

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Education Appropriations
 2 Subcommittee

3 Representative Rodrigues, R. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 410-472 and insert:

7 Section 1. Section 1011.80, Florida Statutes, is amended
 8 to read:

9 1011.80 Funds for operation of workforce education
 10 programs.—

11 (1) As used in this section, the terms "workforce
 12 education" and "workforce education program" include:

13 (a) Adult general education programs designed to improve
 14 the employability skills of the state's workforce as defined in
 15 s. 1004.02(3).

16 (b) Career certificate programs, as defined in s.
 17 1004.02(21).

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18 (c) College credit certificate ~~Applied technology diploma~~
19 programs, as defined in s. 1004.02(8).

20 (d) Continuing workforce education courses.

21 (e) Degree career education programs.

22 (f) Apprenticeship and preapprenticeship programs as
23 defined in s. 446.021.

24 (2) A ~~Any~~ workforce education program may be conducted by
25 a Florida College System institution or a school district,
26 except that ~~college credit in an associate in applied science or~~
27 an associate in science degree may be awarded only by a Florida
28 College System institution. However, if an ~~associate in applied~~
29 ~~science or an~~ associate in science degree program contains
30 within it an ~~occupational completion point that confers a~~
31 college credit certificate or an applied technology diploma,
32 that portion of the program may be offered ~~conducted~~ by a school
33 district career center. A career center authorized to offer an
34 associate in applied science degree program pursuant to s.
35 1001.44(5) may offer only those general education courses
36 contained within the approved degree program. ~~Any~~ Instruction
37 designed to articulate to a degree program is subject to
38 guidelines and standards adopted by the State Board of Education
39 pursuant to s. 1007.25.

40 (3) Each school district and Florida College System
41 institution receiving state appropriations for workforce
42 education programs must maintain adequate and accurate records,
43 including a system to record school district workforce education

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44 funding and expenditures in order to maintain separation of
45 postsecondary workforce education expenditures from secondary
46 education expenditures. These records must be filed with the
47 Department of Education in correct and proper form on or before
48 the date due as fixed by law or rule for each annual or periodic
49 report that is required by rules of the State Board of
50 Education.

51 (4) School districts shall report full-time equivalent
52 students by discipline category for the programs specified in
53 subsection (1). There shall be an annual cost analysis for the
54 school district workforce education programs that reports cost
55 by discipline category consistent with the reporting for full-
56 time equivalent students. The annual financial reports submitted
57 by the school districts must accurately report on the student
58 fee revenues by fee type according to the programs specified in
59 subsection (1). The Department of Education shall develop a plan
60 for comparable reporting of program, student, facility,
61 personnel, and financial data of Florida College System
62 institutions and the school district workforce education
63 programs.

64 ~~(3) If a program for disabled adults pursuant to s.~~
65 ~~1004.93 is a workforce program as defined in law, it must be~~
66 ~~funded as provided in this section.~~

67 ~~(4) Funding for all workforce education programs must be~~
68 ~~based on cost categories, performance output measures, and~~
69 ~~performance outcome measures.~~

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70 ~~(a) The cost categories must be calculated to identify~~
71 ~~high-cost programs, medium-cost programs, and low-cost programs.~~
72 ~~The cost analysis used to calculate and assign a program of~~
73 ~~study to a cost category must include at least both direct and~~
74 ~~indirect instructional costs, consumable supplies, equipment,~~
75 ~~and standard program length.~~

76 ~~(b) The performance output measure for an adult general~~
77 ~~education course of study is measurable improvement in student~~
78 ~~skills. This measure shall include improvement in literacy~~
79 ~~skills, grade level improvement as measured by an approved test,~~
80 ~~or attainment of a State of Florida diploma or an adult high~~
81 ~~school diploma.~~

82 ~~(c) The performance outcome measures for adult general~~
83 ~~education programs are associated with placement and retention~~
84 ~~of students after reaching a completion point or completing a~~
85 ~~program of study. These measures include placement or retention~~
86 ~~in employment. Continuing postsecondary education at a level~~
87 ~~that will further enhance employment is a performance outcome~~
88 ~~for adult general education programs.~~

89 (5) State funding and student fees for workforce education
90 instruction shall be established as follows:

91 (a) Expenditures for the continuing workforce education
92 programs provided by the Florida College System institutions or
93 school districts must be fully supported by fees. Enrollments in
94 continuing workforce education courses shall not be counted for
95 purposes of funding full-time equivalent enrollment.

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96 (b) For all other workforce education programs, state
97 funding shall be calculated based on weighted enrollment and
98 program costs minus fee revenues generated to offset program
99 operational costs ~~equal 75 percent of the average cost of~~
100 ~~instruction with the remaining 25 percent made up from student~~
101 ~~fees.~~ Fees for courses within a program shall not vary according
102 to the cost of the individual program, but instead shall be as
103 provided in s. 1009.22 ~~based on a uniform fee calculated and set~~
104 ~~at the state level, as adopted by the State Board of Education,~~
105 unless otherwise specified in the General Appropriations Act.

106 ~~(c) For fee-exempt students pursuant to s. 1009.25, unless~~
107 ~~otherwise provided for in law, state funding shall equal 100~~
108 ~~percent of the average cost of instruction.~~

109 ~~(c)(d)~~ For a public educational institution that has been
110 fully funded by an external agency for direct instructional
111 costs of any course or program, the FTE generated shall not be
112 reported for state funding.

113 (6) (a) ~~A school district or a Florida College System~~
114 ~~institution that provides workforce education programs shall~~
115 ~~receive funds in accordance with distributions for base and~~
116 ~~performance funding established by the Legislature in the~~
117 ~~General Appropriations Act.~~ To ensure equitable funding for all
118 school district workforce education programs and to recognize
119 enrollment growth, the Department of Education shall use the
120 funding model developed by the District Workforce Education
121 Funding Steering Committee to determine each district's

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122 workforce education funding needs. To assist the Legislature in
123 allocating workforce education funds in the General
124 Appropriations Act, the funding model shall annually be provided
125 to the legislative appropriations committees no later than March
126 1.

127 (b) Operational funding shall be provided to school
128 districts for workforce education programs based on weighted
129 student enrollment and program costs determined by cost
130 categories. The cost categories must be calculated to identify
131 high-cost programs, medium-cost programs, and low-cost programs.
132 The cost analysis used to calculate and assign a program of
133 study to a cost category must include at least both direct and
134 indirect instructional costs, consumable supplies, equipment,
135 and standard program length.

136 (7) Performance funding for workforce education programs
137 shall be contingent upon specific appropriation in the General
138 Appropriations Act. To assist the Legislature in determining
139 performance funding allocations, the State Board of Education
140 shall provide the Legislature with recommended formulas,
141 criteria, timeframes, and mechanisms for distributing
142 performance funds no later than March 1. These recommendations
143 shall reward programs that:

144 (a) Prepare people to enter high-skill/high-wage
145 occupations identified by the Workforce Estimating Conference
146 created by s. 216.136 and other programs as approved by
147 Workforce Florida, Inc. At a minimum, performance incentives

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148 shall be calculated for adults who reach completion points or
149 complete programs that lead to specified high-wage employment
150 and to their placement in that employment.

151 (b) Prepare adults who are eligible for public assistance,
152 economically disadvantaged, disabled, not proficient in English,
153 or dislocated workers for high-wage occupations. At a minimum,
154 performance incentives shall be calculated at an enhanced value
155 for the completion of adults identified in this paragraph and
156 job placement of such adults upon completion. In addition,
157 adjustments may be made in payments for job placements for areas
158 of high unemployment.

159 (c) Increase student achievement in adult general
160 education courses by measuring performance output and outcome
161 measures.

162 1. The performance output measure for an adult general
163 education course of study is measurable improvement in student
164 skills. This measure shall include improvement in literacy
165 skills, grade level improvement as measured by an approved test,
166 or attainment of a Florida diploma or an adult high school
167 diploma.

168 2. The performance outcome measures for adult general
169 education programs are associated with placement and retention
170 of students after reaching a completion point or completing a
171 program of study. These measures include placement or retention
172 in employment. Continuing postsecondary education at a level

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173 that will further enhance employment is a performance outcome
174 for adult general education programs.

175 (d) Award industry certifications. Performance funding for
176 industry certifications shall be determined as follows:

177 ~~(b) Performance funding for industry certifications for~~
178 ~~school district workforce education programs is contingent upon~~
179 ~~specific appropriation in the General Appropriations Act and~~
180 ~~shall be determined as follows:~~

181 1. Occupational areas for which industry certifications
182 may be earned, as established in the General Appropriations Act,
183 are eligible for performance funding. Priority shall be given to
184 the occupational areas emphasized in state, national, or
185 corporate grants provided to Florida educational institutions.

186 2. The Chancellor of Career and Adult Education shall
187 identify the industry certifications eligible for funding on the
188 Postsecondary Industry Certification Funding List approved by
189 the State Board of Education pursuant to s. 1008.44, based on
190 the occupational areas specified in the General Appropriations
191 Act.

192 3. Each school district shall be provided \$1,000 for each
193 industry certification earned by a workforce education student.
194 The maximum amount of funding appropriated for performance
195 funding pursuant to this paragraph shall be limited to \$15
196 million annually. If funds are insufficient to fully fund the
197 calculated total award, such funds shall be prorated.

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198 ~~(c) A program is established to assist school districts~~
199 ~~and Florida College System institutions in responding to the~~
200 ~~needs of new and expanding businesses and thereby strengthening~~
201 ~~the state's workforce and economy. The program may be funded in~~
202 ~~the General Appropriations Act. The district or Florida College~~
203 ~~System institution shall use the program to provide customized~~
204 ~~training for businesses which satisfies the requirements of s.~~
205 ~~288.047. Business firms whose employees receive the customized~~
206 ~~training must provide 50 percent of the cost of the training.~~
207 ~~Balances remaining in the program at the end of the fiscal year~~
208 ~~shall not revert to the general fund, but shall be carried over~~
209 ~~for 1 additional year and used for the purpose of serving~~
210 ~~incumbent worker training needs of area businesses with fewer~~
211 ~~than 100 employees. Priority shall be given to businesses that~~
212 ~~must increase or upgrade their use of technology to remain~~
213 ~~competitive.~~

214 ~~(8)(7)~~(a) A school district or Florida College System
215 institution that receives workforce education funds must use the
216 money to benefit the workforce education programs it provides.
217 The money may be used for equipment upgrades, program
218 expansions, or any other use that would result in workforce
219 education program improvement. The district school board or
220 Florida College System institution board of trustees may not
221 withhold any portion of the performance funding for indirect
222 costs.

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223 (b) State funds provided for the operation of
224 postsecondary workforce programs may not be expended for the
225 education of state or federal inmates.

226 ~~(8) The State Board of Education and Workforce Florida,~~
227 ~~Inc., shall provide the Legislature with recommended formulas,~~
228 ~~criteria, timeframes, and mechanisms for distributing~~
229 ~~performance funds. The commissioner shall consolidate the~~
230 ~~recommendations and develop a consensus proposal for funding.~~
231 ~~The Legislature shall adopt a formula and distribute the~~
232 ~~performance funds to the State Board of Education for Florida~~
233 ~~College System institutions and school districts through the~~
234 ~~General Appropriations Act. These recommendations shall be based~~
235 ~~on formulas that would discourage low-performing or low-demand~~
236 ~~programs and encourage through performance-funding awards:~~

237 ~~(a) Programs that prepare people to enter high-wage~~
238 ~~occupations identified by the Workforce Estimating Conference~~
239 ~~created by s. 216.136 and other programs as approved by~~
240 ~~Workforce Florida, Inc. At a minimum, performance incentives~~
241 ~~shall be calculated for adults who reach completion points or~~
242 ~~complete programs that lead to specified high-wage employment~~
243 ~~and to their placement in that employment.~~

244 ~~(b) Programs that successfully prepare adults who are~~
245 ~~eligible for public assistance, economically disadvantaged,~~
246 ~~disabled, not proficient in English, or dislocated workers for~~
247 ~~high-wage occupations. At a minimum, performance incentives~~
248 ~~shall be calculated at an enhanced value for the completion of~~

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249 ~~adults identified in this paragraph and job placement of such~~
250 ~~adults upon completion. In addition, adjustments may be made in~~
251 ~~payments for job placements for areas of high unemployment.~~

252 ~~(c) Programs that are specifically designed to be~~
253 ~~consistent with the workforce needs of private enterprise and~~
254 ~~regional economic development strategies, as defined in~~
255 ~~guidelines set by Workforce Florida, Inc. Workforce Florida,~~
256 ~~Inc., shall develop guidelines to identify such needs and~~
257 ~~strategies based on localized research of private employers and~~
258 ~~economic development practitioners.~~

259 ~~(d) Programs identified by Workforce Florida, Inc., as~~
260 ~~increasing the effectiveness and cost efficiency of education.~~

261 ~~(9) School districts shall report full-time equivalent~~
262 ~~students by discipline category for the programs specified in~~
263 ~~subsection (1). There shall be an annual cost analysis for the~~
264 ~~school district workforce education programs that reports cost~~
265 ~~by discipline category consistent with the reporting for full-~~
266 ~~time equivalent students. The annual financial reports submitted~~
267 ~~by the school districts must accurately report on the student~~
268 ~~fee revenues by fee type according to the programs specified in~~
269 ~~subsection (1). The Department of Education shall develop a plan~~
270 ~~for comparable reporting of program, student, facility,~~
271 ~~personnel, and financial data between the Florida College System~~
272 ~~institutions and the school district workforce education~~
273 ~~programs.~~

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274 (9) ~~(10)~~ A high school student dually enrolled under s.
275 1007.271 in a workforce education program operated by a Florida
276 College System institution or school district career center
277 generates the amount calculated for workforce education funding,
278 including any payment of performance funding, and the
279 proportional share of full-time equivalent enrollment generated
280 through the Florida Education Finance Program for the student's
281 enrollment in a high school. If a high school student is dually
282 enrolled in a Florida College System institution program,
283 including a program conducted at a high school, the Florida
284 College System institution earns the funds generated for
285 workforce education funding, and the school district earns the
286 proportional share of full-time equivalent funding from the
287 Florida Education Finance Program. If a student is dually
288 enrolled in a career center operated by the same district as the
289 district in which the student attends high school, that district
290 earns the funds generated for workforce education funding and
291 also earns the proportional share of full-time equivalent
292 funding from the Florida Education Finance Program. If a student
293 is dually enrolled in a workforce education program provided by
294 a career center operated by a different school district, the
295 funds must be divided between the two school districts
296 proportionally from the two funding sources. A student may not
297 be reported for funding in a dual enrollment workforce education
298 program unless the student has completed the basic skills
299 assessment pursuant to s. 1004.91. A student who is coenrolled

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300 in a K-12 education program and an adult education program may
301 be reported for purposes of funding in an adult education
302 program. If a student is coenrolled in core curricula courses
303 for credit recovery or dropout prevention purposes and does not
304 have a pattern of excessive absenteeism or habitual truancy or a
305 history of disruptive behavior in school, the student may be
306 reported for funding for up to two courses per year. Such a
307 student is exempt from the payment of the block tuition for
308 adult general education programs provided in s. 1009.22(3)(c)
309 1009.22(3)(d). The Department of Education shall develop a list
310 of courses to be designated as core curricula courses for the
311 purposes of coenrollment.

312 ~~(10)-(11)~~ The State Board of Education may adopt rules to
313 administer this section.

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315
316
317
318 -----
319 **T I T L E A M E N D M E N T**

320 Remove lines 23-26 and insert:

321 amending s. 1011.80, F.S., relating to funds for operation of
322 workforce education programs; conforming provisions; authorizing
323 a career center to offer associate in applied science degree
324 programs; requiring school districts and Florida College System
325 institutions to maintain certain records; providing requirements

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7057 (2014)

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326 | for reporting students and cost analysis; revising funding
327 | calculation and allocation; correcting a cross-reference;
328 | providing an effective date.
329 |