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LEGISLATIVE ACTION

Senate	.	House
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Floor: AD/2R	.	Floor: C
05/03/2011 07:12 PM	.	05/05/2011 11:45 AM
	.	

Senator Oelrich moved the following:

Senate Amendment (with title amendment)

Delete lines 85 - 439

and insert:

Section 2. Section 705.18, Florida Statutes, is amended to read:

705.18 Disposal of personal property lost or abandoned on university or Florida College System institution ~~community college~~ campuses; disposition of proceeds from sale.-

~~(1)~~ Whenever any lost or abandoned personal property is ~~shall be~~ found on a campus of an institution in the State University System or a campus of a Florida College System institution ~~state-supported community college~~, the president of



878218

14 the institution or the president's designee shall take charge of
15 the property and make a record of the date such property was
16 found. If the property is not claimed by the owner, within 30
17 days after it such property is found, or a longer period of time
18 as may be deemed appropriate by the president ~~under the~~
19 ~~circumstances, the property is not claimed by the owner,~~ the
20 president or his or her designee shall dispose of or make use of
21 the property in accordance with established policies and
22 procedures that best meet the needs of the university or the
23 Florida College System institution and its students ~~shall order~~
24 ~~it sold at public outcry after giving notice of the time and~~
25 ~~place of sale in a publication of general circulation on the~~
26 ~~campus of such institution and written notice to the owner if~~
27 ~~known.~~ The rightful owner of the such property may reclaim the
28 property the same at any time prior to the disposition, sale, or
29 use of the property in accordance with this section and the
30 established policies and procedures of the university or the
31 Florida College System institution.

32 ~~(2) All moneys realized from such institution's sale shall~~
33 ~~be placed in an appropriate fund and used solely for student~~
34 ~~scholarship and loan purposes.~~

35 Section 3. Section 1000.07, Florida Statutes, is repealed.

36 Section 4. Subsection (3) of section 1001.64, Florida
37 Statutes, is amended to read:

38 1001.64 Community college boards of trustees; powers and
39 duties.—

40 (3) A board of trustees shall have the power to take action
41 without a recommendation from the president and shall have the
42 power to require the president to deliver to the board of



878218

43 trustees all data and information required by the board of
44 trustees in the performance of its duties. A board of trustees
45 shall ask the Commissioner of Education to authorize an
46 investigation of the president's actions by the department's
47 inspector general if the board considers such investigation
48 necessary. The inspector general shall provide a report
49 detailing each issue under investigation and shall recommend
50 corrective action. If the inspector general identifies potential
51 legal violations, he or she shall refer the potential legal
52 violations to the Commission on Ethics, the Department of Law
53 Enforcement, the Attorney General, or another appropriate
54 authority.

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

58 1004.015 Higher Education Coordinating Council.—

59 (4) The council shall make detailed recommendations
60 relating to:

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

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

70 (c) The state's articulation policies and practices to
71 ensure that cost benefits to the state are maximized without



878218

72 jeopardizing quality. The recommendation shall consider return
73 on investment for both the state and students and propose
74 systems to facilitate and ensure institutional compliance with
75 state articulation policies.

76 (d) A plan for workforce development education that
77 addresses:

78 1. The alignment of school district and Florida College
79 System workforce development education programs to ensure cost
80 efficiency and mission delineation, including an examination of
81 the need for both college credit and noncollege credit
82 certificate programs, an evaluation of the merit of retaining
83 the associate in applied science degree, and the consolidation
84 of adult general education programs within school districts.

85 2. The consistency of workforce education data collected
86 and reported by Florida College System institutions and school
87 districts, including the establishment of common elements and
88 definitions for any data that is used for state and federal
89 funding and program accountability.

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

97 (6) ~~(4)~~ The Board of Governors and the Department of
98 Education shall provide administrative support for the council.

99 Section 6. Section 1004.68, Florida Statutes, is amended to
100 read:



878218

101 1004.68 Community college; degrees and certificates; ~~tests~~
102 ~~for certain skills.~~-

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

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

110 Section 7. Section 1007.01, Florida Statutes, is amended to
111 read:

112 1007.01 Articulation; legislative intent; purpose; role of
113 the State Board of Education and the Board of Governors;
114 Articulation Coordinating Committee.-

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



878218

130 the Board of Governors.

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

139 (a) The alignment between the exit requirements of one
140 education system and the admissions requirements of another
141 education system into which students typically transfer.

142 (b) The identification of common courses, the level of
143 courses, institutional participation in a statewide course
144 numbering system, and the transferability of credits among such
145 institutions.

146 (c) Identification of courses that meet general education
147 or common degree program prerequisite requirements at public
148 postsecondary educational institutions.

149 (d) Dual enrollment course equivalencies.

150 (e) Articulation agreements.

151 (3) The Commissioner of Education, in consultation with the
152 Chancellor of the State University System, shall establish the
153 Articulation Coordinating Committee which shall make
154 recommendations related to statewide articulation policies to
155 the Higher Education Coordination Council, the State Board of
156 Education, and the Board of Governors. The committee shall
157 consist of two members each representing the State University
158 System, the Florida College System, public career and technical



878218

159 education, public K-12 education, and nonpublic education and
160 one member representing students. The chair shall be elected
161 from the membership. The committee shall:

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

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

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

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

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

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

185 (g) Examine statewide data regarding articulation to
186 identify issues and make recommendations to improve articulation
187 throughout the K-20 education system.



878218

188 (h) Recommend roles and responsibilities of public
189 education entities in interfacing with the single, statewide
190 computer-assisted student advising system established pursuant
191 to s. 1007.28.

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

194 1007.25 General education courses; common prerequisites;
195 and other degree requirements.—

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

200 ~~1. Achieve a score that meets or exceeds a minimum score on~~
201 ~~a nationally standardized examination, as established by the~~
202 ~~State Board of Education in conjunction with the Board of~~
203 ~~Governors; or~~

204 ~~2. Demonstrate successful remediation of any academic~~
205 ~~deficiencies and achieve a cumulative grade point average of 2.5~~
206 ~~or above, on a 4.0 scale, in postsecondary-level coursework~~
207 ~~identified by the State Board of Education in conjunction with~~
208 ~~the Board of Governors. The Department of Education shall~~
209 ~~specify the means by which a student may demonstrate successful~~
210 ~~remediation.~~

211 ~~(b) Any student who, in the best professional opinion of~~
212 ~~the postsecondary educational institution, has a specific~~
213 ~~learning disability such that the student cannot demonstrate~~
214 ~~successful mastery of one or more of the authorized examinations~~
215 ~~but is achieving at the college level in every area despite his~~
216 ~~or her disability, and whose diagnosis indicates that further~~



878218

217 ~~remediation will not succeed in overcoming the disability, may~~
218 ~~appeal through the appropriate dean to a committee appointed by~~
219 ~~the president or the chief academic officer for special~~
220 ~~consideration. The committee shall examine the evidence of the~~
221 ~~student's academic and medical records and may hear testimony~~
222 ~~relevant to the case. The committee may grant a waiver for one~~
223 ~~or more of the authorized examinations based on the results of~~
224 ~~its review.~~

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

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

236 ~~(d) Any student who has taken the authorized examinations~~
237 ~~and has not achieved a passing score, but has otherwise~~
238 ~~demonstrated proficiency in coursework in the same subject area,~~
239 ~~may request a waiver from the examination requirement. Waivers~~
240 ~~shall be considered only after students have been provided test~~
241 ~~accommodations or other administrative adjustments to permit the~~
242 ~~accurate measurement of the student's proficiency in the subject~~
243 ~~areas measured by the authorized examinations. The committee~~
244 ~~shall consider the student's educational records and other~~
245 ~~evidence as to whether the student should be able to pass the~~



878218

246 ~~authorized examinations. A waiver may be recommended to the~~
247 ~~president upon a majority vote of the committee. The president~~
248 ~~may approve or disapprove the recommendation. The president may~~
249 ~~not approve a request that the committee has disapproved. If a~~
250 ~~waiver is approved, the student's transcript shall include a~~
251 ~~statement that the student did not meet the requirements of this~~
252 ~~subsection and that a waiver was granted.~~

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

255 1007.264 Persons with disabilities; admission to
256 postsecondary educational institutions; substitute requirements;
257 rules and regulations.-

258 (1) Any student with a disability, as defined in s.
259 1007.02(2), who is otherwise eligible ~~except those students who~~
260 ~~have been documented as having intellectual disabilities,~~ shall
261 be eligible for reasonable substitution for any requirement for
262 admission into a public postsecondary educational institution
263 where documentation can be provided that the person's failure to
264 meet the admission requirement is related to the disability.

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

267 1007.265 Persons with disabilities; graduation, study
268 program admission, and upper-division entry; substitute
269 requirements; rules and regulations.-

270 (1) Any student with a disability, as defined in s.
271 1007.02(2), in a public postsecondary educational institution,
272 ~~except those students who have been documented as having~~
273 ~~intellectual disabilities,~~ shall be eligible for reasonable
274 substitution for any requirement for graduation, for admission



878218

275 into a program of study, or for entry into the upper division
276 where documentation can be provided that the person's failure to
277 meet the requirement is related to the disability and where
278 failure to meet the graduation requirement or program admission
279 requirement does not constitute a fundamental alteration in the
280 nature of the program.

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

283 1007.27 Articulated acceleration mechanisms.—

284 (2) The Department of Education shall annually identify and
285 publish the minimum scores, maximum credit, and course or
286 courses for which credit is to be awarded for each College Level
287 Examination Program (CLEP) ~~general examination, CLEP subject~~
288 ~~examination, College Board Advanced Placement Program~~
289 ~~examination, Advanced International Certificate of Education~~
290 ~~examination,~~ and International Baccalaureate examination. The
291 department shall use student performance data in subsequent
292 postsecondary courses to determine the appropriate examination
293 scores and courses for which credit is to be granted. Minimum
294 scores may vary by subject area based on available performance
295 data. In addition, the department shall identify such courses in
296 the general education core curriculum of each state university
297 and community college.

298 ~~(10) Any student who earns 9 or more credits from one or~~
299 ~~more of the acceleration mechanisms provided for in this section~~
300 ~~is exempt from any requirement of a public postsecondary~~
301 ~~educational institution mandating enrollment during a summer~~
302 ~~term.~~

303 Section 12. Subsection (11) of section 1001.64, Florida



878218

304 Statutes, is amended to read
305 1001.64 Community college boards of trustees; powers and
306 duties.—
307 (11) Each board of trustees shall submit an institutional
308 budget request, including a request for fixed capital outlay,
309 and an operating budget to the State Board of Education for
310 review approval in accordance with guidelines established by the
311 State Board of Education.

312 Section 13. Section 1011.30, Florida Statutes, is amended
313 to read:

314 1011.30 Budgets for community colleges.—Each community
315 college president shall recommend to the community college board
316 of trustees a budget of income and expenditures at such time and
317 in such form as the State Board of Education may prescribe. Upon
318 approval of a budget by the community college board of trustees,
319 such budget shall be transmitted to the Department of Education
320 for review ~~and approval~~. Rules of the State Board of Education
321 shall prescribe procedures for effecting budget amendments
322 subsequent to the final approval of a budget for a given year.

323 ===== T I T L E A M E N D M E N T =====

324 And the title is amended as follows:

325 Delete lines 4 - 49

326 and insert:

327 Academic Skills Test (CLAST); amending s. 705.18,
328 F.S.; revising provisions relating to the disposal of
329 personal property lost or abandoned on a university or
330 Florida College System institution campus and the
331 disposition of proceeds from the sale of such
332 property; requiring that the university or Florida



878218

333 College System institution president, or his or her
334 designee, dispose of or make use of unclaimed property
335 in accordance with university or Florida College
336 System institution policies and procedures; repealing
337 s. 1007.07, F.S., relating to the Florida Business and
338 Education Collaborative; amending s. 1001.64, F.S.;
339 requiring a Florida College System institution board
340 of trustees to ask the Commissioner of Education to
341 authorize an investigation of the college president by
342 the Department of Education's inspector general in
343 specified circumstances; requiring a report and
344 recommendations; requiring the inspector general to
345 refer potential legal violations to the Commission on
346 Ethics, the Department of Law Enforcement, the
347 Attorney General, or another appropriate authority;
348 amending s. 1004.015, F.S.; requiring the Higher
349 Education Coordinating Council to make recommendations
350 and submit a report relating to core missions of
351 postsecondary education institutions, performance
352 outputs and outcomes, articulation policies, and
353 workforce development education; amending s. 1004.68,
354 F.S.; deleting provisions relating to the use of test
355 scores for assessment of college-level communication
356 and computation skills; amending s. 1007.01, F.S.;
357 providing legislative intent and requirements relating
358 to articulation; requiring the establishment of the
359 Articulation Coordinating Committee and providing its
360 responsibilities; amending s. 1007.25, F.S.; deleting
361 provisions that require an examination or



878218

362 demonstration of remediation of academic deficiencies
363 to obtain a postsecondary degree; amending ss.
364 1007.264 and 1007.265, F.S.; deleting provisions that
365 exclude students with intellectual disabilities from
366 eligibility for substitute requirements for admission
367 to or graduation from a public postsecondary education
368 institution; amending s. 1007.27, F.S.; requiring the
369 Department of Education to use student performance
370 data to determine appropriate credit-by-examination
371 scores and courses; deleting an exemption from summer-
372 term enrollment in a public postsecondary education
373 institution for students earning accelerated credit;
374 amending ss. 1001.64 and 1011.30, F.S.; removing
375 provisions requiring that a budget of a community
376 college be transmitted to the Department of Education
377 for approval; amending s. 1008.30, F.S.,