

Tab 1	SB 962 by Gaetz ; (Identical to H 1359) Vocational Rehabilitation
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Tab 2	SB 984 by Legg ; (Compare to H 7019) Education Access and Affordability
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Tab 3	SB 990 by Montford ; (Compare to CS/H 0793) Bright Futures Scholarship Program
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Tab 4	SB 726 by Ring ; (Similar to 1ST ENG/H 7017) Career and Adult Education
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Tab 5	SB 836 by Gaetz ; Rapid Response Education and Training Program
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Tab 6	SB 1060 by Legg ; (Compare to H 1343) Career and Adult Education
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

HIGHER EDUCATION
Senator Stargel, Chair
Senator Sachs, Vice Chair

MEETING DATE: Monday, January 11, 2016
TIME: 1:30—3:30 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Stargel, Chair; Senator Sachs, Vice Chair; Senators Benacquisto, Braynon, Gaetz, Joyner, Legg, Negrón, and Simmons

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 962 Gaetz (Identical H 1359)	Vocational Rehabilitation; Requiring the Division of Vocational Rehabilitation to initiate, by a specified date, a performance improvement plan designed to achieve specified goals; requiring the division to submit a performance report annually, by a specified date, to the Governor and the Legislature which includes specified information, etc. HE 01/11/2016 Favorable AED FP	Favorable Yeas 9 Nays 0
2	SB 984 Legg (Compare H 7019)	Education Access and Affordability; Requiring tuition for an online degree program to include costs associated with the provision of instructional materials; requiring a public postsecondary institution to post information relating to required and recommended textbooks and instructional materials and prices in its course registration system and on its website; requiring a state university to publicly notice meetings at which votes on proposed tuition or fee increases are scheduled, etc. HE 01/11/2016 Fav/CS AED AP	Fav/CS Yeas 9 Nays 0
3	SB 990 Montford (Compare H 793, S 520)	Bright Futures Scholarship Program; Providing that the initial award and renewal periods for students who are unable to accept an initial award immediately after completion of high school due to a full-time religious or service obligation begin upon the completion of the religious or service obligation, etc. HE 01/11/2016 Temporarily Postponed AED FP	Temporarily Postponed

Workshop - Discussion and public testimony only on the following (no vote to be taken):

COMMITTEE MEETING EXPANDED AGENDA

Higher Education

Monday, January 11, 2016, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 726 Ring (Similar H 7017, Compare H 1343, S 1060, S 1670)	Career and Adult Education; Revising the membership requirements for the State Apprenticeship Advisory Council; revising the requirements for a candidate to take an examination for a high school equivalency diploma after reaching the age of 16; revising the program standards for career, adult, and community education programs; increasing the maximum number of authorized CAPE Digital Tool certificates; creating the Florida Apprenticeship Grant Program to provide grants to certain career centers and Florida College System institutions; creating the Rapid Response Grant Program to provide grants for the expansion or implementation of certain postsecondary programs at career centers, etc. HE 01/11/2016 Workshop-Discussed AED AP	Workshop-Discussed
5	SB 836 Gaetz	Rapid Response Education and Training Program; Establishing the Rapid Response Education and Training Program within the Complete Florida Plus Program; requiring the Complete Florida Plus Program to work with Enterprise Florida, Inc., to offer certain education and training commitments to businesses; requiring the Division of Career and Adult Education within the Department of Education to conduct an analysis and assessment of the effectiveness of the education and training programs, etc. HE 01/11/2016 Workshop-Discussed AED AP	Workshop-Discussed
6	SB 1060 Legg (Compare H 1343, H 7017, S 726, S 1670)	Career and Adult Education; Revising the membership requirements for the State Apprenticeship Advisory Council; revising the attributes that characterize apprenticeable occupations; increasing the maximum number of certain CAPE Digital Tool certificates that the Commissioner of Education may recommend be added to the CAPE Industry Certification Funding List, etc. ED AED AP	Workshop-Discussed

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Higher Education

BILL: SB 962

INTRODUCER: Senator Gaetz

SUBJECT: Vocational Rehabilitation

DATE: January 8, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Graf</u>	<u>Klebacha</u>	<u>HE</u>	<u>Favorable</u>
2.	<u>_____</u>	<u>_____</u>	<u>AED</u>	<u>_____</u>
3.	<u>_____</u>	<u>_____</u>	<u>FP</u>	<u>_____</u>

I. Summary:

SB 962 requires the Division of Vocational Rehabilitation (division) to develop and implement a performance improvement plan to achieve specified goals and annually submit a performance report with specified data to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The 2015-2016 General Appropriations Act included a proviso requiring the division to report significant measurable quarterly progress on specific performance indicators related to the VR program. These performance provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. SB 962 modifies and codifies the VR program performance policy enacted in the 2015-2016 GAA.

The bill takes effect July 1, 2016.

II. Present Situation:

Approximately 2.4 million individuals with disabilities live in Florida, representing over 13 percent of the state's population. Ten percent of the state's working-age (i.e., ages 18-64) population is composed of individual's with a disability.¹ Such individuals may qualify for vocational rehabilitation (VR) services. VR is a federal-state program that helps people who have disabilities obtain and maintain employment.²

¹ U.S. Census Bureau, *2009-2014 American Community Survey 5-Year Estimates*, http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP02&prodType=table (last visited Dec. 30, 2015).

² Florida Department of Education, *Frequently Asked Questions*, <http://www.rehabworks.org/faq.shtml> (last visited Dec. 30, 2015).

Federal Law

Rehabilitation Act of 1973

The Rehabilitation Act of 1973, as amended, establishes the purpose of VR services to:³

- Empower individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society; and
- Ensure that the federal government plays a leadership role in promoting the employment of individuals with disabilities and in assisting states and providers of services fulfill gainful employment and independent living aspirations of individuals with disabilities.

The Rehabilitation Services Administration (RSA) oversees grant programs that help individuals with disabilities obtain employment and live more independently through supports such as counseling, medical and psychological services, job training, and other individualized services.⁴ “RSA’s major Title I formula grant program provides funds to state VR agencies to provide employment-related services for individuals with disabilities, giving priority to individuals who are significantly disabled.”⁵

Workforce Innovation and Opportunity Act

The Workforce Innovation and Opportunity Act (WIOA), enacted on July 22, 2014,⁶ replaces the Workforce Investment Act of 1998 and “represents a renewed commitment to workforce development with an eye to the future through innovation and support for individual and national economic growth.”⁷ WIOA aims to increase opportunities for individuals facing barriers to employment and invests in the “important connection between education and career preparation.”⁸

State Law

The Division of Vocational Rehabilitation (division), within the Florida Department of Education (DOE), is designated as the administrative unit for the purposes of effecting compliance with the Vocational Rehabilitation Act of 1973, as amended.⁹ The division is responsible for maintaining an internal system of quality assurance and monitoring compliance with state and federal laws, rules, and regulations.¹⁰ To administer VR services, the division is entrusted with making eligibility determinations for VR services, providing VR services in collaboration with state and local entities, conducting research, and performing VR needs assessment.¹¹ The Florida Rehabilitation Council is responsible for assisting the division in VR

³ 29 U.S.C. s. 701(b); *see also* Pub. L. No. 93-112, 87 Stat. 355 (Sep. 26, 1973).

⁴ U.S. Department of Education, *Welcome to RSA*, <http://www2.ed.gov/about/offices/list/osers/rsa/index.html> (last visited Dec. 30, 2015).

⁵ *Id.*

⁶ Pub. L. No. 113-128, 128 Stat. 1425 (July 22, 2014).

⁷ U.S. Department of Education, *RSA: Workforce Innovation and Opportunity Act*, <http://www2.ed.gov/about/offices/list/osers/rsa/wioa-reauthorization.html> (last visited Dec. 30, 2015).

⁸ *Id.*

⁹ Section 413.202, F.S.; *see also* Pub. L. No. 93-112, 87 Stat. 355 (Sep. 26, 1973).

¹⁰ Section 413.207, F.S.

¹¹ Section 413.23, F.S.

program planning and evaluation efforts.¹²

There are six VR regions, with 89 field locations throughout the state.¹³ During the 2015-2016 state fiscal year, the division had 931 full-time equivalent (FTE) positions including administrative staff, counselors, and other staff.¹⁴

Eligibility Requirements for Vocational Rehabilitation Services

Under Florida law, a person with a disability¹⁵ is eligible for VR services if the person requires VR services to prepare for, engage in, or retain gainful employment.¹⁶ The division is responsible for determining eligibility of an individual for VR services.¹⁷ If the division determines that an individual is eligible for VR services, the division must:¹⁸

- Complete an assessment for determining the eligibility and vocational rehabilitation needs and
- Ensure that an individualized plan for employment (IPE)¹⁹ is prepared, which must be jointly developed and signed by VR counselor or coordinator and the eligible individual, or in an appropriate case, a parent, family member, guardian, advocate, or authorized representative of the individual.²⁰ Each IPE must be reviewed annually and revised, as needed.²¹

Vocational Rehabilitation Service Delivery

Based on an individual's VR needs, VR services may include a variety of services such as vocational evaluation and planning, career counseling and guidance, job-site assessment and accommodations, job placement, job coaching, and on-the-job training.²²

The division operates under a prioritization methodology called the Order of Selection (OOS).²³ The Rehabilitation Act of 1973, as amended, requires the VR program to serve individuals with

¹² Section 413.405, F.S.

¹³ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 8.

¹⁴ The 931 FTE staff positions also include vacancies. *Id.*

¹⁵ Disability means “a physical or mental impairment that constitutes or results in a substantial impediment to employment.” Section 413.20(7), F.S.

¹⁶ Section 413.30(1), F.S.

¹⁷ Section 413.30(4), F.S.

¹⁸ Section 413.30(5), F.S.

¹⁹ An individualized plan for employment (IPE) includes a “comprehensive assessment of the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including the need for supported employment, of an eligible individual to make a determination of the goals, objectives, nature, and scope of vocational rehabilitation services.” Section 413.20(3), F.S.

²⁰ Section 413.30(5)(a), F.S.; Rule 6A-25.007, F.A.C.

²¹ Section 413.30(5)(c), F.S.

²² Florida Department of Education, *Frequently Asked Questions*, <http://www.rehabworks.org/faq.shtml> (last visited Dec. 30, 2015).

²³ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 11.

the most significant disabilities first when there are not enough resources to serve everyone who is eligible for VR services.²⁴ The OOS categories include:²⁵

- Category 1 comprising of individuals with the most significant disabilities.
- Category 2 comprising of individuals with significant disabilities; and
- Category 3 comprising of individuals with disabilities.

The division has reduced the waiting list by 8,266 individuals between 2014 and 2015.²⁶ As of September 30 2015, there was no wait list for individuals under Category 1.²⁷ The number of individuals on wait list for Category 2 has decreased from 7,796 in September 2014 to 4,154, a year later.²⁸ The average wait time for individuals under Category 2 has also decreased from 204 days to 126 days over the last year.²⁹ The division expects all individuals on the waiting list in Category 2 to be served by January 2016.³⁰ The OOS trends are different for individuals under Category 3 compared to individuals under categories 1 and 2 in that the number of individuals on wait list and the average wait time for Category 3 have increased since September 2014.³¹

Vocational Rehabilitation Accountability

Accountability requirements for the VR program are directed by both federal and state law.³²

Requirements

The Rehabilitation Act of 1973, as amended, requires the RSA to establish evaluation standards and performance indicators for the VR program including outcome and related measures of program performance.³³ The RSA has established the minimum levels of performance for each performance indicator.³⁴ Each year, state VR agencies are required to report program performance data to the RSA.³⁵ State agencies that fail to meet the established performance

²⁴ U.S. Department of Education, *RSA – Frequently Asked Questions About RSA*, <https://rsa.ed.gov/faqs.cfm> (last visited Dec. 31, 2015).

²⁵ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 11.

²⁶ Florida Department of Education, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 4.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 12.

³¹ Florida Department of Education, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 4.

³² Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 6.

³³ U.S. Department of Education, *Evaluation Standards and Performance Indicators for the Vocational Rehabilitation Services Program*, <http://www2.ed.gov/rschstat/eval/rehab/standards.html> (last visited Dec. 31, 2015).

³⁴ *Id.*

³⁵ *Id.*

levels must develop a Program Improvement Plan (PIP) outlining specific actions to improve program performance.³⁶

In addition, Florida law, applicable for the 2015-2016 fiscal year only, requires the division to report significant measurable quarterly progress in the following measures:³⁷

- Average wait list time;
- Number of persons receiving services (active cases);
- Number and percentage of customers receiving postsecondary education;
- Number and percentage of customers receiving CAPE industry certifications;
- Number and percentage of customers gainfully employed;
- Average earnings of customers at placement; and
- Number of students receiving preemployment transition services.

The Florida Rehabilitation Council (council) is established to assist the division in the planning and development of statewide rehabilitation programs and services, recommend improvements to such programs and services, and perform specified functions.³⁸ The council is responsible for performing functions such as developing and reviewing state goals and priorities in accordance with federal law, and evaluating VR program effectiveness and submitting progress reports and annual reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the U.S. Secretary of Education.³⁹

Data

The 2013-2014 annual report prepared by the council indicates that 7,214 persons with disabilities entered gainful employment during 2013-2014, resulting in nearly 11 percent improvement over the previous year.⁴⁰ Average annual earnings for closed cases increased from \$17,242 during 2012-2013 to \$17,536 during 2013-2014.⁴¹ Additionally, during 2013-2014, approximately 80 percent of customers were self-supporting at time of case closure.⁴² However, notwithstanding the gains in employment and self-sufficiency outcomes, the average number of active customers, median monthly caseload per field staff carrying a caseload, number of IPEs created during a year, and rehabilitation rate decreased compared to the previous year.⁴³

³⁶ U.S. Department of Education, *Evaluation Standards and Performance Indicators for the Vocational Rehabilitation Services Program*, <http://www2.ed.gov/rschstat/eval/rehab/standards.html> (last visited Dec. 31, 2015).

³⁷ Specific Appropriation 35, s. 2, ch. 2015-232, L.O.F. These provisions, in the 2015-2016 General Appropriations Act, will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. The Division of Vocational Rehabilitation staff provided data on each of the specified performance measures. Florida Department of Education, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 4-10.

³⁸ Section 413.405, F.S. Members of the Florida Rehabilitation Council (Council) are appointed by the Governor. The council membership must include at least 15 members but no more than 25 at a time. Section 413.405(3)-(4), F.S.

³⁹ Section 413.405, F.S.

⁴⁰ Florida Rehabilitation Council, *Florida Rehabilitation Council 2013-2014 Annual Report*, available at <http://www.rehabworks.org/rehab/AnnualReport13.pdf>, at 10.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

Additionally, the percentage of cases closed successfully⁴⁴ has decreased from 62 percent in 2007 to 37 percent in 2015.⁴⁵ Nationally, during 2013:⁴⁶

- Thirty one states exceeded the federal benchmark for employment rate (i.e., 55.8%).
- Nine states fell below (within 10%) the federal benchmark for employment rate.
- Florida, at 44 percent,⁴⁷ was among 10 states that fell significantly below the federal benchmark for employment rate.

Florida, during 2013, also ranked in the lower half on the percentage of VR cases closed with employment when compared to other states that use an order of selection methodology and that serve a high percentage (i.e., at least 98%) of individuals with significant disabilities.⁴⁸

In comparison to most peer states (i.e., California, Georgia, Illinois, Michigan, North Carolina, New York, Ohio, Pennsylvania, and Texas), Florida has a higher percentage of administrative staff, ranking 7th highest in the nation.⁴⁹ Regarding the percentage of staff who are counselors, Florida is similar to peer states but ranks in the bottom third of all states, at 36th in the nation.⁵⁰

III. Effect of Proposed Changes:

SB 962 requires the Division of Vocational Rehabilitation (division) to develop and implement a performance improvement plan to achieve specified goals and annually submit a performance report with specified data to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The purpose of the bill is to direct administrative efforts toward improving the state Vocational Rehabilitation (VR) program by establishing measurable metrics that focus on outcomes related to employment, independence, and other meaningful measures of success.

The 2015-2016 General Appropriations Act included a proviso requiring the division to report significant measurable quarterly progress on specific performance indicators related to the VR program. These performance provisions will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year. SB 962 modifies and codifies the VR program performance policy enacted in the 2015-2016 GAA.

⁴⁴ Cases closed successfully means individuals who received VR services secured employment. Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 15.

⁴⁵ *Id.*

⁴⁶ *Id.* at 24.

⁴⁷ *Id.* at 25.

⁴⁸ Email, Office of Program Policy Analysis and Government Accountability (Jan. 6, 2016).

⁴⁹ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Appropriations Subcommittee on Education (Oct. 7, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3162.pdf, at 26.

⁵⁰ *Id.*

Performance Improvement Plan

The bill establishes performance goals for the VR program, which are based on the measurable quarterly progress indicators that the division must report regarding VR service delivery, wait time, education, training, and employment outcomes.⁵¹ Specifically, the bill requires the division to develop and implement, by October 1, 2016, a performance improvement plan that must be designed to elevate Florida's VR program to one of the top 10 VR programs nationally and achieve the following goals:

- Decrease the average wait list time for reportable individuals.
- Increase the percentage of participants who:
 - Are in unsubsidized employment during the second quarter after they exit the program.
 - Are in unsubsidized employment during the fourth quarter after they exit the program.
 - Obtained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in, or within 1 year after their exit from, the program.
 - During a program year, are in an education or training program that leads to a recognized postsecondary credential or to employment and who are achieving a measurable gain of skill, including documented academic, technical, occupational gains or other forms of progress toward a postsecondary credential or employment.
- Increase the number of:
 - Persons earning CAPE industry certifications and CAPE postsecondary industry certifications approved pursuant to s. 1008.44.
 - Students receiving pre-employment transition services.
- Increase the median earnings of participants who are in unsubsidized employment during the second quarter after they exit the program.
- Increase the percentage of youth who received preemployment transition services without applying for additional vocational rehabilitation services and who obtained a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in, or within 1 year after their exit from, the program.
- Increase the division's effectiveness in serving employers, based on indicators developed as required by section 116(b)(2)(A)(iv) of the federal Workforce Innovation and Opportunity Act.

Specifying the VR performance goals in law will likely help the division with strategic planning to improve the performance of the state's VR program in service delivery and preparing individuals for employment. Attaining nationally-recognized industry certifications will assist individuals in demonstrating to potential employers the mastery of specific skills, abilities, and competencies associated with the education or certifications. Workforce education and training will facilitate such efforts in securing employment and living independently.

Performance Accountability Report

The bill modifies the current VR reporting requirements by specifying the data the division must report annually to the Governor and the Legislature. Compared to the annual report prepared by

⁵¹ Specific Appropriation 35, s. 2, ch. 2015-232, L.O.F. These provisions, in the 2015-2016 General Appropriations Act, will expire on July 1, 2016, unless the Legislature acts to codify the policy beyond the 2015-2016 fiscal year.

the Florida Rehabilitation Council (council), the VR program performance report to be prepared by the division, as required under the bill, will include additional VR data (e.g., financial data) as well as a breakdown of performance data by service type and service area.

Specifically, the bill requires the division to annually submit, by December 1, a performance report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The performance report must include the following information for the five most recent fiscal years, reported statewide and by service area:

- Caseload data, including the number of individuals who apply for services and who receive services, by service type.
- Service use data, by service type, including the number of units of service provided.
- Financial data, by service type, including expenditures for administration and the provision of services. Expenditures for education-related services must be identified in specific categories such as tuition and fees, program fees, and support services.
- Outcome data, including the number of cases closed without employment and the number of cases closed with employment. Employment data must be provided separately for supported employment.

The VR program performance report will help the state assess the performance of the state's VR program in preparing individuals for employment and identifying mechanisms to improve the operations and management of the VR program. The performance report will also assist in identifying trends in VR program performance and outcomes.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 413.207 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Gaetz

1-00821D-16

2016962__

1 A bill to be entitled
 2 An act relating to vocational rehabilitation; amending
 3 s. 413.207, F.S.; requiring the Division of Vocational
 4 Rehabilitation to initiate, by a specified date, a
 5 performance improvement plan designed to achieve
 6 specified goals; requiring the division to submit a
 7 performance report annually, by a specified date, to
 8 the Governor and the Legislature which includes
 9 specified information; providing an effective date.

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

11 Section 1. Section 413.207, Florida Statutes, is amended to
 12 read:

13 413.207 Division of Vocational Rehabilitation; quality
 14 assurance; performance improvement plan.-

15 (1) The Division of Vocational Rehabilitation shall
 16 maintain an internal system of quality assurance, have proven
 17 functional systems, perform due diligence, review provider
 18 systems of quality assurance, and be subject to monitoring for
 19 compliance with state and federal laws, rules, and regulations.

20 (2) No later than October 1, 2016, the division shall
 21 develop and implement a performance improvement plan designed to
 22 achieve the following goals:

23 (a) Decrease the average wait list time for reportable
 24 individuals.

25 (b) Increase the percentage of participants who are in
 26 unsubsidized employment during the second quarter after they
 27 exit from the program.

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1-00821D-16

2016962__

30 (c) Increase the percentage of participants who are in
 31 unsubsidized employment during the fourth quarter after they
 32 exit from the program.

33 (d) Increase the number of persons earning CAPE industry
 34 certifications and CAPE postsecondary industry certifications
 35 approved pursuant to s. 1008.44.

36 (e) Increase the median earnings of participants who are in
 37 unsubsidized employment during the second quarter after they
 38 exit from the program.

39 (f) Increase the percentage of participants who obtained a
 40 recognized postsecondary credential or a secondary school
 41 diploma or its recognized equivalent during participation in, or
 42 within 1 year after their exit from, the program.

43 (g) Increase the percentage of youth who received
 44 preemployment transition services without applying for
 45 additional vocational rehabilitation services and who obtained a
 46 recognized postsecondary credential or a secondary school
 47 diploma or its recognized equivalent during participation in, or
 48 within 1 year after their exit from, the program.

49 (h) Increase the percentage of participants who, during a
 50 program year, are in an education or training program that leads
 51 to a recognized postsecondary credential or to employment and
 52 who are achieving a measurable gain of skill, including
 53 documented academic, technical, occupational gains or other
 54 forms of progress toward a postsecondary credential or
 55 employment.

56 (i) Increase the number of students receiving pre-
 57 employment transition services.

58 (j) Increase the division's effectiveness in serving

Page 2 of 3

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1-00821D-16

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59 employers, based on indicators developed as required by section
60 116(b)(2)(A)(iv) of the federal Workforce Innovation and
61 Opportunity Act.

62 (3) The goals established under subsection (2) must be
63 designed to elevate the state vocational rehabilitation program
64 to one of the top 10 in the nation.

65 (4) By December 1 of each year, the division shall submit a
66 performance report to the Governor, the President of the Senate,
67 and the Speaker of the House of Representatives which includes
68 the following information for each of the 5 most recent fiscal
69 years:

70 (a) Caseload data, including the number of individuals who
71 apply for services and who receive services, by service type,
72 reported statewide and by service area.

73 (b) Service use data, by service type, including the number
74 of units of service provided, statewide and by service area.

75 (c) Financial data, by service type, including expenditures
76 for administration and the provision of services. Expenditure
77 data shall be reported on a statewide basis and by service area,
78 and expenditures for education-related services must be
79 identified in specific categories such as tuition and fees,
80 program fees, and support services.

81 (d) Outcome data, statewide and by service area, including
82 the number of cases closed without employment and the number of
83 cases closed with employment. Employment data must be provided
84 separately for supported employment.

85 Section 2. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/11/14
Meeting Date

SB 962
Bill Number (if applicable)

Topic SB 962

Amendment Barcode (if applicable)

Name Alesia McKinlay

Job Title Director, VR

Address 325 W. Gains Street

Phone 850-245-9632

Tallahassee FL 32399
City State Zip

Email Alesia.McKinlay@flda.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOT-VR

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Higher Education

BILL: CS/SB 984

INTRODUCER: Higher Education Committee and Senator Legg

SUBJECT: Education Access and Accountability

DATE: January 13, 2016 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	HE	Fav/CS
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 984 modifies requirements related to higher education textbooks and instructional materials affordability and promotes public awareness on higher education costs. Specifically, the bill:

- Expands textbook provisions to include instructional materials.
- Modifies the textbook and instructional materials affordability policies, procedures, and guidelines adopted by the State Board of Education and the Board of Governors for the State University System of Florida to include new issues and specifies reporting requirements regarding textbooks and instructional materials.
- Establishes college affordability provisions to identify strategies and initiatives to reduce the cost of higher education, and specifies annual reporting requirements regarding college affordability.
- Establishes notification requirements to inform students and the public, clearly and specifically, about any upcoming institutional boards of trustees meeting at which a vote will be taken on proposed increases in tuition and fees.

The bill takes effect July 1, 2016.

II. Present Situation:

The Legislature has established several mechanisms to maintain higher education access and affordability through strategies to reduce the costs associated with textbook and instructional materials and tuition and fees.

Textbook Affordability

Federal Law

The Higher Education Opportunity Act (HEOA)¹ was enacted on August 14, 2008, and reauthorizes the Higher Education Act of 1965, as amended.² The HEOA imposes certain disclosure provisions to “ensure that students have timely access to affordable course materials at postsecondary institutions receiving Federal financial assistance.”³ The provisions require postsecondary institutions to:⁴

- Include on their online course schedules for required and recommended textbooks and supplemental material certain information (e.g., the International Standard Book Number (ISBN) or if the ISBN is not available, the author, title, publisher, and copyright date). Postsecondary institutions must include on its written course schedule a reference to the textbook information available online and the Internet address to the course schedule.
- Provide to their college bookstores, upon request by such bookstores, information regarding the course schedule for the subsequent academic period, required and recommended textbooks and supplemental materials, and student enrollment.

Additionally, institutions are encouraged to provide information regarding renting textbooks, purchasing used textbooks, textbook buy-back programs, and alternative content delivery programs.⁵

The HEOA also requires textbook publishers to provide certain information regarding textbook and supplemental materials to faculty in charge of selecting course materials at postsecondary institutions such as the price of the textbooks, a description of substantial content revisions, and whether the textbooks are available in other formats and the related costs to the institution and the general public.⁶

The HEOA directed the Government Accountability Office (GAO) to study the implementation of the HEOA textbook provisions.⁷

¹ Pub. L. No. 110-315, s. 112(a), 122 Stat. 3107 (Aug. 14, 2008), *codified at* 20 U.S.C. s. 1015b.

² U.S. Department of Education, *The Higher Education Opportunity Act (Dec. 2008)*, available at <http://ifap.ed.gov/dpcletters/attachments/GEN0812FP0810AttachHEOADCL.pdf>, at 1 of 219.

³ *Id.* at 34-35 of 219.

⁴ *Id.* at 35 of 219.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

The GAO reported that “the rising costs of postsecondary education present challenges to maintaining college access and affordability.”⁸ Between 2002 and 2012, the cost of textbooks increased at an average of 6 percent per year while tuition and fees increased at an average of 7 percent and overall prices increased at an average of 2 percent per year.⁹ Over this ten-year time period, new textbook prices increased by a total of 82 percent, tuition and fees increased by 89 percent and overall prices increased by 28 percent.¹⁰ The implementation of HEOA’s textbook provisions has afforded students and their parents increased access to clear and early information about the cost of textbooks.¹¹ However, “although students are the end consumers, faculty are responsible for selecting which textbooks students will need, thereby limiting students’ ability to allay costs.”¹² Typically, faculty prioritize selecting the most appropriate materials for their courses over pricing and format considerations.¹³ Nevertheless, new products, formats, and delivery channels provide students many options for obtaining the course materials.¹⁴

State Law

The Florida Legislature enacted the textbook affordability law in 2008.¹⁵ The law prohibits Florida College System (FCS) institution and state university employees from receiving anything of value in exchange for requiring students to purchase specific textbooks for coursework and instruction, and specifies notification requirements regarding the required textbooks.¹⁶ Each FCS institution and state university must post on its website, at least 30 days prior to the first day of class for each term, a list of each textbook required for each course offered at the institution during the upcoming term.¹⁷ The posted list must include the ISBN for each required textbook and other relevant information necessary to identify the specific textbook or textbooks required for each course.¹⁸

Additionally, the textbook affordability law requires the State Board of Education (SBE) and the Board of Governors for the State University System of Florida (BOG) to adopt policies, procedures, and guidelines for implementation by FCS institutions and state universities, respectively, that further efforts to minimize the costs of textbooks for students attending such institutions while maintaining the quality of education and academic freedom.¹⁹ The policies, procedures, and guidelines must provide for the following:²⁰

- Textbook adoptions are made with sufficient lead time to bookstores so as to confirm availability of the requested materials and ensure maximum availability of used books.

⁸ United States Government Accountability Office, *College Textbooks: Student Have Greater Access to Textbook Information* (June 2013), available at <http://www.gao.gov/assets/660/655066.pdf>, at 1.

⁹ *Id.* at 6.

¹⁰ United States Government Accountability Office, *College Textbooks: Student Have Greater Access to Textbook Information* (June 2013), available at <http://www.gao.gov/assets/660/655066.pdf>, at 6.

¹¹ *Id.* at 22.

¹² *Id.*

¹³ *Id.* at 14.

¹⁴ *Id.* at 22.

¹⁵ Section 1, ch. 2008-78, L.O.F., *codified at* s. 1004.085, F.S.

¹⁶ Section 1004.085(1) and (3), F.S.

¹⁷ Section 1004.085(3), F.S.; *see also* Rule 6A-14.092, F.A.C. and Board of Governors Regulation 8.003.

¹⁸ *Id.*

¹⁹ Section 1004.085(4), F.S.

²⁰ *Id.*

- In the textbook adoption process, the intent to use all items ordered, is confirmed by the course instructor or academic department offering the course before the adoption is finalized.
- A course instructor or the academic department offering the course determines, before a textbook is adopted, the extent to which a new edition differs significantly and substantively from earlier versions and the value of changing to a new edition or the extent to which an open access textbook may exist and be used.
- The establishment of policies must address the availability of required textbooks to students who are otherwise unable to afford the cost, including consideration of the extent to which an open-access textbook may be used.
- Course instructors and academic departments are encouraged to participate in the development, adaptation, and review of open-access textbooks, especially open-access textbooks for high-demand general education courses.

The SBE and BOG have adopted rules and regulations, respectively, to implement the statutory provisions regarding textbook affordability.²¹

During the Spring 2012 term, the Florida Distance Learning Consortium (FDLC) conducted a survey of students from 11 state universities and 22 of the 28 FCS institutions.²² The survey revealed that a majority of students (54%) spent over \$300 on textbooks during the Spring 2012 term.²³ Nineteen percent of the students spent more than \$500 on textbooks during the same period.²⁴ The average student purchased 1.6 textbooks that were not used during the student's academic career.²⁵ The survey also indicated that financial aid does not always fully cover the costs of textbooks.²⁶ Additionally, students were generally unaware of open textbooks and their potential for use as supplementary text or as means to reduce costs.²⁷

College Affordability

Attaining higher education is a growing challenge for students and their families nationally as tuition and fees have risen faster than incomes and the Pell Grant has lost buying power over the last 30 years.²⁸ In 1983-1984, the maximum Pell Grant covered 52 percent of the average annual costs of attending a U.S. public four-year college as compared to 31 percent in 2013-2014.²⁹

Nationwide, the average annual costs for an in-state undergraduate student to attend a public four-year college reached \$18,100 in 2013-2014, which is 126 percent higher than the 1983-1984 average.³⁰ At public two-year colleges, the average annual cost of attendance rose 57 percent to

²¹ Rule 6A-14.092, F.A.C. and Board of Governors Regulation 8.003.

²² Florida Virtual Campus, *2012 Florida Student Textbook Survey*, at 1, on file with the Senate Committee on Higher Education staff.

²³ *Id.*, at 2.

²⁴ *Id.*

²⁵ *Id.* at 8.

²⁶ *Id.* at 7-8.

²⁷ *Id.* at 2.

²⁸ The Southern Regional Education Board, *Fact Book on Higher Education* (Sep. 2015), available at http://publications.sreb.org/2015/2015_Fact_Book_webversion.pdf, at i. The federal Pell Grant is the nation's largest need-based grant aid program for college students. *Id.* at 103.

²⁹ *Id.* at 103.

³⁰ The cost of attendance includes tuition, required fees, and room and board. *Id.* at 101.

\$9,300 over the 30-year period.³¹ The tuition and required fees portion of the college attendance costs at public four-year colleges typically range from 35 percent to 40 percent of the full costs of attendance.³²

In Florida, the standard tuition is \$71.98 per credit hour at FCS institutions³³ and \$105.07 per credit hour at state universities.³⁴ Students, in addition to tuition, pay for fees, books and supplies, room and board, and other on campus expenses. The average annual cost of attendance (COA)³⁵ for a full-time, Florida resident student enrolled at a state university or college living on campus has increased over the years. Specifically, during the 2014-2015 academic year, the average COA for a full-time, undergraduate Florida resident enrolled at a state university living on campus was \$20,911, representing approximately 2.5 percent increase since the 2012-2013 academic year.³⁶ In comparison, the average COA for a full-time Florida resident enrolled at a FCS institution living on campus during the 2014-2015 academic year was \$15,969, representing just over a 1 percent increase during the same period.³⁷ The average COA for a full-time Florida resident enrolled at a state university or FCS institution living off campus, not with his or her family, also increased slightly between the 2012-2013 and 2014-2015 academic years.³⁸

The COA data reflect general estimates of higher education costs and do not factor in financial aid that students may receive.³⁹

III. Effect of Proposed Changes:

CS/SB 984 modifies requirements related to higher education textbooks and instructional materials affordability and promotes public awareness on higher education costs.

³¹ *Id.*

³² *Id.* at 102.

³³ The standard tuition is for resident and nonresident students enrolled in advanced and professional, postsecondary vocational, developmental education, or educator preparation institute programs. Nonresident students must also pay an out-of-state fee in the amount of \$215.94 per credit hour. Section 1009.23(3)(a), F.S. For students who are residents for tuition purposes and enrolled in baccalaureate degree programs at public colleges, the tuition is \$91.79 per credit hour. Section 1009.23(3)(b), F.S.

³⁴ Section 1009.24(4)(a), F.S.

³⁵ The cost of attendance includes tuition and fees, books and supplies, room and board, and other on-campus expenses for full-time, first-time degree- or certificate-seeking students. The COA data are based on information submitted by the colleges and universities annually to the Integrated Postsecondary Education Data System (IPEDS). Email, Florida Department of Education, Division of Florida Colleges (Jan. 5, 2016). Federal guidelines for reporting COA data to the IPEDS is not standardized. For instance, the data for the state universities are based on a 30 credit hour student course workload compared to a 24 credit hour student course workload. Additionally, the non-tuition components of the COA are estimates that are based on institutional surveys. Email, Board of Governors (Jan. 5, 2016).

³⁶ Emails, Florida Department of Education, Division of Florida Colleges (Jan. 4 and 5, 2016); *see also* Email, Board of Governors (Jan. 5, 2016).

³⁷ Only four of the 28 Florida College System institutions report the on-campus cost of attendance data. Email, Florida Department of Education, Division of Florida Colleges (Jan. 4, 2016)

³⁸ Emails, Florida Department of Education, Division of Florida Colleges (Jan. 4 and 5, 2016); *see also* Email, Board of Governors (Jan. 5, 2016).

³⁹ Email, Board of Governors (Jan. 5, 2016).

Textbook Affordability

The bill modifies the textbook affordability law⁴⁰ to include instructional materials and defines “instructional materials” as educational materials, in either printed or digital format, which are required or recommended for use within a course. The bill also adds recommended textbooks and instructional materials to the textbook affordability provisions which are currently limited to the required textbooks only.

In addition, the bill adds instructional materials to the costs that must be excluded from the tuition for the preeminent state research university online degree programs.⁴¹ In effect, the bill aligns instructional materials to the textbooks-related policies for preeminent state research university online degree programs.

Policies and Reporting Requirements

The bill modifies the textbook and instructional materials affordability policies, procedures, and guidelines, which must be adopted by the State Board of Education (SBE) and the Board of Governors for the State University System of Florida (BOG), to include new issues addressing:

- The establishment of deadlines for instructors or departments to notify the college or university bookstore, as applicable, of the required and recommended textbooks and instructional materials so that the bookstore may verify availability and explore lower cost options and alternatives with the concerned faculty.
- Consultation with school districts to identify practices that impact the cost of dual enrollment textbooks and instructional materials to the school districts, including, but not limited to, the length of time that such textbooks and instructional materials remain in use.
- Selection of textbooks and instructional materials through cost-benefit analyses that help students obtain the highest quality product at the lowest available price by considering specified options (e.g., purchasing digital textbooks in bulk, expanding the use of open-access textbooks and instructional materials, providing rental options for textbook and instructional materials, and developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials).

The bill also requires each Florida College System (FCS) institution and state university board of trustees to examine each semester the cost of textbooks and instructional materials by course and course section for all general education course offerings. The purpose for such examination is to identify any variance in the cost of textbooks and instructional materials among different sections of the same course and the percentage of textbooks and instructional materials that remain in use for more than one term. Courses with a wide variance in textbooks and instructional materials costs among sections or with frequent changes in textbooks and instructional materials must be reported to the appropriate academic department chair for review. The bill specifies July 1, 2018 deadline for repeal of these general education course provisions.

⁴⁰ Section 1004.085, F.S.

⁴¹ A state research university must meet all 12 of the academic and research excellence standards that are specified in law, as verified by the BOG, to establish an institute for online learning for offering high quality, fully online baccalaureate degree programs. Section 1001.7065(4), F.S. Currently, the University of Florida is the only state research university to have an institute for online learning based on meeting the specified criteria. Board of Governors, *Advisory Board for UF Online*, http://www.flbog.edu/about/taskforce/uf_online_advisory.php (last visited Jan. 5, 2016).

Additionally, the bill specifies the following new reporting requirements for Florida College System (FCS) institution and state university boards of trustees, and the FCS and State University System chancellors:

- The board of trustees of each FCS institution and state university must annually report, by September 30, specified textbook and instructional material information to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable (e.g., textbooks and instructional materials selection process for general education courses with a wide cost variance and high-enrollment courses, and specific initiatives of the institution to reduce the cost of textbooks and instructional materials).
- Each chancellor must submit to the SBE or the BOG, as applicable, by November 1 of each year, a summary of the specified textbook and instructional materials information provided by the institution boards of trustees.

Publishing the information related to textbooks and instructional materials will provide students and parents, on behalf of their child, greater access to such information and the ability to plan ahead for higher education in the state of Florida. Cost-benefit analyses will assist with identifying mechanisms to reduce the costs associated with textbooks and instructional materials.

Notification Requirements

The bill promotes public awareness about textbook and instructional materials costs by requiring each FCS institution and state university to prominently post in the institution's course registration system and on the institution's website, a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of the courses and course sections offered by the institution during the upcoming term. The bill also changes the statutory deadline for posting the textbook information from at least 30 days to at least 45 days before the first day of class for each term, requiring the institutions to post the specified information sooner than is required under current law. Such information, made available for a majority of courses in advance of the upcoming term, will help students plan ahead for course registration and course workload.

College Affordability

The bill establishes college affordability provisions and provides students and the public, in general, greater access to information regarding tuition and fees.

Policies and Reporting Requirements

The bill requires the BOG and the SBE to annually identify college affordability strategies and initiatives that must, at a minimum, evaluate the impact of:

- Tuition and fees on undergraduate, graduate, and professional students at public colleges and universities and graduate assistants employed by public universities.
- Federal, state, and institutional financial aid policies on the actual cost of attendance for students and their families.
- The costs of textbooks and instructional materials.

The bill also eliminates the BOG's ability to delegate authority to the university boards of trustees regarding establishing tuition for graduate and professional programs and out-of-state

fees for all programs. As a result, state universities, on their own, will not be able to raise the tuition for graduate and professional programs and out-of-state fees for all programs, without seeking approval from the BOG.

Additionally, the bill establishes reporting requirements for the SBE and the BOG. Each board must annually, by December 31, report on its college affordability initiatives to the Governor, President of the Senate, and Speaker of the House of Representatives.

Notification Requirements

The bill requires each FCS institution and state university to notify all enrolled students and the public about any upcoming institutional boards of trustees meeting at which a vote will be taken on proposed increases in tuition and fees. The notification for such meeting must be posted at least 28 days before the scheduled meeting. Such notification must be posted on the institution's website homepage and issued in a press release, regarding the:

- Date and time of the meeting.
- Specific details of the existing tuition and fee, the rationale for the proposed increase, and the use for the proposed increase.

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

“Students may see cost savings as a result of postsecondary institutions reviewing their textbook policies.”⁴²

⁴² Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 984 (Jan. 5, 2016), at 6.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.7065, 1004.085, 1009.23, and 1009.24.

Also, this bill creates section 1004.084 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Higher Education on January 11, 2016:

The committee substitute maintains the substance of SB 984 with some modifications.

The strike-all amendment:

- Changed the deadline within which the institutions must post required and recommended textbooks and instructional materials information to at least 45 days before the first day of class for each term.
- Changed the percentage of courses for which such information must be posted from to 95 percent of the courses and course sections offered in the upcoming term.
- Modified the textbook and instructional materials policies to require the State Board of Education (SBE) and the Board of Governors (BOG) to establish deadlines within which instructors or departments must notify the respective college or university bookstore about the required and recommended textbooks and instructional materials.
- Modified the textbook and instructional materials reporting requirements.
- Established requirements for the boards of trustees to examine the cost of textbooks and instructional materials for all general education course offerings to identify cost variance among different sections of the same course, and specified July 1, 2018 deadline for repeal of such provisions.
- Deleted the provision requiring certain institutions to submit quarterly reports.
- Eliminated the BOG's ability to delegate authority to the university boards of trustees regarding establishing tuition for graduate and professional programs and out-of-state fees for all programs.
- Specified that the BOG and the SBE include in their strategies to promote college affordability, the impact of federal, state, and institutional financial aid on the actual cost of attendance for students.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



892652

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2016	.	
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The Committee on Higher Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (k) of subsection (4) of section
1001.7065, Florida Statutes, is amended to read:

1001.7065 Preeminent state research universities program.—

(4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR
ONLINE LEARNING.—A state research university that, as of July 1,
2013, meets all 12 of the academic and research excellence



892652

11 standards identified in subsection (2), as verified by the Board
12 of Governors, shall establish an institute for online learning.
13 The institute shall establish a robust offering of high-quality,
14 fully online baccalaureate degree programs at an affordable cost
15 in accordance with this subsection.

16 (k) The university shall establish a tuition structure for
17 its online institute in accordance with this paragraph,
18 notwithstanding any other provision of law.

19 1. For students classified as residents for tuition
20 purposes, tuition for an online baccalaureate degree program
21 shall be set at no more than 75 percent of the tuition rate as
22 specified in the General Appropriations Act pursuant to s.
23 1009.24(4) and 75 percent of the tuition differential pursuant
24 to s. 1009.24(16). No distance learning fee, fee for campus
25 facilities, or fee for on-campus services may be assessed,
26 except that online students shall pay the university's
27 technology fee, financial aid fee, and Capital Improvement Trust
28 Fund fee. The revenues generated from the Capital Improvement
29 Trust Fund fee shall be dedicated to the university's institute
30 for online learning.

31 2. For students classified as nonresidents for tuition
32 purposes, tuition may be set at market rates in accordance with
33 the business plan.

34 3. Tuition for an online degree program shall include all
35 costs associated with instruction, materials, and enrollment,
36 excluding costs associated with the provision of textbooks and
37 instructional materials pursuant to s. 1004.085 and physical
38 laboratory supplies.

39 4. Subject to the limitations in subparagraph 1., tuition



892652

40 may be differentiated by degree program as appropriate to the
41 instructional and other costs of the program in accordance with
42 the business plan. Pricing must incorporate innovative
43 approaches that incentivize persistence and completion,
44 including, but not limited to, a fee for assessment, a bundled
45 or all-inclusive rate, and sliding scale features.

46 5. The university must accept advance payment contracts and
47 student financial aid.

48 6. Fifty percent of the net revenues generated from the
49 online institute of the university shall be used to enhance and
50 enrich the online institute offerings, and 50 percent of the net
51 revenues generated from the online institute shall be used to
52 enhance and enrich the university's campus state-of-the-art
53 research programs and facilities.

54 7. The institute may charge additional local user fees
55 pursuant to s. 1009.24(14) upon the approval of the Board of
56 Governors.

57 8. The institute shall submit a proposal to the president
58 of the university authorizing additional user fees for the
59 provision of voluntary student participation in activities and
60 additional student services.

61 Section 2. Section 1004.084, Florida Statutes, is created
62 to read:

63 1004.084 College affordability.-

64 (1) The Board of Governors and the State Board of Education
65 shall annually identify strategies to promote college
66 affordability for all Floridians by evaluating, at a minimum,
67 the impact of:

68 (a) Tuition and fees on undergraduate, graduate, and



892652

69 professional students at public colleges and universities and
70 graduate assistants employed by public universities.

71 (b) Federal, state, and institutional financial aid
72 policies on the actual cost of attendance for students and their
73 families.

74 (c) The costs of textbooks and instructional materials.

75 (2) By December 31 of each year, beginning in 2016, the
76 Board of Governors and the State Board of Education shall submit
77 a report on their respective college affordability initiatives
78 to the Governor, the President of the Senate, and the Speaker of
79 the House of Representatives.

80 Section 3. Section 1004.085, Florida Statutes, is amended
81 to read:

82 1004.085 Textbook and instructional materials
83 affordability.—

84 (1) As used in this section, the term "instructional
85 materials" means educational materials for use within a course
86 which may be available in printed or digital format.

87 (2) ~~(1)~~ An ~~no~~ employee of a Florida College System
88 institution or state university may not demand or receive any
89 payment, loan, subscription, advance, deposit of money, service,
90 or anything of value, present or promised, in exchange for
91 requiring students to purchase a specific textbook or
92 instructional material for coursework or instruction.

93 (3) ~~(2)~~ An employee may receive:

94 (a) Sample copies, instructor copies, or instructional
95 materials. These materials may not be sold for any type of
96 compensation if they are specifically marked as free samples not
97 for resale.



892652

98 (b) Royalties or other compensation from sales of textbooks
99 or instructional materials that include the instructor's own
100 writing or work.

101 (c) Honoraria for academic peer review of course materials.

102 (d) Fees associated with activities such as reviewing,
103 critiquing, or preparing support materials for textbooks or
104 instructional materials pursuant to guidelines adopted by the
105 State Board of Education or the Board of Governors.

106 (e) Training in the use of course materials and learning
107 technologies.

108 (4) Each Florida College System institution and state
109 university board of trustees shall, each semester, examine the
110 cost of textbooks and instructional materials by course and
111 course section for all general education courses offered at the
112 institution to identify any variance in the cost of textbooks
113 and instructional materials among different sections of the same
114 course and the percentage of textbooks and instructional
115 materials that remain in use for more than one term. Courses
116 that have a wide variance in costs among sections or that have
117 frequent changes in textbook and instructional materials
118 selections shall be identified and a list of such courses sent
119 to the appropriate academic department chair for review. This
120 subsection is repealed July 1, 2018, unless reviewed and saved
121 from repeal through reenactment by the Legislature.

122 (5)-(3) Each Florida College System ~~institution~~ institutions
123 and state ~~university~~ universities shall post prominently in the
124 course registration system and on its website ~~on their websites,~~
125 as early as is feasible, but at least 45 ~~not less than 30~~ days
126 before ~~prior to~~ the first day of class for each term, a



892652

127 hyperlink to lists ~~list~~ of ~~each textbook~~ required and
128 recommended textbooks and instructional materials for at least
129 95 percent of all courses and ~~each~~ course sections offered at
130 the institution during the upcoming term. The lists ~~posted list~~
131 must include the International Standard Book Number (ISBN) for
132 each required and recommended textbook and instructional
133 material or other identifying information, which must include,
134 at a minimum, all of the following: the title, all authors
135 listed, publishers, edition number, copyright date, published
136 date, and other relevant information necessary to identify the
137 specific ~~textbook or~~ textbooks or instructional materials
138 required and recommended for each course. The State Board of
139 Education and the Board of Governors shall include in the
140 policies, procedures, and guidelines adopted under subsection
141 (6) ~~(4)~~ certain limited exceptions to this notification
142 requirement for classes added after the notification deadline.

143 (6) ~~(4)~~ After receiving input from students, faculty,
144 bookstores, and publishers, the State Board of Education and the
145 Board of Governors each shall adopt textbook and instructional
146 materials affordability policies, procedures, and guidelines for
147 implementation by Florida College System institutions and state
148 universities, respectively, that further efforts to minimize the
149 cost of textbooks and instructional materials for students
150 attending such institutions while maintaining the quality of
151 education and academic freedom. The policies, procedures, and
152 guidelines shall address ~~provide for the following:~~

153 (a) The establishment of deadlines for an instructor or
154 department to notify the bookstore of required and recommended
155 textbooks and instructional materials so that the bookstore may



892652

156 verify availability, source lower cost options when practicable,
157 explore alternatives with faculty when academically appropriate,
158 and maximize the availability of used textbooks and
159 instructional materials ~~That textbook adoptions are made with~~
160 ~~sufficient lead time to bookstores so as to confirm availability~~
161 ~~of the requested materials and, where possible, ensure maximum~~
162 ~~availability of used books.~~

163 (b) Confirmation by the course instructor or academic
164 department offering the course, before the textbook or
165 instructional materials adoption is finalized ~~That, in the~~
166 ~~textbook adoption process, of the intent to use all items~~
167 ~~ordered, particularly each individual item sold as part of a~~
168 ~~bundled package, is confirmed by the course instructor or the~~
169 ~~academic department offering the course before the adoption is~~
170 ~~finalized.~~

171 (c) Determination by ~~That~~ a course instructor or the
172 academic department offering the course ~~determines~~, before a
173 textbook or instructional material is adopted, of the extent to
174 which a new edition differs significantly and substantively from
175 earlier versions and the value to the student of changing to a
176 new edition or the extent to which an open-access textbook or
177 instructional material is available ~~may exist and be used.~~

178 ~~That the establishment of policies shall address~~ The
179 availability of required and recommended textbooks and
180 instructional materials to students otherwise unable to afford
181 the cost, including consideration of the extent to which an
182 open-access textbook or instructional material may be used.

183 (e) Participation by ~~That~~ course instructors and academic
184 departments ~~are encouraged to participate~~ in the development,



892652

185 adaptation, and review of open-access textbooks and
186 instructional materials and, in particular, open-access
187 textbooks and instructional materials for high-demand general
188 education courses.

189 (f) Consultation with school districts to identify
190 practices that impact the cost of dual enrollment textbooks and
191 instructional materials to school districts, including, but not
192 limited to, the length of time that textbooks and instructional
193 materials remain in use.

194 (g) Selection of textbooks and instructional materials
195 through cost-benefit analyses that enable students to obtain the
196 highest-quality product at the lowest available price, by
197 considering:

198 1. Purchasing digital textbooks in bulk.

199 2. Expanding the use of open-access textbooks and
200 instructional materials.

201 3. Providing rental options for textbooks and instructional
202 materials.

203 4. Increasing the availability and use of affordable
204 digital textbooks and learning objects.

205 5. Developing mechanisms to assist in buying, renting,
206 selling, and sharing textbooks and instructional materials.

207 6. The length of time that textbooks and instructional
208 materials remain in use.

209 (7) The board of trustees of each Florida College System
210 institution and state university shall report, by September 30
211 of each year, beginning in 2016, to the Chancellor of the
212 Florida College System or the Chancellor of the State University
213 System, as applicable, the textbook and instructional materials



892652

214 selection process for general education courses with a wide cost
215 variance identified pursuant to subsection (4) and high-
216 enrollment courses; specific initiatives of the institution
217 designed to reduce the costs of textbooks and instructional
218 materials; policies implemented in accordance with subsection
219 (6); the number of courses and course sections that were not
220 able to meet the textbook and instructional materials posting
221 deadline for the previous academic year; and any additional
222 information determined by the chancellors. By November 1 of each
223 year, beginning in 2016, each chancellor shall provide a summary
224 of the information provided by institutions to the State Board
225 of Education and the Board of Governors, as applicable.

226 Section 4. Subsection (20) is added to section 1009.23,
227 Florida Statutes, to read:

228 1009.23 Florida College System institution student fees.—

229 (20) Each Florida College System institution shall publicly
230 notice and notify all enrolled students of any proposal to
231 increase tuition or fees at least 28 days before its
232 consideration at a board of trustees meeting. The notice must:

233 (a) Include the date and time of the meeting at which the
234 proposal will be considered.

235 (b) Specifically outline the details of existing tuition
236 and fees, the rationale for the proposed increase, and how the
237 funds from the proposed increase will be used.

238 (c) Be posted on the institution's website and issued in a
239 press release.

240 Section 5. Paragraph (b) of subsection (4) of section
241 1009.24, Florida Statutes, is amended, and subsection (20) is
242 added to that section, to read:



892652

243 1009.24 State university student fees.-

244 (4)

245 (b) The Board of Governors, ~~or the board's designee,~~ may
246 establish tuition for graduate and professional programs, and
247 out-of-state fees for all programs. Except as otherwise provided
248 in this section, the sum of tuition and out-of-state fees
249 assessed to nonresident students must be sufficient to offset
250 the full instructional cost of serving such students. However,
251 adjustments to out-of-state fees or tuition for graduate
252 programs and professional programs may not exceed 15 percent in
253 any year.

254 (20) Each state university shall publicly notice and notify
255 all enrolled students of any proposal to increase tuition or
256 fees at least 28 days before its consideration at a board of
257 trustees meeting. The notice must:

258 (a) Include the date and time of the meeting at which the
259 proposal will be considered.

260 (b) Specifically outline the details of existing tuition
261 and fees, the rationale for the proposed increase, and how the
262 funds from the proposed increase will be used.

263 (c) Be posted on the university's website and issued in a
264 press release.

265 Section 6. This act shall take effect July 1, 2016.

266
267 ===== T I T L E A M E N D M E N T =====

268 And the title is amended as follows:

269 Delete everything before the enacting clause
270 and insert:

271 A bill to be entitled



892652

272 An act relating to education access and affordability;
273 amending s. 1001.7065, F.S.; specifying that the costs
274 of instructional materials are not included in tuition
275 for certain online degree programs; creating s.
276 1004.084, F.S.; requiring the Board of Governors and
277 the State Board of Education to annually identify
278 strategies to promote college affordability; requiring
279 the Board of Governors of the State University System
280 and the State Board of Education to submit annual
281 reports to the Governor and Legislature relating to
282 college affordability; amending s. 1004.085, F.S.;
283 revising provisions relating to textbook affordability
284 to include instructional materials; defining the term
285 "instructional materials"; specifying that Florida
286 College System or state university employees may not
287 receive anything of value in exchange for
288 instructional materials; requiring Florida College
289 System institution and state university boards of
290 trustees to identify wide variances in the costs of,
291 and frequency of changes in the selection of,
292 textbooks and instructional materials for certain
293 courses; requiring the boards of trustees to send a
294 list of identified courses to the academic department
295 chairs for review; providing for legislative review
296 and repeal of specified provisions; requiring Florida
297 College System institutions and state universities to
298 post certain information on their websites; requiring
299 the State Board of Education and Board of Governors to
300 receive input from specified individuals and entities



892652

301 before adopting textbook and instructional materials
302 affordability policies; requiring postsecondary
303 institutions to consult with certain school districts
304 to identify certain practices; requiring cost-benefit
305 analyses relating to textbooks and instructional
306 materials; providing reporting requirements; amending
307 s. 1009.23, F.S.; requiring Florida College System
308 institutions to provide a public notice relating to
309 increases in tuition and fees; amending s. 1009.24,
310 F.S.; requiring state universities to provide a public
311 notice relating to increases in tuition and fees;
312 providing an effective date.

By Senator Legg

17-00831A-16

2016984__

1 A bill to be entitled
 2 An act relating to education access and affordability;
 3 amending s. 1001.7065, F.S.; requiring tuition for an
 4 online degree program to include costs associated with
 5 the provision of instructional materials; creating s.
 6 1004.084, F.S.; requiring the Board of Governors and
 7 the State Board of Education to identify strategies
 8 and initiatives to reduce the cost of higher
 9 education; requiring the Board of Governors and the
 10 state board to annually submit a report to the
 11 Governor and the Legislature; amending s. 1004.085,
 12 F.S.; defining the term "instructional materials";
 13 revising policies and procedures relating to
 14 textbooks; requiring a public postsecondary
 15 institution to post information relating to required
 16 and recommended textbooks and instructional materials
 17 and prices in its course registration system and on
 18 its website; requiring the state board and the Board
 19 of Governors to adopt textbook and instructional
 20 materials affordability policies, procedures, and
 21 guidelines; providing requirements for the use of
 22 adopted undergraduate textbooks and instructional
 23 materials; requiring annual reporting of textbook and
 24 instructional materials cost information and
 25 affordability policies and procedures to the
 26 Chancellor of the Florida College System or the
 27 Chancellor of the State University System; requiring
 28 that electronic copies of the affordability policies
 29 and procedures be sent annually to the state board or

Page 1 of 11

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17-00831A-16

2016984__

30 the Board of Governors; amending s. 1009.23, F.S.;
 31 requiring a Florida College System institution to
 32 publicly notice meetings at which votes on proposed
 33 tuition or fee increases are scheduled; amending s.
 34 1009.24, F.S.; requiring a state university to
 35 publicly notice meetings at which votes on proposed
 36 tuition or fee increases are scheduled; providing an
 37 effective date.

38
 39 Be It Enacted by the Legislature of the State of Florida:

40
 41 Section 1. Paragraph (k) of subsection (4) of section
 42 1001.7065, Florida Statutes, is amended to read:
 43 1001.7065 Preeminent state research universities program.—
 44 (4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR
 45 ONLINE LEARNING.—A state research university that, as of July 1,
 46 2013, meets all 12 of the academic and research excellence
 47 standards identified in subsection (2), as verified by the Board
 48 of Governors, shall establish an institute for online learning.
 49 The institute shall establish a robust offering of high-quality,
 50 fully online baccalaureate degree programs at an affordable cost
 51 in accordance with this subsection.

52 (k) The university shall establish a tuition structure for
 53 its online institute in accordance with this paragraph,
 54 notwithstanding any other provision of law.

55 1. For students classified as residents for tuition
 56 purposes, tuition for an online baccalaureate degree program
 57 shall be set at no more than 75 percent of the tuition rate as
 58 specified in the General Appropriations Act pursuant to s.

Page 2 of 11

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17-00831A-16

2016984

59 1009.24(4) and 75 percent of the tuition differential pursuant
60 to s. 1009.24(16). No distance learning fee, fee for campus
61 facilities, or fee for on-campus services may be assessed,
62 except that online students shall pay the university's
63 technology fee, financial aid fee, and Capital Improvement Trust
64 Fund fee. The revenues generated from the Capital Improvement
65 Trust Fund fee shall be dedicated to the university's institute
66 for online learning.

67 2. For students classified as nonresidents for tuition
68 purposes, tuition may be set at market rates in accordance with
69 the business plan.

70 3. Tuition for an online degree program shall include all
71 costs associated with instruction, materials, and enrollment,
72 excluding costs associated with the provision of textbooks and
73 instructional materials pursuant to s. 1004.085 and physical
74 laboratory supplies.

75 4. Subject to the limitations in subparagraph 1., tuition
76 may be differentiated by degree program as appropriate to the
77 instructional and other costs of the program in accordance with
78 the business plan. Pricing must incorporate innovative
79 approaches that incentivize persistence and completion,
80 including, but not limited to, a fee for assessment, a bundled
81 or all-inclusive rate, and sliding scale features.

82 5. The university must accept advance payment contracts and
83 student financial aid.

84 6. Fifty percent of the net revenues generated from the
85 online institute of the university shall be used to enhance and
86 enrich the online institute offerings, and 50 percent of the net
87 revenues generated from the online institute shall be used to

17-00831A-16

2016984

88 enhance and enrich the university's campus state-of-the-art
89 research programs and facilities.

90 7. The institute may charge additional local user fees
91 pursuant to s. 1009.24(14) upon the approval of the Board of
92 Governors.

93 8. The institute shall submit a proposal to the president
94 of the university authorizing additional user fees for the
95 provision of voluntary student participation in activities and
96 additional student services.

97 Section 2. Section 1004.084, Florida Statutes, is created
98 to read:

99 1004.084 College affordability.—The Board of Governors and
100 the State Board of Education shall continue to identify
101 strategies and initiatives to further ensure college
102 affordability for all Floridians.

103 (1) Specific strategies and initiatives to reduce the cost
104 of higher education must include, at a minimum, consideration of
105 the following:

106 (a) The impact of tuition and fee increases at state
107 colleges and universities, including graduate, professional,
108 medical, and law schools.

109 (b) The total cost of fees to a student and family at a
110 state university or a state college, including orientation fees.

111 (c) The cost to students of textbooks and instructional
112 materials. The Board of Governors and the State Board of
113 Education shall use the information provided pursuant to s.
114 1004.085(5) and (6) and consult with students, faculty,
115 bookstores, and publishers to determine the best methods to
116 reduce costs and shall, at a minimum, consider the following:

17-00831A-16

2016984__

117 1. Any existing Florida College System or State University
 118 System initiatives to reduce the cost of textbooks and
 119 instructional materials.
 120 2. Purchasing digital textbooks in bulk.
 121 3. Expanding the use of open-access textbooks and
 122 instructional materials.
 123 4. Rental options for textbooks and instructional
 124 materials.
 125 5. Increasing the availability and use of affordable
 126 digital textbooks and learning objects for faculty and students.
 127 6. Supporting efficient used book sales, buy-back sales,
 128 and student-to-student sales.
 129 7. Developing online portals at each institution to assist
 130 students in buying, renting, selling, and sharing textbooks and
 131 instructional materials.
 132 8. The feasibility of expanding and enhancing digital
 133 access platforms that are used by campus stores to help students
 134 acquire the correct and least expensive required course
 135 materials.
 136 9. The cost to school districts of instructional materials
 137 for dual enrollment students.
 138 (2) By December 31, 2016, and annually thereafter, the
 139 Board of Governors and the State Board of Education shall submit
 140 a report and recommendations on their respective college
 141 affordability efforts to the Governor, the President of the
 142 Senate, and the Speaker of the House of Representatives.
 143 Section 3. Section 1004.085, Florida Statutes, is amended
 144 to read:
 145 1004.085 Textbook and instructional materials

Page 5 of 11

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17-00831A-16

2016984__

146 affordability.-
 147 (1) As used in this section, the term "instructional
 148 materials" means educational materials, in printed or digital
 149 format, which are required or recommended for use within a
 150 course.
 151 (2)(1) An ~~Ne~~ employee of a Florida College System
 152 institution or a state university may not demand or receive any
 153 payment, loan, subscription, advance, deposit of money, service,
 154 or anything of value, present or promised, in exchange for
 155 requiring students to purchase a specific textbook or
 156 instructional material for coursework or instruction.
 157 (3)(2) An employee may receive:
 158 (a) Sample copies, instructor copies, or instructional
 159 materials. These materials may not be sold for any type of
 160 compensation if they are specifically marked as free samples not
 161 for resale.
 162 (b) Royalties or other compensation from sales of textbooks
 163 or instructional materials that include the instructor's own
 164 writing or work.
 165 (c) Honoraria for academic peer review of course materials.
 166 (d) Fees associated with activities such as reviewing,
 167 critiquing, or preparing support materials for textbooks or
 168 instructional materials pursuant to guidelines adopted by the
 169 State Board of Education or the Board of Governors.
 170 (e) Training in the use of course materials and learning
 171 technologies.
 172 (4)(3) Each Florida College System institution ~~institutions~~
 173 and state university ~~universities~~ shall prominently post in the
 174 course registration system and on its website ~~on their websites,~~

Page 6 of 11

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17-00831A-16 2016984__

175 as early as is feasible, but at least 14 ~~not less than 30~~ days
176 ~~before~~ ~~prior to~~ the first day of student registration ~~class~~ for
177 each term, a hyperlink to lists ~~list~~ of each ~~textbook~~ required
178 and recommended textbooks and instructional materials for at
179 least 90 percent of the courses and course sections ~~each course~~
180 offered at the institution or university during the upcoming
181 term.

182 (a) The lists required pursuant to this subsection ~~The~~
183 ~~posted list~~ must include:

184 1. The International Standard Book Number (ISBN) for each
185 required and recommended textbook and instructional material.

186 2. For a textbook or instructional materials for which an
187 ISBN is not available, ~~textbook~~ or other identifying
188 information, which must include, at a minimum, ~~all of the~~
189 ~~following~~ the title, all authors listed, publishers, edition
190 number, copyright date, published date, and other relevant
191 information necessary to identify the specific textbook or
192 instructional material ~~textbooks~~ required and recommended for
193 each course.

194 3. The new and used retail prices and the rental price, if
195 applicable, for a required or recommended textbook or
196 instructional material for purchase at the institution's
197 designated bookstore or other specified vendor, including the
198 website or other contact information for the bookstore.

199 (b) The State Board of Education and the Board of Governors
200 shall include in the policies, procedures, and guidelines
201 adopted under subsection (5) ~~(4)~~ certain limited exceptions to
202 this notification requirement for courses ~~classes~~
203 the notification deadline.

17-00831A-16 2016984__

204 (c) An institution that is unable to comply with this
205 subsection by the 2016 fall semester must provide the
206 information required by this subsection to students, in a format
207 determined by the institution, at least 60 days before the first
208 day of classes. The institution must also submit a quarterly
209 report to the State Board of Education or to the Board of
210 Governors, as applicable, documenting the institution's efforts
211 to comply with this subsection by the 2017 fall semester.

212 (5) ~~(4)~~ The State Board of Education and the Board of
213 Governors each shall adopt textbook and instructional materials
214 affordability policies, procedures, and guidelines for
215 implementation by Florida College System institutions and state
216 universities, respectively, which that further efforts to
217 minimize the cost of textbooks and instructional materials for
218 students attending such institutions, while maintaining the
219 quality of education and academic freedom. The policies,
220 procedures, and guidelines must, at a minimum, require ~~shall~~
221 ~~provide for~~ the following:

222 (a) That textbook and instructional materials adoptions are
223 made with sufficient lead time to bookstores so as to confirm
224 availability of the requested materials and, if where possible,
225 ensure maximum availability of used textbooks and instructional
226 materials ~~books~~.

227 (b) That, in the textbook and instructional material
228 adoption process, the intent to use all items ordered,
229 particularly each individual item sold as part of a bundled
230 package, is confirmed by the course instructor or the academic
231 department offering the course before the adoption is finalized.

232 (c) That a course instructor or the academic department

17-00831A-16

2016984

233 offering the course ~~determine~~ determines, before a textbook or
 234 instructional materials are ~~is~~ adopted, the extent to which a
 235 new edition differs significantly and substantively from earlier
 236 versions and the value to the student of changing to a new
 237 edition or the extent to which an open-access textbook or
 238 instructional material may exist and be used.

239 (d) That the establishment of policies shall address the
 240 availability of required and recommended textbooks and
 241 instructional material to students otherwise unable to afford
 242 the cost, including consideration of the extent to which an
 243 open-access textbook or instructional materials may be used.

244 (e) That course instructors and academic departments are
 245 encouraged to participate in the development, adaptation, and
 246 review of open-access textbooks and instructional materials and,
 247 in particular, open-access textbooks and instructional materials
 248 for high-demand general education courses.

249 (f) That postsecondary institutions consult with school
 250 districts with which they have a dual enrollment articulation
 251 agreement to identify practices that affect the cost to school
 252 districts of dual enrollment textbooks and instructional
 253 materials, including, but not limited to, the length of time
 254 that textbooks and instructional materials remain in use and the
 255 costs associated with digital materials.

256 (g) That cost-benefit analyses be conducted regularly to
 257 compare options to ensure that students receive the highest
 258 quality product at the lowest available price.

259 (6) Each Florida College System institution and each state
 260 university shall report annually to the Chancellor of the
 261 Florida College System or the Chancellor of the State University

17-00831A-16

2016984

262 System, as applicable, the cost of undergraduate textbooks and
 263 instructional materials, by course and course section; the
 264 textbooks and instructional materials selection process for
 265 high-enrollment courses as determined by the chancellors;
 266 specific initiatives of the institution which reduce the cost of
 267 textbooks and instructional materials; the number of courses and
 268 course sections that did not meet the textbooks and
 269 instructional materials posting deadline; and additional
 270 information as determined by the chancellors. Annually, by
 271 December 31, each chancellor shall compile the reports from
 272 their respective institutions and universities and submit a
 273 comprehensive report to the Governor, the President of the
 274 Senate, and the Speaker of the House of Representatives.

275 (7) Each Florida College System institution and state
 276 university shall annually submit to the State Board of Education
 277 or the Board of Governors, as applicable, electronic copies of
 278 its current textbooks and instructional materials affordability
 279 policies and procedures. The State Board of Education and the
 280 Board of Governors shall provide a link to this information on
 281 their respective websites.

282 Section 4. Subsection (20) is added to section 1009.23,
 283 Florida Statutes, to read:

284 1009.23 Florida College System institution student fees.—

285 (20) Each Florida College System institution shall provide
 286 notice to the public and to all enrolled students of any board
 287 of trustees meeting at which a vote will be taken on proposed
 288 increases in tuition or fees. The noticed meeting must allow for
 289 public comment on the proposed increase and must:

290 (a) Be posted at least 28 days before the board of trustees

17-00831A-16

2016984__

291 meeting takes place.

292 (b) Include the date and time of the meeting.

293 (c) Be clear and specifically outline the details of the
294 original tuition or fee, the rationale for the proposed
295 increase, and what the proposed increase will fund.

296 (d) Be posted on the institution's website homepage and
297 issued in a press release.

298 Section 5. Present subsection (19) of section 1009.24,
299 Florida Statutes, is redesignated as subsection (20), and a new
300 subsection (19) is added to that section, to read:

301 1009.24 State university student fees.—

302 (19) Each university shall provide notice to the public and
303 to all enrolled students any board of trustees meeting at which
304 a vote will be taken on proposed increases in tuition or fees.
305 The noticed meeting must allow for public comment on the
306 proposed increase and must:

307 (a) Be posted at least 28 days before the board of trustees
308 meeting takes place.

309 (b) Include the date and time of the meeting.

310 (c) Be clear and specifically outline the details of the
311 original tuition or fee, the rationale for the proposed
312 increase, and what the proposed increase will fund.

313 (d) Be posted on the institution's website homepage and
314 issued in a press release.

315 Section 6. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/11/16

Meeting Date

984

Bill Number (if applicable)

892652

Amendment Barcode (if applicable)

Topic Amendment 892652

Name Ashley Spicola

Job Title Policy Coordinator

Address The Capitol, 400 S Monroe St.

Street

Tallahassee, FL 32399

City

State

Zip

Phone 850-717-9507

Email ashley.spicola@laspbs.state.fl.us

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Governor's Office

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/11/16

Meeting Date

SB 984

Bill Number (if applicable)

892652

Amendment Barcode (if applicable)

Topic Amendment 892652

Name Madeline Pumariega

Job Title Chancellor - Florida College System

Address 325 W. Gaines Street

Phone 850-245-9633

Street

Tallahassee FL 32399

City

State

Zip

Email Madeline.Pumariega@fldor.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOE - FCS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

11/11/16
Meeting Date

SB 984
Bill Number (if applicable)
892652
Amendment Barcode (if applicable)

Topic Amendment 892652

Name Tanya Cooper

Job Title Dir. Gov. Relations

Address 325 W. Gaines street

Phone 850-245-9633

Street Tallahassee FL 32399
City State Zip

Email Tanya.Cooper@Fla.senate.gov

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Higher Education

BILL: SB 990

INTRODUCER: Senator Montford

SUBJECT: Bright Futures Scholarship Program

DATE: January 8, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	HE	Pre-meeting
2.			AED	
3.			FP	

I. Summary:

SB 990 allows a high school graduate who is eligible to accept a Florida Bright Futures Scholarship award to defer the 2-year period for the initial award and the 5-year period for renewal until such time that he or she completes a full-time religious or service obligation lasting at least 18 months. In addition, the bill requires the organization to document in writing and verify the student's religious obligation or service work.

The bill takes effect on July 1, 2016.

II. Present Situation:

The Florida Bright Futures Scholarship Program (program) is a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible public or private postsecondary institution in Florida after graduating from high school.¹ The Department of Education (DOE) administers the program in accordance with rules and procedures adopted by the State Board of Education.²

The program consists of three types of awards:³

¹ Sections 1009.53(1) and 1009.531(2)(a)-(c), F.S., specify that a student graduating from high school prior to the 2010-2011 academic year is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. Each student graduating in the 2010-2011 and 2011-2012 academic school years is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 5 years following high school graduation. In the 2012-2013 academic school year, and thereafter, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.

² Section 1009.53(3), F.S.

³ Section 1009.53(2), F.S.

- Florida Academic Scholars (FAS);⁴
- Florida Medallion Scholars (FMS);⁵ and
- Florida Gold Seal Vocational Scholars (FGSV).⁶

To be eligible to receive a program award, a student must meet the general eligibility criteria for initial⁷ and renewal awards.⁸ The student must also satisfy specific eligibility criteria for each of the three award programs and complete a program of community service work.⁹

Student Eligibility Requirements

Currently, a student who graduates from high school having met the requirements of a Florida Bright Futures Scholarship award is eligible to accept:

- An initial award for a period of two years;¹⁰ and
- A renewal award for five years after graduating from high school.¹¹

A student who enlists in the United States Armed Forces immediately after high school graduation can defer the 2-year eligibility period for initial award and 5-year renewal period of the award until the student separates from active duty.¹² Also, for a student who receives the scholarship award but discontinues his or her education to enlist in the United States Armed Forces, the remainder of his or her 5-year renewal period commences upon the date of separation from active duty.¹³

III. Effect of Proposed Changes:

SB 990 modifies the student eligibility requirements for initial award of the Florida Academic Scholarship, Florida Medallion Scholarship, and Florida Gold Seal Vocational Scholarship.

The bill allows a high school graduate who is eligible to accept a Florida Bright Futures Scholarship award to defer the 2-year period for the initial award and the 5-year period for renewal until such time that he or she completes a full-time religious or service obligation lasting at least 18 months.

In addition, the bill requires the religious or service obligation sponsoring organization to be classified as nonprofit status under s. 501(c)(3) of the Internal Revenue Code or be a federal government service organization, such as the Peace Corps and AmeriCorps programs. The bill also requires the sponsoring organization to document in writing and verify the student's religious obligation or service work on a standardized form prescribed by the Department of Education.

⁴ Section 1009.534, F.S.

⁵ Section 1009.535, F.S.

⁶ Section 1009.536, F.S.

⁷ Section 1009.531, F.S.

⁸ Section 1009.532, F.S.

⁹ Sections 1009.534(1), 1009.535(1), and 1009.536(1)(e), F.S.

¹⁰ Section 1009.531(2)(c), F.S.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

In effect, a student that would otherwise forfeit a scholarship due to participation in a religious or service obligation may retain eligibility, similar to the flexibility currently granted to students who enlist in the United States Armed Forces.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.531 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Montford

3-00972-16

2016990__

1 A bill to be entitled
 2 An act relating to the Bright Futures Scholarship
 3 Program; amending s. 1009.531, F.S.; providing that
 4 the initial award and renewal periods for students who
 5 are unable to accept an initial award immediately
 6 after completion of high school due to a full-time
 7 religious or service obligation begin upon the
 8 completion of the religious or service obligation;
 9 specifying requirements for an entity that is
 10 sponsoring the obligation; requiring verification from
 11 the entity for which the student completed such
 12 obligation; providing an effective date.
 13
 14 Be It Enacted by the Legislature of the State of Florida:
 15
 16 Section 1. Paragraph (c) of subsection (2) of section
 17 1009.531, Florida Statutes, is amended to read:
 18 1009.531 Florida Bright Futures Scholarship Program;
 19 student eligibility requirements for initial awards.-
 20 (2)
 21 (c) A student graduating from high school in the 2012-2013
 22 academic year and thereafter is eligible to accept an initial
 23 award for 2 years following high school graduation and to accept
 24 a renewal award for 5 years following high school graduation. A
 25 student who applies for an award by high school graduation and
 26 who meets all other eligibility requirements, but who does not
 27 accept his or her award, may reapply during subsequent
 28 application periods up to 2 years after high school graduation.
 29 For a student who enlists in the United States Armed Forces

Page 1 of 2

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3-00972-16

2016990__

30 immediately after completion of high school, the 2-year
 31 eligibility period for his or her initial award and the 5-year
 32 renewal period shall begin upon the date of separation from
 33 active duty. For a student who is receiving a Florida Bright
 34 Futures Scholarship award and discontinues his or her education
 35 to enlist in the United States Armed Forces, the remainder of
 36 his or her 5-year renewal period shall commence upon the date of
 37 separation from active duty. For a student who is unable to
 38 accept an initial award immediately after completion of high
 39 school due to a full-time religious or service obligation
 40 lasting at least 18 months, the 2-year eligibility period for
 41 his or her initial award and the 5-year renewal period begin
 42 upon the completion of his or her religious or service
 43 obligation. The organization sponsoring the full-time religious
 44 or service obligation must meet the requirements for nonprofit
 45 status under s. 501(c)(3) of the Internal Revenue Code or be a
 46 federal government service organization, including, but not
 47 limited to, the Peace Corps and AmeriCorps programs. The
 48 obligation must be documented in writing and verified by the
 49 entity for which the student completed the obligation on a
 50 standardized form prescribed by the department. If a course of
 51 study is not completed after 5 academic years, an exception of 1
 52 year to the renewal timeframe may be granted due to a verifiable
 53 illness or other documented emergency pursuant to s.
 54 1009.40(1)(b)4.
 55 Section 2. This act shall take effect July 1, 2016.

Page 2 of 2

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WORKSHOP: CAREER, ADULT & WORKFORCE EDUCATION ISSUES AND BILLS

Issue	Source	Proposal
APPRENTICESHIPS		
1. Apprenticeship Programs	<ul style="list-style-type: none"> • SB 726 by Ring • SB 1060 by Legg 	<ul style="list-style-type: none"> • (726) Updates and aligns terminology with federal law, identifies “journeyworkers” as having mastered the skills and knowledge required for a specific trade or occupation through formal or practical training, and broadens “related instruction” to include courses inside or outside the classroom. • (1060) Same as SB 726, except includes the attainment of a nationally recognized industry certification as a way to demonstrate skills and expands preapprenticeship/apprenticeship programs to include courses for industry certifications.
2. State Apprenticeship Advisory Council	<ul style="list-style-type: none"> • SB 726 by Ring • SB 1060 by Legg 	<ul style="list-style-type: none"> • Requires the two public members appointed by the Governor to be independent of any joint or non-joint organization.
3. Apprenticeship Agreements	<ul style="list-style-type: none"> • SB 726 by Ring • SB 1060 by Legg 	<ul style="list-style-type: none"> • Prohibits state law, rules, or apprenticeship agreements from invalidating special provisions for veterans, minority persons, or women.
4. Apprenticeable Occupations	<ul style="list-style-type: none"> • SB 726 by Ring • SB 1060 by Legg 	<ul style="list-style-type: none"> • (726) Expands the criteria for apprenticeable occupations to include skills and knowledge aligned to industry standards. • (1060) Same as SB 726, except further expands the criteria to allow apprenticeable occupations to be associated with nationally recognized industry certifications.
5. Florida Apprenticeship Grant (FLAG) Program	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Creates new FLAG Program to award competitive grants through the Department of Education (DOE) to career centers, charter technical career centers, and Florida College System (FCS) institutions for the expansion of existing or establishment of new apprenticeship programs.
CAREER & ADULT EDUCATION		
6. High School Equivalency Diploma	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Establishes statewide policy that authorizes a 16-year-old student to take an exam for a high school equivalency diploma if he/she files a declaration of intent to terminate school enrollment. • Requires each school district or FCS institution offering an adult high school or high school equivalency preparation program to offer at least one online option.
7. Adult Basic Education	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Restructures adult education service priorities to bifurcate services that <i>must</i> be provided from services that <i>may</i> be provided at the discretion of school districts and FCS institutions. • Requires school districts and FCS institutions to first provide adult basic education services (e.g., courses to improve basic and functional literacy skills) before providing services to students enrolled in community education or lifelong learning courses.

Issue	Source	Proposal
8. Developmental Education Program	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Removes funding and fee provisions relating to developmental education (i.e., postsecondary remediation) from the adult general education statute.
9. Quality & Accountability	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Authorizes the State Board of Education to adopt rules establishing the quality components of career and technical education programs.
10. Higher Education Coordinating Council (HECC)	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Adds the Chancellor of Career & Adult Education as a member of the HECC.
11. Applied Technology Diploma (ATD)	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Requires ATD programs to be offered only as college credit (i.e., removes non-college credit option currently authorized for school district technical centers). • Expands college credit granting authority to school district technical centers, in addition to current authority granted to FCS institutions. • Aligns the standard tuition rate for ATD programs to the college credit tuition rate for advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs rather than the standard tuition rates for non-college credit programs.
12. Financial Aid	<ul style="list-style-type: none"> • SB 726 by Ring • SB 1060 by Legg 	<ul style="list-style-type: none"> • Requires each district school board operating a career center and governing body of a charter technical career center to establish a financial aid appeals process.
13. CAPE Industry Certifications	<ul style="list-style-type: none"> • SB 726 by Ring • SB 1060 by Legg 	<ul style="list-style-type: none"> • Increases from 15 to 30 the maximum number of CAPE Digital Tool certificates that may be identified on the CAPE Industry Certification Funding List. • Deletes a requirement that CAPE Digital Tool certificates identified on the funding list be solely updated by the Chancellor of Career & Adult Education.
14. Financial Records	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Requires state-funded school districts and FCS institutions to maintain and report adequate and accurate records of workforce education program funding and expenditures, and maintain separate accounts for postsecondary and secondary expenditures.
15. State Funding	<ul style="list-style-type: none"> • SB 726 by Ring 	<ul style="list-style-type: none"> • Redefines state funding for workforce education programs as a calculation based on weighted enrollment and program costs minus fee revenues.
16. Rapid Response Program	<ul style="list-style-type: none"> • SB 726 by Ring • SB 836 by Gaetz 	<ul style="list-style-type: none"> • (726) Creates new Rapid Response Grant Program to award competitive grants through DOE to career centers for expanding or implementing high-demand postsecondary programs. • (836) Creates new Rapid Response Education & Training Program to award competitive grants through the Complete Florida Plus Program at the University of West Florida to public/private education and training program providers for enhancing business and industry recruitment and retention efforts.

By Senator Ring

29-00647A-16

2016726__

1 A bill to be entitled
 2 An act relating to career and adult education;
 3 amending s. 446.021, F.S.; redefining terms;
 4 conforming provisions to changes made by the act;
 5 amending s. 446.032, F.S.; conforming provisions to
 6 changes made by the act; amending s. 446.045, F.S.;
 7 revising the membership requirements for the State
 8 Apprenticeship Advisory Council; amending s. 446.081,
 9 F.S.; providing for construction; amending s. 446.091,
 10 F.S.; conforming provisions to changes made by the
 11 act; amending s. 446.092, F.S.; revising the
 12 characteristics of an apprenticeable occupation;
 13 amending s. 1003.435, F.S.; revising the requirements
 14 for a candidate to take an examination for a high
 15 school equivalency diploma after reaching the age of
 16 16; amending s. 1004.015, F.S.; revising the
 17 membership of the Higher Education Coordinating
 18 Council; amending s. 1004.02, F.S.; revising the
 19 definition of "applied technology diploma program";
 20 amending s. 1004.92, F.S.; revising the program
 21 standards for career, adult, and community education
 22 programs; providing for rulemaking; amending s.
 23 1004.93, F.S.; deleting a requirement that adult
 24 education programs prioritize students based on
 25 certain criteria; revising the academic requirements
 26 for students to whom an adult education program must
 27 provide academic services; requiring school districts
 28 or colleges offering an adult high school or high
 29 school equivalency diploma preparation program to

Page 1 of 27

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29-00647A-16

2016726__

30 offer an online option; deleting a requirement that
 31 the State Board of Education define certain courses to
 32 be funded by the developmental education program;
 33 deleting the requirement that the state board
 34 coordinate certain costs and standards for completion
 35 of developmental education; deleting a provision
 36 funding developmental education as an adult career
 37 education program; deleting certain reporting
 38 requirements for developmental education and lifelong
 39 learning; deleting allocation requirements and certain
 40 funding requirements for students in developmental
 41 education; deleting the authority of Florida College
 42 System institutions to review and reduce certain fees
 43 for developmental education; deleting a restriction
 44 that developmental education and lifelong learning
 45 courses not generate credit toward certain college
 46 degrees; amending s. 1008.44, F.S.; increasing the
 47 maximum number of authorized CAPE Digital Tool
 48 certificates; deleting a requirement that the CAPE
 49 Industry Certification Funding List be updated solely
 50 by the Chancellor of Career and Adult Education;
 51 amending s. 1009.22, F.S.; revising tuition and fees
 52 for specific workforce education programs; amending s.
 53 1009.42, F.S.; revising the entities that must provide
 54 a financial aid appeal process; reordering and
 55 amending s. 1011.80, F.S.; requiring certain school
 56 districts and Florida College System institutions to
 57 maintain specified records; deleting the requirement
 58 that funding for workforce education programs be based

Page 2 of 27

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29-00647A-16

2016726__

59 on certain categories and measures; revising
 60 operational and performance funding calculation and
 61 allocation for workforce education programs; requiring
 62 operational funding to be provided to school districts
 63 for workforce education programs; providing
 64 calculations for cost categories; providing that
 65 performance funding shall be contingent upon specific
 66 appropriation; removing the requirement for
 67 CareerSource Florida, Inc., to provide the Legislature
 68 with certain recommendations for distributing
 69 performance funds; deleting provisions relating to a
 70 program to assist in responding to the needs of new
 71 and expanding businesses; conforming provisions to
 72 changes made by this act; creating s. 1011.802, F.S.;
 73 creating the Florida Apprenticeship Grant Program to
 74 provide grants to certain career centers and Florida
 75 College System institutions; requiring the Division of
 76 Career and Adult Education within the Department of
 77 Education to administer the program; requiring
 78 applications to the program to contain certain
 79 projections and costs; requiring the department to
 80 give priority to certain apprenticeship programs;
 81 specifying purposes for which grant funds may be used;
 82 requiring grant recipients to submit quarterly
 83 reports; creating s. 1011.803, F.S.; creating the
 84 Rapid Response Grant Program to provide grants for the
 85 expansion or implementation of certain postsecondary
 86 programs at career centers; providing requirements for
 87 application for the grant; requiring grant recipients

Page 3 of 27

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29-00647A-16

2016726__

88 to submit quarterly reports; specifying purposes for
 89 which grant funds may be used; requiring the
 90 Department of Education to administer the program and
 91 conduct annual analyses and assessments; providing an
 92 effective date.

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

96 Section 1. Subsections (2), (4), and (9) of section
 97 446.021, Florida Statutes, are amended to read:

98 446.021 Definitions of terms used in ss. 446.011-446.092.—
 99 As used in ss. 446.011-446.092, the term:

100 (2) "Apprentice" means a person at least 16 years of age
 101 who is engaged in learning a recognized skilled trade through
 102 actual work experience under the supervision of a journeyworker
 103 ~~journeymen craftsmen~~, which training should be combined with
 104 properly coordinated studies of related technical and
 105 supplementary subjects, and who has entered into a written
 106 agreement, which may be cited as an apprentice agreement, with a
 107 registered apprenticeship sponsor who may be ~~either~~ an employer,
 108 an association of employers, or a local joint apprenticeship
 109 committee.

110 (4) "~~Journeyworker Journeyman~~" means a worker recognized
 111 within an industry as having mastered the skills and
 112 competencies required for a specific trade or occupation. The
 113 term includes a mentor, technician, specialist, or other skilled
 114 worker who has sufficient skills and knowledge of an occupation,
 115 either through formal apprenticeship or through practical on-
 116 the-job experience and formal training ~~person working in an~~

Page 4 of 27

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29-00647A-16

2016726__

117 ~~apprenticeable occupation who has successfully completed a~~
 118 ~~registered apprenticeship program or who has worked the number~~
 119 ~~of years required by established industry practices for the~~
 120 ~~particular trade or occupation.~~

121 (9) "Related instruction" means an organized and systematic
 122 form of instruction designed to provide the apprentice with
 123 knowledge of the theoretical and technical subjects related to a
 124 specific trade or occupation. Such instruction may be given in a
 125 classroom through occupational or industrial courses or outside
 126 of a classroom through correspondence courses of equivalent
 127 value, electronic media, or other forms of self-study approved
 128 by the department.

129 Section 2. Subsection (1) of section 446.032, Florida
 130 Statutes, is amended to read:

131 446.032 General duties of the department for apprenticeship
 132 training.—The department shall:

133 (1) Establish uniform minimum standards and policies
 134 governing apprentice programs and agreements. The standards and
 135 policies shall govern the terms and conditions of the
 136 apprentice's employment and training, including the quality
 137 training of the apprentice for, but not limited to, such matters
 138 as ratios of apprentices to journeyworkers ~~journeymen~~, safety,
 139 related instruction, and on-the-job training; but these
 140 standards and policies may not include rules, standards, or
 141 guidelines that require the use of apprentices and job trainees
 142 on state, county, or municipal contracts. The department may
 143 adopt rules necessary to administer the standards and policies.

144 Section 3. Paragraph (b) of subsection (2) of section
 145 446.045, Florida Statutes, is amended to read:

Page 5 of 27

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29-00647A-16

2016726__

146 446.045 State Apprenticeship Advisory Council.—

147 (2)

148 (b) The Commissioner of Education or the commissioner's
 149 designee shall serve ex officio as chair of the State
 150 Apprenticeship Advisory Council, but may not vote. The state
 151 director of the Office of Apprenticeship of the United States
 152 Department of Labor shall serve ex officio as a nonvoting member
 153 of the council. The Governor shall appoint to the council four
 154 members representing employee organizations and four members
 155 representing employer organizations. Each of these eight members
 156 shall represent industries that have registered apprenticeship
 157 programs. The Governor shall also appoint two public members who
 158 are knowledgeable about registered apprenticeship and
 159 apprenticeable occupations and who are independent of any joint
 160 or nonjoint organization, one of whom shall be recommended by
 161 ~~joint organizations, and one of whom shall be recommended by~~
 162 ~~nonjoint organizations.~~ Members shall be appointed for 4-year
 163 staggered terms. A vacancy shall be filled for the remainder of
 164 the unexpired term.

165 Section 4. Subsection (4) is added to section 446.081,
 166 Florida Statutes, to read:

167 446.081 Limitation.—

168 (4) Sections 446.011-446.092, rules adopted under those
 169 sections, or apprentice agreements approved under those sections
 170 may not operate to invalidate any special provision for
 171 veterans, minority persons, or women relating to the standards,
 172 apprentice qualifications, or operation of the program which is
 173 not otherwise prohibited by law, executive order, or authorized
 174 regulation.

Page 6 of 27

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29-00647A-16

2016726__

175 Section 5. Section 446.091, Florida Statutes, is amended to
176 read:

177 446.091 On-the-job training program.—All provisions of ss.
178 446.011-446.092 relating to apprenticeship and
179 preapprenticeship, including, but not limited to, programs,
180 agreements, standards, administration, procedures, definitions,
181 expenditures, local committees, powers and duties, limitations,
182 grievances, and ratios of apprentices and job trainees to
183 journeyworkers ~~journeymen~~ on state, county, and municipal
184 contracts, shall be appropriately adapted and made applicable to
185 a program of on-the-job training authorized under those
186 provisions for persons other than apprentices.

187 Section 6. Section 446.092, Florida Statutes, is amended to
188 read:

189 446.092 Criteria for apprenticeship occupations.—An
190 apprenticeable occupation is a skilled trade that ~~which~~
191 possesses all of the following characteristics:

192 (1) It is customarily learned in a practical way through a
193 structured, systematic program of on-the-job, supervised
194 training.

195 (2) It is clearly identified and commonly recognized
196 throughout an the industry ~~or recognized with a positive view~~
197 ~~towards changing technology.~~

198 (3) It involves manual, mechanical, or technical skills and
199 knowledge that, in accordance with the industry standards for
200 that occupation, would ~~which~~ require a minimum of 2,000 hours of
201 on-the-job work and training, which hours are excluded from the
202 time spent at related instruction.

203 (4) It requires related instruction to supplement on-the-

29-00647A-16

2016726__

204 job training. Such instruction may be given in a classroom
205 through occupational or industrial courses or outside of a
206 classroom through correspondence courses of equivalent value,
207 electronic media, or other forms of self-study approved by the
208 department.

209 ~~(5) It involves the development of skill sufficiently broad~~
210 ~~to be applicable in like occupations throughout an industry,~~
211 ~~rather than of restricted application to the products or~~
212 ~~services of any one company.~~

213 ~~(6) It does not fall into any of the following categories:~~

214 ~~(a) Selling, retailing, or similar occupations in the~~
215 ~~distributive field.~~

216 ~~(b) Managerial occupations.~~

217 ~~(c) Professional and scientific vocations for which~~
218 ~~entrance requirements customarily require an academic degree.~~

219 Section 7. Subsection (4) of section 1003.435, Florida
220 Statutes, is amended to read:

221 1003.435 High school equivalency diploma program.—

222 (4) A candidate for a high school equivalency diploma shall
223 be at least 18 years of age on the date of the examination,
224 except that ~~in extraordinary circumstances, as provided for in~~
225 ~~rules of the district school board of the district in which the~~
226 ~~candidate resides or attends school,~~ a candidate may take the
227 examination after reaching the age of 16 if the student files a
228 formal declaration of intent to terminate school enrollment
229 pursuant to s. 1003.21.

230 Section 8. Present paragraphs (d) through (i) of subsection
231 (2) of section 1004.015, Florida Statutes, are redesignated as
232 paragraphs (e) through (j), respectively, and a new paragraph

29-00647A-16

2016726__

233 (d) is added to that subsection, to read:
 234 1004.015 Higher Education Coordinating Council.—
 235 (2) Members of the council shall include:
 236 (d) The Chancellor of Career and Adult Education.
 237 Section 9. Subsection (7) of section 1004.02, Florida
 238 Statutes, is amended to read:
 239 1004.02 Definitions.—As used in this chapter:
 240 (7) "Applied technology diploma program" means a course of
 241 study that is part of a technical degree program, is less than
 242 60 credit hours, and leads to employment in a specific
 243 occupation. An applied technology diploma program consists ~~may~~
 244 ~~consist of either technical credit or college credit and may be~~
 245 ~~offered by a public school district or a Florida College System~~
 246 ~~institution. A public school district may offer an applied~~
 247 ~~technology diploma program only as technical credit, with~~
 248 ~~college credit awarded to a student upon articulation to a~~
 249 ~~Florida College System institution.~~ Statewide articulation among
 250 public schools and Florida College System institutions is
 251 guaranteed by s. 1007.23, and is subject to guidelines and
 252 standards adopted by the State Board of Education pursuant to
 253 ss. 1007.24 and 1007.25.
 254 Section 10. Paragraph (b) of subsection (2) of section
 255 1004.92, Florida Statutes, is amended, and subsection (4) is
 256 added to that section, to read:
 257 1004.92 Purpose and responsibilities for career education.—
 258 (2)
 259 (b) Department of Education accountability for career
 260 education includes, but is not limited to:
 261 1. The provision of timely, accurate technical assistance

Page 9 of 27

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29-00647A-16

2016726__

262 to school districts and Florida College System institutions.
 263 2. The provision of timely, accurate information to the
 264 State Board of Education, the Legislature, and the public.
 265 3. The development of policies, rules, and procedures that
 266 facilitate institutional attainment of the accountability
 267 standards and coordinate the efforts of all divisions within the
 268 department.
 269 4. The development of program standards and industry-driven
 270 benchmarks for career, adult, and community education programs,
 271 which must be updated every 3 years. The standards must reflect
 272 the quality components of a career and technical education
 273 program and include career, academic, and workplace skills;
 274 viability of distance learning for instruction; and work/learn
 275 cycles that are responsive to business and industry.
 276 5. Overseeing school district and Florida College System
 277 institution compliance with the provisions of this chapter.
 278 6. Ensuring that the educational outcomes for the technical
 279 component of career programs are uniform and designed to provide
 280 a graduate who is capable of entering the workforce on an
 281 equally competitive basis regardless of the institution of
 282 choice.
 283 (4) The State Board of Education shall adopt rules to
 284 administer this section.
 285 Section 11. Subsections (2) and (4) of section 1004.93,
 286 Florida Statutes, are amended, present subsections (3) through
 287 (9) of that section are redesignated as subsections (4) through
 288 (10), respectively, and a new subsection (3) is added to that
 289 section, to read:
 290 1004.93 Adult general education.—

Page 10 of 27

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29-00647A-16

2016726__

291 (2) The adult education program must provide academic
292 services to ~~students in the following priority:~~

293 (a) ~~Students who demonstrate skills at less than a fifth~~
294 ~~grade level, as measured by tests approved for this purpose by~~
295 ~~the State Board of Education, and who~~ are studying to achieve
296 basic literacy.

297 (b) ~~Students who demonstrate skills at the fifth grade~~
298 ~~level or higher, but below the ninth grade level, as measured by~~
299 ~~tests approved for this purpose by the State Board of Education,~~
300 ~~and who~~ are studying to achieve functional literacy.

301 (c) Students who are earning credit required for a high
302 school diploma or ~~who are~~ preparing for the high school
303 equivalency examination. Each school district or Florida College
304 System institution that offers an adult high school or high
305 school equivalency diploma preparation program must offer at
306 least one online option that enables students to earn a standard
307 high school diploma or its equivalent.

308 (d) Students who have earned high school diplomas and
309 require specific improvement in order to:

- 310 1. Obtain or maintain employment or benefit from
- 311 certificate career education programs;
- 312 2. Pursue a postsecondary degree; or
- 313 3. Develop competence in the English language to qualify
- 314 for employment.

315 (3) The adult education program may provide academic
316 services to the following:

317 (a)-(e) Students who enroll in lifelong learning courses or
318 activities that seek to address community social and economic
319 issues that consist of health and human relations, government,

29-00647A-16

2016726__

320 parenting, consumer economics, and senior citizens. Services may
321 be provided to these students only if all students seeking
322 services under subsection (2) have been served.

323 (b)-(f) Students who enroll in courses that relate to the
324 recreational or leisure pursuits of the students. The cost of
325 courses conducted pursuant to this paragraph shall be borne by
326 the enrollees.

327 (5)-(4)(a) Adult general education shall be evaluated and
328 funded as provided in s. 1011.80.

329 (b) Fees for adult basic instruction are to be charged in
330 accordance with chapter 1009.

331 ~~(c) The State Board of Education shall define, by rule, the~~
332 ~~levels and courses of instruction to be funded through the~~
333 ~~developmental education program. The state board shall~~
334 ~~coordinate the establishment of costs for developmental~~
335 ~~education courses, the establishment of statewide standards that~~
336 ~~define required levels of competence, acceptable rates of~~
337 ~~student progress, and the maximum amount of time to be allowed~~
338 ~~for completion of developmental education. Developmental~~
339 ~~education is part of an associate in arts degree program and may~~
340 ~~not be funded as an adult career education program.~~

341 ~~(d) Expenditures for developmental education and lifelong~~
342 ~~learning students shall be reported separately. Allocations for~~
343 ~~developmental education shall be based on proportional full-time~~
344 ~~equivalent enrollment. Program review results shall be included~~
345 ~~in the determination of subsequent allocations. A student shall~~
346 ~~be funded to enroll in the same developmental education class~~
347 ~~within a skill area only twice, after which time the student~~
348 ~~shall pay 100 percent of the full cost of instruction to support~~

29-00647A-16

2016726__

349 ~~the continuous enrollment of that student in the same class;~~
 350 ~~however, students who withdraw or fail a class due to~~
 351 ~~extenuating circumstances may be granted an exception only once~~
 352 ~~for each class, provided approval is granted according to policy~~
 353 ~~established by the board of trustees. Each Florida College~~
 354 ~~System institution shall have the authority to review and reduce~~
 355 ~~payment for increased fees due to continued enrollment in a~~
 356 ~~developmental education class on an individual basis contingent~~
 357 ~~upon the student's financial hardship, pursuant to definitions~~
 358 ~~and fee levels established by the State Board of Education.~~
 359 ~~Developmental education and lifelong learning courses do not~~
 360 ~~generate credit toward an associate or baccalaureate degree.~~

361 (c) ~~(e)~~ A district school board or a Florida College System
 362 institution board of trustees may negotiate a contract with the
 363 regional workforce board for specialized services for
 364 participants in the welfare transition program, beyond what is
 365 routinely provided for the general public, to be funded by the
 366 regional workforce board.

367 Section 12. Paragraph (b) of subsection (1) of section
 368 1008.44, Florida Statutes, is amended to read:

369 1008.44 CAPE Industry Certification Funding List and CAPE
 370 Postsecondary Industry Certification Funding List.—

371 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department
 372 of Education shall, at least annually, identify, under rules
 373 adopted by the State Board of Education, and the Commissioner of
 374 Education may at any time recommend adding the following
 375 certificates, certifications, and courses:

376 (b) No more than 30 ~~45~~ CAPE Digital Tool certificates
 377 limited to the areas of word processing; spreadsheets; sound,

Page 13 of 27

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29-00647A-16

2016726__

378 motion, and color presentations; digital arts; cybersecurity;
 379 and coding pursuant to s. 1003.4203(3) that do not articulate
 380 for college credit. Such certificates shall be annually
 381 identified on the CAPE Industry Certification Funding List ~~and~~
 382 ~~updated solely by the Chancellor of Career and Adult Education.~~
 383 The certificates shall be made available to students in
 384 elementary school and middle school grades and, if earned by a
 385 student, shall be eligible for additional full-time equivalent
 386 membership pursuant to s. 1011.62(1)(o)1.

387 Section 13. Paragraph (c) of subsection (3) of section
 388 1009.22, Florida Statutes, is amended, present paragraphs (d)
 389 and (e) of that subsection are redesignated as paragraphs (e)
 390 and (f), respectively, and a new paragraph (d) is added to that
 391 subsection, to read:

392 1009.22 Workforce education postsecondary student fees.—
 393 (3)

394 (c) Effective July 1, 2014, for programs leading to a
 395 career certificate ~~or an applied technology diploma~~, the
 396 standard tuition shall be \$2.33 per contact hour for residents
 397 and nonresidents and the out-of-state fee shall be \$6.99 per
 398 contact hour. For adult general education programs, a block
 399 tuition of \$45 per half year or \$30 per term shall be assessed.
 400 Each district school board and Florida College System
 401 institution board of trustees shall adopt policies and
 402 procedures for the collection of and accounting for the
 403 expenditure of the block tuition. All funds received from the
 404 block tuition shall be used only for adult general education
 405 programs. Students enrolled in adult general education programs
 406 may not be assessed the fees authorized in subsection (5),

Page 14 of 27

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29-00647A-16

2016726__

407 subsection (6), or subsection (7).

408 (d) Effective July 1, 2016, for programs leading to an
 409 applied technology diploma, the standard tuition shall be \$71.98
 410 per credit hour for residents. Nonresidents shall pay an out-of-
 411 state fee of \$215.94 per credit hour in addition to the standard
 412 tuition.

413 Section 14. Subsection (2) of section 1009.42, Florida
 414 Statutes, is amended to read:

415 1009.42 Financial aid appeal process.—

416 (2) The president of each state university and each Florida
 417 College System institution, or each district school board that
 418 operates a career center pursuant to s. 1001.44 or a charter
 419 technical career center pursuant to s. 1002.34, shall establish
 420 a procedure for appeal, by students, of grievances related to
 421 the award or administration of financial aid at the institution.

422 Section 15. Section 1011.80, Florida Statutes, is reordered
 423 and amended to read:

424 1011.80 Funds for operation of workforce education
 425 programs.—

426 (1) As used in this section, the terms “workforce
 427 education” and “workforce education program” include:

428 (a) Adult general education programs designed to improve
 429 the employability skills of the state’s workforce as defined in
 430 s. 1004.02(3).

431 (b) Career certificate programs, as defined in s.
 432 1004.02(20).

433 (c) Applied technology diploma programs.

434 (d) Continuing workforce education courses.

435 (e) Degree career education programs.

29-00647A-16

2016726__

436 (f) Apprenticeship and preapprenticeship programs as
 437 defined in s. 446.021.

438 (2) ~~A~~ Any workforce education program may be conducted by a
 439 Florida College System institution or a school district, except
 440 that ~~college credit in~~ an associate in applied science or an
 441 associate in science degree may be awarded only by a Florida
 442 College System institution. However, if an associate in applied
 443 science or an associate in science degree program contains
 444 within it an occupational completion point that confers a
 445 certificate or an applied technology diploma, that portion of
 446 the program may be offered ~~conducted~~ by a school district career
 447 center. ~~Any~~ Instruction designed to articulate to a degree
 448 program is subject to guidelines and standards adopted by the
 449 State Board of Education pursuant to s. 1007.25.

450 (3) Each school district and Florida College System
 451 institution receiving state appropriations for workforce
 452 education programs must maintain adequate and accurate records,
 453 including a system to record school district workforce education
 454 funding and expenditures, in order to maintain separation of
 455 postsecondary workforce education expenditures from secondary
 456 education expenditures. These records must be filed with the
 457 Department of Education in correct and proper form on or before
 458 the date due as provided by law or rule for each annual or
 459 periodic report required by rule of the State Board of
 460 Education.

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

464 ~~(4) Funding for all workforce education programs must be~~

29-00647A-16

2016726__

465 ~~based on cost categories, performance output measures, and~~
 466 ~~performance outcome measures.~~

467 ~~(a) The cost categories must be calculated to identify~~
 468 ~~high cost programs, medium cost programs, and low cost programs.~~
 469 ~~The cost analysis used to calculate and assign a program of~~
 470 ~~study to a cost category must include at least both direct and~~
 471 ~~indirect instructional costs, consumable supplies, equipment,~~
 472 ~~and standard program length.~~

473 ~~(b) The performance output measure for an adult general~~
 474 ~~education course of study is measurable improvement in student~~
 475 ~~skills. This measure shall include improvement in literacy~~
 476 ~~skills, grade level improvement as measured by an approved test,~~
 477 ~~or attainment of a State of Florida diploma or an adult high~~
 478 ~~school diploma.~~

479 ~~(c) The performance outcome measures for adult general~~
 480 ~~education programs are associated with placement and retention~~
 481 ~~of students after reaching a completion point or completing a~~
 482 ~~program of study. These measures include placement or retention~~
 483 ~~in employment. Continuing postsecondary education at a level~~
 484 ~~that will further enhance employment is a performance outcome~~
 485 ~~for adult general education programs.~~

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

488 (a) Expenditures for the continuing workforce education
 489 programs provided by the Florida College System institutions or
 490 school districts must be fully supported by fees. Enrollments in
 491 continuing workforce education courses shall not be counted for
 492 purposes of funding full-time equivalent enrollment.

493 (b) For all other workforce education programs, state

29-00647A-16

2016726__

494 funding shall be calculated based on weighted enrollment and
 495 program costs minus fee revenues generated to offset program
 496 operating costs equal 75 percent of the average cost of
 497 instruction with the remaining 25 percent made up from student
 498 fees. Fees for courses within a program shall not vary according
 499 to the cost of the individual program, but instead shall be as
 500 provided in s. 1009.22 based on a uniform fee calculated and set
 501 at the state level, as adopted by the State Board of Education,
 502 unless otherwise specified in the General Appropriations Act.

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

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

510 (6) (a) A school district or a Florida College System
 511 institution that provides workforce education programs shall
 512 receive funds in accordance with distributions for base and
 513 performance funding established by the Legislature in the
 514 General Appropriations Act. To ensure equitable funding for all
 515 school district workforce education programs and to recognize
 516 enrollment growth, the Department of Education shall use the
 517 funding model developed by the District Workforce Education
 518 Funding Steering Committee to determine each district's
 519 workforce education funding needs. To assist the Legislature in
 520 allocating workforce education funds in the General
 521 Appropriations Act, the funding model shall annually be provided
 522 to the legislative appropriations committees no later than March

29-00647A-16

2016726__

523 1.

524 (b) The department shall provide operational funding to
 525 school districts for workforce education programs based on
 526 weighted student enrollment and program costs determined by cost
 527 categories. The cost categories must be calculated to identify
 528 high-cost programs, medium-cost programs, and low-cost programs.
 529 The cost analysis used to calculate and assign a program of
 530 study to a cost category must include at least both direct and
 531 indirect instructional costs, consumable supplies, equipment,
 532 and standard program length.

533 (7) Performance funding for workforce education programs
 534 shall be contingent upon specific appropriation in the General
 535 Appropriations Act. To assist the Legislature in determining
 536 performance funding allocations, the State Board of Education
 537 shall provide the Legislature with recommended formulas,
 538 criteria, timeframes, and mechanisms for distributing
 539 performance funds no later than March 1. In its recommendation,
 540 the board shall reward programs that:

541 (a) Prepare people to enter high-skill and high-wage
 542 occupations identified by the Workforce Estimating Conference
 543 pursuant to s. 216.136 and other programs as approved by
 544 Workforce Florida, Inc. At a minimum, performance incentives
 545 shall be calculated for adults who reach completion points or
 546 complete programs that lead to specified high-wage employment
 547 and to their placement in that employment.

548 (b) Prepare adults who are eligible for public assistance,
 549 economically disadvantaged, disabled, not proficient in English,
 550 or dislocated workers for high-wage occupations. At a minimum,
 551 performance incentives shall be calculated at an enhanced value

Page 19 of 27

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29-00647A-16

2016726__

552 for the adults identified in this paragraph who complete
 553 programs of study and are placed in jobs. In addition,
 554 adjustments may be made in payments for job placements for areas
 555 of high unemployment.

556 (c) Increase student achievement in adult general education
 557 courses by measuring performance output and performance
 558 outcomes.

559 1. The performance output measure for an adult general
 560 education course of study is measurable improvement in student
 561 skills. This measure shall include improvement in literacy
 562 skills, grade-level improvement as measured by an approved test,
 563 or attainment of a State of Florida diploma or an adult high
 564 school diploma.

565 2. The performance outcome measures for adult general
 566 education programs are associated with placement and retention
 567 of students after reaching a completion point or completing a
 568 program of study. These measures include placement or retention
 569 in employment. Continuing postsecondary education at a level
 570 that will further enhance employment is a performance outcome
 571 for adult general education programs.

572 (d) ~~(b)~~ Award industry certifications. Performance funding
 573 for industry certifications ~~for school district workforce~~
 574 education programs is contingent upon specific appropriation in
 575 the General Appropriations Act and shall be determined as
 576 follows:

577 1. Occupational areas for which industry certifications may
 578 be earned, as established in the General Appropriations Act, are
 579 eligible for performance funding. Priority shall be given to the
 580 occupational areas emphasized in state, national, or corporate

Page 20 of 27

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29-00647A-16

2016726__

581 grants provided to Florida educational institutions.

582 2. The Chancellor of Career and Adult Education shall
583 identify the industry certifications eligible for funding on the
584 CAPE Postsecondary Industry Certification Funding List approved
585 by the State Board of Education pursuant to s. 1008.44, based on
586 the occupational areas specified in the General Appropriations
587 Act.

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

594 ~~(c) A program is established to assist school districts and
595 Florida College System institutions in responding to the needs
596 of new and expanding businesses and thereby strengthening the
597 state's workforce and economy. The program may be funded in the
598 General Appropriations Act. The district or Florida College
599 System institution shall use the program to provide customized
600 training for businesses which satisfies the requirements of s.
601 288.047. Business firms whose employees receive the customized
602 training must provide 50 percent of the cost of the training.
603 Balances remaining in the program at the end of the fiscal year
604 shall not revert to the general fund, but shall be carried over
605 for 1 additional year and used for the purpose of serving
606 incumbent worker training needs of area businesses with fewer
607 than 100 employees. Priority shall be given to businesses that
608 must increase or upgrade their use of technology to remain
609 competitive.~~

Page 21 of 27

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29-00647A-16

2016726__

610 ~~(8)(7)~~(a) A school district or Florida College System
611 institution that receives workforce education funds must use the
612 money to benefit the workforce education programs it provides.
613 The money may be used for equipment upgrades, program
614 expansions, or any other use that would result in workforce
615 education program improvement. The district school board or
616 Florida College System institution board of trustees may not
617 withhold any portion of the performance funding for indirect
618 costs.

619 (b) State funds provided for the operation of postsecondary
620 workforce programs may not be expended for the education of
621 state or federal inmates.

622 ~~(8) The State Board of Education and CareerSource Florida,
623 Inc., shall provide the Legislature with recommended formulas,
624 criteria, timeframes, and mechanisms for distributing
625 performance funds. The commissioner shall consolidate the
626 recommendations and develop a consensus proposal for funding.
627 The Legislature shall adopt a formula and distribute the
628 performance funds to the State Board of Education for Florida
629 College System institutions and school districts through the
630 General Appropriations Act. These recommendations shall be based
631 on formulas that would discourage low-performing or low-demand
632 programs and encourage through performance funding awards.~~

633 ~~(a) Programs that prepare people to enter high-wage
634 occupations identified by the Workforce Estimating Conference
635 created by s. 216.136 and other programs as approved by
636 CareerSource Florida, Inc. At a minimum, performance incentives
637 shall be calculated for adults who reach completion points or
638 complete programs that lead to specified high-wage employment~~

Page 22 of 27

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29-00647A-16

2016726__

639 and to their placement in that employment.

640 ~~(b) Programs that successfully prepare adults who are~~
 641 ~~eligible for public assistance, economically disadvantaged,~~
 642 ~~disabled, not proficient in English, or dislocated workers for~~
 643 ~~high wage occupations. At a minimum, performance incentives~~
 644 ~~shall be calculated at an enhanced value for the completion of~~
 645 ~~adults identified in this paragraph and job placement of such~~
 646 ~~adults upon completion. In addition, adjustments may be made in~~
 647 ~~payments for job placements for areas of high unemployment.~~

648 ~~(c) Programs that are specifically designed to be~~
 649 ~~consistent with the workforce needs of private enterprise and~~
 650 ~~regional economic development strategies, as defined in~~
 651 ~~guidelines set by CareerSource Florida, Inc. CareerSource~~
 652 ~~Florida, Inc., shall develop guidelines to identify such needs~~
 653 ~~and strategies based on localized research of private employers~~
 654 ~~and economic development practitioners.~~

655 ~~(d) Programs identified by CareerSource Florida, Inc., as~~
 656 ~~increasing the effectiveness and cost efficiency of education.~~

657 (4)(9) School districts shall report full-time equivalent
 658 students by discipline category for the programs specified in
 659 subsection (1). There shall be an annual cost analysis for the
 660 school district workforce education programs that reports cost
 661 by discipline category consistent with the reporting for full-
 662 time equivalent students. The annual financial reports submitted
 663 by the school districts must accurately report on the student
 664 fee revenues by fee type according to the programs specified in
 665 subsection (1). The Department of Education shall develop a plan
 666 for comparable reporting of program, student, facility,
 667 personnel, and financial data between the Florida College System

29-00647A-16

2016726__

668 institutions and the school district workforce education
 669 programs.

670 (9)~~(10)~~ A high school student dually enrolled under s.
 671 1007.271 in a workforce education program operated by a Florida
 672 College System institution or school district career center
 673 generates the amount calculated for workforce education funding,
 674 including any payment of performance funding, and the
 675 proportional share of full-time equivalent enrollment generated
 676 through the Florida Education Finance Program for the student's
 677 enrollment in a high school. If a high school student is dually
 678 enrolled in a Florida College System institution program,
 679 including a program conducted at a high school, the Florida
 680 College System institution earns the funds generated for
 681 workforce education funding, and the school district earns the
 682 proportional share of full-time equivalent funding from the
 683 Florida Education Finance Program. If a student is dually
 684 enrolled in a career center operated by the same district as the
 685 district in which the student attends high school, that district
 686 earns the funds generated for workforce education funding and
 687 also earns the proportional share of full-time equivalent
 688 funding from the Florida Education Finance Program. If a student
 689 is dually enrolled in a workforce education program provided by
 690 a career center operated by a different school district, the
 691 funds must be divided between the two school districts
 692 proportionally from the two funding sources. A student may not
 693 be reported for funding in a dual enrollment workforce education
 694 program unless the student has completed the basic skills
 695 assessment pursuant to s. 1004.91. A student who is coenrolled
 696 in a K-12 education program and an adult education program may

29-00647A-16

2016726__

697 be reported for purposes of funding in an adult education
 698 program. If a student is coenrolled in core curricula courses
 699 for credit recovery or dropout prevention purposes and does not
 700 have a pattern of excessive absenteeism or habitual truancy or a
 701 history of disruptive behavior in school, the student may be
 702 reported for funding for up to two courses per year. Such a
 703 student is exempt from the payment of the block tuition for
 704 adult general education programs provided in s. 1009.22(3)(c).
 705 The Department of Education shall develop a list of courses to
 706 be designated as core curricula courses for the purposes of
 707 coenrollment.

708 ~~(10)(11)~~ The State Board of Education may adopt rules to
 709 administer this section.

710 Section 16. Section 1011.802, Florida Statutes, is created
 711 to read:

712 1011.802 Florida Apprenticeship Grant Program.—

713 (1) The Florida Apprenticeship Grant Program, or FLAG, is
 714 created to provide grants to career centers, charter technical
 715 career centers, and Florida College System institutions on a
 716 competitive basis to establish new apprenticeship programs and
 717 expand existing apprenticeship programs. The Division of Career
 718 and Adult Education within the Department of Education shall
 719 administer the FLAG Program with funding provided in the General
 720 Appropriations Act.

721 (2) Applications from career centers, charter technical
 722 career centers, and Florida College System institutions must
 723 contain projected enrollment and projected costs for each new or
 724 expanded apprenticeship program.

725 (3) The department shall give priority to apprenticeship

29-00647A-16

2016726__

726 programs in the areas of information technology, health, and
 727 machining and manufacturing. Grant funds may be used for
 728 instructional equipment, supplies, personnel, student services,
 729 and other expenses associated with the creation or expansion of
 730 an apprenticeship program. Grant funds may not be used for
 731 recurring instructional costs or for a center's or an
 732 institution's indirect costs. Grant recipients must submit
 733 quarterly reports in a format prescribed by the department.

734 Section 17. Section 1011.803, Florida Statutes, is created
 735 to read:

736 1011.803 Rapid Response Grant Program.—

737 (1) The Rapid Response Grant Program is established to
 738 competitively award grants for the expansion or implementation
 739 of high-demand postsecondary programs at career centers, as
 740 defined in ss. 1001.44 and 1002.34, with funding provided in the
 741 General Appropriations Act.

742 (2) Each career center applying for a grant must submit an
 743 application to the Department of Education in the format
 744 prescribed by the department. The application must include, but
 745 is not limited to, program expansion or development details,
 746 projected enrollment, and projected costs.

747 (3) Each career center that is awarded a grant under this
 748 section must submit quarterly reports to the department in the
 749 format prescribed by the department. Grant funds may not be used
 750 to supplant current funds and must be used to expand enrollment
 751 in existing postsecondary programs or develop new postsecondary
 752 programs.

753 (4) The department shall administer the program and shall
 754 conduct an annual assessment of the effectiveness of the

29-00647A-16

2016726__

755 postsecondary programs funded under this section in meeting

756 labor market demand.

757 Section 18. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1/11/16
Meeting Date

726
Bill Number (if applicable)

Topic Apprenticeship / workforce Development

Amendment Barcode (if applicable)

Name Carol Bowen

Job Title Deputy Chief Lobbyist

Address 3930 Coconut Creek Parkway
Street

Phone (954) 465-6811

Coconut Creek, FL 33066
City State Zip

Email cbowen@subcastbranch.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Associated Builders and Contractors

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

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1/11/16

Meeting Date

726

Bill Number (if applicable)

Topic SENATE BILL 726

Amendment Barcode (if applicable)

Name BILL MCCORMICK

Job Title DIRECTOR, LEE COUNTY TECHNICAL COLLEGES

Address 3800 MICHIGAN AVE

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FT MYERS, FL

33916

Email billbmc@leeschads.net

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing FLORIDA TECHNICAL COLLEGES/CENTERS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

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1/11/16

726

*Meeting Date**Bill Number (if applicable)*Topic Senate Bill 726*Amendment Barcode (if applicable)*Name Bob CrawfordJob Title Director, Atlantic Technical College and High SchoolAddress 4700 Coconut Creek ParkwayPhone 754-321-5103*Street*Coconut CreekFL33063Email robertbcrawford@browardschools.com*City**State**Zip*Speaking: For Against InformationWaive Speaking: In Support Against
*(The Chair will read this information into the record.)*Representing Technical Colleges/CentersAppearing at request of Chair: Yes NoLobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Higher Education

BILL: SB 836

INTRODUCER: Senator Gaetz

SUBJECT: Rapid Response Education and Training Program

DATE: January 22, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Scott</u>	<u>Klebacha</u>	<u>HE</u>	<u>Favorable</u>
2.	<u>_____</u>	<u>_____</u>	<u>AED</u>	<u>_____</u>
3.	<u>_____</u>	<u>_____</u>	<u>AP</u>	<u>_____</u>

I. Summary:

SB 836 establishes a Rapid Response Education and Training Program within the Complete Florida Plus Program at the University of West Florida to award competitive grants to public or private education and training providers for the purpose of enhancing business and industry recruitment and retention efforts.

Specifically, the bill requires that the Rapid Response Education and Training Program:

- Award matching grants to public or private education and training providers.
- Ensure transparency through periodic reports from an independent forensic accountant or auditor.
- Keep administrative costs to a minimum through the use of existing organizational structures.
- Work directly with businesses to recruit individuals for education and training.
- Give a participating education and training program 30-days' notice before termination.
- Survey businesses regarding the effectiveness of the education and training programs.

Additionally, the bill requires the Division of Career and Adult Education within the Department of Education to analyze and assess the effectiveness of the programs offered through the Rapid Response Education and Training Program in addressing labor market and occupational trends and needs.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

The Florida Legislature has established mechanisms to facilitate coordination between public and private postsecondary education institutions and employment agencies to assist students in completing degree programs to meet the state's workforce needs.

In 2012, the Florida Legislature created the Complete Florida Plus Program¹ at the University of West Florida (UWF) for the purpose of:²

- Facilitating degree completion for the state’s adult learners through the Complete Florida Degree Initiative.
- Providing information relating to and access to distance learning courses and degree programs offered by public postsecondary education institutions.
- Coordinating with the Florida College System (FCS) and the State University System (SUS) to identify and provide online academic support services and resources when the multi-institutional provision of such services and resources is more cost effective or operationally effective.
- Administering the Florida Academic Library Services Cooperative³ (Cooperative) and consulting with the chancellors of the FCS and the SUS regarding the Cooperative.

The UWF must submit annual reports to the President of the Senate and the Speaker of the House of Representatives relating to the implementation and operation of the components of the Complete Florida Plus Program and the Cooperative.⁴

In 2014, the Florida Legislature established the Complete Florida Degree Initiative (Initiative) within the Complete Florida Plus Program for the purpose of recruiting, recovering, and retaining the state’s adult learners⁵ and assisting them in completing an associate degree or a baccalaureate degree aligned to the state’s high-wage, high-skill workforce needs.⁶ The Initiative coordinates with FCS institutions, state universities, and private postsecondary institutions and partners with public and private job recruitment and placement agencies to identify associate, applied baccalaureate, and baccalaureate degree programs that meet the state’s workforce needs.⁷

III. Effect of Proposed Changes:

SB 836 establishes a Rapid Response Education and Training Program within the Complete Florida Plus Program at the University of West Florida to award competitive grants to public or private education and training providers for the purpose of enhancing business and industry recruitment and retention efforts.

The Complete Florida Plus Program currently assists in recruiting, recovering, and retaining individuals to meet the state’s high-wage, high-skill workforce needs. The bill requires the Complete Florida Plus Program to work directly with Enterprise Florida, Inc., in project-specific industry recruitment and retention efforts to offer credible education and training commitments to businesses. In effect, the bill expands and further serves the purpose of the Complete Florida

¹ The program was formerly established as the Degree Completion Pilot Project pursuant to s. 15, ch. 2012-34, L.O.F.

² Section 1006.735(1), F.S.

³ Section 1006.73, F.S. The Cooperative provides a single library automation system and associated resources and services for public postsecondary institutions to use to support learning, teaching, and research needs. *Id.* at (1).

⁴ Sections 1006.73(4) and 1006.735(5), F.S.

⁵ Section 1006.735(2), F.S. Adult learners who are veterans or active duty members of the United States Armed Forces are given priority. *Id.* An “adult learner” is defined as “a student who has successfully completed college-level coursework in multiple semesters but has left an institution in good standing before completing his or her degree.” *Id.*

⁶ *Id.* See also, s. 16, ch. 2014-56, L.O.F.

⁷ Section 1006.735(2)(a), F.S.

Plus Program to include targeted education and training programs to meet the workforce needs of industries and businesses in the state.

Specifically, the bill requires that the Rapid Response Education and Training Program:

- Award matching grants to public or private education and training providers.
- Ensure transparency by submitting to the President of the Senate and Speaker of the House of Representatives periodic reports from an independent forensic accountant or auditor.
- Keep administrative costs to a minimum through the use of existing organizational structures.
- Work directly with businesses to recruit individuals for education and training.
- Give a participating education and training program 30-days' notice before termination.
- Survey businesses regarding the effectiveness of the programs after their completion.

Additionally, the bill requires the Division of Career and Adult Education (Division) within the Department of Education to analyze and assess the effectiveness of the programs offered through the Rapid Response Education and Training Program in addressing labor market and occupational trends and needs. The Division's analysis may enhance and ensure the effectiveness of the Rapid Response Education and Training Program in delivering its objectives to meet the state's workforce needs.

The award of matching grants to public and private education and training providers and partnerships with businesses may assist individuals in securing and retaining employment.

The bill provides an effective date of July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.735 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Gaetz

1-00385-16

2016836__

1 A bill to be entitled
 2 An act relating to a Rapid Response Education and
 3 Training Program; amending s. 1006.735, F.S.;
 4 establishing the Rapid Response Education and Training
 5 Program within the Complete Florida Plus Program;
 6 requiring the Complete Florida Plus Program to work
 7 with Enterprise Florida, Inc., to offer certain
 8 education and training commitments to businesses;
 9 specifying the duties of the program; requiring
 10 reports to the Legislature; requiring the Division of
 11 Career and Adult Education within the Department of
 12 Education to conduct an analysis and assessment of the
 13 effectiveness of the education and training programs;
 14 providing an effective date.
 15
 16 Be It Enacted by the Legislature of the State of Florida:
 17
 18 Section 1. Present subsections (5) and (6) of section
 19 1006.735, Florida Statutes, are redesignated as subsections (6)
 20 and (7), respectively, and a new subsection (5) is added to that
 21 section, to read:
 22 1006.735 Complete Florida Plus Program.—The Complete
 23 Florida Plus Program is created at the University of West
 24 Florida.
 25 (5) RAPID RESPONSE EDUCATION AND TRAINING PROGRAM.—The
 26 Rapid Response Education and Training Program is established
 27 within the Complete Florida Plus Program. Under this education
 28 and training program, the Complete Florida Plus Program shall
 29 work directly with Enterprise Florida, Inc., in project-specific

Page 1 of 2

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1-00385-16

2016836__

30 industry recruitment and retention efforts to offer credible
 31 education and training commitments to businesses.
 32 (a) The Rapid Response Education and Training Program must:
 33 1. Issue challenge grants through requests for proposals
 34 that are open to all education and training providers, public or
 35 private. These grants match state dollars with education and
 36 training provider dollars to implement particular education and
 37 training programs.
 38 2. Request periodic reports from an independent forensic
 39 accountant or auditor to ensure transparency of the program.
 40 These periodic reports must be submitted to the President of the
 41 Senate and the Speaker of the House of Representatives.
 42 3. Keep administrative costs to a minimum through the use
 43 of existing organizational structures.
 44 4. Work directly with businesses to recruit individuals for
 45 education and training.
 46 5. Be able to terminate an education and training program
 47 by giving the program 30 days' notice.
 48 6. Survey employers after completion of an education and
 49 training program to ascertain the effectiveness of the program.
 50 (b) The Division of Career and Adult Education within the
 51 Department of Education shall conduct an analysis and assessment
 52 of the effectiveness of the education and training programs
 53 under this section in addressing labor market and occupational
 54 trends and needs.
 55 Section 2. This act shall take effect July 1, 2016.

Page 2 of 2

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By Senator Legg

17-00639B-16

20161060__

A bill to be entitled

An act relating to career and adult education; amending s. 446.021, F.S.; redefining and reordering terms; conforming provisions to changes made by the act; amending s. 446.032, F.S.; conforming provisions to changes made by the act; amending s. 446.045, F.S.; revising the membership requirements for the State Apprenticeship Advisory Council; amending s. 446.081, F.S.; providing for construction; amending s. 446.091, F.S.; conforming provisions to changes made by the act; amending s. 446.092, F.S.; revising the attributes that characterize apprenticeable occupations; amending s. 1008.44, F.S.; increasing the maximum number of certain CAPE Digital Tool certificates that the Commissioner of Education may recommend be added to the CAPE Industry Certification Funding List; deleting the requirement that certain digital tool certificates be updated solely by the Chancellor of Career and Adult Education; amending s. 1009.42, F.S.; expanding the financial aid appeals process to other school entities; providing an effective date.

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

Section 1. Present subsections (2), (4), (5), (6), and (9) of section 446.021, Florida Statutes, are amended, and present subsections (1), (3), (8), (10), (11), and (12) of that section are redesignated as subsections (8), (11), (12), (3), (6), and (4), respectively, to read:

446.021 Definitions of terms used in ss. 446.011-446.092.—
As used in ss. 446.011-446.092, the term:

Page 1 of 7

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17-00639B-16

20161060__

~~(1)(2)~~ "Apprentice" means a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of a journeyworker ~~journeymen-craftsmen~~, which training should be combined with properly coordinated studies of related technical and supplementary subjects, and who has entered into a written agreement, which may be cited as an apprentice agreement, with a registered apprenticeship sponsor who may be ~~either~~ an employer, an association of employers, or a local joint apprenticeship committee.

~~(5)(4)~~ "Journeyworker Journeyman" means a worker recognized within an industry as having mastered the skills and competencies required for a specific trade or occupation. The term includes a mentor, technician, or specialist or other skilled worker who has documented sufficient skills and knowledge of an occupation through formal apprenticeship, attainment of a nationally recognized industry certification, or practical on-the-job experience and formal training ~~person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.~~

~~(9)(5)~~ "Preapprenticeship program" means an organized course of instruction, including, but not limited to, industry certifications identified under s. 1008.44, in the public school system or elsewhere, which course is designed to prepare a person 16 years of age or older to become an apprentice and which course is approved by and registered with the department and sponsored by a registered apprenticeship program.

Page 2 of 7

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17-00639B-16

20161060__

62 ~~(2)(6)~~ "Apprenticeship program" means an organized course
 63 of instruction, including, but not limited to, CAPE industry
 64 certifications identified under s. 1008.44, registered and
 65 approved by the department, which course shall contain all terms
 66 and conditions for the qualifications, recruitment, selection,
 67 employment, and training of apprentices including such matters
 68 as the requirements for a written apprenticeship agreement.

69 ~~(10)(9)~~ "Related instruction" means an organized and
 70 systematic form of instruction designed to provide the
 71 apprentice with knowledge of the theoretical and technical
 72 subjects related to a specific trade or occupation. Such
 73 instruction may be given in a classroom through occupational or
 74 industrial courses or outside of a classroom through
 75 correspondence courses of equivalent value, electronic media, or
 76 other forms of self-study approved by the department.

77 Section 2. Subsection (1) of section 446.032, Florida
 78 Statutes, is amended to read:

79 446.032 General duties of the department for apprenticeship
 80 training.—The department shall:

81 (1) Establish uniform minimum standards and policies
 82 governing apprentice programs and agreements. The standards and
 83 policies shall govern the terms and conditions of the
 84 apprentice's employment and training, including the quality
 85 training of the apprentice for, but not limited to, such matters
 86 as ratios of apprentices to journeyworkers journeymen, safety,
 87 related instruction, and on-the-job training; but these
 88 standards and policies may not include rules, standards, or
 89 guidelines that require the use of apprentices and job trainees
 90 on state, county, or municipal contracts. The department may

Page 3 of 7

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17-00639B-16

20161060__

91 adopt rules necessary to administer the standards and policies.

92 Section 3. Paragraph (b) of subsection (2) of section
 93 446.045, Florida Statutes, is amended to read:

94 446.045 State Apprenticeship Advisory Council.—

95 (2)

96 (b) The Commissioner of Education or the commissioner's
 97 designee shall serve ex officio as chair of the State
 98 Apprenticeship Advisory Council, but may not vote. The state
 99 director of the Office of Apprenticeship of the United States
 100 Department of Labor shall serve ex officio as a nonvoting member
 101 of the council. The Governor shall appoint to the council four
 102 members representing employee organizations and four members
 103 representing employer organizations. Each of these eight members
 104 shall represent industries that have registered apprenticeship
 105 programs. The Governor shall also appoint two public members who
 106 are knowledgeable about registered apprenticeship and
 107 apprenticeable occupations and who are independent of any joint
 108 or nonjoint organization, one of whom shall be recommended by
 109 joint organizations, and one of whom shall be recommended by
 110 nonjoint organizations. Members shall be appointed for 4-year
 111 staggered terms. A vacancy shall be filled for the remainder of
 112 the unexpired term.

113 Section 4. Subsection (4) is added to section 446.081,
 114 Florida Statutes, to read:

115 446.081 Limitation.—

116 (4) Nothing in ss. 446.011-446.092, in any rules adopted
 117 under those sections, or in any apprentice agreement approved
 118 under those sections shall operate to invalidate any special
 119 provision for veterans, minority persons, or women relating to

Page 4 of 7

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17-00639B-16 20161060__

120 the standards, apprentice qualifications, or operation of the
 121 program which is not otherwise prohibited by law, executive
 122 order, or authorized regulation.

123 Section 5. Section 446.091, Florida Statutes, is amended to
 124 read:

125 446.091 On-the-job training program.—All provisions of ss.
 126 446.011-446.092 relating to apprenticeship and
 127 preapprenticeship, including, but not limited to, programs,
 128 agreements, standards, administration, procedures, definitions,
 129 expenditures, local committees, powers and duties, limitations,
 130 grievances, and ratios of apprentices and job trainees to
 131 journeyworkers journeymen on state, county, and municipal
 132 contracts, shall be appropriately adapted and made applicable to
 133 a program of on-the-job training authorized under those
 134 provisions for persons other than apprentices.

135 Section 6. Section 446.092, Florida Statutes, is amended to
 136 read:

137 446.092 Criteria for apprenticeship occupations.—An
 138 apprenticeable occupation is a skilled trade that which
 139 possesses all of the following characteristics:

140 (1) It is customarily learned in a practical way through a
 141 structured, systematic program of on-the-job, supervised
 142 training.

143 (2) It is clearly identified and commonly recognized
 144 throughout an the industry and may be associated with a
 145 nationally recognized industry certification or recognized with a
 146 positive view towards changing technology.

147 (3) It involves manual, mechanical, or technical skills and
 148 knowledge that, in accordance with the industry standards for

17-00639B-16 20161060__

149 that occupation, requires ~~which require~~ a minimum of 2,000 hours
 150 of on-the-job work and training, which hours are excluded from
 151 the time spent at related instruction.

152 (4) It requires related instruction to supplement on-the-
 153 job training. Such instruction may be given in a classroom
 154 through occupational or industrial courses or outside of a
 155 classroom through correspondence courses of equivalent value,
 156 electronic media, or other forms of self-study approved by the
 157 department.

158 ~~(5) It involves the development of skill sufficiently broad~~
 159 ~~to be applicable in like occupations throughout an industry,~~
 160 ~~rather than of restricted application to the products or~~
 161 ~~services of any one company.~~

162 ~~(6) It does not fall into any of the following categories:~~

163 ~~(a) Selling, retailing, or similar occupations in the~~
 164 ~~distributive field.~~

165 ~~(b) Managerial occupations.~~

166 ~~(c) Professional and scientific vocations for which~~
 167 ~~entrance requirements customarily require an academic degree.~~

168 Section 7. Paragraph (b) of subsection (1) of section
 169 1008.44, Florida Statutes, is amended to read:

170 1008.44 CAPE Industry Certification Funding List and CAPE
 171 Postsecondary Industry Certification Funding List.—

172 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department
 173 of Education shall, at least annually, identify, under rules
 174 adopted by the State Board of Education, and the Commissioner of
 175 Education may at any time recommend adding the following
 176 certificates, certifications, and courses:

177 (b) No more than 30 ~~45~~ CAPE Digital Tool certificates

17-00639B-16

20161060

178 limited to the areas of word processing; spreadsheets; sound,
179 motion, and color presentations; digital arts; cybersecurity;
180 and coding pursuant to s. 1003.4203(3) that do not articulate
181 for college credit. Such certificates shall be annually
182 identified on the CAPE Industry Certification Funding List ~~and~~
183 ~~updated solely by the Chancellor of Career and Adult Education.~~
184 The certificates shall be made available to students in
185 elementary school and middle school grades and, if earned by a
186 student, shall be eligible for additional full-time equivalent
187 membership pursuant to s. 1011.62(1)(o)1.

188 Section 8. Subsection (2) of section 1009.42, Florida
189 Statutes, is amended to read:

190 1009.42 Financial aid appeal process.—

191 (2) The president of each state university and each Florida
192 College System institution, each district school board that
193 operates a career center pursuant to s. 1001.44, and each
194 charter technical career center that operates pursuant to s.
195 1002.34 shall establish a procedure for appeal, by students, of
196 grievances related to the award or administration of financial
197 aid at the institution.

198 Section 9. This act shall take effect July 1, 2016.

CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Higher Education Committee Judge:

Started: 1/11/2016 1:33:28 PM

Ends: 1/11/2016 2:22:05 PM

Length: 00:48:38

1:33:26 PM Meeting called to order by Chair Stargel
1:33:39 PM Quorum present
1:33:56 PM Tab 1 - SB 962 by Gaetz
1:35:34 PM Alesia McKinley, Director, Vocational Rehab - waive in support of SB 962
1:36:34 PM Gaetz waives to close
1:36:50 PM SB 962 - Favorable
1:37:06 PM Tab 2 - SB 984 by Legg
1:37:23 PM On Amendment 892652 by Legg
1:38:10 PM Tanya Cooper, Director, Gov. Relations, DOE - waives in support SB 984
1:38:34 PM Madeline Pumareigh, Chancellor, Fla. College Systems, waives in support SB 984, amendment 892652
1:38:52 PM Ashley Spicola, Policy Coordinator, Governor's Office, waives in support of SB 984 amendment 892652
1:38:54 PM Sen, Legg waives to close
1:39:05 PM Sen. Sachs
1:39:09 PM Sen. Sachs
1:39:22 PM Roll Call CS/SB 984 - Favorable
1:39:53 PM Tab 3 - SB 990 - TP'd
1:40:01 PM Tab 4 - Workshop on Career and Adult Education, discussion SB 726 (Ring), SB 836 (Gaetz), SB 1060
(Legg)
1:40:40 PM SB 1060 - Sen. Legg
1:41:33 PM Comparison in packet for SB 726 and SB 1060
1:42:19 PM SB 726 - Sen. Ring presented by John Piskadlo, Legislative Assistant to Sen. Ring
1:44:41 PM SB 836 by Gaetz
1:46:46 PM Chair
1:46:51 PM Sen. Sachs
1:51:06 PM Chair
1:51:34 PM Sen. Gaetz
1:51:37 PM Chair
1:51:40 PM Sen. Gaetz
1:51:55 PM Chair
1:52:08 PM Bob Crawford, Director, Atlantic Technical College and HS, Coconut Creek
1:53:50 PM Chair
1:54:01 PM Bob Crawford
1:55:37 PM Chair
1:55:39 PM Bob Crawford
1:55:44 PM Chair
1:55:47 PM Bob Crawford
1:55:59 PM Chair
1:56:00 PM Bob Crawford
1:56:08 PM Chair
1:56:16 PM Bob Crawford
1:56:27 PM Sen. Gaetz
1:58:15 PM Chair
1:58:43 PM Bob Crawford
1:59:00 PM Chair
1:59:03 PM Bob Crawford
1:59:25 PM Chair
1:59:37 PM Bob Crawford
1:59:51 PM Sen. Sachs
2:02:16 PM Sen. Gaetz
2:04:28 PM Chair
2:04:32 PM Bob Crawford
2:05:02 PM Chair

2:05:04 PM Bob Crawford
2:05:08 PM Chair
2:05:22 PM Bob Crawford
2:05:28 PM Chair
2:05:47 PM Bob Crawford
2:08:01 PM Chair
2:08:07 PM Bob Crawford
2:09:11 PM Chair
2:09:14 PM Sen. Gaetz
2:09:40 PM Sen. Sachs
2:10:55 PM Chair
2:11:00 PM Bill McCormick, Director, Lee County Technical Colleges, Ft. Myers, FL, speaking in support of SB 726
2:13:26 PM Chair
2:14:29 PM Bill McCormick
2:16:05 PM Chair
2:16:12 PM Carol Bowen, Deputy Chief, Assoc. Builders and Contractors, Coconut Creek on SB 726, speaking in support
2:17:50 PM Sen. Sachs
2:19:00 PM Chair
2:21:29 PM Sen. Gaetz moves to rise
2:21:51 PM Meeting adjourned