



Education Committee

Wednesday, April 13, 2011

1:00 PM – 4:00 PM

Reed Hall – 102 HOB

Action Packet

**Dean Cannon
Speaker**

**William Proctor
Chair**

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

Summary:

Education Committee

Wednesday April 13, 2011 01:00 pm

CS/HB 301	Favorable With Committee Substitute	Yeas: 13	Nays: 2
	Amendment 1 Adopted		
CS/HB 1329	Favorable	Yeas: 11	Nays: 3
CS/HB 1331	Favorable	Yeas: 10	Nays: 5
HB 7151	Favorable With Committee Substitute	Yeas: 12	Nays: 3
	Amendment 1 Adopted Without Objection		
	Amendment 1a Adopted Without Objection		
HB 7219	Favorable With Committee Substitute	Yeas: 15	Nays: 0
	Amendment 1 Adopted Without Objection		
	Amendment 2 Adopted Without Objection		
PCS for CS/HM 1445	Favorable	Yeas: 14	Nays: 0

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
William Proctor (Chair)	X		
Janet Adkins	X		
Michael Bileca	X		
Jeffrey Brandes	X		
Dwight Bullard	X		
Gwyndolen Clarke-Reed			X
Marti Coley	X		
Daniel Davis	X		
Erik Fresen	X		
Reggie Fullwood	X		
Clay Ingram	X		
H. Marlene O'Toole	X		
Betty Reed	X		
Jimmie Smith			X
Cynthia Stafford	X		
Kelli Stargel	X		
John Tobia	X		
Barbara Watson	X		
Totals:	16	0	2

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 301 : Youth Athletes

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed			X		
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Reggie Fullwood	X				
Clay Ingram			X		
H. Marlene O'Toole	X				
Betty Reed	X				
Jimmie Smith			X		
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia		X			
Barbara Watson		X			
William Proctor (Chair)	X				
Total Yeas: 13		Total Nays: 2			

CS/HB 301 Amendments

Amendment 1

Adopted

Appearances:

CS/HB 301 (Amendment 1)
 Lambert, Paul (Lobbyist) - Proponent
 Florida Chiropractic Association, Inc
 582 North Adams Street
 Tallahassee, FL 32303
 Phone: (850)224-9393

Green, Carole (Lobbyist) - Waive In Support
 Florida Psychological Association
 408 Office Plaza Dr
 Tallahassee FL 32301
 Phone: (850)590-2206

Kennedy, Lindy (Lobbyist) - Waive In Support
 Brain Injury Association of Florida
 101 N. Gadsden
 Tallahassee FL 32301
 Phone: (850)201-2075

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

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Location: Reed Hall (102 HOB)

Scott, Jeffery (Lobbyist) - Waive In Opposition
Florida Medical Association
123 S. Adams Street
Tallahassee FL 32301
Phone: (850)224-6496

Winn, Stephen, Executive Director (Lobbyist) - Waive In Opposition
Florida Osteopathic Medical Association
2007 Apalachee Pky
Tallahassee FL 32301
Phone: (850)878-3056

Williams, Ken (General Public) - Information Only
7411 Meadow Drive
Tampa, Fl 33634
Phone: (813)886-1753

Cobbe, Fraser, Executive Director (General Public) - Proponent
Florida Orthopaedic Society
17503 Mallard Ct.
Lutz, FL 33559
Phone: (813)948-8660

Mixon, Juhan, Consultant (Lobbyist) - Proponent
Florida High School Athletic Association
119 E Park Ave
Tallahassee FL 32301
Phone: (850)222-2591

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 1329 : John M. McKay Scholarships for Students with Disabilities Program

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed			X		
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Reggie Fullwood				X	
Clay Ingram	X				
H. Marlene O'Toole	X				
Betty Reed	X				
Jimmie Smith			X		
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia			X		
Barbara Watson		X			
William Proctor (Chair)	X				
Total Yeas: 11		Total Nays: 3			

Appearances:

Hardman, Dr. Patricia K. , CEO (General Public) - Proponent
Dyslexia Research Institute
5246 Centerville Road
Tallahassee, FL 32309
Phone: (850)893-2216

Rennick, Robyn, Program Coordinator (General Public) - Proponent
The Coalition of McKay Scholarship Schools
5246 Centerville Rd
Tallahassee, FL 32309
Phone: (850)893-2216

Levesque, Patricia, Executive Director (Lobbyist) - Proponent
Foundation for Florida's Future
215 S. Monroe Street, #130
Tallahassee FL 32301
Phone: (850)391-3070

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 1331 : School Choice

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed			X		
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Reggie Fullwood		X			
Clay Ingram	X				
H. Marlene O'Toole	X				
Betty Reed		X			
Jimmie Smith			X		
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia			X		
Barbara Watson		X			
William Proctor (Chair)	X				
Total Yeas: 10		Total Nays: 5			

Appearances:

Levesque, Patricia, Executive Director (Lobbyist) - Waive In Support
 Foundation for Florida's Future
 215 S. Monroe Street, Suite 130
 Tallahassee FL 32301
 Phone: (850)391-3070

Cooper, Tanya (Lobbyist) (State Employee) - Waive In Support
 Department of Education Governmental Relations
 325 W Gaines Street
 Tallahassee FL 32399
 Phone: (850)245-9633

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

HB 7151 : Postsecondary Education

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed			X		
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Reggie Fullwood	X				
Clay Ingram	X				
H. Marlene O'Toole	X				
Betty Reed	X				
Jimmie Smith			X		
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia			X		
Barbara Watson		X			
William Proctor (Chair)	X				
Total Yeas: 12		Total Nays: 3			

HB 7151 Amendments

Amendment 1

Adopted Without Objection

Amendment 1a

Adopted Without Objection

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

HB 7219 : School Food Service and Nutrition Programs

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed			X		
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Reggie Fullwood	X				
Clay Ingram			X		
H. Marlene O'Toole	X				
Betty Reed	X				
Jimmie Smith			X		
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia	X				
Barbara Watson	X				
William Proctor (Chair)	X				
Total Yeas: 15		Total Nays: 0			

HB 7219 Amendments

Amendment 1

Adopted Without Objection

Amendment 2

Adopted Without Objection

Appearances:

Mosteller, James, Government Relations Director (Lobbyist) - Waive In Support
 American Heart Association
 2851 Remington Green Cir
 Tallahassee FL 32308
 Phone: (850)727-3712

Susie, Debra A., Executive Director (Lobbyist) - Waive In Support
 FL Impact
 1331 E. Lafayette Street, #A
 Tallahassee, FL 32301
 Phone: (850) 309-1488

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

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Location: Reed Hall (102 HOB)

Curva, Dr. Felicidad (Lobbyist) - Waive In Support
Florida Impact
1212 Piedmont Drive
Tallahassee FL 32312
Phone: (850)508-2256

Tankersley, Tim - Waive In Support
Tallahassee, FL 32309
Phone: (850)591-9882

Laster, Judy, Executive Director (Lobbyist) - Waive In Support
Florida School Nutrition Association
124 Salem Court
Tallahassee, FL 32301
Phone: (850)878-1832

Lovett, Grace (Lobbyist) (State Employee) - Waive In Support
Department of Agriculture & Consumer Services
PL 10, The Capitol
Tallahassee FL 32399-3000
Phone: (850)488-3022

Herzog, James, Associate Director for Education (Lobbyist) - Waive In Support
Florida Catholic Conference
201 W Park Ave
Tallahassee FL 32301
Phone: (850)205-6823

Hedrick, Wendy (Lobbyist) - Waive In Support
Florida Academy of Family Physicians
215 S. Monroe Street, Suite 505
Tallahassee, FL 32301
Phone: (850)205-9000

Putnam, Adam H., Commissioner of Agriculture (State Employee) - Proponent
Department of Agriculture
The Capitol, PL-10
Tallahassee FL 32399-0800
Phone: (850)488-3022

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE MEETING REPORT

Education Committee

4/13/2011 1:00:00PM

Location: Reed Hall (102 HOB)

PCS for CS/HM 1445 : Colleges and Universities Authorized to Operate Educational Programs Beyond the Secondary Level

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed			X		
Marti Coley	X				
Daniel Davis			X		
Erik Fresen				X	
Reggie Fullwood	X				
Clay Ingram	X				
H. Marlene O'Toole	X				
Betty Reed	X				
Jimmie Smith			X		
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia	X				
Barbara Watson	X				
William Proctor (Chair)	X				
Total Yeas: 14					
		Total Nays: 0			

Appearances:

Boyd, Robert, General Counsel (Lobbyist) - Proponent
 Independent Colleges & Universities of Florida, Inc
 301 W. College Avenue
 Tallahassee FL 32301
 Phone: (850)412-0306

Committee meeting was reported out: Wednesday, April 13, 2011 8:05:05PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 301 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y)N
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

ADOPTED

1 Committee/Subcommittee hearing bill: Education Committee
2 Representative Coley offered the following:

3
4 **Amendment**

5 Remove lines 38-39 and insert:

6 return from a physician licensed under chapter 458, chapter 459,
7 or chapter 460, based upon the Acute Concussion Evaluation
8 (ACE), Centers for Disease Control and Prevention, National
9 Center for Injury Prevention and Control "Heads Up" Program.
10 Prior to issuing a written clearance to play, a

11
12
13 Remove line 78 and insert:

14 chapter 458, chapter 459, or chapter 460 based upon the Acute
15 Concussion Evaluation (ACE), Centers for Disease Control and
16 Prevention, National Center for Injury Prevention and Control
17 "Heads Up" Program. Prior to issuing a written clearance

Amendment No. 1a

COMMITTEE ACTION

ADOPTED	— (Y/N)
ADOPTED AS AMENDED	— (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	— (Y/N)
WITHDRAWN	— (Y/N)
OTHER	_____

ADOPTED

1 Committee hearing bill: Education Committee
2 Representative(s) Fresen offered the following:

3
4
5
6
7
8
9

Amendment to Amendment (1) by Representative Stargel

Remove line 55 and insert:

on investment for both the state and students and propose
systems to facilitate and ensure institutional compliance with
state articulation polices.

Amendment No. 1

COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

ADOPTED

1 Committee hearing bill: Education Committee
 2 Representative(s) Stargel offered the following:

3
 4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:
 6 Section 1. Subsection (3) of section 467.009, Florida
 7 Statutes, is amended to read:

8 467.009 Midwifery programs; education and training
 9 requirements.-

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

12 (a) A high school diploma or its equivalent.

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

17 Section 2. Section 1000.07, Florida Statutes, is repealed.

18 Section 3. Subsection (3) of section 1001.64, Florida
 19 Statutes, is amended to read:

Amendment No. 1

20 1001.64 Community college boards of trustees; powers and
21 duties.—

22 (3) A board of trustees shall have the power to take
23 action without a recommendation from the president and shall
24 have the power to require the president to deliver to the board
25 of trustees all data and information required by the board of
26 trustees in the performance of its duties. A board of trustees
27 shall ask the Commissioner of Education to authorize an
28 investigation of the president's actions by the department's
29 inspector general if the board considers such investigation
30 necessary. The inspector general shall provide a report
31 detailing each issue under investigation and shall recommend
32 corrective action. If the inspector general identifies potential
33 legal violations, he or she shall refer the potential legal
34 violations to the Commission on Ethics, the Department of Law
35 Enforcement, the Attorney General, or another appropriate
36 authority.

37 Section 4. Subsection (4) of section 1004.015, Florida
38 Statutes, is renumbered as subsection (6) and amended, and new
39 subsections (4) and (5) are added to that section, to read:

40 1004.015 Higher Education Coordinating Council.—

41 (4) The council shall make detailed recommendations
42 relating to:

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

46 (b) Performance outputs and outcomes designed to meet
47 annual and long-term state goals, including, but not limited to,

Amendment No. 1

48 increased student access, preparedness, retention, transfer, and
49 completion. Performance measures must be consistent across
50 sectors and allow for a comparison of the state's performance to
51 that of other states.

52 (c) The state's articulation policies and practices to
53 ensure that cost benefits to the state are maximized without
54 jeopardizing quality. The recommendation shall consider return
55 on investment for both the state and students.

56 (d) A plan for workforce development education that
57 addresses:

58 1. The alignment of school district and Florida College
59 System workforce development education programs to ensure cost
60 efficiency and mission delineation, including an examination of
61 the need for both college credit and noncollege credit
62 certificate programs, an evaluation of the merit of retaining
63 the associate in applied science degree, and the consolidation
64 of adult general education programs within school districts.

65 2. The consistency of workforce education data collected
66 and reported by Florida College System institutions and school
67 districts, including the establishment of common elements and
68 definitions for any data that is used for state and federal
69 funding and program accountability.

70 (e) Baccalaureate degree authorization and production,
71 which shall include the following:

72 1. An assessment of the potential need to establish
73 comprehensive undergraduate institutions that would primarily
74 focus on the delivery of undergraduate instruction, including
75 offering baccalaureate degrees. Such institutions may include

Amendment No. 1

76 Florida College System institutions, state universities, and
77 university branch campuses. The recommendations must include
78 accountability options and address local and regional workforce
79 needs and gaps that might result from an institution's shift in
80 primary mission.

81 2. Recommendations related to appropriate student
82 enrollment and institutional expenditure thresholds for upper-
83 division programs that justify legislative consideration in
84 order to establish or reestablish an institution under the
85 oversight of the State Board of Education, the Board of
86 Governors, or another statutorily established or created
87 governing or coordinating organization.

88 3. Recommendations related to funding options and
89 strategies, student tuition and fees, student financial aid
90 funding, and other strategies to encourage performance-based
91 funding.

92 (5) The council shall submit a report outlining its
93 detailed recommendations to the Governor, the President of the
94 Senate, the Speaker of the House of Representatives, the Board
95 of Governors, and the State Board of Education by December 31,
96 2011, which specifically includes recommendations for
97 consideration by the Legislature for implementation in the 2012-
98 2013 fiscal year.

99 (6)-(4) The Board of Governors and the Department of
100 Education shall provide administrative support for the council.

101 Section 5. Paragraph (b) of subsection (4) of section
102 1004.04, Florida Statutes, is amended to read:

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103 1004.04 Public accountability and state approval for
104 teacher preparation programs.—

105 (4) INITIAL STATE PROGRAM APPROVAL.—

106 (b) Each teacher preparation program approved by the
107 Department of Education, as provided for by this section, shall
108 require students to meet the following as prerequisites for
109 admission into the program:

110 1. Have a grade point average of at least 2.5 on a 4.0
111 scale for the general education component of undergraduate
112 studies or have completed the requirements for a baccalaureate
113 degree with a minimum grade point average of 2.5 on a 4.0 scale
114 from any college or university accredited by a regional
115 accrediting association as defined by State Board of Education
16 rule or any college or university otherwise approved pursuant to
117 State Board of Education rule.

118 2. Demonstrate mastery of general knowledge, including the
119 ability to read, write, and compute, by passing the General
120 Knowledge Test of the Florida Teacher Certification Examination,
121 ~~the College Level Academic Skills Test,~~ a corresponding
122 component of the National Teachers Examination series, or a
123 similar test pursuant to rules of the State Board of Education.

124

125 Each teacher preparation program may waive these admissions
126 requirements for up to 10 percent of the students admitted.
127 Programs shall implement strategies to ensure that students
128 admitted under a waiver receive assistance to demonstrate
129 competencies to successfully meet requirements for
130 certification.

Amendment No. 1

131 Section 6. Section 1004.68, Florida Statutes, is amended
132 to read:

133 1004.68 Community college; degrees and certificates, ~~tests~~
134 ~~for certain skills.~~

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

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

142 Section 7. Section 1007.01, Florida Statutes, is amended
143 to read:

144 1007.01 Articulation; legislative intent; purpose; role of
145 the State Board of Education and the Board of Governors;
146 articulation coordinating committee.

147 (1) It is the intent of the Legislature to facilitate
148 articulation and seamless integration of the K-20 education
149 system by building, and sustaining, and strengthening
150 relationships among K-20 public organizations, between public
151 and private organizations, and between the education system as a
152 whole and Florida's communities. The purpose of building, and
153 sustaining, and strengthening these relationships is to provide
154 for the efficient and effective progression and transfer of
155 students within the education system and to allow students to
156 proceed toward their educational objectives as rapidly as their
157 circumstances permit. The Legislature further intends that
158 articulation policies and budget actions be implemented

Amendment No. 1

159 | consistently in the practices of the Department of Education and
160 | postsecondary educational institutions and expressed in the
161 | collaborative policy efforts of the State Board of Education and
162 | the Board of Governors.

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

171 | (a) The alignment between the exit requirements of one
172 | education system and the admissions requirements of another
173 | education system into which students typically transfer.

174 | (b) The identification of common courses, the level of
175 | courses, institutional participation in a statewide course
176 | numbering system, and the transferability of credits among such
177 | institutions.

178 | (c) Identification of courses that meet general education
179 | or common degree program prerequisite requirements at public
180 | postsecondary educational institutions.

181 | (d) Dual enrollment course equivalencies.

182 | (e) Articulation agreements.

183 | (3) The Commissioner of Education, in consultation with
184 | the Chancellor of the State University System, shall establish
185 | the Articulation Coordinating Committee which shall make
186 | recommendations related to statewide articulation policies to

Amendment No. 1

187 the Higher Education Coordination Council, the State Board of
188 Education, and the Board of Governors. The committee shall
189 consist of 2 members each representing the State University
190 System, the Florida College System, public career and technical
191 education, public K-12 education, and nonpublic education; and
192 one member representing students. The chair shall be elected
193 from the membership. The committee shall:

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

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

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

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

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

213 (f) Annually publish a list of courses that meet common
214 general education and common degree program prerequisite

Amendment No. 1

215 requirements at public postsecondary institutions identified
216 pursuant to s. 1007.25.

217 (g) Examine statewide data regarding articulation to
218 identify issues and make recommendations to improve articulation
219 throughout the K-20 education system.

220 (h) Recommend roles and responsibilities of public
221 education entities in interfacing with the single, statewide
222 computer-assisted student advising system established pursuant
223 to s. 1007.28.

224 Section 8. Subsection (12) of section 1007.25, Florida
225 Statutes, is amended to read:

226 1007.25 General education courses; common prerequisites;
227 and other degree requirements.--

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

232 ~~1. Achieve a score that meets or exceeds a minimum score~~
233 ~~on a nationally standardized examination, as established by the~~
234 ~~State Board of Education in conjunction with the Board of~~
235 ~~Governors; or~~

236 ~~2. Demonstrate successful remediation of any academic~~
237 ~~deficiencies and achieve a cumulative grade point average of 2.5~~
238 ~~or above, on a 4.0 scale, in postsecondary level coursework~~
239 ~~identified by the State Board of Education in conjunction with~~
240 ~~the Board of Governors. The Department of Education shall~~
241 ~~specify the means by which a student may demonstrate successful~~
242 ~~remediation.~~

COMMITTEE AMENDMENT

Bill No. HB 7151 (2011)

Amendment No. 1

243 ~~(b) Any student who, in the best professional opinion of~~
244 ~~the postsecondary educational institution, has a specific~~
245 ~~learning disability such that the student cannot demonstrate~~
246 ~~successful mastery of one or more of the authorized examinations~~
247 ~~but is achieving at the college level in every area despite his~~
248 ~~or her disability, and whose diagnosis indicates that further~~
249 ~~remediation will not succeed in overcoming the disability, may~~
250 ~~appeal through the appropriate dean to a committee appointed by~~
251 ~~the president or the chief academic officer for special~~
252 ~~consideration. The committee shall examine the evidence of the~~
253 ~~student's academic and medical records and may hear testimony~~
254 ~~relevant to the case. The committee may grant a waiver for one~~
255 ~~or more of the authorized examinations based on the results of~~
256 ~~its review.~~

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

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

268 ~~(d) Any student who has taken the authorized examinations~~
269 ~~and has not achieved a passing score, but has otherwise~~
270 ~~demonstrated proficiency in coursework in the same subject area,~~

COMMITTEE AMENDMENT

Bill No. HB 7151 (2011)

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271 ~~may request a waiver from the examination requirement. Waivers~~
272 ~~shall be considered only after students have been provided test~~
273 ~~accommodations or other administrative adjustments to permit the~~
274 ~~accurate measurement of the student's proficiency in the subject~~
275 ~~areas measured by the authorized examinations. The committee~~
276 ~~shall consider the student's educational records and other~~
277 ~~evidence as to whether the student should be able to pass the~~
278 ~~authorized examinations. A waiver may be recommended to the~~
279 ~~president upon a majority vote of the committee. The president~~
280 ~~may approve or disapprove the recommendation. The president may~~
281 ~~not approve a request that the committee has disapproved. If a~~
282 ~~waiver is approved, the student's transcript shall include a~~
283 ~~statement that the student did not meet the requirements of this~~
34 ~~subsection and that a waiver was granted.~~

285 Section 9. Subsection (1) of section 1007.264, Florida
286 Statutes, is amended to read:

287 1007.264 Persons with disabilities; admission to
288 postsecondary educational institutions; substitute requirements;
289 rules and regulations.-

290 (1) Any student with a disability, as defined in s.
291 1007.02(2), who is otherwise eligible ~~except those students who~~
292 ~~have been documented as having intellectual disabilities~~, shall
293 be eligible for reasonable substitution for any requirement for
294 admission into a public postsecondary educational institution
295 where documentation can be provided that the person's failure to
296 meet the admission requirement is related to the disability.

297 Section 10. Subsection (1) of section 1007.265, Florida
298 Statutes, is amended to read:

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299 1007.265 Persons with disabilities; graduation, study
300 program admission, and upper-division entry; substitute
301 requirements; rules and regulations.--

302 (1) Any student with a disability, as defined in s.
303 1007.02(2), in a public postsecondary educational institution,
304 ~~except those students who have been documented as having~~
305 ~~intellectual disabilities,~~ shall be eligible for reasonable
306 substitution for any requirement for graduation, for admission
307 into a program of study, or for entry into the upper division
308 where documentation can be provided that the person's failure to
309 meet the requirement is related to the disability and where
310 failure to meet the graduation requirement or program admission
311 requirement does not constitute a fundamental alteration in the
312 nature of the program.

313 Section 11. Subsections (2) and (10) of section 1007.27,
314 Florida Statutes, are amended to read:

315 1007.27 Articulated acceleration mechanisms.--

316 (2) The Department of Education shall annually identify
317 and publish the minimum scores, maximum credit, and course or
318 courses for which credit is to be awarded for each College Level
319 Examination Program (CLEP) ~~general examination,~~ CLEP subject
320 examination, College Board Advanced Placement Program
321 examination, Advanced International Certificate of Education
322 examination, and International Baccalaureate examination. The
323 department shall use student performance data in subsequent
324 postsecondary courses to determine the appropriate examination
325 scores and courses for which credit is to be granted. Minimum
326 scores may vary by subject area based on available performance

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327 data. In addition, the department shall identify such courses in
328 the general education core curriculum of each state university
329 and community college.

330 ~~(10) Any student who earns 9 or more credits from one or~~
331 ~~more of the acceleration mechanisms provided for in this section~~
332 ~~is exempt from any requirement of a public postsecondary~~
333 ~~educational institution mandating enrollment during a summer~~
334 ~~term.~~

335 Section 12. Subsections (6) and (7) of section 1007.33,
336 Florida Statutes, are amended to read:

337 1007.33 Site-determined baccalaureate degree access.—

338 ~~(6)(a) Beginning July 1, 2010, and each subsequent July 1,~~
339 ~~the Division of Florida Colleges may accept and review~~
340 ~~applications from a Florida college to obtain an exemption from~~
341 ~~the State Board of Education's approval for subsequent degrees~~
342 ~~as required in subsection (5), if the Florida college is~~
343 ~~accredited by the Commission on Colleges of the Southern~~
344 ~~Association of Colleges and Schools as a baccalaureate degree-~~
345 ~~granting institution and has been offering baccalaureate degree~~
346 ~~programs for 3 or more years. The division shall develop~~
347 ~~criteria for determining eligibility for an exemption based upon~~
348 ~~demonstrated compliance with the requirements for baccalaureate~~
349 ~~degrees, primary mission, and fiscal, including, but not limited~~
350 ~~to:~~

351 ~~1. Obtaining and maintaining appropriate SACS~~
352 ~~accreditation;~~

353 ~~2. The maintenance of qualified faculty and institutional~~
354 ~~resources;~~

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355 ~~3. The maintenance of enrollment projections in previously~~
356 ~~approved programs;~~

357 ~~4. The appropriate management of fiscal resources;~~

358 ~~5. Compliance with the primary mission and responsibility~~
359 ~~requirements in subsections (2) and (3);~~

360 ~~6. The timely submission of the institution's annual~~
361 ~~performance accountability report; and~~

362 ~~7. Other indicators of success such as program completers,~~
363 ~~placements, and surveys of students and employers.~~

364 ~~(b) If the Florida college has demonstrated satisfactory~~
365 ~~progress in fulfilling the eligibility criteria in this~~
366 ~~subsection, the Division of Florida Colleges may recommend to~~
367 ~~the State Board of Education that the institution be exempt from~~
368 ~~the requirement in subsection (5) for approval of future~~
369 ~~baccalaureate degree programs. The State Board of Education~~
370 ~~shall review the division's recommendation and determine if an~~
371 ~~exemption is warranted. If the State Board of Education approves~~
372 ~~the application, the Florida college is exempt from subsequent~~
373 ~~program approval under subsection (5) and such authority is~~
374 ~~delegated to the Florida college board of trustees. If the State~~
375 ~~Board of Education disapproves of the Florida college's request~~
376 ~~for an exemption, the college shall continue to be subject to~~
377 ~~the State Board of Education's approval of subsequent~~
378 ~~baccalaureate degree programs.~~

379 ~~(c) Prior to developing or proposing a new baccalaureate~~
380 ~~degree program, all Florida colleges, regardless of an exemption~~
381 ~~from subsection (5), shall:~~

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382 ~~1. Engage in need, demand, and impact discussions with the~~
383 ~~state university in their service district and other local and~~
384 ~~regional, accredited postsecondary providers in their region.~~

385 ~~2. Send documentation, data, and other information from~~
386 ~~the inter institutional discussions regarding program need,~~
387 ~~demand, and impact required in subparagraph 1. to the college's~~
388 ~~board of trustees, the Division of Florida Colleges, and the~~
389 ~~Chancellor of the State University System.~~

390 ~~3. Base board of trustees approval of the new program upon~~
391 ~~the documentation, data, and other information required in this~~
392 ~~paragraph and the factors in subsection (5) (d).~~

393
394 ~~The Division of Florida Colleges shall use the documentation,~~
395 ~~data, and other information required in this subsection,~~
396 ~~including information from the Chancellor of the State~~
397 ~~University System, in its compliance review.~~

398 ~~(d) The board of trustees of a Florida college that is~~
399 ~~exempt from subsection (5) must submit newly approved programs~~
400 ~~to the Division of Florida Colleges and SACS within 30 days~~
401 ~~after approval.~~

402 ~~(e) Within 30 days after receiving the approved~~
403 ~~baccalaureate degree program, the Division of Florida Colleges~~
404 ~~shall conduct a compliance review and notify the college if the~~
405 ~~proposal meets the criteria for implementation based upon the~~
406 ~~criteria in paragraphs (5) (d) and (6) (e). If the program fails~~
407 ~~to meet the criteria for implementation as determined by the~~
408 ~~Division of Florida Colleges, the college may not proceed with~~
409 ~~implementation of the program until the State Board of Education~~

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410 ~~reviews the proposal and the compliance materials and gives its~~
411 ~~final approval of the program.~~

412 ~~(6)-(7)~~ The State Board of Education shall adopt rules to
413 prescribe format and content requirements and submission
414 procedures for notices of intent, proposals, and alternative
415 proposals under subsection (5).

416 Section 13. Paragraph (a) of subsection (4) of section
417 1008.30, Florida Statutes, is amended to read:

418 1008.30 Common placement testing for public postsecondary
419 education.—

420 (4) (a) ~~Public postsecondary educational institution~~
421 Students who have been identified as requiring additional
422 preparation pursuant to subsection (1) shall enroll in college-
423 preparatory or other adult education pursuant to s. 1004.93 in
424 community colleges to develop needed college-entry skills. The
425 State Board of Education shall specify by rule provisions for
426 alternative remediation opportunities and retesting policies.
427 These students shall be permitted to take courses within their
428 degree program concurrently in other curriculum areas for which
429 they are qualified while enrolled in college-preparatory
430 instruction courses. A student enrolled in a college-preparatory
431 course may concurrently enroll only in college credit courses
432 that do not require the skills addressed in the college-
433 preparatory course. ~~The State Board of Education, in conjunction~~
434 ~~with the Board of Governors, shall specify the college credit~~
435 ~~courses that are acceptable for students enrolled in each~~
436 ~~college preparatory skill area. A degree-seeking student who~~
437 ~~wishes to earn an associate in arts or a baccalaureate degree,~~

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438 ~~but~~ who is required to complete a college-preparatory course,
439 must successfully complete the required college-preparatory
440 studies by the time the student has accumulated 12 hours of
441 lower-division college credit degree coursework; however, a
442 student may continue enrollment in degree-earning coursework
443 provided the student maintains enrollment in college-preparatory
444 coursework for each subsequent semester until college-
445 preparatory coursework requirements are completed, and provided
446 the student demonstrates satisfactory performance in degree-
447 earning coursework. A student who has accumulated 12 college
448 credit hours and has not yet demonstrated proficiency in the
449 basic competency areas of reading, writing, and mathematics must
450 be advised in writing of the requirements for associate degree
51 completion and state university admission, including information
452 about future financial aid eligibility and the potential costs
453 of accumulating excessive college credit as described in s.
454 1009.286. A passing score on a standardized, institutionally
455 ~~developed test must be achieved~~ Before a student is considered
456 to have met basic computation and communication skills
457 requirements, the student must demonstrate successful mastery of
458 the required developmental education competencies as defined in
459 State Board of Education rule; however, no student shall be
460 ~~required to retake any test or subtest that was previously~~
461 ~~passed by said student.~~ Credit awarded for college-preparatory
462 instruction may not be counted toward fulfilling the number of
463 credits required for a degree.

464 Section 14. Subsection (7) of section 1008.345, Florida
465 Statutes, is amended to read:

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466 1008.345 Implementation of state system of school
467 improvement and education accountability.—

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

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

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

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

476 (d) Conduct the program evaluations required by s.
477 1001.03.

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

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

488 ~~(g) Maintain for the information of the State Board of~~
489 ~~Education, the Board of Governors, and the Legislature a file of~~
490 ~~data to reflect achievement of college level communication and~~
491 ~~mathematics competencies by students in state universities and~~
492 ~~community colleges.~~

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493 ~~(h) Develop or contract for, and submit to the State Board~~
494 ~~of Education and the Board of Governors for approval, tests~~
495 ~~which measure and diagnose student achievement of college level~~
496 ~~communication and mathematics skills. Any tests and related~~
497 ~~documents developed are exempt from the provisions of s.~~
498 ~~119.07(1). The commissioner shall maintain statewide~~
499 ~~responsibility for the administration of such tests and may~~
500 ~~assign administrative responsibilities for the tests to any~~
501 ~~state university or community college. The state board, upon~~
502 ~~recommendation of the commissioner, may enter into contracts for~~
503 ~~such services beginning in one fiscal year and continuing into~~
504 ~~the next year which are paid from the appropriation for either~~
505 ~~or both fiscal years.~~

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

510 Section 15. Subsections (4) and (6) of section 1008.38,
511 Florida Statutes, are amended to read:

512 1008.38 Articulation accountability process.—The State
513 Board of Education, in conjunction with the Board of Governors,
514 shall develop articulation accountability measures which assess
515 the status of systemwide articulation processes authorized under
516 s. 1007.23 and establish an articulation accountability process
517 which at a minimum shall address:

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

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

525 Section 16. Subsection (1) of section 1009.534, Florida
526 Statutes, is amended to read:

527 1009.534 Florida Academic Scholars award.—

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

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

541 (b) Has attended a home education program according to s.
542 1002.41 during grades 11 and 12 or has completed the
543 International Baccalaureate curriculum but failed to earn the
544 International Baccalaureate Diploma or has completed the
545 Advanced International Certificate of Education curriculum but
546 failed to earn the Advanced International Certificate of
547 Education Diploma, and has attained at least the score pursuant
548 to s. 1009.531(6)(a) on the combined verbal and quantitative

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549 parts of the Scholastic Aptitude Test, the Scholastic Assessment
550 Test, or the recentered Scholastic Assessment Test of the
551 College Entrance Examination, or an equivalent score on the ACT
552 Assessment Program;

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

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

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

562
563 A student must complete a program of community service work, as
564 approved by the district school board, ~~or~~ the administrators of
565 a nonpublic school, or the Department of Education for home
566 school students, which shall include a minimum of 75 hours of
567 service work and require the student to identify a social
568 problem that interests him or her, develop a plan for his or her
569 personal involvement in addressing the problem, and, through
570 papers or other presentations, evaluate and reflect upon his or
571 her experience.

572 Section 17. This act shall take effect July 1, 2011.

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T I T L E A M E N D M E N T
Remove the entire title and insert:
An act relating to postsecondary education; amending s.
467.009, F.S.; deleting a reference to the College-Level
Academic Skills Test (CLAST); repealing s. 1000.07, F.S.,
relating to the Florida Business and Education
Collaborative; amending s. 1001.64, F.S.; requiring a
Florida College System institution board of trustees to
ask the Commissioner of Education to authorize an
investigation of the college president by the Department
of Education's inspector general in specified
circumstances; requiring a report and recommendations;
requiring the inspector general to refer potential legal
violations to the Commission on Ethics, the Department of
Law Enforcement, the Attorney General, or other
appropriate authority; amending s. 1004.015, F.S.;
requiring the Higher Education Coordinating Council to
make recommendations and submit a report relating to core
missions of postsecondary education institutions,
performance outputs and outcomes, articulation policies,
workforce development education, and baccalaureate degree
authorization; amending s. 1004.04, F.S.; deleting a
reference to the CLAST; amending s. 1004.68, F.S.;
deleting provisions relating to the use of test scores for
assessment of college-level communication and computation
skills; amending s. 1007.01, F.S.; providing legislative
intent and requirements relating to articulation;

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605 requiring the establishment of the Articulation
606 Coordinating Committee and providing its responsibilities;
607 amending s. 1007.25, F.S.; deleting provisions that
608 require an examination or demonstration of remediation of
609 academic deficiencies to obtain a postsecondary degree;
610 amending ss. 1007.264 and 1007.265, F.S.; deleting
611 provisions that exclude students with intellectual
612 disabilities from eligibility for substitute requirements
613 for admission to or graduation from a public postsecondary
614 education institution; amending s. 1007.27, F.S.;
615 requiring the Department of Education to use student
616 performance data to determine appropriate credit-by-
617 examination scores and courses; deleting an exemption from
618 summer-term enrollment in a public postsecondary education
619 institution for students earning accelerated credit;
620 amending s. 1007.33, F.S.; deleting an exemption from
621 provisions governing the approval process for
622 baccalaureate degrees; amending s. 1008.30, F.S.;
623 requiring rules for remediation opportunities, retesting,
624 and academic competencies; requiring that students be
625 advised of academic requirements, financial aid
626 eligibility, and certain costs; amending s. 1008.345,
627 F.S.; deleting Department of Education duties relating to
628 tests and assessment procedures that measure student
629 achievement of college-level communication and computation
630 skills; amending s. 1008.38, F.S.; revising and conforming
631 provisions relating to the articulation process; amending
632 s. 1009.534, F.S.; revising provisions relating to

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633 approval of community service work for eligibility for the
634 Florida Academic Scholars award; providing an effective
635 date.
636

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7219 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Education Committee
2 Representative(s) McKeel offered the following:

3
4 **Amendment (with title amendment)**

5 Between lines 283 and 284, insert:

6 Section 9. Section 1010.77, Florida Statutes, is repealed.

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8
9 -----
10 **T I T L E A M E N D M E N T**

11 Remove line 33 and insert:

12 Services; repealing s. 1010.77, F.S., relating to Food and
13 Nutrition Services Trust Fund; providing an effective date.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7219 (2011)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Education Committee
2 Representative(s) McKeel offered the following:

3
4 **Amendment (with title amendment)**

5 Remove line 284 and insert:

6 Section 9. This section shall take effect upon this act
7 becoming a law and, within 30 days thereafter, the Department of
8 Education, in consultation with the Department of Agriculture
9 and Consumer Services, shall develop and submit to the United
10 States Department of Agriculture a request for a waiver required
11 to transfer administration of the school food service and
12 nutrition programs from the Department of Education to the
13 Department of Agriculture and Consumer Services. Upon receipt of
14 the United States Department of Agriculture's approval or denial
15 of the request for a waiver, the Department of Education shall
16 immediately notify in writing the President of the Senate, the
17 Speaker of the House of Representatives, and the Governor of the
18 United States Department of Agriculture's decision. The
19 notification shall include a copy of the United States

Amendment No. 2

20 Department of Agriculture's approval or denial of the request
21 for a waiver.

22 Section 10. Except as otherwise expressly provided in this
23 act and except for this section, which shall take effect upon
24 this act becoming a law, this act shall take effect January 1,
25 2012, if the United States Department of Agriculture approves
26 the request for a waiver, pursuant to section 9 of this act, on
27 or before November 1, 2011.

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31 -----
32 **T I T L E A M E N D M E N T**

33 Remove line 33 and insert:

34 Services; requiring the Department of Education, in consultation
35 with the Department of Agriculture and Consumer Services, to
36 develop and submit a request for a waiver to the United States
37 Department of Agriculture to transfer administration of the
38 school food service and nutrition programs; requiring
39 notification relating to the outcome of the request for a
40 waiver; providing for contingent effect based upon federal
41 approval of a request for a waiver; providing effective dates.