incentives.

2441 (c) Professional recruiters to provide information and
 2442 career opportunities.

2443 (d) Advertisements and public service announcement
 2444 campaigns designed by business representatives to inform
 2445 students and their parents about career education programs and
 2446 career and employment opportunities.

2447 (14) Strong coordination with Workforce Florida, Inc., and
 2448 the Agency for Workforce Innovation.

2449 (15) Workforce skills-based training that assesses
 2450 workforce skills and matches these skills with specific careers.

2451 (16) Strong criteria and accountability measures for
 2452 postsecondary career education programs, including increased
 2453 participant completion rates, program accountability, and
 2454 longitudinal program evaluation.

2455 (17) Identification and elimination of low-performing and
 2456 geographically duplicative career education programs.

2457 (18) Incentives to encourage successful participant
 2458 completion of postsecondary career education programs.

2459 (19) A methodology for business experts to be able to
 2460 teach career education subjects within their areas of expertise
 2461 in postsecondary career education programs.

2462 (20) Provision of postsecondary career education programs
 2463 in time segments needed by business.

2464 (21) Career education regional strategic plans coordinated
 2465 with regional workforce boards, area chambers of commerce, local
 2466 employers, school districts, career centers, and community
 2467 colleges that address:

2468 (a) Articulation agreements between secondary and
 2469 postsecondary career education and college programs for a
 2470 seamless transition of students and maximum transferability of
 2471 coursework through the career education system.

2472 (b) Career ladders for students from high school through
 2473 higher levels of postsecondary training.

2474 (c) Access to career education programs through multiple
 2475 site offerings, short-term accelerated training options, and
 2476 distance learning.

2477 (22) Beginning December 31, 2005, and each year
 2478 thereafter, an articulation audit for secondary and
 2479 postsecondary career education that:

2480 (a) Focuses on courses and programs within the industry
 2481 sector targeted by Enterprise Florida, Inc., for economic
 2482 development.

2483 (b) Identifies specific improvements needed to maximize
 2484 credit given to public and private secondary and postsecondary
 2485 students.

2486 (c) Identifies successful local articulation agreements
 2487 that could be replicated statewide.

2488 (d) Identifies courses in career centers that articulate
 2489 to degree programs at postsecondary educational institutions.

2490 (23) Recommendations for changes to the current funding
 2491 methodology leading to:

2492 (a) Heightened recognition of the critical role of
 2493 rigorous career education to the state's workforce needs.

2494 (b) Flexibility of rigorous career education programs to
 2495 fill critical need careers.

2496 (c) Leveraging of private resources to create public-
 2497 private career education partnerships.

2498 (d) Criteria for funding public postsecondary career
 2499 education that is consistent whether offered in the community
 2500 college system or the public school system.

2501 (e) SUCCEED, FLORIDA! Career Paths Program competitive
 2502 grants as provided in the General Appropriations Act.

2503 (f) Identification of appropriate cost categories and, if
 2504 needed, weighted enrollment funding for each cost category in
 2505 the Florida Education Finance Program for career and
 2506 professional academy courses or programs that use technology,
 2507 equipment, materials, and consumable supplies reflective of
 2508 industry requirements or industry certification requirements.

2509 (24) Annual recommendations for statutory and funding
 2510 revisions needed to enhance the career education system.

2511 (25) A clear and detailed annual report on the progress of
 2512 full implementation of the career education system.

2513 1014.21 Career and professional academies.--

2514 (1) Effective July 1, 2005, a "career and professional
 2515 academy" means a research-based, rigorous career education
 2516 program that combines relevant academic and technical curricula
 2517 around a career theme and is offered by a school district,
 2518 collaborating school districts, or the Florida Virtual School
 2519 for the purpose of providing an instructional delivery system

2520 that incorporates relevant and rigorous academic standards with
2521 industry and business relevancy.

2522 (2) Career and professional academies may be offered
2523 through career academies, career institutes, industry-certified
2524 career education programs, preapprenticeship programs, or
2525 charter technical career centers.

2526 (3) Use of the title "career and professional academy" may
2527 be employed by one or more programs in a high school, a school
2528 within a high school, or a career center, but may only be used
2529 when each program using the title is fully compliant with the
2530 criteria in subsection (4).

2531 (4) Each career and professional academy must:

2532 (a) Provide a rigorous and relevant standards-based
2533 academic curriculum through a career-based theme, using
2534 instruction relevant to the career. The curriculum must take
2535 into consideration multiple styles of student learning; promote
2536 learning by doing through application and adaptation; maximize
2537 relevance of the subject matter; enhance each student's capacity
2538 to excel; and include an emphasis on work habits and work
2539 ethics. Such instruction may include diversified cooperative
2540 education, work experience, on-the-job training, and dual
2541 enrollment.

2542 (b) Include one or more partnerships with businesses,
2543 employers, industry economic development agencies, or other
2544 appropriate sectors of the local community. Such a partnership
2545 should include the opportunity for persons who are highly
2546 skilled in the targeted subject matter of an academy program to
2547 provide instruction for the academy.

2548 (c) Include one or more partnerships with a private or
2549 public postsecondary educational institution accredited by a
2550 regional or national accrediting agency recognized by the United
2551 States Department of Education. The educational partner must
2552 agree to articulate coursework to maximize transferability of
2553 credit.

2554 (d) Include program offerings which correlate directly
2555 with industry certifications, with targeted high-priority local
2556 business and career opportunities, and with high-growth, high-
2557 demand, and high-pay occupations identified on the statewide
2558 targeted occupations list of the Workforce Estimating
2559 Conference.

2560 (e) Establish strong eligibility criteria for student
2561 participation. While recognizing that rigorous academic
2562 performance will be expected of all students participating in an
2563 academy, initial eligibility criteria should permit
2564 opportunities for students who may not yet meet the academic
2565 requirements but demonstrate characteristics that may lead to
2566 success in an academy. The aim of an academy should be to serve
2567 not only students who are already succeeding but also students
2568 who would succeed if the proper teaching and motivational
2569 opportunities are provided.

2570 (f) Establish relationships with business partners for use
2571 of state-of-the-art equipment in the instructional program of
2572 each academy.

2573 (5) A course offered by the Florida Virtual School related
2574 to a career and professional academy program shall give priority
2575 for enrollment to public school students in a career and

2576 professional academy that does not have the specific career or
 2577 professional course offering.

2578 (6) Middle schools are encouraged to develop curricula and
 2579 classes that will prepare students to easily and seamlessly
 2580 enter high school career and professional academies.

2581 (7) (a) The State Board of Education shall adopt rules
 2582 under ss. 120.536(1) and 120.54 to administer the provisions of
 2583 this section.

2584 (b) The State Board of Education, pursuant to s. 1008.32,
 2585 shall enforce the provisions of this section.

2586 Section 40. Paragraphs (h) and (l) of subsection (4) of
 2587 section 215.20, Florida Statutes, are amended to read:

2588 215.20 Certain income and certain trust funds to
 2589 contribute to the General Revenue Fund.--

2590 (4) The income of a revenue nature deposited in the
 2591 following described trust funds, by whatever name designated, is
 2592 that from which the appropriations authorized by subsection (3)
 2593 shall be made:

2594 (h) Within the Department of Education:

- 2595 1. The Educational Certification and Service Trust Fund.
- 2596 2. The Phosphate Research Trust Fund.
- 2597 3. The Nursing Student Loan Reimbursement Trust Fund.

2598 (l) Within the Department of Health:

- 2599 1. The Administrative Trust Fund.
- 2600 2. The Brain and Spinal Cord Injury Program Trust Fund.
- 2601 3. The Donations Trust Fund.
- 2602 4. The Emergency Medical Services Trust Fund.
- 2603 5. The Epilepsy Services Trust Fund.

- 2604 6. The Florida Drug, Device, and Cosmetic Trust Fund.
- 2605 7. The Grants and Donations Trust Fund.
- 2606 8. The Medical Quality Assurance Trust Fund.
- 2607 ~~9. The Nursing Student Loan Forgiveness Trust Fund.~~
- 2608 9.10. The Planning and Evaluation Trust Fund.
- 2609 10.11. The Radiation Protection Trust Fund.

2610

2611 The enumeration of the foregoing moneys or trust funds shall not
 2612 prohibit the applicability thereto of s. 215.24 should the
 2613 Governor determine that for the reasons mentioned in s. 215.24
 2614 the money or trust funds should be exempt herefrom, as it is the
 2615 purpose of this law to exempt income from its force and effect
 2616 when, by the operation of this law, federal matching funds or
 2617 contributions or private grants to any trust fund would be lost
 2618 to the state.

2619 Section 41. Discounted computers and Internet access for
 2620 students.--

2621 (1) There is created a program to offer computers and
 2622 Internet access at a discounted price to students enrolled in
 2623 grades 5 through 12 in a public school in the state.

2624 (2) The Department of Education shall negotiate with
 2625 computer manufacturers and with nonprofit corporations that
 2626 obtain reconditioned computer hardware concerning:

2627 (a) The prices of discounted computers and whether
 2628 computer accessories such as printers or scanners will be
 2629 offered to the students at reduced prices.

2630 (b) Specialized software and hardware packages, including,
 2631 but not limited to:

2632 1. A word processor;
 2633 2. Software and hardware necessary to enable broadband
 2634 Internet access; and
 2635 3. An operating system.
 2636 (c) The type of warranty that is to be provided to the
 2637 students and whether an extended warranty will be available to
 2638 the students and under what terms.
 2639 (3) The Department of Education shall negotiate with
 2640 broadband Internet access providers concerning the prices of
 2641 discounted broadband Internet access packages. In areas in which
 2642 broadband Internet access is not currently available, the
 2643 department shall negotiate with non-broadband Internet access
 2644 providers.
 2645 (4) The Department of Education shall adopt rules
 2646 concerning:
 2647 (a) How to integrate into this program the provision of
 2648 computer or technical training to students in their respective
 2649 school districts.
 2650 (b) How parents and students may be notified of the
 2651 discounted computer and Internet access choices available.
 2652 (c) The distribution of eligibility certificates to the
 2653 students, the locations at which discounted computers and
 2654 Internet access services are available for purchase, and how
 2655 students may obtain and pay for the equipment and services
 2656 covered by this program.
 2657 Section 42. Discounted computers and Internet access for
 2658 low-income students; pilot project.--
 2659 (1) The Digital Divide Council, in consultation with the

2660 Department of Education, shall implement a pilot project to
 2661 assist low-income students to purchase discounted computers and
 2662 Internet access services as negotiated by the department. The
 2663 council shall identify counties, grade levels, and low-income
 2664 eligibility criteria for participation in the pilot project.

2665 (2) The pilot project shall be funded in an amount to be
 2666 determined in the General Appropriations Act. The Digital Divide
 2667 Council is authorized to accept grants from additional public
 2668 and private sources to implement the pilot project.

2669 Section 43. The Office of Program Policy Analysis and
 2670 Government Accountability shall monitor and study how career and
 2671 professional academies are implemented in the state. The
 2672 following shall be the major focus of the study: to determine
 2673 whether and how much postsecondary course credit is awarded to
 2674 students and whether that credit is transferable to institutions
 2675 other than the postsecondary partner; to determine the extent to
 2676 which courses are articulating to higher certificates and
 2677 degrees; to determine if there is a better way to coordinate a
 2678 seamless progression for students in a career and professional
 2679 academy program from middle school through high school and
 2680 postsecondary education; and to make recommendations for future
 2681 changes for oversight and coordination of career education
 2682 courses and programs. The Office of Program Policy Analysis and
 2683 Government Accountability shall also determine the extent to
 2684 which and under what conditions vocational and technical centers
 2685 in states that are members of the Southern Regional Education
 2686 Board are permitted to use the term "college" as part of their
 2687 name and the impact of such usage on accreditation, transfer of

2688 credit, and other articulation issues. The report and
 2689 recommendations shall be submitted to the Governor, the
 2690 President of the Senate, and the Speaker of the House of
 2691 Representatives by December 1, 2007.

2692 Section 44. The Office of Program Policy Analysis and
 2693 Government Accountability shall conduct a study to examine how
 2694 each state university supports students in making timely
 2695 progress toward the completion of the student's degree. The
 2696 study shall review, at a minimum, how each university informs
 2697 students of the courses they must successfully complete for
 2698 their majors; how students are advised of satisfactory progress
 2699 toward completion of degrees; and the process used by the
 2700 institution to ensure that courses required for completion of a
 2701 degree are available each term. The study shall also evaluate
 2702 the effectiveness of each state university's current procedures,
 2703 assess the cost of implementing a universal tracking degree
 2704 audit system, and assess what savings would be accrued from such
 2705 a system. A report of the results of the study shall be
 2706 submitted to the Governor, the President of the Senate, and the
 2707 Speaker of the House of Representatives by January 1, 2006.

2708 Section 45. By July 1, 2006, the Department of Education,
 2709 with input from public and private postsecondary educational
 2710 institutions, shall identify national standardized or licensure
 2711 examinations by which secondary and postsecondary students may
 2712 demonstrate mastery of postsecondary nursing course material and
 2713 earn postsecondary credit for such courses. The examinations and
 2714 corresponding minimum scores required for an award of credit
 2715 shall be delineated by the State Board of Education in the

2716 statewide articulation agreement. The delineation of such
2717 examinations shall not preclude community colleges and
2718 universities from awarding credit by examination based on
2719 student performance on examinations developed within and
2720 recognized by the individual postsecondary educational
2721 institutions. By February 1, 2006, the Department of Education
2722 shall provide to the Governor, the President of the Senate, and
2723 the Speaker of the House of Representatives a status report on
2724 implementation of this section.

2725 Section 46. One full-time equivalent position is
2726 authorized and the sum of \$175,000 is appropriated from
2727 recurring general revenue to the Department of Education for the
2728 position of Deputy Commissioner of Career Education. The funds
2729 appropriated are for salary rate, benefits, expenses, operating
2730 capital outlay, and human resource services. The Commissioner of
2731 Education shall transfer existing positions and funds as
2732 appropriate for the creation of the Office of Career Education.
2733 Such funds shall include, but are not limited to, salary rate,
2734 benefits, expenses, other personal services, operating capital
2735 outlay, and human resource services.

2736 Section 47. All statutory powers, duties, functions,
2737 records, positions, property, and unexpended balances of
2738 appropriations, allocations, or other funds of the Department of
2739 Health relating to the Nursing Student Loan Reimbursement
2740 Program and the Nursing Student Loan Reimbursement Trust Fund as
2741 created in s. 1009.66, Florida Statutes, and the Nursing
2742 Scholarship Loan Program as created in s. 1009.67, Florida
2743 Statutes, are transferred by a type two transfer as provided for

2744 in s. 20.06(2), Florida Statutes, from the Department of Health
 2745 to the Department of Education.

2746 Section 48. To provide statewide guidance and coordination
 2747 with regard to bachelor of applied science degree programs,
 2748 minimize the unnecessary proliferation of such programs in
 2749 narrowly defined specialty areas, and assist the State Board of
 2750 Education in making decisions relating to the approval of
 2751 proposals from community colleges to offer such programs, the
 2752 state board shall convene a workgroup with representatives from
 2753 community colleges, state universities, and independent colleges
 2754 and universities to develop recommendations on the degree
 2755 requirements for a bachelor of applied science degree and
 2756 protocols for accepting credits earned by transfer students in
 2757 such programs. The State Board of Education shall submit a
 2758 report on the findings and recommendations of the workgroup to
 2759 the President of the Senate and the Speaker of the House of
 2760 Representatives by February 1, 2006. This does not preclude any
 2761 recommendation or authorization regarding the Daytona Beach
 2762 Community College proposal for a bachelor of applied science
 2763 degree program presented at the April 2005 meeting of the State
 2764 Board of Education.

2765 Section 49. Approval is granted for the endowment for the
 2766 Appleton Museum of Art, currently held by the Appleton Cultural
 2767 Center, Inc., to be transferred to the Central Florida Community
 2768 College Foundation. The endowment to be transferred, which
 2769 includes state matching funds, was established in 1987 through
 2770 the Cultural Arts Endowment Program. By this provision, the
 2771 Central Florida Community College Foundation is authorized to

HCB 6005 (for HBs 119, 167, 935, 1613, 1655, 1837, 1853), Engrossed 2

2005

2772 manage the endowment only for the support of the educational
2773 program at the Appleton Museum of Art and is released from all
2774 other provisions of the Trust Agreement dated July 17, 1987, by
2775 and between the State of Florida and the Appleton Cultural
2776 Center, Inc., and ss. 265.601-265.607, Florida Statutes.

2777 Section 50. This act shall take effect July 1, 2005.