A bill to be entitled
An act relating to education funding; amending s. 1001.271, F.S.; establishing the Florida Information Resource Network according to specified requirements; providing for school district use of the network and requirements for compliance; amending ss. 1001.64 and 1001.65, F.S.; correcting cross-references; repealing s. 1002.31(9), F.S., relating to the calculation for compliance with maximum class size for a school or program that is a public school of choice under the controlled open enrollment program; amending s. 1002.32, F.S.; revising eligibility requirements for developmental research schools to receive sparsity supplement funds; amending s. 1002.33, F.S.; revising requirements for charter school compliance with maximum class size requirements; amending s. 1002.39, F.S.; providing that the John M. McKay Scholarship amount is not subject to a specified maximum value for funding; amending s. 1002.451, F.S.; revising requirements for district innovation school of technology compliance with maximum class size requirements; amending s. 1003.01, F.S.; removing certain courses from the definition of the term "core-curricula courses" as the term relates to maximum class size requirements; amending s. 1003.03, F.S.; requiring the Department of Education to make an
HB 5101, Engrossed 1

annual determination relating to maximum class size
compliance; calculating a school district's class size
categorical allocation reduction at the school average
when maximum class size requirements are not met;
revising the calculation; amending s. 1003.436, F.S.;
correcting a cross-reference; amending s. 1004.32,
F.S.; revising the mission and goals of New College of
Florida; providing for a master's degree program in
data science and analytics at New College of Florida;
amending s. 1006.29, F.S.; authorizing the department
to assess and collect fees relating to the
instructional materials approval process; authorizing
a stipend to be paid to instructional materials
reviewers; amending s. 1007.271, F.S.; providing
coursework requirements for dual enrollment students;
revising provisions relating to dual enrollment
articulation agreements, participating postsecondary
institutions, student eligibility, costs incurred by
participating entities, payment, and funding; amending
s. 1008.25, F.S.; correcting a cross-reference;
amending s. 1009.22, F.S.; revising workforce
education postsecondary tuition and out-of-state
student fees; amending s. 1009.23, F.S.; revising
Florida College System institution tuition and out-of-
state student fees; amending s. 1009.24, F.S.;
revising state university resident undergraduate
Page 2 of 43
tuition; amending s. 1009.286, F.S.; revising provisions relating to the excess hour surcharge; amending s. 1009.98, F.S.; revising provisions relating to advance payment contracts and payment to a state university on behalf of a qualified beneficiary; amending s. 1011.61, F.S.; providing that the scholarship amount paid to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program is not subject to a specified maximum value for funding; amending s. 1011.62, F.S.; revising provisions relating to dual enrollment instruction provided by eligible independent colleges and universities; providing for student access to dual enrollment; creating a technology supplemental allocation and providing for use of the funds; amending s. 1011.80, F.S.; correcting a cross-reference; providing an effective date.

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

Section 1. Section 1001.271, Florida Statutes, is amended to read:

1001.271 Florida Information Resource Network.—
(1) There is established an educational Internet-based data transport service which shall be known as The Commissioner of Education shall facilitate and coordinate the use of the

CODING: Words stricken are deletions; words underlined are additions.
Florida Information Resource Network by school districts, educational institutions in the Florida College System, universities, and other eligible users. The Department of Education shall collaborate with the Department of Management Services to establish the Florida Information Resource Network in a manner that complies with all requirements necessary to receive federal funds that are available through the Schools and Libraries Program, commonly cited as the E-rate program, of the federal Universal Service Fund administered by the Universal Service Administrative Company under direction of the Federal Communications Commission.

(2) The Florida Information Resource Network shall be used by each school district in preparation for and implementation and administration of the statewide, standardized assessments administered pursuant to s. 1008.22. A school district may use the Florida Information Resource Network for other eligible educational purposes as identified by the district. However, the Florida Information Resource Network must be configured in such a manner that network traffic associated with the statewide, standardized assessments is given preferential and preemptive treatment over other network traffic.

(3) The Florida Information Resource Network must comply with:

(a) The standard that requires each full-time equivalent student funded in the Florida Education Finance Program to have access to one megabit of bandwidth no later than the beginning
of the 2017-2018 academic year.

(b) All applicable state and federal laws, rules, regulations, and policies regarding the security and privacy of student records and data.

(4)(a) A school district may seek exemption from using the Florida Information Resource Network for purposes of subsection (2) if the school district certifies to the Department of Education that the district has executed or will have executed a contract by July 1, 2014, that meets all of the following requirements:

1. Has been deemed eligible to receive the federal funds referenced in subsection (1).

2. Will comply with the standard established pursuant to paragraph (3)(a).

3. Includes comparable services as offered by the Florida Information Resource Network, to include Internet access, helpdesk support, security, network traffic analysis and utilization reporting, intrusion prevention, basic firewall protection, and content filtering services, at a cost that is equal to or less than the cost of such services provided by the Florida Information Resource Network.

4. Complies with all applicable state and federal laws, rules, regulations, and policies regarding the security and privacy of student records and data.

(b)1. If the Department of Education, in consultation with the Department of Management Services, verifies that a school
district meets the requirements identified in paragraph (a), the school district is authorized to use its funds appropriated pursuant to s. 1011.62 to fund the portion of the school district's contract for Internet access that is not funded by the federal funds referenced in subsection (1).

2. The school district must provide to the Department of Management Services, in a format prescribed by the department, the data the department needs to develop the interactive geographical information system map established pursuant to s. 282.702.

(5) A school district must comply with subsection (4) for each subsequent contract executed after the termination of a contract for which the exemption to subsection (2) was obtained.

Section 2. Paragraph (a) of subsection (8) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

(8) Each board of trustees has authority for policies related to students, enrollment of students, student records, student activities, financial assistance, and other student services.

(a) Each board of trustees shall govern admission of students pursuant to s. 1007.263 and rules of the State Board of Education. A board of trustees may establish additional admissions criteria, which shall be included in the dual enrollment articulation agreement developed according to s.
Section 3. Subsection (21) of section 1001.65, Florida Statutes, is amended to read:

1001.65 Florida College System institution presidents; powers and duties.—The president is the chief executive officer of the Florida College System institution, shall be corporate secretary of the Florida College System institution board of trustees, and is responsible for the operation and administration of the Florida College System institution. Each Florida College System institution president shall:

(21) Develop and implement jointly with school superintendents a comprehensive dual enrollment articulation agreement for the students enrolled in their respective school districts and service areas pursuant to s. 1007.271(22).

Section 4. Subsection (9) of section 1002.31, Florida Statutes, is repealed.

Section 5. Paragraph (a) of subsection (9) of section 1002.32, Florida Statutes, is amended to read:

(9) FUNDING.—Funding for a lab school, including a charter
lab school, shall be provided as follows:

(a) Each lab school shall be allocated its proportional share of operating funds from the Florida Education Finance Program as provided in s. 1011.62 based on the county in which the lab school is located and the General Appropriations Act. The nonvoted ad valorem millage that would otherwise be required for lab schools shall be allocated from state funds. The required local effort funds calculated pursuant to s. 1011.62 shall be allocated from state funds to the schools as a part of the allocation of operating funds pursuant to s. 1011.62. Each eligible lab school in operation as of September 1, 2013, with a permanent high school center shall also receive a proportional share of the sparsity supplement as calculated pursuant to s. 1011.62. In addition, each lab school shall receive its proportional share of all categorical funds, with the exception of s. 1011.68, and new categorical funds enacted after July 1, 1994, for the purpose of elementary or secondary academic program enhancement. The sum of funds available as provided in this paragraph shall be included annually in the Florida Education Finance Program and appropriate categorical programs funded in the General Appropriations Act.

Section 6. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance
with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
2. Chapter 119, relating to public records.
3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.
4. Section 1012.22(1)(c), relating to compensation and salary schedules.
5. Section 1012.33(5), relating to workforce reductions.
6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.
7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

Section 7. Paragraph (a) of subsection (10) of section 1002.39, Florida Statutes, is amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—
(a)1. The maximum scholarship granted for an eligible student with disabilities shall be equivalent to the base student allocation in the Florida Education Finance Program.
multiplied by the appropriate cost factor for the educational
program that would have been provided for the student in the
district school to which he or she was assigned, multiplied by
the district cost differential.

2. In addition, a share of the guaranteed allocation for
exceptional students shall be determined and added to the amount
in subparagraph 1. The calculation shall be based on the
methodology and the data used to calculate the guaranteed
allocation for exceptional students for each district in chapter
2000-166, Laws of Florida. Except as provided in subparagraphs
3. and 4., the calculation shall be based on the student's
grade, matrix level of services, and the difference between the
2000-2001 basic program and the appropriate level of services
cost factor, multiplied by the 2000-2001 base student allocation
and the 2000-2001 district cost differential for the sending
district. The calculated amount shall include the per-student
share of supplemental academic instruction funds, instructional
materials funds, technology funds, and other categorical funds
as provided in the General Appropriations Act.

3. The scholarship amount for a student who is eligible
under sub-subparagraph (2)(a)2.b. shall be calculated as
provided in subparagraphs 1. and 2. However, the calculation
shall be based on the school district in which the parent
resides at the time of the scholarship request.

4. Until the school district completes the matrix required
by paragraph (5)(b), the calculation shall be based on the
matrix that assigns the student to support level I of service as it existed prior to the 2000-2001 school year. When the school district completes the matrix, the amount of the payment shall be adjusted as needed. 

5. The scholarship amount for a student eligible under s. 504 of the Rehabilitation Act of 1973 shall be based on the program cost factor the student currently generates through the Florida Education Finance Program.

6. The scholarship amount is not subject to the maximum value for funding a student as provided in s. 1011.61(4).

Section 8. Paragraph (a) of subsection (5) of section 1002.451, Florida Statutes, is amended to read:

1002.451 District innovation school of technology program.—

(5) EXEMPTION FROM STATUTES.—

(a) An innovation school of technology is exempt from chapters 1000-1013. However, an innovation school of technology shall comply with the following provisions of those chapters:

1. Laws pertaining to the following:
   a. Schools of technology, including this section.
   b. Student assessment program and school grading system.
   c. Services to students who have disabilities.
   d. Civil rights, including s. 1000.05, relating to discrimination.
   e. Student health, safety, and welfare.

2. Laws governing the election and compensation of
district school board members and election or appointment and compensation of district school superintendents.

3. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.

4. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

7. Section 1012.34, relating to requirements for performance evaluations of instructional personnel and school administrators.

Section 9. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:
    (14) "Core-curricula courses" means:
    (a) Courses in language arts/reading, mathematics, social studies, and science in prekindergarten through grade 3, excluding any extracurricular courses pursuant to subsection (15);
    (b) Courses in grades 4 through 8 in subjects that are
measured by state assessment at any grade level and courses
required for middle school promotion, excluding any
extracurricular courses pursuant to subsection (15);
(c) Courses in grades 9 through 12 in subjects that are
measured by state assessment at any grade level and courses that
are specifically identified by name in statute as required for
high school graduation and that are not measured by state
assessment, excluding any extracurricular courses pursuant to
subsection (15);
(d) Exceptional student education courses; and
(e) English for Speakers of Other Languages courses.

The term is limited in meaning and used for the sole purpose of
designating classes that are subject to the maximum class size
requirements established in s. 1, Art. IX of the State
Constitution. This term does not include courses offered under
ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, 1002.415,
1002.45, and 1003.499.

Section 10. Subsection (4) of section 1003.03, Florida
Statutes, is amended to read:

1003.03 Maximum class size.—
(4) ACCOUNTABILITY.—
(a) The department shall annually determine whether the
number of students assigned to each individual classroom exceeds
the class size maximums, as required in subsection (1), based
upon the October student membership survey.
(b)(a) If the department determines that the number of students assigned to any individual class exceeds the class size maximum as determined at the school average, as required in subsection (1), based upon the October student membership survey, the department shall:

1. Identify, for each grade group, the number of classes in which the number of students exceeds the maximum and the total number of students which exceeds the maximum for all classes.

1.2 Determine the number of FTE students which exceeds the maximum for each grade group calculated at the school average.

2.2 Multiply the total number of FTE students which exceeds the maximum for each grade group calculated at the school average by the district's FTE dollar amount of the class size categorical allocation for that year and calculate the total for all three grade groups.

3.4 Multiply the total number of FTE students which exceeds the maximum for all classes calculated at the school average by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for each of the 2010-2011 through 2013-2014 fiscal years and by an amount equal to the base student allocation adjusted by the district cost differential in the 2014-2015 fiscal year and thereafter.

4.5 Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in
subparagraphs 2. and 3. and 4.

(c) The amount of funds reduced shall be the lesser of the amount calculated in paragraph (b) or the undistributed balance of the district's class size categorical allocation. The Florida Education Finance Program Appropriation Allocation Conference shall verify the department's calculation in paragraph (b). The commissioner may withhold distribution of the class size categorical allocation to the extent necessary to comply with paragraph (b).

(d) In lieu of the reduction calculation in paragraph (b), if the Commissioner of Education has evidence that a district was unable to meet the class size requirements despite appropriate efforts to do so or because of an extreme emergency, the commissioner may recommend by February 15, subject to approval of the Legislative Budget Commission, the reduction of an alternate amount of funds from the district's class size categorical allocation.

(e) Upon approval of the reduction calculation in paragraphs (b)-(d), the commissioner must prepare a reallocation of the funds made available for the districts that have fully met the class size requirements. The funds shall be reallocated by calculating an amount of up to 5 percent of the base student allocation multiplied by the total district FTE students. The reallocation total may not exceed 25 percent of the total funds reduced.

(f) Each district that has not complied with the
requirements in subsection (1) shall submit to the commissioner by February 1 a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year. If a district submits the certified plan by the required deadline, the funds remaining after the reallocation calculation in paragraph (e) shall be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for which a reduction was calculated in paragraphs (b)-(d). However, no district shall have an amount added back that is greater than the amount that was reduced.

(g) The department shall adjust school district class size reduction categorical allocation distributions based on the calculations in paragraphs (b)-(f).

Section 11. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:

1003.436 Definition of "credit".—

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3). One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3).
contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement according to s. 1007.271(22) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9).

Section 12. Subsection (1) of section 1004.32, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

1004.32 New College of Florida.—

(1) MISSION AND GOALS.—New College of Florida with a campus in Sarasota County serves a distinctive mission as the year residential liberal arts honors college of the State of Florida. To maintain this mission, New College of Florida has the following goals:

(a) To provide a quality education to students of high ability who, because of their ability, deserve a program of study that is both demanding and stimulating.

(b) To engage in undergraduate educational reform by combining educational innovation with educational excellence.

(c) To provide programs of study that allow students to design their educational experience as much as possible in
accordance with their individual interests, values, and abilities.

(d) To challenge students undergraduates not only to master existing bodies of knowledge but also to extend the frontiers of knowledge through original research.

(4) MASTER IN DATA SCIENCE AND ANALYTICS.—New College of Florida shall establish a 2-year master's degree program in data science and analytics upon approval from the Board of Governors. This subsection shall be implemented to the extent funding is provided in the General Appropriations Act.

Section 13. Paragraph (d) is added to subsection (1) of section 1006.29, Florida Statutes, to read:

1006.29 State instructional materials reviewers.—

(1)

(d) The department may assess and collect fees from publishers participating in the instructional materials approval process. The amount assessed and collected must be posted on the department's website. The fees may not exceed the actual cost of the review process and may not exceed $1,000 per submission by a publisher. Fees collected for this process shall be deposited into the department's operating trust fund so that each instructional materials reviewer under paragraph (b) may be paid a stipend.

Section 14. Subsections (2), (3), (4), (8), (16), and (17) of section 1007.271, Florida Statutes, are amended, subsections (21) through (24) are renumbered as subsections (22) through
(25), respectively, and amended, and a new subsection (21) is
added to that section, to read:

1007.271  Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary
student is a student who is enrolled in a Florida public
secondary school or in a Florida private secondary school which
is in compliance with s. 1002.42(2) and provides a secondary
curriculum pursuant to s. 1003.428 or s. 1003.4282. Students who
are eligible for dual enrollment pursuant to this section may
enroll in dual enrollment courses conducted during school hours,
after school hours, and during the summer term. However, if the
student is projected to graduate from high school before the
scheduled completion date of a postsecondary course, the student
may not register for that course through dual enrollment. The
student may apply to the postsecondary institution and pay the
required registration, tuition, and fees if the student meets
the postsecondary institution's admissions requirements under s.
1007.263. Instructional time for dual enrollment may vary from
900 hours; however, the full-time equivalent student membership
value shall be subject to the provisions in s. 1011.61(4). Any
student enrolled as a dual enrollment student is exempt from the
payment of registration, tuition, and laboratory fees. Applied
academics for adult education instruction, developmental
education, and other forms of precollegiate instruction, as well
as physical education courses that focus on the physical
execution of a skill rather than the intellectual attributes of

CODING: Words **stricken** are deletions; words **underlined** are additions.
the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program. Beginning with the academic year 2014-2015, students enrolling in a college credit dual enrollment program may not enroll in more than 24 college credit hours before completing the college credit general education core coursework pursuant to s. 1007.25(3).

(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 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 pursuant to subsection (22)
(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.

(4) District school boards may not refuse to enter into a
dual enrollment articulation agreement with a public postsecondary local Florida College System institution if that Florida College System institution has the capacity to offer
dual enrollment courses.

(8) Each district school board shall inform all secondary
students and their parents of dual enrollment as an educational option and mechanism for acceleration. Students and their parents shall be informed of student eligibility requirements, the option for taking dual enrollment courses within the regular school day and beyond the regular school year, and the minimum academic credits required for graduation. District school boards shall annually assess the demand for dual enrollment and provide
that information to each partnering postsecondary institution. Alternative grade calculation, weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited.

(16) A student, regardless of the student's enrollment in a public or private school or home education program, who meets students who meet the eligibility requirements of this section and who chooses choose to participate in dual enrollment programs is are exempt from the payment of registration, tuition, and laboratory fees.

(17) Instructional materials assigned for use within dual enrollment courses shall be made available to dual enrollment students from Florida public high schools free of charge. This subsection does not prohibit a postsecondary Florida College System institution from providing instructional materials at no cost to a home education student or student from a private school. Instructional materials purchased by a district school board or postsecondary Florida College System institution board of trustees on behalf of dual enrollment students shall be the property of the board against which the purchase is charged.

(21) To increase opportunities for students to participate in dual enrollment, school districts are encouraged to enter into dual enrollment agreements with eligible independent colleges and universities pursuant to s. 1011.62(1)(i).

(22)(21) Each district school superintendent and each public or private postsecondary Florida College System
institution president shall develop a comprehensive dual
enrollment articulation agreement for the respective school
district and postsecondary Florida College System institution.
The superintendent and president shall establish an articulation
committee for the purpose of developing the agreement. Each
state university president may designate a university
representative to participate in the development of a dual
enrollment articulation agreement. A dual enrollment
articulation agreement shall be completed and submitted annually
by the postsecondary Florida College System institution to the
Department of Education on or before August 1. The agreement
must include, but is not limited to:

(a) A ratification or modification of all existing
articulation agreements.
(b) A description of the process by which students and
their parents are informed about opportunities for student
participation in the dual enrollment program.
(c) A delineation of courses and programs available to
students eligible to participate in dual enrollment, documenting
transferability of course credit between public and private
postsecondary institutions in the state.
(d) A description of the process by which students and
their parents exercise options to participate in the dual
enrollment program.
(e) A list of any additional initial student eligibility
requirements for participation in the dual enrollment program.
(f) A delineation of the high school credit earned for the passage of each dual enrollment course.

(g) A description of the process for informing students and their parents of college-level course expectations.

(h) The policies and procedures, if any, for determining exceptions to the required grade point averages on an individual student basis.

(i) The registration policies for dual enrollment courses as determined by the postsecondary institution.

(j) Exceptions, if any, to the professional rules, guidelines, and expectations stated in the faculty or adjunct faculty handbook for the postsecondary institution.

(k) Exceptions, if any, to the rules, guidelines, and expectations stated in the student handbook of the postsecondary institution which apply to faculty members.

(l) The responsibilities of the school district regarding the determination of student eligibility before participating in the dual enrollment program and the monitoring of student performance while participating in the dual enrollment program.

(m) The responsibilities of the postsecondary Florida College System institution regarding the transmission of student grades in dual enrollment courses to the school district.

(n) A funding provision that delineates costs incurred by each entity.

1. School districts shall pay public postsecondary institutions the standard tuition rate per credit hour from...
funds provided in the Florida Education Finance Program to the
institution providing instruction when dual enrollment course
such instruction takes place on the public postsecondary
institution's campus and the course is taken as part of the
student's hours of instruction necessary to generate 1.0 full-
time equivalent student pursuant to s. 1011.61(1)(c) to cover
instructional and support costs incurred by the postsecondary
institution. When dual enrollment is provided on the high school
site by public postsecondary institution faculty, the school
district shall reimburse the costs associated with the public
postsecondary institution's proportion of salary and benefits
and other actual costs of the postsecondary institution to
provide the instruction. When dual enrollment course instruction
is provided on the high school site by school district faculty,
the school district is not shall be responsible only for payment
to the public postsecondary institution institution's actual
costs associated with offering the program. A public
postsecondary institution may enter into an agreement with the
school district to authorize teachers to who teach dual
enrollment courses at the high school site or the public
postsecondary institution. A school district may not deny a
student access to dual enrollment, or to dual enrollment during
the hours of instruction that would be necessary to earn 1.0
full-time equivalent student membership as specified in s.
1011.61(1)(c), unless the student is ineligible to participate
in the program subject to provisions specifically outlined in
this section.

2. School districts shall pay private postsecondary institutions no more than the standard rate of tuition authorized for a Florida College System institution.

3. A developmental research school established under s. 1002.32 is exempt from participating in an articulation agreement specified in this subsection when the dual enrollment coursework is provided by the developmental research school's affiliated state university.

4. Private secondary schools and students in home education programs are not subject to payment provisions specified in this paragraph for the purpose of dual enrollment.

5. Subject to annual appropriation in the General Appropriations Act, a public postsecondary institution shall receive an amount of funding equivalent to the standard tuition rate per credit hour for each dual enrollment course taken by a student in excess of the hours of instruction necessary to generate 1.0 full-time equivalent student pursuant to s. 1011.61(1)(c).

(o) Any institutional responsibilities for student transportation, if provided.

(22) The Department of Education shall develop an electronic submission system for dual enrollment articulation agreements and shall review, for compliance, each dual enrollment articulation agreement submitted pursuant to subsection (22) (21). The Commissioner of Education shall notify

CODING: Words stricken are deletions; words underlined are additions.
the district school superintendent and the postsecondary Florida College System institution president if the dual enrollment articulation agreement does not comply with statutory requirements and shall submit any dual enrollment articulation agreement with unresolved issues of noncompliance to the State Board of Education.

(24) District school boards and Florida College System institutions may enter into additional dual enrollment articulation agreements with state universities for the purposes of this section. School districts may also enter into dual enrollment articulation agreements with eligible independent colleges and universities pursuant to s. 1011.62(1)(i).

(25) Postsecondary institutions may enter into dual enrollment articulation agreements with private secondary schools pursuant to subsection (2). Private secondary schools are exempt from payment provisions outlined in paragraph (22)(n).

Section 15. Paragraph (g) of subsection (2) of section 1008.25, Florida Statutes, is amended to read:

"1008.25 Public school student progression; remedial instruction; reporting requirements.—

(2) COMPREHENSIVE STUDENT PROGRESSION PLAN.—Each district school board shall establish a comprehensive plan for student progression which must:

(g) List, or incorporate by reference, all dual enrollment courses contained within the dual enrollment articulation
agreement established pursuant to s. 1007.271(22) 1007.271(21).

Section 16. Paragraph (c) of subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)

(c) Effective July 1, 2011, For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $2.33 $2.22 per contact hour for residents and nonresidents and the out-of-state fee shall be $6.99 $6.66 per contact hour. For adult general education programs, a block tuition of $45 per half year or $30 per term shall be assessed for residents and nonresidents, and the out-of-state fee shall be $135 per half year or $90 per term. Each district school board and Florida College System institution board of trustees shall adopt policies and procedures for the collection of and accounting for the expenditure of the block tuition. All funds received from the block tuition shall be used only for adult general education programs. Students enrolled in adult general education programs may not be assessed the fees authorized in subsection (5), subsection (6), or subsection (7).

Section 17. Paragraphs (a) and (b) of subsection (3) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—

(3)(a) Effective July 1, 2011, For advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs, the standard tuition fee is $2.22 $2.22 per contact hour for residents and nonresidents and the out-of-state fee shall be $6.66 $6.66 per contact hour.
tuition shall be $71.98 $68.56 per credit hour for residents and
nonresidents, and the out-of-state fee shall be $215.94 $205.82
per credit hour.

(b) Effective July 1, 2011, For baccalaureate degree
programs, the following tuition and fee rates shall apply:

1. The tuition shall be $91.79 $87.42 per credit hour for
   students who are residents for tuition purposes.

2. The sum of the tuition and the out-of-state fee per
   credit hour for students who are nonresidents for tuition
   purposes shall be no more than 85 percent of the sum of the
   tuition and the out-of-state fee at the state university nearest
   the Florida College System institution.

Section 18. Paragraph (a) of subsection (4) of section
1009.24, Florida Statutes, is amended to read:

1009.24  State university student fees.—

(4)(a) Effective July 1, 2014 2011, the resident
undergraduate tuition for lower-level and upper-level coursework
shall be $105.07 $103.32 per credit hour.

Section 19. Subsection (2) of section 1009.286, Florida
Statutes, is amended to read:

1009.286  Additional student payment for hours exceeding
baccalaureate degree program completion requirements at state
universities.—

(2) State universities shall require a student to pay an
excess hour surcharge for each credit hour in excess of the
number of credit hours required to complete the baccalaureate
degree program in which the student is enrolled. The excess hour surcharge shall become effective for students who enter a state university for the first time or who transfer to a state university and maintain continuous enrollment. It shall be paid as follows:

(a) For the 2009-2010 and 2010-2011 academic years, an excess hour surcharge equal to 50 percent of the tuition rate for each credit hour in excess of 120 percent.

(b) For the 2011-2012 academic year, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 115 percent.

(c) For the 2012-2013 academic year and thereafter, an excess hour surcharge equal to 100 percent of the tuition rate for each credit hour in excess of 110 percent.

Section 20. Subsection (10) of section 1009.98, Florida Statutes, is amended to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—

(10) PAYMENTS ON BEHALF OF QUALIFIED BENEFICIARIES.—

(a) As used in this subsection, the term:

1. "Actuarial reserve" means the amount by which the expected value of the assets exceed the expected value of the liabilities of the trust fund.

2. "Dormitory fees" means the fees included under advance payment contracts pursuant to paragraph (2)(d).

3. "Fiscal year" means the fiscal year of the state pursuant to s. 215.01.
4. "Local fees" means the fees covered by an advance payment contract provided pursuant to subparagraph (2)(b)2.

5. "Tuition differential" means the fee covered by advance payment contracts sold pursuant to subparagraph (2)(b)3. The base rate for the tuition differential fee for the 2012-2013 fiscal year is established at $37.03 per credit hour. The base rate for the tuition differential in subsequent years is the amount assessed paid by the board for the tuition differential for the preceding year adjusted pursuant to subparagraph (b)2.

(b) Effective with the 2009-2010 academic year and thereafter, and notwithstanding the provisions of s. 1009.24, the amount paid by the board to any state university on behalf of a qualified beneficiary of an advance payment contract whose contract was purchased before July 1, 2024 2009, shall be:

1. As to registration fees, if the actuarial reserve is less than 5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 5.5 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is between 5 percent and 6 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is between 6 percent and 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6.5 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is between 7.5 percent and 10 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7 percent above the amount assessed for registration fees in the preceding fiscal year. If the actuarial reserve is greater than 10 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7.5 percent above the amount assessed for registration fees in the preceding fiscal year.
reserve is equal to or greater than 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7 percent above the amount assessed for registration fees in the preceding fiscal year, whichever is greater.

2. As to the tuition differential, if the actuarial reserve is less than 5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 5.5 percent above the base rate for the tuition differential fee in the preceding fiscal year. If the actuarial reserve is between 5 percent and 6 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6 percent above the base rate for the tuition differential fee in the preceding fiscal year. If the actuarial reserve is between 6 percent and 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 6.5 percent above the base rate for the tuition differential fee in the preceding fiscal year. If the actuarial reserve is equal to or greater than 7.5 percent of the expected liabilities of the trust fund, the board shall pay the state universities 7 percent above the base rate for the tuition differential fee in the preceding fiscal year.

3. As to local fees, the board shall pay the state universities 5 percent above the amount assessed for local fees in the preceding fiscal year.

4. As to dormitory fees, the board shall pay the state
universities 6 percent above the amount assessed for dormitory 
fees in the preceding fiscal year.

5. Qualified beneficiaries of advance payment contracts 
purchased before July 1, 2007, are exempt from paying any 
tuition differential fee.

(c) Notwithstanding the amount assessed for registration 
fees, the tuition differential, or local fees, with respect to 
the aggregate sum of those fees, the amount paid by the board to 
a state university on behalf of a qualified beneficiary of an 
advance payment contract purchased before July 1, 2024, shall 
not exceed 100 percent of the amount charged by the state 
university for the aggregate sum of those fees.

(d) Notwithstanding the amount assessed for dormitory 
fees, the amount paid by the board to a state university on 
behalf of a qualified beneficiary of an advance payment contract 
purchased before July 1, 2024, shall not exceed 100 percent of 
the amount charged by the state university for dormitory fees.

(e) The board shall pay state universities the actual 
amount charged assessed in accordance with law for registration 
fees, the tuition differential, local fees, and dormitory fees 
for advance payment contracts purchased on or after July 1, 2024 
2009.

(f) The board shall annually evaluate or cause to be 
evaluated the actuarial soundness of the trust fund.

Section 21. Subsection (4) of section 1011.61, Florida 
Statutes, is amended to read:
1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) shall be the sum of the calculations in paragraphs (a), (b), and (c) as calculated by the department.

(a) The sum of the student's full-time equivalent student membership value for the school year or the equivalent derived from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and subsection (2). If the sum is greater than 1.0, the full-time equivalent student membership value for each program or course shall be reduced by an equal proportion so that the student's total full-time equivalent student membership value is equal to 1.0.

(b) If the result in paragraph (a) is less than 1.0 full-time equivalent student and the student has full-time equivalent student enrollment pursuant to sub-sub-subparagraph (1)(c)1.b.(VIII), calculate an amount that is the lesser of the value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of 1.0 less the value in paragraph (a).

(c) The full-time equivalent student enrollment value in sub-subparagraph (1)(c)2.a.
A scholarship provided to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program pursuant to s. 1002.39 is not subject to the maximum value for funding a student as provided in this subsection.

Section 22. Paragraph (i) of subsection (1) and paragraph (a) of subsection (4) of section 1011.62, Florida Statutes, are amended, subsection (12) is renumbered as subsection (13) and amended, subsections (13) and (14) are renumbered as subsections (14) and (15), respectively, and a new subsection (12) is added to that section, to read:

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

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

(i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. Instructional time for dual enrollment
may vary from 900 hours; however, the full-time equivalent  
student membership value shall be subject to the provisions in  
s. 1011.61(4). Dual enrollment full-time equivalent student  
membership shall be calculated in an amount equal to the hours  
of instruction that would be necessary to earn the full-time  
equivalent student membership for an equivalent course if it  
were taught in the school district. Students in dual enrollment  
courses may also be calculated as the proportional shares of  
full-time equivalent enrollments they generate for a Florida  
College System institution or university conducting the dual  
enrollment instruction. Early admission students shall be  
considered dual enrollments for funding purposes. Students may  
be enrolled in dual enrollment instruction provided by an  
eligible independent college or university and may be included  
in calculations of full-time equivalent student memberships for  
basic programs for grades 9 through 12 by a district school  
board. However, those provisions of law which exempt dual  
enrolled and early admission students from payment of  
instructional materials and tuition and fees, including  
laboratory fees, shall not apply to students who select the  
option of enrolling in an eligible independent institution. To  
increase opportunities for students to participate in dual  
enrollment, school districts are encouraged to enter into an  
agreement with an independent college or university. An  
independent college or university which is located and chartered  
in Florida, is not for profit, is accredited by an accrediting
agency recognized by the United States Department of Education
the Commission on Colleges of the Southern Association of
Colleges and Schools or the Accrediting Council for Independent
Colleges and Schools, and confers degrees as defined in s.
1005.02 is shall be eligible for inclusion in the dual
enrollment or early admission program. Students enrolled in dual
enrollment instruction shall be exempt from the payment of
tuition and fees, including laboratory fees. No student enrolled
in college credit mathematics or English dual enrollment
instruction shall be funded as a dual enrollment unless the
student has successfully completed the relevant section of the
entry-level examination required pursuant to s. 1008.30. A
school district may not deny a student access to dual enrollment
during the hours of instruction that would be necessary to earn
1.0 full-time equivalent student membership as specified in s.
1011.61(1)(c), unless the student is ineligible to participate
in the program.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
Legislature shall prescribe the aggregate required local effort
for all school districts collectively as an item in the General
Appropriations Act for each fiscal year. The amount that each
district shall provide annually toward the cost of the Florida
Education Finance Program for kindergarten through grade 12
programs shall be calculated as follows:

   (a) Estimated taxable value calculations.—

      1.a. Not later than 2 working days prior to July 19, the
Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. The value certified shall be the taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraphs (c) and (d), or an assessment roll change required by final judicial decisions as specified in paragraph (14)(b) (13)(b). Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 96 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance
Program calculation as calculated and adopted by the Legislature, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. On the same date as the certification in sub-subparagraph 1.a., the Department of Revenue shall certify to the Commissioner of Education for each district:

a. Each year for which the property appraiser has certified the taxable value pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a.

b. For each year identified in sub-subparagraph a., the taxable value certified by the appraiser pursuant to s. 193.122(2) or (3), if applicable, since the prior certification under sub-subparagraph 1.a. This is the certification that reflects all final administrative actions of the value adjustment board.

(12) TECHNOLOGY SUPPLEMENTAL ALLOCATION.—

(a) The technology supplemental allocation is created to support school district efforts to integrate technology in classroom teaching and learning to improve student performance. Subject to an annual appropriation, the funds allocated under this subsection must be used for the following:

1. Costs associated with each school district's use of the...
Florida Information Resource Network established pursuant to s. 1001.271, which represent the amount that is not funded by the federal funds available through the Schools and Libraries Program, commonly cited as the E-rate program, of the federal Universal Service Fund administered by the Universal Service Administrative Company under direction of the Federal Communications Commission.

2. Costs associated with delivering high-capacity Internet access to each school district's network aggregation location or locations. These costs include special construction costs related to new or enhanced fiber or other high-speed network infrastructure deployment to school district network aggregation location or locations, school district entrance facility costs associated with the new network infrastructure, and network-to-network interconnection costs necessary to extend the Florida Information Resource Network.

3. Costs associated with delivering high-capacity Internet access to individual schools. These costs include special construction costs related to new or enhanced fiber or other high-speed network infrastructure deployment to individual schools and individual school entrance facility costs associated with the new network infrastructure.

4. Costs associated with upgrading a school district's network infrastructure necessary to deliver high-capacity Internet access to the school district's network aggregation location or locations or to the individual school. Eligible
expenditures include wireless access points and controllers, data networking equipment, and labor costs associated with their installation; wireless cable drops; and routers.

(b) After funding the items identified in paragraph (a), a school district may use remaining funds allocated under this subsection to purchase electronic devices that comply with the technology requirements published by the Department of Education pursuant to ss. 1006.29(4) and 1008.22(3)(d).

(13) QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection (14), quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection (14) and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should
appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

Section 23. Subsection (10) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(10) A high school student dually enrolled under s. 1007.271 in a workforce education program operated by a Florida College System institution or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a Florida College System institution program, including a program conducted at a high school, the Florida College System institution earns the funds generated for workforce education funding, and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career center operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding and also earns the proportional share of full-time equivalent
funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education program provided by a career center operated by a different school district, the funds must be divided between the two school districts proportionally from the two funding sources. A student may not be reported for funding in a dual enrollment workforce education program unless the student has completed the basic skills assessment pursuant to s. 1004.91. A student who is coenrolled in a K-12 education program and an adult education program may be reported for purposes of funding in an adult education program. If a student is coenrolled in core curricula courses for credit recovery or dropout prevention purposes and does not have a pattern of excessive absenteeism or habitual truancy or a history of disruptive behavior in school, the student may be reported for funding for up to two courses per year. Such a student is exempt from the payment of the block tuition for adult general education programs provided in s. 1009.22(3)(c) 1009.22(3)(d). The Department of Education shall develop a list of courses to be designated as core curricula courses for the purposes of coenrollment.

Section 24. This act shall take effect July 1, 2014.