

1 A bill to be entitled
2 An act relating to postsecondary education for
3 secondary students; amending s. 1007.27, F.S.;
4 establishing reporting requirements for postsecondary
5 institutions participating in dual enrollment
6 programs; amending s. 1007.271, F.S.; prohibiting
7 district school boards and Florida College System
8 institutions from limiting participation in dual
9 enrollment programs; providing an exemption; requiring
10 a certain statement to include specified postsecondary
11 course and grade information; requiring, rather than
12 authorizing, instructional materials to be made
13 available to certain dual enrollment students free of
14 charge; providing requirements for costs associated
15 with certain courses delivered using technology;
16 providing additional funding to public postsecondary
17 institutions that provide dual enrollment courses
18 using technology; requiring the inclusion of
19 provisions relating to the establishment of early
20 admission programs and early college programs in an
21 articulation agreement; requiring private school
22 articulation agreements to prohibit certain costs from
23 being funded through the Florida Education Finance
24 Program or passed along to private school students or
25 private schools; authorizing a private school to enter

26 | into an agreement with specified educational
27 | institutions to establish an early college program;
28 | prohibiting the costs of such program from being
29 | funded through the Florida Education Finance Program
30 | or passed along to private school students or private
31 | schools; requiring the State Board of Education to
32 | adopt rules and the Board of Governors to adopt
33 | regulations for specified purposes; amending s.
34 | 1007.273, F.S.; providing additional options for
35 | students participating in an early college program;
36 | revising the requirements for an early college
37 | program; prohibiting certain entities from limiting
38 | the number of students who may participate in an early
39 | college program; revising early college program
40 | student performance contract requirements; requiring
41 | each district school board to post specified
42 | information on its website; authorizing a charter
43 | school or a private school to establish an early
44 | college program; amending s. 1011.62, F.S.; deleting
45 | requirements that an independent college or university
46 | must meet to participate in the dual enrollment or
47 | early admission program; providing funding
48 | calculations for certain students enrolled in
49 | specified programs; providing requirements for such
50 | calculations; providing an appropriation; providing an

51 effective date.

52
53 Be It Enacted by the Legislature of the State of Florida:

54
55 Section 1. Subsections (5) through (8) of section 1007.27,
56 Florida Statutes, are renumbered as subsections (6) through (9),
57 respectively, and a new subsection (5) is added to that section
58 to read:

59 1007.27 Articulated acceleration mechanisms.—

60 (5) (a) Beginning September 1, 2021, and annually
61 thereafter, each postsecondary institution shall report to the
62 Commissioner of Education at least the following information for
63 the previous school year for each dual enrollment articulation
64 agreement it enters into pursuant to s. 1007.271:

65 1. The number of students who enrolled in a dual
66 enrollment course under each articulation agreement, including
67 those students enrolled in an early college program under s.
68 1007.273.

69 2. The total and average number of dual enrollment courses
70 completed, clock hours earned, high school and college credits
71 earned, standard high school diplomas awarded, certificates
72 awarded, associate and baccalaureate degrees awarded, and
73 industry certifications attained, if any, by the students who
74 enrolled in each dual enrollment program or early college
75 program.

76 3. The projected student enrollment in each dual
 77 enrollment program and early college program during the next
 78 school year.

79 4. Any barriers to entering into an agreement to establish
 80 one or more early college programs as provided in ss. 1007.271
 81 and 1007.273.

82 (b) By November 30, 2021, and annually thereafter, the
 83 Department of Education shall post on its website the status of
 84 early college programs, including, at a minimum, a summary of
 85 student enrollment and completion information provided pursuant
 86 to this subsection; barriers, if any, to establishing such
 87 programs; and recommendations for expanding access to such
 88 programs statewide.

89 Section 2. Subsections (4), (15), and (17), paragraph (n)
 90 of subsection (21), and paragraph (b) of subsection (24) of
 91 section 1007.271, Florida Statutes, are amended, paragraph (p)
 92 is added to subsection (21), paragraph (c) is added to
 93 subsection (24), and subsection (26) is added to that section,
 94 to read:

95 1007.271 Dual enrollment programs.—

96 (4) District school boards may not refuse to enter into a
 97 dual enrollment articulation agreement with a local Florida
 98 College System institution if that Florida College System
 99 institution has the capacity to offer dual enrollment courses. A
 100 district school board or a Florida College System institution

101 may not limit the number of students who enter dual enrollment
102 programs, including early college programs under s. 1007.273,
103 unless the commissioner grants a request for a 1-year waiver due
104 to capacity to offer a quality program. The request for a waiver
105 must describe the existing capacity issues and specific courses
106 or programs that cannot be offered and suggest solutions and a
107 timeline for achieving the capacity needed to meet the demand.

108 (15) The Department of Education shall develop a statement
109 on transfer guarantees to inform students and their parents,
110 before ~~prior to~~ enrollment in a dual enrollment course, of the
111 potential for the dual enrollment course to articulate as an
112 elective or a general education course into a postsecondary
113 education certificate or degree program. The statement shall
114 include the English and mathematics courses that require a grade
115 of "C" or higher to measure student achievement in college-level
116 communication and computation skills pursuant to state board
117 rule. A notice must be included with the statement stating that
118 grades earned in college credit courses remain on the student's
119 permanent postsecondary transcript. The statement shall be
120 provided to each district school superintendent, who shall
121 include the statement in the information provided to all
122 secondary students and their parents as required pursuant to
123 this subsection. The statement may also include additional
124 information, including, but not limited to, dual enrollment
125 options, guarantees, privileges, and responsibilities.

126 (17) Instructional materials assigned for use within dual
127 enrollment courses shall be made available to dual enrollment
128 students from Florida public high schools, home education
129 programs, and private schools free of charge. ~~This subsection~~
130 ~~does not prohibit a Florida College System institution from~~
131 ~~providing instructional materials at no cost to a home education~~
132 ~~student or student from a private school.~~ Instructional
133 materials purchased by a district school board or Florida
134 College System institution board of trustees on behalf of dual
135 enrollment students shall be the property of the board against
136 which the purchase is charged.

137 (21) Each district school superintendent and each public
138 postsecondary institution president shall develop a
139 comprehensive dual enrollment articulation agreement for the
140 respective school district and postsecondary institution. The
141 superintendent and president shall establish an articulation
142 committee for the purpose of developing the agreement. Each
143 state university president may designate a university
144 representative to participate in the development of a dual
145 enrollment articulation agreement. A dual enrollment
146 articulation agreement shall be completed and submitted annually
147 by the postsecondary institution to the Department of Education
148 on or before August 1. The agreement must include, but is not
149 limited to:

150 (n) A funding provision that delineates costs incurred by

151 each entity.

152 1. School districts shall pay public postsecondary
153 institutions the standard tuition rate per credit hour from
154 funds provided in the Florida Education Finance Program when
155 dual enrollment course instruction takes place on the
156 postsecondary institution's campus and the course is taken
157 during the fall or spring term. When dual enrollment is provided
158 on the high school site by postsecondary institution faculty,
159 the school district shall reimburse the costs associated with
160 the postsecondary institution's proportion of salary and
161 benefits to provide the instruction. When dual enrollment course
162 instruction is provided on the high school site by school
163 district faculty, the school district is not responsible for
164 payment to the postsecondary institution. A postsecondary
165 institution may enter into an agreement with the school district
166 to authorize teachers to teach dual enrollment courses at the
167 high school site or the postsecondary institution. A school
168 district may not deny a student access to dual enrollment unless
169 the student is ineligible to participate in the program subject
170 to provisions specifically outlined in this section.

171 2. Subject to annual appropriation in the General
172 Appropriations Act, a public postsecondary institution shall
173 receive an amount of funding equivalent to the standard tuition
174 rate per credit hour for each dual enrollment course taken by a
175 student during the summer term.

176 3. The agreement must address the costs associated with
177 courses delivered using technology, such as online courses,
178 blended courses, and synchronous or asynchronous e-learning, to
179 be borne by each entity.

180 4. Subject to annual appropriation in the General
181 Appropriations Act, a public postsecondary institution that uses
182 technology to provide dual enrollment courses on the
183 institution's campus or on the high school site and has a total
184 number of dual enrollment students that meets or exceeds 25
185 percent of the institution's total FTE or total headcount
186 enrollment shall receive an appropriation in an amount
187 equivalent to the statewide average cost of a fulltime faculty
188 member's salary and benefits. The institution shall receive an
189 additional appropriation in the same amount for each 100
190 students served above the 25-percent threshold.

191 (p) For an agreement between a Florida College System
192 institution and a school district, a provision to establish one
193 or more early admission programs pursuant to subsections (10)
194 and (11) or early college programs pursuant to s. 1007.273 at a
195 mutually agreed upon location or locations. If the Florida
196 College System institution does not establish an early college
197 program with a district school board in its designated service
198 area, another Florida College System institution may establish
199 an early college program with that district school board through
200 an articulation agreement consistent with this section. An

201 agreement establishing an early college program must:

202 1. Identify the grade levels to be included in the early
203 college program.

204 2. Describe the early college program, including a list of
205 the meta-major academic pathways approved pursuant to s.
206 1008.30(4) that are available to participating students through
207 the partner Florida College System institution or other eligible
208 partner postsecondary institution participating pursuant to s.
209 1007.273(3); the delineation of courses that must, at a minimum,
210 include general education core requirements and common
211 prerequisite courses under s. 1007.25; industry certifications
212 offered, including online course availability; the high school
213 and college credits earned for each postsecondary course
214 completed and industry certification earned; student eligibility
215 criteria; and the enrollment process and relevant deadlines.

216 3. Describe the methods, mediums, and processes by which
217 students and their parents are annually informed about the
218 availability of the early college program, the return on
219 investment associated with participation in the early college
220 program, and the information described in subparagraphs 1. and
221 2.

222 4. Identify the delivery methods for instruction and the
223 instructors for all courses.

224 5. Identify student advising services and progress
225 monitoring mechanisms.

226 6. Establish a program review and reporting mechanism
 227 regarding student performance outcomes.

228 7. Describe the terms of funding arrangements to implement
 229 the early college program pursuant to s. 1007.273(4).

230 (24)

231 (b) Each public postsecondary institution eligible to
 232 participate in the dual enrollment program pursuant to s.
 233 1011.62(1)(i) must enter into a private school articulation
 234 agreement with each eligible private school in its geographic
 235 service area seeking to offer dual enrollment courses to its
 236 students, including, but not limited to, students with
 237 disabilities. By August 1 of each year, the eligible
 238 postsecondary institution shall complete and submit the private
 239 school articulation agreement to the Department of Education.
 240 The private school articulation agreement must include, at a
 241 minimum:

242 1. A delineation of courses and programs available to the
 243 private school student. The postsecondary institution may add,
 244 revise, or delete courses and programs at any time.

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

248 3. The student's responsibilities for providing his or her
 249 own ~~instructional materials and~~ transportation.

250 4. A provision clarifying that the private school will

251 award appropriate credit toward high school completion for the
252 postsecondary course under the dual enrollment program.

253 5. A provision expressing that costs associated with
254 tuition and fees, including registration, and laboratory fees
255 and instructional materials, may not be funded through the
256 Florida Education Finance Program or will not be passed along to
257 the student or the student's private school of enrollment.

258 (c) A private school may enter into an agreement with the
259 local Florida College System institution or another institution
260 consistent with paragraph (21) (p) and s. 1007.273 to establish
261 an early college program. The costs of such program may not be
262 funded through the Florida Education Finance Program or passed
263 along to the student or the student's private school of
264 enrollment.

265 (26) The State Board of Education shall adopt rules and
266 the Board of Governors shall adopt regulations to implement this
267 section.

268 Section 3. Section 1007.273, Florida Statutes, is amended
269 to read:

270 1007.273 Early college acceleration programs ~~Collegiate~~
271 ~~high school program.~~

272 ~~(1)~~ Each Florida College System institution shall work
273 with each district school board in its designated service area
274 to establish one or more early college programs consistent with
275 s. 1007.271(21) (p) ~~collegiate high school programs.~~

276 ~~(1)(2)~~ PURPOSE.—At a minimum, early college ~~collegiate~~
277 ~~high school~~ programs must include an option for public school
278 students in grades ~~grade~~ 11 and ~~or~~ ~~grade~~ 12 participating in the
279 early college program, for at least 2 ~~1~~ full school years ~~year~~,
280 to earn CAPE industry certifications pursuant to s. 1008.44 and
281 graduate from high school with an associate degree ~~to~~
282 ~~successfully complete 30 credit hours~~ through the dual
283 enrollment program under s. 1007.271. The early college program
284 must prioritize dual enrollment courses applicable to the
285 general education core requirements and common prerequisite
286 courses under s. 1007.25 ~~toward the first year of college~~ for an
287 associate degree or a baccalaureate degree ~~over~~ elective
288 courses. A district school board or Florida College System
289 institution may not limit the number of eligible students who
290 may enroll in an early college program ~~while enrolled in the~~
291 ~~program.~~

292 ~~(3)~~ ~~Each district school board and its local Florida~~
293 ~~College System institution shall execute a contract to establish~~
294 ~~one or more collegiate high school programs at a mutually agreed~~
295 ~~upon location or locations. Beginning with the 2015-2016 school~~
296 ~~year, If the institution does not establish a program with a~~
297 ~~district school board in its designated service area, another~~
298 ~~Florida College System institution may execute a contract with~~
299 ~~that district school board to establish the program. The~~
300 ~~contract must be executed by January 1 of each school year for~~

301 ~~implementation of the program during the next school year. The~~
302 ~~contract must:~~

303 ~~(a) Identify the grade levels to be included in the~~
304 ~~collegiate high school program which must, at a minimum, include~~
305 ~~grade 12.~~

306 ~~(b) Describe the collegiate high school program, including~~
307 ~~the delineation of courses and industry certifications offered,~~
308 ~~including online course availability; the high school and~~
309 ~~college credits earned for each postsecondary course completed~~
310 ~~and industry certification earned; student eligibility criteria;~~
311 ~~and the enrollment process and relevant deadlines.~~

312 ~~(c) Describe the methods, medium, and process by which~~
313 ~~students and their parents are annually informed about the~~
314 ~~availability of the collegiate high school program, the return~~
315 ~~on investment associated with participation in the program, and~~
316 ~~the information described in paragraphs (a) and (b).~~

317 ~~(d) Identify the delivery methods for instruction and the~~
318 ~~instructors for all courses.~~

319 ~~(e) Identify student advising services and progress~~
320 ~~monitoring mechanisms.~~

321 ~~(f) Establish a program review and reporting mechanism~~
322 ~~regarding student performance outcomes.~~

323 ~~(g) Describe the terms of funding arrangements to~~
324 ~~implement the collegiate high school program.~~

325 (2)(4) STUDENT PERFORMANCE CONTRACT AND INFORMATION.-

326 (a) Each student participating in an early college a
 327 collegiate high school program must enter into a student
 328 performance contract which must be signed by the student, the
 329 parent, and a representative of the school district and the
 330 ~~applicable Florida College System institution, state university,~~
 331 or other eligible postsecondary institution participating
 332 pursuant to subsection (3)-(5). The performance contract must, at
 333 a minimum, specify ~~include~~ the schedule of courses, by semester,
 334 and industry certifications to be taken by the student, if any;
 335 student attendance requirements; ~~and~~ course grade requirements;
 336 and the applicability of such courses to an associate degree or
 337 a baccalaureate degree.

338 (b) By September 1, 2021, and annually thereafter, each
 339 district school board must post on its website at least the
 340 following:

341 1. The method for earning college credit through
 342 participation in the early college program. The information must
 343 link to the dual enrollment course equivalency list approved by
 344 the State Board of Education; the common degree program
 345 prerequisite requirements published by the Articulation
 346 Coordinating Committee pursuant to s. 1007.01(3)(f); the
 347 industry certification articulation agreements adopted in rule
 348 by the State Board of Education; and the approved meta-major
 349 academic pathways of the partner Florida College System
 350 institution or other eligible partner postsecondary institution

351 participating through an agreement consistent with subsection
352 (3).

353 2. The estimated cost savings to students and their
354 families resulting from students successfully completing 30
355 credit hours and 60 credit hours applicable toward the general
356 education core requirements and common prerequisite courses
357 before graduating from high school versus the cost of students
358 earning such credit hours after graduating from high school.

359 (3)-(5) AUTHORIZED EARLY COLLEGE PROGRAM AGREEMENTS.~~In~~
360 ~~addition to executing a contract with the local Florida College~~
361 ~~System institution under this section,~~ A district school board
362 may ~~execute a contract to~~ establish an early college a
363 ~~collegiate high school~~ program with a state university or an
364 institution that is eligible to participate in the William L.
365 Boyd, IV, Effective Access to Student Education Grant Program,
366 that is a nonprofit independent college or university located
367 and chartered in this state, and that is accredited by the
368 Commission on Colleges of the Southern Association of Colleges
369 and Schools to grant baccalaureate degrees. The program must be
370 established through an agreement that meets the requirements of
371 this section and s. 1007.271(21)(p). A charter school or a
372 private school may enter into an agreement with the local
373 Florida College System institution or another institution
374 consistent with this section and s. 1007.271(21)(p) to establish
375 an early college program ~~Such university or institution must~~

376 ~~meet the requirements specified under subsections (3) and (4).~~

377 (4)-(6) FUNDING.—The early college ~~collegiate high school~~
378 program shall be funded pursuant to ss. 1007.271 and 1011.62.
379 The State Board of Education shall enforce compliance with this
380 section and s. 1007.271(21)(p) by withholding the transfer of
381 funds for the school districts and the Florida College System
382 institutions in accordance with s. 1008.32.

383 Section 4. Paragraph (i) of subsection (1) of section
384 1011.62, Florida Statutes, is amended to read:

385 1011.62 Funds for operation of schools.—If the annual
386 allocation from the Florida Education Finance Program to each
387 district for operation of schools is not determined in the
388 annual appropriations act or the substantive bill implementing
389 the annual appropriations act, it shall be determined as
390 follows:

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

395 (i) Calculation of full-time equivalent membership with
396 respect to dual enrollment instruction.—

397 1. Students enrolled in dual enrollment instruction
398 pursuant to s. 1007.271 may be included in calculations of full-
399 time equivalent student memberships for basic programs for
400 grades 9 through 12 by a district school board. Instructional

401 time for dual enrollment may vary from 900 hours; however, the
402 full-time equivalent student membership value shall be subject
403 to ~~the provisions in~~ s. 1011.61(4). Dual enrollment full-time
404 equivalent student membership shall be calculated in an amount
405 equal to the hours of instruction that would be necessary to
406 earn the full-time equivalent student membership for an
407 equivalent course if it were taught in the school district.
408 Students in dual enrollment courses may also be calculated as
409 the proportional shares of full-time equivalent enrollments they
410 generate for a Florida College System institution or university
411 conducting the dual enrollment instruction. Early admission
412 students shall be considered dual enrollments for funding
413 purposes. Students may be enrolled in dual enrollment
414 instruction provided by an eligible independent college or
415 university and may be included in calculations of full-time
416 equivalent student memberships for basic programs for grades 9
417 through 12 by a district school board. However, those provisions
418 of law which exempt dual enrolled and early admission students
419 from payment of instructional materials and tuition and fees,
420 including laboratory fees, shall not apply to students who
421 select the option of enrolling in an eligible independent
422 institution. ~~An independent college or university, which is not~~
423 ~~for profit, is accredited by a regional or national accrediting~~
424 ~~agency recognized by the United States Department of Education,~~
425 ~~and confers degrees as defined in s. 1005.02 shall be eligible~~

426 ~~for inclusion in the dual enrollment or early admission program.~~
427 ~~Students enrolled in dual enrollment instruction shall be exempt~~
428 ~~from the payment of tuition and fees, including laboratory fees.~~
429 No student enrolled in college credit mathematics or English
430 dual enrollment instruction shall be funded as a dual enrollment
431 unless the student has successfully completed the relevant
432 section of the entry-level examination required pursuant to s.
433 1008.30.

434 2. For students enrolled in an early college program
435 pursuant to s. 1007.273, a value of 0.16 full-time equivalent
436 student membership shall be calculated for each student who
437 completes a general education core course through the dual
438 enrollment program with a grade of "A" or higher. For students
439 who are not enrolled in an early college program, a value of
440 0.08 full-time equivalent student membership shall be calculated
441 for each student who completes a general education core course
442 through the dual enrollment program with a grade of "A" or
443 higher. Additionally, a value of 0.3 full-time equivalent
444 student membership shall be calculated for each student who
445 receives an associate degree with a cumulative 3.0 grade point
446 average or higher through the dual enrollment program. Such
447 values shall be added to the total full-time equivalent student
448 membership for basic programs for grades 9 through 12 in the
449 subsequent fiscal year. This subparagraph applies to credits
450 earned by dually enrolled students for courses taken in the

451 2020-2021 school year and each subsequent school year
452 thereafter. If the associate degree is earned in 2020-2021
453 school year, following completion of courses taken in the 2020-
454 2021 school year, courses taken and applied toward the degree as
455 part of the dual enrollment program before 2020-2021 may not
456 preclude eligibility for the 0.3 additional full-time equivalent
457 student membership bonus. Each school district shall allocate at
458 least 50 percent of the funds received from the dual enrollment
459 bonus full-time equivalent funding in accordance with this
460 subparagraph to the schools that generated funds to support
461 student academic guidance and postsecondary readiness.

462 3. For the purposes of this paragraph, general education
463 core courses are those that are identified in rule by the State
464 Board of Education and in regulation by the Board of Governors
465 pursuant to s. 1007.25(3).

466 Section 5. For the 2020-2021 fiscal year, the sum of
467 \$550,000 in recurring funds is appropriated from the General
468 Revenue Fund to the Department of Education for the purpose of
469 providing instructional materials for private school and charter
470 school students pursuant to s. 1007.271(17), Florida Statutes,
471 as amended by this act.

472 Section 6. This act shall take effect July 1, 2020.