

1 A bill to be entitled
2 An act relating to job training; creating s.
3 446.609, F.S.; creating a school-to-work
4 program entitled "Jobs for Florida's
5 Graduates"; providing definitions and intent;
6 providing requirements for school and student
7 participation; creating an endowment fund and
8 providing for appropriations and gifts;
9 providing for the investment and deposit of
10 funds in an operating account; creating an
11 endowment foundation as a direct-support
12 organization; providing duties of the
13 foundation and a foundation board of directors;
14 providing program outcome goals; providing for
15 use of funds and startup funding; providing for
16 accreditation; requiring an annual audit;
17 providing for assessment of program results;
18 requiring an annual report; providing for
19 rules; requiring legislative review of the
20 program; creating a pilot apprenticeship
21 program; providing for positions and funding;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Section 446.609, Florida Statutes, is
27 created to read:

28 446.609 Jobs for Florida's Graduates.--

29 (1) SHORT TITLE.--This section may be cited as the
30 "Jobs for Florida's Graduates Act."

31 (2) DEFINITIONS.--For the purposes of this section:

1 (a) "Board" means the board of directors of the
2 Florida Endowment Foundation for Florida's Graduates.

3 (b) "Department" means the Department of Education.

4 (c) "Endowment fund" means an account established
5 within the Florida Endowment Foundation for Florida's
6 Graduates to provide a continuing and growing source of
7 revenue for school-to-work transition efforts.

8 (d) "Foundation" means the Florida Endowment
9 Foundation for Florida's Graduates.

10 (e) "Operating account" means an account established
11 under paragraph (8)(h) to carry out the purposes of this
12 section.

13 (3) LEGISLATIVE INTENT.--The Legislature recognizes
14 that it is in the best interest of the citizens of this state
15 that the state have a well-educated and skilled workforce to
16 be competitive in a changing economy. It is the intent of the
17 Legislature to meet the challenge of ensuring a skilled
18 workforce by creating a formal program to facilitate the
19 important school-to-work transition and to provide additional
20 funding to achieve this goal. Accordingly, the Legislature
21 finds and declares that:

22 (a) The purpose of this section is to broaden the
23 participation and funding potential for further significant
24 support for Florida students who are approaching the
25 transition from school to work.

26 (b) It is appropriate to encourage individual and
27 corporate support and involvement, as well as state support
28 and involvement, to promote employment opportunities for
29 Florida's students.

30 (4) PROGRAM.--There is hereby created, for an initial
31 5-year period, a school-to-work program to be known as Jobs

1 for Florida's Graduates which shall, during the initial 5-year
2 phase set forth in this section and except as otherwise
3 provided by law or by rule of the Department of Education, be
4 operated in accordance with the process and outcome standards
5 of Jobs for America's Graduates, Inc. To that end, the board
6 shall enter into a sponsoring agreement with Jobs for
7 America's Graduates, Inc., to carry out the Jobs for America's
8 Graduates model within the state.

9 (a) During the first year of operation, the Jobs for
10 Florida's Graduates Program shall be operated in not less than
11 25 nor more than 50 high schools in the state to be chosen by
12 the board. The goal shall be to have a minimum of 300 high
13 schools participating in the program by the end of the
14 2001-2002 school year.

15 (b) The schools chosen by the board to participate in
16 the program must represent a demographically balanced sample
17 population, include both urban and rural schools, and be
18 comprised of schools in all geographic areas of the state.
19 Each school selected to participate shall enter into a formal
20 written agreement with the board which, at a minimum, details
21 the responsibilities of each party and the process and outcome
22 goals of the initial 5-year Jobs for Florida's Graduates
23 Program.

24 (c) Students shall be selected and approved for
25 participation in the program by the educational institutions
26 in which they are enrolled, and such selection and approval
27 shall be based on their being classified as 12th grade at-risk
28 students.

29 (5) REVENUE FOR THE ENDOWMENT FUND.--

30 (a) An endowment fund is created as a long-term,
31 stable, growing source of revenue to be administered by the

1 foundation in accordance with rules promulgated by the
2 department.

3 (b) The principal of the endowment fund shall consist
4 of legislative appropriations that are made to the endowment
5 fund and bequests, gifts, grants, and donations as may be
6 solicited from public or private sources by the foundation.

7 (c) The State Board of Administration shall invest and
8 reinvest moneys of the endowment fund principal in accordance
9 with the provisions of ss. 215.44-215.53. Interest and
10 investment income earned on the endowment fund principal shall
11 be annually transmitted to the foundation, based upon a fiscal
12 year which runs from July 1 through June 30, and shall be
13 deposited in the foundation's operating account for
14 distribution as provided in this section.

15 (6) THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S
16 GRADUATES.--

17 (a) The Florida Endowment Foundation for Florida's
18 Graduates is created as a direct-support organization of the
19 Department of Education to encourage public and private
20 support to enhance school-to-work transition. As a
21 direct-support organization, the foundation shall operate
22 under contract with the department and shall be:

23 1. A Florida corporation not for profit which is
24 incorporated under the provisions of chapter 617 and approved
25 by the Department of State.

26 2. Organized and operated exclusively to do the
27 following: raise funds; submit requests and receive grants
28 from the Federal Government, the state, private foundations,
29 and individuals; receive, hold, and administer property; and
30 make expenditures to or for the benefit of school-to-work
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1 transition programs approved by the board of directors of the
2 foundation.

3 (b) As a direct-support organization, the foundation
4 shall:

5 1. Develop articles of incorporation.

6 2. Create a board of directors appointed by the
7 Commissioner of Education.

8 3. Perform an annual financial and performance review
9 to determine if the foundation is operating in a manner
10 consistent with the goals of the Legislature in providing
11 assistance for school-to-work transitions.

12 4. Provide a mechanism for the reversion to the state
13 of moneys in the foundation and in any other funds and
14 accounts held in trust by the foundation if the foundation is
15 dissolved.

16 (7) BOARD OF DIRECTORS.--The foundation shall be
17 administered by a board of directors, as follows:

18 (a) The board shall consist of 15 members. At least 9
19 of the 15 members must be from the private sector and the
20 remaining members may be from the public sector. Among the
21 public sector members, representation shall come from
22 secondary education, vocational education, and job-training
23 programs such as Job Education Partnership. The chair may be
24 from either the private sector or the public sector.

25 (b) All members shall have an interest in
26 school-to-work transition and, insofar as is practicable,
27 shall:

28 1. Have skills in foundation work or other fundraising
29 activities, financial consulting, or investment banking or
30 other related experience; or

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1 2. Have experience in policymaking or senior
2 management level positions or have distinguished themselves in
3 the fields of education, business, or industry.

4 (c) The chair and all board members shall be appointed
5 by the Commissioner of Education.

6 1. The chair shall be appointed for a term of 2 years
7 and may be reappointed. However, no chair may serve more than
8 6 consecutive years.

9 2. Board members shall serve for 3-year terms or
10 until resignation or removal for cause, except that members
11 appointed to serve initial terms shall be appointed for
12 staggered terms of 1, 2, and 3 years, respectively.

13 (d) In the event of a vacancy on the board caused by
14 an occurrence other than the expiration of a term, a new
15 member shall be appointed.

16 (e) Each member is accountable to the Commissioner of
17 Education for the proper performance of the duties of office.
18 The commissioner may remove any member from office for
19 malfeasance, misfeasance, neglect of duty, incompetence, or
20 permanent inability to perform official duties or for pleading
21 nolo contendere to, or being found guilty of, a crime.

22 (8) ORGANIZATION, POWERS, AND DUTIES.--Within the
23 limits prescribed in this section or by rule of the
24 department:

25 (a) Upon appointment, the board shall meet and
26 organize. Thereafter, the board shall hold such meetings as
27 are necessary to implement the provisions of this section and
28 shall conduct its business in accordance with rules
29 promulgated by the department.

30 (b) The board may solicit and receive bequests, gifts,
31 grants, donations, goods, and services. When gifts are

1 restricted as to purpose, they may be used only for the
2 purpose or purposes stated by the donor.

3 (c) The board may enter into contracts with the
4 Federal Government, state or local agencies, private entities,
5 or individuals to carry out the purposes of this section.

6 (d) The board may identify, initiate, and fund Jobs
7 for Florida's Graduates programs to carry out the purposes of
8 this section.

9 (e) The board may make gifts or grants:

10 1. To the state, or any political subdivision thereof,
11 or any public agency of state or local government.

12 2. To a corporation, trust, association, or foundation
13 organized and operated exclusively for charitable,
14 educational, or scientific purposes.

15 3. To the department for purposes of program
16 recognition and marketing, public relations and education,
17 professional development, and technical assistance and
18 workshops for grant applicants and recipients and the business
19 community.

20 (f) The board may advertise and solicit applications
21 for funding and shall evaluate applications and program
22 proposals submitted thereto.

23 (g) The board shall monitor, review, and annually
24 evaluate funded programs to determine whether funding should
25 be continued, terminated, reduced, or increased.

26 (h) The board shall establish an operating account for
27 the deposit of funds to be used in carrying out the purposes
28 of this section.

29 (i) The board shall operate the Jobs for Florida's
30 Graduates Program in such a way, and shall recommend to the
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1 Department of Education the adoption of such rules as may be
2 necessary, to ensure that the following outcome goals are met:

3 1. In year 1:

4 a. The statewide graduation rates, or GED test
5 completion rates, of participants in the Jobs for Florida's
6 Graduates Program shall be at least 82 percent by March 31 of
7 the year following the end of the academic year in which the
8 participants' respective high school classes graduated.

9 b. By March 31 of the year following the end of the
10 academic year in which the participants' respective high
11 school classes graduated, 70 to 75 percent of participants in
12 the Jobs for Florida's Graduates Program shall be employed a
13 minimum of 40 hours per week in the civilian sector or the
14 military or enrolled in postsecondary training education, or
15 any combination of these that together are equivalent to 40
16 hours per week.

17 c. By March 31 of the year following the end of the
18 academic year in which the participants' respective high
19 school classes graduated, the average wage of participants in
20 the Jobs for Florida's Graduates Program who are working shall
21 be at or above the national average wage for all participants
22 in programs affiliated with Jobs for America's Graduates, Inc.

23 2. In year 2:

24 a. The statewide graduation rates, or GED test
25 completion rates, of participants in the Jobs for Florida's
26 Graduates Program shall be at least 85 percent by March 31 of
27 the year following the end of the academic year in which the
28 participants' respective high school classes graduated.

29 b. By March 31 of the year following the end of the
30 academic year in which the participants' respective high
31 school classes graduated, 75 to 78 percent of participants in

1 the Jobs for Florida's Graduates Program shall be employed a
2 minimum of 40 hours per week in the civilian sector or the
3 military or enrolled in postsecondary training education, or
4 any combination of these that together are equivalent to 40
5 hours per week.

6 c. By March 31 of the year following the end of the
7 academic year in which the participants' respective high
8 school classes graduated, the average wage of participants in
9 the Jobs for Florida's Graduates Program who are working shall
10 be at or above the national average wage for all participants
11 in programs affiliated with Jobs for America's Graduates, Inc.

12 3. In years 3 through 5:

13 a. The statewide graduation rates, or GED test
14 completion rates, of participants in the Jobs for Florida's
15 Graduates Program shall be at least 90 percent by March 31 of
16 the year following the end of the academic year in which the
17 participants' respective high school classes graduated.

18 b. By March 31 of the year following the end of the
19 academic year in which the participants' respective high
20 school classes graduated, 80 percent of participants in the
21 Jobs for Florida's Graduates Program shall be employed a
22 minimum of 40 hours per week in the civilian sector or the
23 military or enrolled in postsecondary training education, or
24 any combination of these that together are equivalent to 40
25 hours per week.

26 c. By March 31 of the year following the end of the
27 academic year in which the participants' respective high
28 school classes graduated, the average wage of participants in
29 the Jobs for Florida's Graduates Program who are working shall
30 be at or above the national average wage for all participants
31 in programs affiliated with Jobs for America's Graduates, Inc.

1 (j) The board may take such additional actions,
2 including independently organizing and conducting hiring
3 practices, as are deemed necessary and appropriate to
4 administer the provisions of this section. To the maximum
5 extent possible, the board shall hire Jobs for Florida's
6 Graduates Program staff who operate in selected schools to
7 fill necessary staff positions and shall provide for salary,
8 benefits, discipline, evaluation, or discharge according to a
9 contractual agreement. These positions shall not be state
10 employee positions.

11 (9) DISTRIBUTION OF EARNINGS ON ENDOWMENT FUND
12 PRINCIPAL.--The board shall use the moneys in the operating
13 account, by whatever means, to provide for:

14 (a) Planning, research, and policy development for
15 issues related to school-to-work transition and publications
16 and dissemination of such information as may serve the
17 objectives of this section.

18 (b) Promotion of initiatives for school-to-work
19 transition.

20 (c) Funding of programs which engage in, contract for,
21 foster, finance, or aid in job training and counseling for
22 school-to-work transition research, education, or
23 demonstration, or other related activities.

24 (d) Funding of programs which engage in, contract for,
25 foster, finance, or aid in activities designed to advance
26 better public understanding and appreciation of the
27 school-to-work transition.

28 (10) STARTUP FUNDING.--Notwithstanding any provision
29 of this section to the contrary, in order to provide for first
30 year startup funds, 50 percent of the money allocated during
31 the 12-month period beginning July 1, 1998, shall not be

1 available for investment by the State Board of Administration,
2 but shall be transmitted quarterly to the foundation board and
3 shall be available to the foundation for the purposes set
4 forth in this section.

5 (11) ACCREDITATION.--During the initial 5-year period,
6 the board shall request and contract with the national
7 accreditation process of Jobs for America's Graduates, Inc.,
8 to ensure the viability and efficacy of the individual
9 school-based Jobs For Florida's Graduates programs in the
10 state.

11 (12) ANNUAL AUDIT.--The board shall cause an annual
12 audit of the foundation's financial accounts to be conducted
13 by an independent certified public accountant in accordance
14 with rules adopted by the department. The annual audit report
15 shall be submitted to the Auditor General and the department
16 for review. The Auditor General and the department may
17 require and receive from the foundation, or from its
18 independent auditor, any relevant detail or supplemental data.

19 (13) ASSESSMENT OF PROGRAM RESULTS.--The success of
20 the Jobs for Florida's Graduates Program shall be assessed as
21 follows:

22 (a) No later than November 1 of each year of the Jobs
23 for Florida's Graduates Program, Jobs for America's Graduates,
24 Inc., shall conduct and deliver to the Office of Program
25 Policy Analysis and Government Accountability a full review
26 and report of the program's activities. The Office of Program
27 Policy Analysis and Government Accountability shall audit and
28 review the report and deliver the report, along with its
29 analysis and any recommendations for expansion, curtailment,
30 modification, or continuation, to the board not later than
31 December 31 of the same year.

1 (b) Beginning in the first year of the Jobs for
2 Florida's Graduate Program, the Division of Economic and
3 Demographic Research of the Joint Legislative Management
4 Committee shall undertake, during the initial phase, an
5 ongoing longitudinal study of participants to determine the
6 overall efficacy of the program. The division shall transmit
7 its findings each year to the Office of Program Policy
8 Analysis and Government Accountability for inclusion in the
9 report provided for in paragraph (a).

10 (14) ANNUAL REPORT.--The board shall issue a report to
11 the Governor, the President of the Senate, the Speaker of the
12 House of Representatives, and the Commissioner of Education by
13 March 1, 2000, and each year thereafter, summarizing the
14 performance of the endowment fund for the previous fiscal year
15 and the foundation's fundraising activities and performance
16 and detailing those activities and programs supported by the
17 earnings on the endowment principal or by bequests, gifts,
18 grants, donations, and other valued goods and services
19 received.

20 (15) RULES.--The department shall promulgate rules for
21 the implementation of this section.

22 Section 2. The Legislature shall conduct a review of
23 the Jobs for Florida's Graduates Program after the fifth year
24 of operation with recommendations for continuation, expansion,
25 or termination of the program.

26 Section 3. (1) There is created a 1-year pilot
27 apprenticeship program at Okaloosa-Walton Community College to
28 develop and implement programs designed to meet employee
29 training needs of business and industry within the community
30 college's service area.

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1 (2) Okaloosa-Walton Community College shall be
2 recognized as an apprenticeship sponsor under the definition
3 in s. 446.071, Florida Statutes, and shall be entitled to four
4 positions as indicated in this section. The community college
5 shall have the responsibility to survey and identify within
6 its service area all business and industry that may benefit
7 from an apprenticeship program, to develop programs to meet
8 those needs, and to implement the programs utilizing funding
9 from the affected industry.

10 (3) The four positions allocated to Okaloosa-Walton
11 Community College shall be funded by Enterprise Florida, Inc.,
12 in the amount not to exceed \$200,000. These shall be two job
13 development specialists at a total cost for both positions not
14 to exceed \$138,000; one researcher at a total cost not to
15 exceed \$34,660; and one secretary at a total cost not to
16 exceed \$19,390. Office furniture and supplies shall be funded
17 in the amount of \$7,950.

18 (4) Okaloosa-Walton Community College shall be
19 entitled to apply for continued funding of these positions for
20 1 additional year if it can prove substantial progress toward
21 meeting the goals of this section. However, it is the intent
22 of the Legislature that, beginning with the third academic
23 year, costs of this program shall be borne substantially by
24 the businesses and industries that take part in the program
25 and that Okaloosa-Walton Community College shall provide all
26 interested areas with a full report on the program and its
27 success.

28 Section 4. This act shall take effect July 1 of the
29 year in which enacted.
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