

SUMMARY
OF CHANGES IN CHAPTER 120
1982 LEGISLATIVE SESSION

Three laws were enacted during the 1982 Legislative Session making substantive changes to Chapter 120, Florida Statutes: Chapters 82-47, 82-19, and 82-180, Laws of Florida.

The following summary of changes was prepared by the staff of the Senate Governmental Operations Committee and the Senate Committee on Education in the Joint Legislative Management Summary of General Legislation, 1982.

I. Chapter 82-19, Laws of Florida

This Chapter orders the Department of State to provide depository libraries upon request with copies of the Florida Administrative Code Annotated and the Florida Administrative Weekly, free of charge under the provisions of Section 120.55, F.S. The Department also must provide free copies to each state legislator upon the request of the office of the Senate President or the House Speaker. (Until March 1982, the Department had been responsible for publishing the Code and the Weekly, but that now is being done by a private publisher.)

II. Chapter 82-47, Laws of Florida

The Administrative Procedures Act, Chapter 120., F.S., which governs agency rulemaking and administrative hearings, was altered by passage of this Chapter which adds new Subsection 120.55(4), F.S. This enactment requires that names of persons originating the rule, the name of the supervisor or person who approved the rule, and the date of approval be included when any proposed rule is published in the Florida Administrative Code or elsewhere.

III. Chapter 82-180, Laws of Florida

This Chapter amends Section 240.529, F.S., to require that 90 percent of the students admitted to each teacher training program must meet the 40th percentile requirement on a nationally standardized college entrance examination. Previously, this requirement applied to a statewide requirement and not to each institution. Section 229.551, F.S., is amended to add a new Subsection (k) to require the Commissioner of Education to develop or contract for, and submit to the State Board of Education for approval, tests which measure and diagnose student achievement of college-level communication and computation skills. The measure also exempts such tests and related documents from the public records statute (Section 119.07, F.S.). The State Board, upon recommendation of the Commissioner, is permitted to enter into contracts for such services which begin in one fiscal year and continue into the next fiscal year and are paid

for from appropriations for either or both fiscal years. The act amends Section 240.233, F.S., to provide that effective August 1, 1984, the State Board shall require the use of scores on the required test for admission of any student to upper division instructional programs of any state institution. Effective August 1, 1982, the legislation also requires that the student obtain a satisfactory test score prior to being awarded an Associate of Arts degree. Another provision of the act limits the use of tests scores between 1982 and August 1, 1984, to student counseling and curriculum improvement. The development of tests and test related material covered by the act is exempt from Chapter 120, F.S., the Administrative Procedure Act, to preserve test security.