

CHAPTER 2021-162

Committee Substitute for Committee Substitute for Senate Bill No. 366

An act relating to educational opportunities leading to employment; amending s. 445.06, F.S.; renaming the Florida Ready to Work Certification Program as the Florida Ready to Work Credential Program; providing where the program training may be conducted; providing the components of the program; requiring, rather than authorizing, the Department of Economic Opportunity, in consultation with the Department of Education, to adopt rules for the program; creating s. 446.54, F.S.; requiring that certain students be covered by the workers' compensation insurance of their employers in a work-based learning opportunity; providing that a school district or Florida College System institution is considered the employer for certain students; providing that the Department of Education may reimburse, subject to appropriation, employers for the cost of certain workers' compensation premiums in accordance with department rule; amending s. 1007.23, F.S.; requiring that the statewide articulation agreement specify three mathematics pathways that meet a certain requirement upon which degree-seeking students must be placed; amending s. 1007.263, F.S.; requiring admissions counseling to use certain tests or alternative methods to measure achievement of college-level communication and computation by students entering college programs; requiring that such counseling measure achievement of certain basic skills; revising requirements for admission to associate degree programs; amending s. 1007.271, F.S.; revising eligibility requirements for initial enrollment in college-level dual enrollment courses; revising requirements for home education students seeking dual enrollment in certain postsecondary institutions; amending s. 1008.30, F.S.; requiring the State Board of Education to adopt, by a specified date, rules establishing alternative methods for assessing communication and computation skills of certain students; authorizing Florida College System institutions to use such alternative methods in lieu of the common placement test to assess a student's readiness to perform college-level work in communication and computation; deleting obsolete provisions; requiring Florida College System institutions to use placement test results or alternative methods to determine the extent to which certain students demonstrate sufficient communication and computation skills to indicate readiness for their meta-major; requiring Florida College System institutions to counsel and place certain students in specified college courses; limiting students' developmental education to content needed for success in their meta-major; conforming provisions to changes made by the act; making technical changes; amending s. 1009.25, F.S.; authorizing the State Board of Education to adopt specified rules and the Board of Governors to adopt specified regulations; amending s. 1009.52, F.S.; revising the eligibility requirements for Florida postsecondary student assistance grants; providing an appropriation; providing an effective date.

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

Section 1. Section 445.06, Florida Statutes, is amended to read:

445.06 Florida Ready to Work Credential ~~Certification~~ Program.—

(1) There is created the Florida Ready to Work Credential ~~Certification~~ Program to enhance the employability ~~workplace~~ skills of Floridians and to better prepare them for successful employment in ~~specific occupations~~.

(2) Training required to be eligible for a credential under the Florida Ready to Work Certification program may be conducted in public middle and high schools, Florida College System institutions, technical centers, one-stop career centers, vocational rehabilitation centers, Department of Corrections facilities, and Department of Juvenile Justice educational facilities. Such training may also be made available at ~~The program may be made available to other entities that provide job training. The Department of Economic Opportunity, in coordination with the Department of Education, shall establish institutional readiness criteria for program implementation.~~

(3) ~~The Florida Ready to Work Certification program shall be composed of:~~

(a) A comprehensive identification by the Department of Economic Opportunity and the Department of Education of employability skills currently in demand by employers, including, but not limited to, professionalism, time management, communication, problem-solving, collaboration, resilience, digital literacy skills, and academic skills such as mathematics and reading of workplace skills for each occupation identified for inclusion in the program by the Department of Economic Opportunity and the Department of Education.

(b) A preinstructional assessment that delineates an individual's mastery level for on the employability on the specific workplace skills identified pursuant to paragraph (a) for that occupation.

(c) An A-targeted instructional program targeting the limited to those identified employability workplace skills in which the individual is not proficient as measured by the preinstructional assessment. Instruction must utilize a web-based program and be customizable ~~customized to meet identified specific needs of local employers.~~

(d) An employability A Florida Ready to Work Credential and portfolio to be awarded to individuals upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the individual as evidence of the individual's preparation for employment.

(4) An employability A Florida Ready to Work credential shall be awarded to an individual who successfully passes assessments which measure the skills identified in paragraph (3)(a) in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of

comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each individual receives is based on the following:

(a) ~~A bronze-level credential requires a minimum score of 3 or above on each of the assessments.~~

(b) ~~A silver-level credential requires a minimum score of 4 or above on each of the assessments.~~

(c) ~~A gold-level credential requires a minimum score of 5 or above on each of the assessments.~~

(5) The Department of Economic Opportunity, in consultation with the Department of Education, shall may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 2. Section 446.54, Florida Statutes, is created to read:

446.54 Reimbursement for workers' compensation insurance premiums. A student 18 years of age or younger who is in a paid work-based learning opportunity shall be covered by the workers' compensation insurance of his or her employer in accordance with chapter 440. For purposes of chapter 440, a school district or Florida College System institution is considered the employer of a student 18 years of age or younger who is providing unpaid services under a work-based learning opportunity provided by the school district or Florida College System institution. Subject to appropriation, the Department of Education may reimburse employers, including school districts and Florida College System institutions, for the proportionate cost of workers' compensation premiums for students in work-based learning opportunities in accordance with department rules.

Section 3. Present subsections (3) through (8) of section 1007.23, Florida Statutes, are redesignated as subsections (4) through (9), respectively, and a new subsection (3) is added to that section, to read:

1007.23 Statewide articulation agreement.—

(3) To facilitate seamless transfer of credits, reduce excess credit hours, and ensure students take the courses needed for their future career, the articulation agreement must establish three mathematics pathways for students by aligning mathematics courses to programs, meta-majors, and careers. A representative committee consisting of State University System faculty, faculty of career centers established under s. 1001.44, and Florida College System institution faculty shall collaborate to identify the three mathematics pathways and the mathematics course sequence within each pathway which align to the mathematics skills needed for success in the corresponding academic programs and careers.

Section 4. Subsection (1) and paragraph (a) of subsection (2) of section 1007.263, Florida Statutes, are amended to read:

1007.263 Florida College System institutions; admissions of students. Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(1) Admissions counseling shall be provided to all students entering college or career credit programs. For students who are not otherwise exempt from testing under s. 1008.30, counseling must use the tests or alternative methods established by the State Board of Education under s. 1008.30 to measure achievement of college-level communication and computation competencies by students entering college credit programs ~~or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91~~. Counseling must measure achievement of basic skills for career education programs under s. 1004.91. Counseling includes providing developmental education options for students whose assessment results, determined under s. 1008.30, indicate that they need to improve communication or computation skills that are essential to perform college-level work.

(2) Admission to associate degree programs is subject to minimum standards adopted by the State Board of Education and shall require:

(a) A standard high school diploma; a State of Florida high school equivalency diploma awarded under s. 1003.435(2); a high school equivalency diploma issued by another state which is recognized as equivalent by State Board of Education rule and is based on an assessment recognized by the United States Department of Education; as prescribed in s. 1003.435, previously demonstrated competency in college credit postsecondary coursework; or, in the case of a student who is home educated, a signed affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41. Students who are enrolled in a dual enrollment or early admission program pursuant to s. 1007.271 are exempt from this requirement.

Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses, adult basic education, adult secondary education, or private provider instruction.

Section 5. Subsection (3) and paragraph (b) of subsection (13) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(3) Student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a 3.0 unweighted high school

grade point average and a demonstrated level of achievement of college-level communication and computation skills as provided under s. 1008.30(1) or (2) ~~the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework.~~ Student eligibility requirements for continued enrollment in college credit dual enrollment courses must include the maintenance of a 3.0 unweighted high school grade point average and the minimum postsecondary grade point average established by the postsecondary institution. Regardless of meeting student eligibility requirements for continued enrollment, a student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered. Student eligibility requirements for initial and continued enrollment in career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. Exceptions to the required grade point averages may be granted on an individual student basis if the educational entities agree and the terms of the agreement are contained within the dual enrollment articulation agreement established under ~~pursuant to~~ subsection (21). Florida College System institution boards of trustees may establish additional initial student eligibility requirements, which shall be included in the dual enrollment articulation agreement, to ensure student readiness for postsecondary instruction. Additional requirements included in the agreement may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses or limit the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.

(13)

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

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution. Any course or program limitations may not exceed the limitations for other dually enrolled students.

2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students. A high school grade point average may not be required for home education students who demonstrate achievement of college-level communication and computation skills as provided under s. 1008.30(1) or (2) ~~meet~~

the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework; however, home education student eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.

3. The student's responsibilities for providing his or her own transportation.

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

Section 6. Section 1008.30, Florida Statutes, is amended to read:

1008.30 Assessing college-level communication and computation skills
~~Common placement testing for public postsecondary education.—~~

(1) The State Board of Education, in conjunction with the Board of Governors, shall develop and implement a common placement test for the purpose of assessing the basic communication and computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution. Alternative assessments that may be accepted in lieu of the common placement test shall also be identified in rule. Public postsecondary educational institutions shall provide appropriate modifications of the test instruments or test procedures for students with disabilities.

(2) By January 31, 2022, the State Board of Education shall adopt rules to develop and implement alternative methods for assessing the basic communication and computation skills of students who intend to enter a degree program at a Florida College System institution. Florida College System institutions may use these alternative methods in lieu of the common placement tests under subsection (1) to assess student readiness for college-level work in communication and computation ~~The common placement testing program shall include the capacity to diagnose basic competencies in the areas of English, reading, and mathematics which are essential for success in meta-majors and to provide test information to students on the specific skills the student needs to attain.~~

(3) ~~By October 31, 2013, the State Board of Education shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work, and~~ The rules adopted under subsection (2) must specify the following:

(a) A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma or a student who is serving as an active duty member of any branch of the United States Armed Services is ~~shall not be required to be assessed for readiness for college-level work in communication and~~

~~computation take the common placement test and is~~ shall not be required to enroll in developmental education instruction in a Florida College System institution. However, a student who is not required to be assessed for readiness for college-level work in communication and computation ~~take the common placement test and is not required to enroll in developmental education under this paragraph may opt to be assessed and to enroll in developmental education instruction, and the college shall provide such assessment and instruction upon the student's request.~~

(b) A student who is assessed for readiness for college-level computation and communication and whose assessment results indicate ~~takes the common placement test and whose score on the test indicates a need for developmental education must be advised of all the developmental education options offered at the institution and, after advisement, may~~ shall be allowed ~~to enroll in the developmental education option of his or her choice.~~

(c) A student who demonstrates readiness by achieving or exceeding the test scores established by the state board and enrolls in a Florida College System institution within 2 years after achieving such scores shall not be required to retest or complete developmental education when admitted to any Florida College System institution.

(4) ~~By December 31, 2013, the State Board of Education, in consultation with the Board of Governors, shall approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. Florida College System institutions shall use placement test results to determine the extent to which each student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major.~~

(5)(a) ~~Each Florida College System institution board of trustees shall develop a plan to implement the developmental education strategies defined in s. 1008.02 and rules established by the State Board of Education. The plan must be submitted to the Chancellor of the Florida College System for approval no later than March 1, 2014, for implementation no later than the fall semester 2014. Each plan must include, at a minimum, local policies that outline:~~

1. ~~Documented student achievements such as grade point averages, work history, military experience, participation in juried competitions, career interests, degree major declaration, or any combination of such achievements that the institution may consider, in addition to common placement test scores, for advising students regarding enrollment options.~~

2. ~~Developmental education strategies available to students.~~

~~3. A description of student costs and financial aid opportunities associated with each option.~~

~~4. Provisions for the collection of student success data.~~

~~5. A comprehensive plan for advising students into appropriate developmental education strategies based on student success data.~~

~~(b) Beginning October 31, 2015, Each Florida College System institution shall use placement test results or alternative methods as established by the State Board of Education to determine the extent to which each student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major annually prepare an accountability report that includes student success data relating to each developmental education strategy implemented by the institution. The report shall be submitted to the Division of Florida Colleges by October 31 in a format determined by the Chancellor of the Florida College System. By December 31, the chancellor shall compile and submit the institutional reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education.~~

(c) A university board of trustees may contract with a Florida College System institution board of trustees for the Florida College System institution to provide developmental education on the state university campus. Any state university in which the percentage of incoming students requiring developmental education equals or exceeds the average percentage of such students for the Florida College System may offer developmental education without contracting with a Florida College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide developmental education instruction as defined in s. 1008.02(1).

~~(5)(6) A student may not be enrolled in a college credit mathematics or English course on a dual enrollment basis unless the student has demonstrated adequate precollegiate preparation in on the section of the basic computation and communication and computation skills assessment required pursuant to subsection (1) that is appropriate for successful student participation in the course.~~

Section 7. Paragraph (f) of subsection (1) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System institution, or state university:

(f) A student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter designed to provide temporary residence, a public or private transitional living program, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This includes a student who would otherwise meet the requirements of this paragraph, as determined by a college or university, but for his or her residence in college or university dormitory housing. The State Board of Education may adopt rules and the Board of Governors may adopt regulations regarding documentation and procedures to implement this paragraph.

Section 8. Subsection (2) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida postsecondary student assistance grants may be made ~~only to full-time degree-seeking~~ students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award amount specified in the General Appropriations Act. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida postsecondary student assistance grant.

(a) Awards may be made to full-time degree-seeking students who ~~Recipients of such grants must~~ have been accepted at a postsecondary institution that is located in this state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or

2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

(b) Awards may be made to full-time certificate-seeking students who have been accepted at an aviation maintenance school that is located in this state, certified by the Federal Aviation Administration, and licensed by the Commission for Independent Education. Such student's eligibility for the renewal of an award shall be evaluated at the end of the completion of 900 clock hours and, as a condition of renewal, the student shall meet the requirements under s. 1009.40(1)(b).

(c) If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester, or equivalent, of completing a degree or certificate program. No

student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3). A student specified in paragraph (b) is eligible for an award of up to 110 percent of the number of clock hours required to complete the program in which the student is enrolled.

~~(d)~~~~(b)~~ A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

~~(e)~~~~(e)~~ Priority in the distribution of grant moneys may be given to students who are within one semester, or equivalent, of completing a degree or certificate program. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

~~(f)~~~~(d)~~ Each participating institution shall report to the department by the established date the students eligible for the program for each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

Section 9. For the 2021-2022 Fiscal Year, the nonrecurring sum of \$2 million is appropriated from the General Revenue Fund to the Department of Education for reimbursement for workers' compensation insurance premiums under s. 446.54, Florida Statutes.

Section 10. This act shall take effect July 1, 2021.

Approved by the Governor June 24, 2021.

Filed in Office Secretary of State June 24, 2021.