

**By** the Committee on Higher Education; and Senator Oelrich

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1                   A bill to be entitled  
2       An act relating to postsecondary education; amending  
3       s. 1004.68, F.S.; deleting provisions relating to the  
4       use of test scores for assessment of college-level  
5       communication and computation skills; amending s.  
6       1007.01, F.S.; providing legislative intent and  
7       requirements relating to articulation; requiring the  
8       establishment of the Articulation Coordinating  
9       Committee and providing its responsibilities; amending  
10      s. 1007.25, F.S.; deleting provisions relating to the  
11      CLAST and authorized examinations that demonstrate  
12      mastery of certain academic competencies; revising  
13      degree requirements; amending ss. 1007.264 and  
14      1007.265, F.S.; deleting provisions that exclude  
15      students with intellectual disabilities from  
16      eligibility for substitute requirements for admission  
17      to or graduation from a public postsecondary  
18      educational institution; amending s. 1008.30, F.S.;  
19      revising requirements of the common placement testing  
20      program; requiring access to approved remedial  
21      instruction; requiring rules for remediation  
22      opportunities, retesting, and academic competencies;  
23      requiring that students be advised of academic  
24      requirements, financial aid eligibility, and certain  
25      costs; amending s. 1008.345, F.S.; deleting Department  
26      of Education duties relating to tests and assessment  
27      procedures that measure student achievement of  
28      college-level communication and computation skills;  
29      amending s. 1008.38, F.S.; revising and conforming

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provisions relating to the articulation process;  
amending s. 1009.534, F.S.; revising provisions  
relating to approval of community service work for  
eligibility for the Florida Academic Scholars award;  
amending ss. 1001.64 and 1011.30, F.S.; removing  
provisions requiring that a budget of a community  
college be transmitted to the Department of Education  
for approval; amending ss. 467.009 and 1012.56, F.S.;  
deleting provisions relating to the CLAST; repealing  
s. 6 of chapter 2006-58, Laws of Florida; abrogating  
the repeal of s. 1004.226, F.S., which created the  
21st Century World Class Scholars Program; providing  
an effective date.

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

Section 1. Section 1004.68, Florida Statutes, is amended to  
read:

1004.68 Community college; degrees and certificates; ~~tests~~  
~~for certain skills.~~

~~(1)~~ Each community college board of trustees shall adopt  
rules establishing student performance standards for the award  
of degrees and certificates.

~~(2) Each community college board of trustees shall require~~  
~~the use of scores on tests for college-level communication and~~  
~~computation skills provided in s. 1008.345(7) as a condition for~~  
~~graduation with an associate in arts degree.~~

Section 2. Section 1007.01, Florida Statutes, is amended to  
read:

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1007.01 Articulation; legislative intent; purpose; role of the State Board of Education and the Board of Governors; articulation coordinating committee.—

(1) It is the intent of the Legislature to facilitate articulation and seamless integration of the K-20 education system by building, ~~and~~ sustaining, and strengthening relationships among K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida's communities. The purpose of building, ~~and~~ sustaining, and strengthening these relationships is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit. The Legislature further intends that articulation policies and budget actions be implemented consistently in the practices of the Department of Education and postsecondary educational institutions and expressed in the collaborative policy efforts of the State Board of Education and the Board of Governors.

(2) To improve and facilitate articulation systemwide, the State Board of Education and the Board of Governors shall collaboratively establish ~~recommend~~ policies and guidelines ~~to the Legislature~~ with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System and shall recommend the policies and guidelines to the Legislature. The policies and guidelines shall relate ~~relating~~ to:

(a) The alignment between the exit requirements of one system and the admissions requirements of another system into

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88 which students typically transfer.

89 (b) The identification of common courses, the level of  
90 courses, institutional participation in a statewide course  
91 numbering system, and the transferability of credits among such  
92 institutions.

93 (c) Identification of courses that meet general education  
94 or common degree program prerequisite requirements at public  
95 postsecondary educational institutions.

96 (d) Dual enrollment course equivalencies.

97 (e) Articulation agreements.

98 (3) The Commissioner of Education, in consultation with the  
99 Chancellor of the State University System, shall establish the  
100 Articulation Coordinating Committee, which shall report to the  
101 commissioner. The committee shall be a K-20 advisory group that  
102 consists of members representing the State University System,  
103 the Florida College System, public career and technical  
104 education, public K-12 education, and nonpublic education, with  
105 at least one member representing students. The commissioner  
106 shall appoint a chair from the membership. The committee shall:

107 (a) Propose monitoring, compliance, and reporting systems  
108 to facilitate and ensure institutional compliance with state  
109 articulation policies.

110 (b) Monitor the alignment between the exit requirements of  
111 one system and the admissions requirements of another system  
112 into which students typically transfer.

113 (c) Propose guidelines for interinstitutional agreements  
114 between and among public schools, career and technical education  
115 centers, Florida College System institutions, and state  
116 universities.

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117 (d) Establish dual enrollment course and high school  
118 subject area equivalencies.

119 (e) Establish groups of public and nonpublic educational  
120 institution representatives to facilitate articulation.

121 (f) Conduct a continuing review of statewide articulation  
122 statutes, rules, regulations, and agreements and make  
123 recommendations to the State Board of Education and the Board of  
124 Governors for revisions.

125 (g) Review the statewide course numbering system, the  
126 levels of courses, and the application of transfer credit  
127 requirements from public and nonpublic institutions  
128 participating in the statewide course numbering system,  
129 including, but not limited to, instances of student transfer and  
130 admissions difficulties.

131 (h) Identify courses that meet general education or common  
132 degree program prerequisite requirements at public postsecondary  
133 institutions.

134 (i) Examine statewide data regarding articulation,  
135 recommend resolutions for issues, and propose programmatic and  
136 budget policies and procedures to improve articulation  
137 throughout the K-20 education system.

138 (j) Recommend roles and responsibilities of public  
139 education entities in interfacing with the single, statewide  
140 computer-assisted student advising system established pursuant  
141 to s. 1007.28, including, but not limited to, functionality  
142 requirements, data needs, and appropriate reporting timelines.

143 Section 3. Subsection (12) of section 1007.25, Florida  
144 Statutes, is amended to read:

145 1007.25 General education courses; common prerequisites;

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146 ~~and~~ other degree requirements.—

147       (12) ~~(a)~~ A public postsecondary educational institution may  
148 not confer an associate in arts or baccalaureate degree upon any  
149 student who fails to ~~successfully complete one of the following~~  
150 ~~requirements:~~

151           ~~1. Achieve a score that meets or exceeds a minimum score on~~  
152 ~~a nationally standardized examination, as established by the~~  
153 ~~State Board of Education in conjunction with the Board of~~  
154 ~~Governors; or~~

155           ~~2.~~ demonstrate successful mastery ~~remediation~~ of any  
156 academic competencies ~~deficiencies~~ and achieve a cumulative  
157 grade point average of 2.0 ~~2.5~~ or above, on a 4.0 scale, in  
158 postsecondary-level coursework identified by the State Board of  
159 Education in conjunction with the Board of Governors. ~~The~~  
160 ~~Department of Education shall specify the means by which a~~  
161 ~~student may demonstrate successful remediation.~~

162           ~~(b) Any student who, in the best professional opinion of~~  
163 ~~the postsecondary educational institution, has a specific~~  
164 ~~learning disability such that the student cannot demonstrate~~  
165 ~~successful mastery of one or more of the authorized examinations~~  
166 ~~but is achieving at the college level in every area despite his~~  
167 ~~or her disability, and whose diagnosis indicates that further~~  
168 ~~remediation will not succeed in overcoming the disability, may~~  
169 ~~appeal through the appropriate dean to a committee appointed by~~  
170 ~~the president or the chief academic officer for special~~  
171 ~~consideration. The committee shall examine the evidence of the~~  
172 ~~student's academic and medical records and may hear testimony~~  
173 ~~relevant to the case. The committee may grant a waiver for one~~  
174 ~~or more of the authorized examinations based on the results of~~

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its review.

~~(c) Each public postsecondary educational institution president shall establish a committee to consider requests for waivers from the requirements in paragraph (a). The committee shall be chaired by the chief academic officer of the institution and shall have four additional members appointed by the president as follows:~~

- ~~1. One faculty member from the mathematics department;~~
- ~~2. One faculty member from the English department;~~
- ~~3. The institutional test administrator; and~~
- ~~4. One faculty member from a department other than English or mathematics.~~

~~(d) Any student who has taken the authorized examinations and has not achieved a passing score, but has otherwise demonstrated proficiency in coursework in the same subject area, may request a waiver from the examination requirement. Waivers shall be considered only after students have been provided test accommodations or other administrative adjustments to permit the accurate measurement of the student's proficiency in the subject areas measured by the authorized examinations. The committee shall consider the student's educational records and other evidence as to whether the student should be able to pass the authorized examinations. A waiver may be recommended to the president upon a majority vote of the committee. The president may approve or disapprove the recommendation. The president may not approve a request that the committee has disapproved. If a waiver is approved, the student's transcript shall include a statement that the student did not meet the requirements of this subsection and that a waiver was granted.~~

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204 Section 4. Subsection (1) of section 1007.264, Florida  
205 Statutes, is amended to read:

206 1007.264 Persons with disabilities; admission to  
207 postsecondary educational institutions; substitute requirements;  
208 rules and regulations.—

209 (1) Any student with a disability, as defined in s.  
210 1007.02(2), who is otherwise eligible ~~except those students who~~  
211 ~~have been documented as having intellectual disabilities~~, shall  
212 be eligible for reasonable substitution for any requirement for  
213 admission into a public postsecondary educational institution  
214 where documentation can be provided that the person's failure to  
215 meet the admission requirement is related to the disability.

216 Section 5. Subsection (1) of section 1007.265, Florida  
217 Statutes, is amended to read:

218 1007.265 Persons with disabilities; graduation, study  
219 program admission, and upper-division entry; substitute  
220 requirements; rules and regulations.—

221 (1) Any student with a disability, as defined in s.  
222 1007.02(2), in a public postsecondary educational institution,  
223 ~~except those students who have been documented as having~~  
224 ~~intellectual disabilities~~, shall be eligible for reasonable  
225 substitution for any requirement for graduation, for admission  
226 into a program of study, or for entry into the upper division  
227 where documentation can be provided that the person's failure to  
228 meet the requirement is related to the disability and where  
229 failure to meet the graduation requirement or program admission  
230 requirement does not constitute a fundamental alteration in the  
231 nature of the program.

232 Section 6. Subsections (2) and (3) and paragraph (a) of

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subsection (4) of section 1008.30, Florida Statutes, are amended to read:

1008.30 Common placement testing for public postsecondary education.—

(2) The common placement testing program shall include ~~at a minimum~~ the following: the capacity to diagnose basic competencies in the areas of English, reading, and mathematics which are essential to perform college-level work; an assessment of prerequisite skills that relate to progressively advanced instruction in mathematics and, ~~such as algebra and geometry, prerequisite skills that relate to progressively advanced instruction in language arts, such as English composition and literature; prerequisite skills which relate to the College Level Academic Skills Test (CLAST);~~ and provision of specific test information to students on skill ~~the specific~~ deficiencies. The State Board of Education shall establish by rule the test scores a student must achieve to demonstrate readiness.

(3) The State Board of Education shall adopt rules that require high schools to evaluate before the beginning of grade 12 the college readiness of each student who indicates an interest in postsecondary education and scores at Level 2 or Level 3 on the reading portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on the mathematics assessments under s. 1008.22(3)(c). High schools shall perform this evaluation using results from the corresponding component of the common placement test prescribed in this section, ~~or~~ an equivalent test identified by the State Board of Education. The Department of Education shall adopt ~~purchase~~ or develop the assessments necessary to perform the evaluations required by this subsection

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and shall work with the school districts to administer the assessments. ~~The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness.~~ Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a community college within 2 years after ~~of~~ achieving such scores shall not be required to enroll in remediation courses as a condition of acceptance to any community college. The high school shall use the results of the test to advise the students of any identified deficiencies and ~~to the maximum extent practicable~~ provide 12th grade students access to approved ~~appropriate~~ remedial instruction prior to high school graduation. The remedial instruction provided under this subsection shall be a collaborative effort between secondary and postsecondary educational institutions, as prescribed by State Board of Education rule. To the extent courses are available, the Florida Virtual School may be used to provide the remedial instruction required by this subsection. Students who demonstrate readiness through successful completion of the approved remedial instruction are eligible to repeat the common placement test prior to high school graduation.

(4) (a) ~~Public postsecondary educational institution~~  
Students who have been identified as requiring additional preparation pursuant to subsection (1) shall enroll in college-preparatory or other adult education pursuant to s. 1004.93 in community colleges to develop needed college-entry skills. The State Board of Education shall specify by rule provisions for alternative remediation opportunities and retesting policies.  
These students shall be permitted to take courses within their

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291 degree program concurrently in other curriculum areas for which  
292 they are qualified while enrolled in college-preparatory  
293 instruction courses. A student enrolled in a college-preparatory  
294 course may concurrently enroll only in college credit courses  
295 that do not require the skills addressed in the college-  
296 preparatory course. ~~The State Board of Education, in conjunction~~  
297 ~~with the Board of Governors, shall specify the college credit~~  
298 ~~courses that are acceptable for students enrolled in each~~  
299 ~~college-preparatory skill area.~~ A degree-seeking student ~~who~~  
300 ~~wishes to earn an associate in arts or a baccalaureate degree,~~  
301 ~~but~~ who is required to complete a college-preparatory course,  
302 must successfully complete the required college-preparatory  
303 studies by the time the student has accumulated 12 hours of  
304 lower-division college credit degree coursework; however, a  
305 student may continue enrollment in degree-earning coursework  
306 provided the student maintains enrollment in college-preparatory  
307 coursework for each subsequent semester until college-  
308 preparatory coursework requirements are completed, and provided  
309 the student demonstrates satisfactory performance in degree-  
310 earning coursework. A student who has accumulated 12 college  
311 credit hours and has not yet demonstrated proficiency in the  
312 basic competency areas of reading, writing, and mathematics must  
313 be advised in writing of the requirements for associate degree  
314 completion and state university admission, including information  
315 about future financial aid eligibility and the potential costs  
316 of accumulating excessive college credit as described in s.  
317 1009.286. ~~A passing score on a standardized, institutionally~~  
318 ~~developed test must be achieved~~ Before a student is considered  
319 to have met basic computation and communication skills

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requirements, the student must demonstrate successful mastery of  
the required developmental education competencies as defined in  
State Board of Education rule; ~~however, no student shall be~~  
~~required to retake any test or subtest that was previously~~  
~~passed by said student.~~ Credit awarded for college-preparatory  
instruction may not be counted toward fulfilling the number of  
credits required for a degree.

Section 7. Subsection (7) of section 1008.345, Florida  
Statutes, is amended to read:

1008.345 Implementation of state system of school  
improvement and education accountability.—

(7) As a part of the system of educational accountability,  
the Department of Education shall:

(a) Develop minimum standards for various grades and  
subject areas, as required in ss. 1001.03, 1008.22, and 1008.34.

(b) Administer the statewide assessment testing program  
created by s. 1008.22.

(c) Review the school advisory councils of each district as  
required by s. 1001.452.

(d) Conduct the program evaluations required by s. 1001.03.

(e) Maintain a listing of college-level communication and  
mathematics skills ~~defined pursuant to s. 1008.29 as being~~  
associated with successful student performance through the  
baccalaureate level and submit it to the State Board of  
Education and the Board of Governors for approval.

~~(f) Maintain a listing of tests and other assessment~~  
~~procedures which measure and diagnose student achievement of~~  
~~college-level communication and computation skills and submit it~~  
~~to the State Board of Education and the Board of Governors for~~

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349 approval.

350 ~~(g) Maintain for the information of the State Board of~~  
351 ~~Education, the Board of Governors, and the Legislature a file of~~  
352 ~~data to reflect achievement of college-level communication and~~  
353 ~~mathematics competencies by students in state universities and~~  
354 ~~community colleges.~~

355 ~~(h) Develop or contract for, and submit to the State Board~~  
356 ~~of Education and the Board of Governors for approval, tests~~  
357 ~~which measure and diagnose student achievement of college-level~~  
358 ~~communication and mathematics skills. Any tests and related~~  
359 ~~documents developed are exempt from the provisions of s.~~  
360 ~~119.07(1). The commissioner shall maintain statewide~~  
361 ~~responsibility for the administration of such tests and may~~  
362 ~~assign administrative responsibilities for the tests to any~~  
363 ~~state university or community college. The state board, upon~~  
364 ~~recommendation of the commissioner, may enter into contracts for~~  
365 ~~such services beginning in one fiscal year and continuing into~~  
366 ~~the next year which are paid from the appropriation for either~~  
367 ~~or both fiscal years.~~

368 ~~(f)(i)~~ Perform any other functions that may be involved in  
369 educational planning, research, and evaluation or that may be  
370 required by the commissioner, the State Board of Education, the  
371 Board of Governors, or law.

372 Section 8. Subsections (4) and (6) of section 1008.38,  
373 Florida Statutes, are amended to read:

374 1008.38 Articulation accountability process.—The State  
375 Board of Education, in conjunction with the Board of Governors,  
376 shall develop articulation accountability measures which assess  
377 the status of systemwide articulation processes authorized under

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s. 1007.23 and establish an articulation accountability process which at a minimum shall address:

(4) The smooth transfer of Florida College System ~~community college~~ associate ~~in-arts~~ degree graduates to a Florida College System institution or a state university.

(6) The relationship between student attainment of college-level ~~the College-Level~~ academic skills ~~Test Program~~ and articulation to the upper division in public postsecondary institutions.

Section 9. Subsection (1) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses; and has attained at least the score pursuant to s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12 or has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the

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Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score pursuant to s. 1009.531(6)(a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar recipient.

A student must complete a program of community service work, as approved by the district school board, ~~or~~ the administrators of a nonpublic school, or the Department of Education for home school students, which shall include a minimum of 75 hours of service work and require the student to identify a social problem that interests him or her, develop a plan for his or her personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his or her experience.

Section 10. Subsection (11) of section 1001.64, Florida Statutes, is amended to read

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1001.64 Community college boards of trustees; powers and duties.—

(11) Each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, and an operating budget to the State Board of Education for review approval in accordance with guidelines established by the State Board of Education.

Section 11. Section 1011.30, Florida Statutes, is amended to read:

1011.30 Budgets for community colleges.—Each community college president shall recommend to the community college board of trustees a budget of income and expenditures at such time and in such form as the State Board of Education may prescribe. Upon approval of a budget by the community college board of trustees, such budget shall be transmitted to the Department of Education for review ~~and approval~~. Rules of the State Board of Education shall prescribe procedures for effecting budget amendments subsequent to the final approval of a budget for a given year.

Section 12. Subsection (3) of section 467.009, Florida Statutes, is amended to read:

467.009 Midwifery programs; education and training requirements.—

(3) To be accepted into an approved midwifery program, an applicant shall have:

(a) A high school diploma or its equivalent.

(b) ~~Passed the college level academic scholastic test (CLAST) or~~ Taken three college-level credits each of math and English or demonstrated competencies in communication and computation.

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465 Section 13. Subsection (3) of section 1012.56, Florida  
466 Statutes, is amended to read:

467 1012.56 Educator certification requirements.—

468 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of  
469 demonstrating mastery of general knowledge are:

470 (a) Achievement of passing scores on basic skills  
471 examination required by state board rule;

472 ~~(b) Achievement of passing scores on the College Level~~  
473 ~~Academic Skills Test earned prior to July 1, 2002;~~

474 (b) ~~(e)~~ A valid professional standard teaching certificate  
475 issued by another state;

476 (c) ~~(d)~~ A valid certificate issued by the National Board for  
477 Professional Teaching Standards or a national educator  
478 credentialing board approved by the State Board of Education; or

479 (d) ~~(e)~~ Documentation of two semesters of successful  
480 teaching in a community college, state university, or private  
481 college or university that awards an associate or higher degree  
482 and is an accredited institution or an institution of higher  
483 education identified by the Department of Education as having a  
484 quality program.

485 Section 14. Section 6 of chapter 2006-58, Laws of Florida,  
486 is repealed.

487 Section 15. This act shall take effect upon becoming a law.