

By Senator Stargel

15-00901A-16

2016824__

1 A bill to be entitled
2 An act relating to the dual enrollment program;
3 amending s. 1007.271, F.S.; exempting dual enrollment
4 students from paying technology fees; requiring a home
5 education secondary student to be responsible for his
6 or her own instructional materials and transportation
7 in order to participate in the dual enrollment program
8 unless the articulation agreement provides otherwise;
9 requiring a postsecondary institution eligible to
10 participate in the dual enrollment program to enter
11 into a home education articulation agreement;
12 requiring the postsecondary institution to annually
13 complete and submit the agreement to the Department of
14 Education by a specified date; conforming provisions
15 to changes made by the act; authorizing certain
16 instructional materials to be made available free of
17 charge to dual enrollment students in home education
18 programs and private schools if provided for in the
19 articulation agreement; requiring the department to
20 review dual enrollment articulation agreements
21 submitted for certain students, including home
22 education students and private school students, to
23 participate in a dual enrollment program; requiring
24 the Commissioner of Education to notify the district
25 school board superintendent and the president of the
26 postsecondary institution if the dual enrollment
27 articulation agreement does not comply with statutory
28 requirements; requiring a district school board and a
29 Florida College System institution to annually

15-00901A-16

2016824__

30 complete and submit to the department by a specified
31 date a dual enrollment articulation agreement with a
32 state university or an eligible independent college or
33 university, as applicable; providing requirements for
34 a private school student to participate in a dual
35 enrollment program; requiring a postsecondary
36 institution eligible to participate in the dual
37 enrollment program to enter into an articulation
38 agreement with certain eligible private schools;
39 requiring the postsecondary institution to annually
40 complete and submit the articulation agreement to the
41 department by a specified date; providing requirements
42 for the articulation agreement; providing for funding
43 for each dual enrollment course taken by certain
44 students; amending ss. 1002.20 and 1011.62, F.S.;
45 conforming provisions to changes made by the act;
46 providing an effective date.

47
48 Be It Enacted by the Legislature of the State of Florida:

49
50 Section 1. Subsections (2), (10), (11), (13), (16), (17),
51 (22), (23), and (24) of section 1007.271, Florida Statutes, are
52 amended, and subsection (25) is added to that section, to read:

53 1007.271 Dual enrollment programs.—

54 (2) For the purpose of this section, an eligible secondary
55 student is a student who is enrolled in any of grades 6 through
56 12 in a Florida public school or in a Florida private school
57 that is in compliance with s. 1002.42(2) and provides a
58 secondary curriculum pursuant to s. 1003.4282. A student

15-00901A-16

2016824__

59 ~~Students~~ who is ~~are~~ eligible for dual enrollment pursuant to
60 this section may enroll in dual enrollment courses conducted
61 during school hours, after school hours, and during the summer
62 term. However, if the student is projected to graduate from high
63 school before the scheduled completion date of a postsecondary
64 course, the student may not register for that course through
65 dual enrollment. The student may apply to the postsecondary
66 institution and pay the required registration, tuition, and fees
67 if the student meets the postsecondary institution's admissions
68 requirements under s. 1007.263. Instructional time for dual
69 enrollment may vary from 900 hours; however, the full-time
70 equivalent student membership value is ~~shall be~~ subject to ~~the~~
71 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
72 enrollment student is exempt from the payment of registration,
73 tuition, technology, and laboratory fees. Applied academics for
74 adult education instruction, developmental education, and other
75 forms of precollegiate instruction, as well as physical
76 education courses that focus on the physical execution of a
77 skill, rather than the intellectual attributes of the activity,
78 are ineligible for inclusion in the dual enrollment program.
79 Recreation and leisure studies courses shall be evaluated
80 individually in the same manner as physical education courses
81 for potential inclusion in the program.

82 (10) Early admission is a form of dual enrollment through
83 which an eligible secondary student enrolls ~~students enroll~~ in a
84 postsecondary institution on a full-time basis in courses that
85 are creditable toward the high school diploma and the associate
86 or baccalaureate degree. A student must enroll in a minimum of
87 12 college credit hours per semester or the equivalent to

15-00901A-16

2016824__

88 participate in the early admission program; however, a student
89 may not be required to enroll in more than 15 college credit
90 hours per semester or the equivalent. A student ~~Students~~
91 enrolled pursuant to this subsection is ~~are~~ exempt from the
92 payment of registration, tuition, technology, and laboratory
93 fees.

94 (11) Career early admission is a form of career dual
95 enrollment through which an eligible secondary student enrolls
96 ~~students enroll~~ full time in a career center or a Florida
97 College System institution in postsecondary programs leading to
98 industry certifications, as listed in the CAPE Postsecondary
99 Industry Certification Funding List pursuant to s. 1008.44,
100 which are creditable toward the high school diploma and the
101 certificate or associate degree. Participation in the career
102 early admission program is limited to students who have
103 completed a minimum of 4 semesters of full-time secondary
104 enrollment, including studies undertaken in ~~the ninth~~ grade 9. A
105 student ~~Students~~ enrolled pursuant to this section is ~~are~~ exempt
106 from the payment of registration, tuition, technology, and
107 laboratory fees.

108 (13) (a) The dual enrollment program for a home education
109 student ~~students~~ consists of the enrollment of an eligible home
110 education secondary student in a postsecondary course creditable
111 toward an associate degree, a career certificate, or a
112 baccalaureate degree. To participate in the dual enrollment
113 program, an eligible home education secondary student must:

- 114 1. Provide proof of enrollment in a home education program
115 pursuant to s. 1002.41.
- 116 2. Be responsible for his or her own instructional

15-00901A-16

2016824__

117 materials and transportation unless provided for in the
 118 articulation agreement ~~otherwise~~.

119 3. Sign a home education articulation agreement pursuant to
 120 paragraph (b).

121 (b) Each postsecondary institution eligible to participate
 122 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
 123 ~~shall~~ enter into a home education articulation agreement with
 124 each home education student seeking enrollment in a dual
 125 enrollment course and the student's parent. By August 1 of each
 126 year, the eligible postsecondary institution shall complete and
 127 submit the home education articulation agreement to the
 128 Department of Education. The home education articulation
 129 agreement must ~~shall~~ include, at a minimum:

130 1. A delineation of courses and programs available to a
 131 ~~dually-enrolled~~ home education student who participates in a
 132 dual enrollment program ~~students~~. The postsecondary institution
 133 may add, revise, or delete courses and programs ~~may be added,~~
 134 ~~revised, or deleted~~ at any time ~~by the postsecondary~~
 135 ~~institution~~.

136 2. The initial and continued eligibility requirements for
 137 home education student participation, not to exceed those
 138 required of other dual enrollment ~~dually-enrolled~~ students.

139 3. A provision expressing whether the postsecondary
 140 institution or the student is responsible ~~The student's~~
 141 ~~responsibilities~~ for providing ~~his or her own~~ instructional
 142 materials and transportation.

143 4. A copy of the statement on transfer guarantees developed
 144 by the Department of Education under subsection (15).

145 (16) A student ~~Students~~ who meets ~~meet~~ the eligibility

15-00901A-16

2016824__

146 requirements of this section and who chooses ~~choose~~ to
147 participate in dual enrollment programs is ~~are~~ exempt from the
148 payment of registration, tuition, technology, and laboratory
149 fees.

150 (17) Instructional materials assigned for use in ~~within~~
151 dual enrollment courses shall be made available to dual
152 enrollment students from Florida public high schools free of
153 charge. This subsection does not prohibit a postsecondary
154 ~~Florida College System~~ institution from providing instructional
155 materials at no cost to a home education student or student from
156 a private school, if provided for in the articulation agreement.
157 Instructional materials purchased by a district school board or
158 Florida College System institution board of trustees on behalf
159 of dual enrollment students are ~~shall be~~ the property of the
160 board against which the purchase is charged.

161 (22) The Department of Education shall develop an
162 electronic submission system for dual enrollment articulation
163 agreements and shall review, for compliance, each dual
164 enrollment articulation agreement submitted pursuant to
165 subsections (13), ~~subsection~~ (21), and (24). The Commissioner of
166 Education shall notify the district school superintendent and
167 the president of the postsecondary institution that is eligible
168 to participate in the dual enrollment program pursuant to s.
169 1011.62(1)(i) ~~Florida College System institution president~~ if
170 the dual enrollment articulation agreement does not comply with
171 statutory requirements and shall submit any dual enrollment
172 articulation agreement with unresolved issues of noncompliance
173 to the State Board of Education.

174 (23) A district school board ~~boards~~ and a Florida College

15-00901A-16

2016824__

175 System institution ~~institutions~~ may enter into an additional
176 dual enrollment articulation agreement ~~agreements~~ with a state
177 university ~~universities~~ for the purposes of this section. A
178 school district ~~districts~~ may also enter into a dual enrollment
179 articulation agreement ~~agreements~~ with an eligible independent
180 college or university ~~colleges and universities~~ pursuant to s.
181 1011.62(1)(i). By August 1 of each year, the district school
182 board and the Florida College System institution shall complete
183 and submit the dual enrollment articulation agreement with the
184 state university or an eligible independent college or
185 university, as applicable, to the Department of Education.

186 (24) (a) The dual enrollment program for a private school
187 student consists of the enrollment of an eligible private school
188 student in a postsecondary course creditable toward an associate
189 degree, a career certificate, or a baccalaureate degree. In
190 addition, the private school in which the student is enrolled
191 must award credit toward high school completion for the
192 postsecondary course under the dual enrollment program. To
193 participate in the dual enrollment program, an eligible private
194 school student must:

195 1. Provide proof of enrollment in a private school pursuant
196 to subsection (2).

197 2. Be responsible for his or her own instructional
198 materials and transportation unless provided for in the
199 articulation agreement.

200 3. Sign a private school articulation agreement pursuant to
201 paragraph (b).

202 (b) Each postsecondary institution eligible to participate
203 in the dual enrollment program pursuant to s. 1011.62(1)(i) must

15-00901A-16

2016824__

204 enter into a private school articulation agreement with each
205 eligible private school in its geographic service area seeking
206 to offer dual enrollment courses to its students. By August 1 of
207 each year, the eligible postsecondary institution shall complete
208 and submit the private school articulation agreement to the
209 Department of Education. The articulation agreement must
210 include, at a minimum:

211 1. A delineation of courses and programs available to the
212 private school. The postsecondary institution may add, revise,
213 or delete courses and programs at any time.

214 2. The initial and continued eligibility requirements for
215 private school student participation, not to exceed those
216 required of other dual enrollment students.

217 3. A provision expressing whether the private school, the
218 postsecondary institution, or the student is responsible for
219 providing instructional materials and transportation.

220 4. A provision clarifying that the private school will
221 award appropriate credit toward high school completion for the
222 postsecondary course under the dual enrollment program.

223 5. A provision expressing that costs associated with
224 tuition and fees, including technology, registration, and
225 laboratory fees, will not be passed along to the student.

226 6. A provision stating whether the private school will
227 compensate the postsecondary institution for the standard
228 tuition rate per credit hour for each dual enrollment course
229 taken by its students or the postsecondary institution will seek
230 compensation pursuant to subsection (25).

231 7. A copy of the statement on transfer guarantees developed
232 by the Department of Education under subsection (15)

15-00901A-16

2016824__

233 ~~Postsecondary institutions may enter into dual enrollment~~
234 ~~articulation agreements with private secondary schools pursuant~~
235 ~~to subsection (2).~~

236 (25) Subject to annual appropriation in the General
237 Appropriations Act, a public postsecondary institution shall
238 receive an amount of funding equivalent to the standard tuition
239 rate per credit hour for each dual enrollment course taken by a
240 private school student pursuant to subsection (24) during the
241 prior academic year, except for any students for whom the
242 postsecondary institution is otherwise compensated at the
243 standard tuition rate per credit hour.

244 Section 2. Paragraph (d) of subsection (19) of section
245 1002.20, Florida Statutes, is amended to read:

246 1002.20 K-12 student and parent rights.—Parents of public
247 school students must receive accurate and timely information
248 regarding their child's academic progress and must be informed
249 of ways they can help their child to succeed in school. K-12
250 students and their parents are afforded numerous statutory
251 rights including, but not limited to, the following:

252 (19) INSTRUCTIONAL MATERIALS.—

253 (d) *Dual enrollment students.*—Instructional materials
254 purchased by a district school board or Florida College System
255 institution board of trustees on behalf of ~~public school~~ dual
256 enrollment students shall be made available free of charge to
257 the dual enrollment students ~~free of charge~~, in accordance with
258 s. 1007.271(17).

259 Section 3. Paragraph (i) of subsection (1) of section
260 1011.62, Florida Statutes, is amended to read:

261 1011.62 Funds for operation of schools.—If the annual

15-00901A-16

2016824__

262 allocation from the Florida Education Finance Program to each
263 district for operation of schools is not determined in the
264 annual appropriations act or the substantive bill implementing
265 the annual appropriations act, it shall be determined as
266 follows:

267 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
268 OPERATION.—The following procedure shall be followed in
269 determining the annual allocation to each district for
270 operation:

271 (i) *Calculation of full-time equivalent membership with*
272 *respect to dual enrollment instruction.*—Students enrolled in
273 dual enrollment instruction pursuant to s. 1007.271 may be
274 included in calculations of full-time equivalent student
275 memberships for basic programs for grades 9 through 12 by a
276 district school board. Instructional time for dual enrollment
277 may vary from 900 hours; however, the full-time equivalent
278 student membership value shall be subject to the provisions in
279 s. 1011.61(4). Dual enrollment full-time equivalent student
280 membership shall be calculated in an amount equal to the hours
281 of instruction that would be necessary to earn the full-time
282 equivalent student membership for an equivalent course if it
283 were taught in the school district. Students in dual enrollment
284 courses may also be calculated as the proportional shares of
285 full-time equivalent enrollments they generate for a Florida
286 College System institution or university conducting the dual
287 enrollment instruction. Early admission students shall be
288 considered dual enrollments for funding purposes. Students may
289 be enrolled in dual enrollment instruction provided by an
290 eligible independent college or university and may be included

15-00901A-16

2016824__

291 in calculations of full-time equivalent student memberships for
292 basic programs for grades 9 through 12 by a district school
293 board. However, those provisions of law which exempt dual
294 enrollment students ~~enrolled~~ and early admission students from
295 payment of instructional materials and tuition and fees,
296 including registration, technology, and laboratory fees, do
297 ~~shall~~ not apply to students who select the option of enrolling
298 in an eligible independent institution. An independent college
299 or university that ~~which~~ is located and chartered in Florida, is
300 not for profit, is accredited by the Commission on Colleges of
301 the Southern Association of Colleges and Schools or the
302 Accrediting Council for Independent Colleges and Schools, and
303 confers degrees as defined in s. 1005.02 is ~~shall be~~ eligible
304 for inclusion in the dual enrollment or early admission program.
305 Students enrolled in dual enrollment instruction are ~~shall be~~
306 exempt from the payment of tuition and fees, including
307 registration, technology, and laboratory fees. A ~~No~~ student
308 enrolled in college credit mathematics or English dual
309 enrollment instruction may not ~~shall~~ be funded as a dual
310 enrollment unless the student has successfully completed the
311 relevant section of the entry-level examination required
312 pursuant to s. 1008.30.

313 Section 4. This act shall take effect July 1, 2016.