

By the Committee on Education and Senator Cowin

304-2015A-99

1 A bill to be entitled
2 An act relating to Workforce Development
3 Education; amending s. 239.105, F.S.; defining
4 the term "literacy completion point"; amending
5 s. 239.115, F.S.; providing for adult general
6 education programs to include courses that lead
7 to a literacy completion point; revising
8 performance output measures for adult general
9 education courses of study; authorizing
10 formulas for the distribution of workforce
11 development education performance funds to
12 provide performance exemptions for new
13 programs; amending s. 239.117, F.S.; revising
14 requirements regarding fee schedules for
15 workforce development education; providing an
16 exemption from fees for certain students;
17 providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:
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21 Section 1. Subsections (21) through (29) of section
22 239.105, Florida Statutes, 1998 Supplement, are renumbered as
23 subsections (22) through (30), respectively, and a new
24 subsection (21) is added to said section to read:

25 239.105 Definitions.--As used in this chapter, the
26 term:

27 (21) "Literacy completion point" means the academic or
28 workforce readiness competencies that qualify a person for
29 further basic education, vocational education, or for
30 employment.

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1 Section 2. Paragraph (a) of subsection (1), paragraph
2 (b) of subsection (4), and subsection (9) of section 239.115,
3 Florida Statutes, 1998 Supplement, are amended to read:

4 239.115 Funds for operation of adult general education
5 and vocational education programs.--

6 (1) As used in this section, the terms "workforce
7 development education" and "workforce development program"
8 include:

9 (a) Adult general education programs, including
10 courses that lead to a literacy completion point within a
11 program, designed to improve the employability skills of the
12 state's workforce through adult basic education, adult
13 secondary education, GED preparation, and
14 vocational-preparatory education.

15 (4) The Florida Workforce Development Education Fund
16 is created to provide performance-based funding for all
17 workforce development programs, whether the programs are
18 offered by a school district or a community college. Funding
19 for all workforce development education programs must be from
20 the Workforce Development Education Fund and must be based on
21 cost categories, performance output measures, and performance
22 outcome measures. This subsection takes effect July 1, 1999.

23 (b)1. The performance output measure for vocational
24 education programs of study is student completion of a
25 vocational program of study that leads to an occupational
26 completion point associated with a certificate; an
27 apprenticeship program; or a program that leads to an applied
28 technology diploma or an associate in science degree.
29 Performance output measures for registered apprenticeship
30 programs shall be based on program lengths that coincide with
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1 lengths established pursuant to the requirements of chapter
2 446.

3 2. The performance output measure for an adult general
4 education course of study is measurable improvement in student
5 skills. This measure shall include student completion of an
6 adult general education program of study that leads to a
7 literacy completion point ~~improvement in literacy skills,~~
8 grade level improvement as measured by an approved test, or
9 attainment of a general education development diploma or an
10 adult high school diploma.

11 (9) The Department of Education, the State Board of
12 Community Colleges, and the Jobs and Education Partnership
13 shall provide the Legislature with recommended formulas,
14 criteria, timeframes, and mechanisms for distributing
15 performance funds. Such formulas may provide performance
16 exemptions for new workforce development education programs,
17 as defined in s. 239.105, for a period of time not to exceed 2
18 years from the addition of the new program.The commissioner
19 shall consolidate the recommendations and develop a consensus
20 proposal for funding. The Legislature shall adopt a formula
21 and distribute the performance funds to the Division of
22 Community Colleges and the Division of Workforce Development
23 through the General Appropriations Act. These recommendations
24 shall be based on formulas that would discourage
25 low-performing or low-demand programs and encourage through
26 performance-funding awards:

27 (a) Programs that prepare people to enter high-wage
28 occupations identified by the Occupational Forecasting
29 Conference created by s. 216.136 and other programs as
30 approved by the Jobs and Education Partnership. At a minimum,
31 performance incentives shall be calculated for adults who

1 reach completion points or complete programs that lead to
2 specified high-wage employment and to their placement in that
3 employment.

4 (b) Programs that successfully prepare adults who are
5 eligible for public assistance, economically disadvantaged,
6 disabled, not proficient in English, or dislocated workers for
7 high-wage occupations. At a minimum, performance incentives
8 shall be calculated at an enhanced value for the completion of
9 adults identified in this paragraph and job placement of such
10 adults upon completion. In addition, adjustments may be made
11 in payments for job placements for areas of high unemployment.

12 (c) Programs identified by the Jobs and Education
13 Partnership as increasing the effectiveness and cost
14 efficiency of education.

15 Section 3. Subsections (6) and (7) of section 239.117,
16 Florida Statutes, 1998 Supplement, are amended, and
17 subsections (18) and (19) are added to that section, to read:

18 239.117 Postsecondary student fees.--

19 (6)(a) The Commissioner of Education shall provide to
20 the State Board of Education no later than December 31 of each
21 year a schedule of fees for workforce development education,
22 excluding continuing workforce education, for school districts
23 and community colleges. The fee schedule shall be based on the
24 amount of student fees necessary to produce 25 percent of the
25 prior year's average cost of a course of study leading to a
26 certificate or diploma ~~and 50 percent of the prior year's cost~~
27 ~~of a continuing workforce education course~~. At the discretion
28 of a school board or a community college, this fee schedule
29 may be implemented over a 3-year period, with full
30 implementation in the 1999-2000 school year. In years
31 preceding that year, if fee increases are necessary for some

1 programs or courses, the fees shall be raised in increments
2 designed to lessen their impact upon students already
3 enrolled. Fees for students who are not residents for tuition
4 purposes must offset the full cost of instruction.
5 Fee-nonexempt students enrolled in vocational-preparatory
6 instruction shall be charged fees equal to the fees charged
7 for certificate career education instruction. Each community
8 college that conducts college-preparatory and
9 vocational-preparatory instruction in the same class section
10 may charge a single fee for both types of instruction.

11 (b) Fees for continuing workforce education shall be
12 locally determined by the school board or community college.
13 However, at least 50 percent of the cost must be derived from
14 fees.

15 (c)~~(b)~~ The State Board of Education shall adopt a fee
16 schedule for school districts that produces the fee revenues
17 calculated pursuant to paragraph (a). The schedule so
18 calculated shall take effect, unless otherwise specified in
19 the General Appropriations Act.

20 (d)~~(c)~~ The State Board of Education shall adopt, by
21 rule, the definitions and procedures that school boards shall
22 use in the calculation of cost borne by students.

23 (7) Each year the State Board of Community Colleges
24 shall review and evaluate the percentage of the cost of adult
25 programs and certificate career education programs supported
26 through student fees. For students who are residents for
27 tuition purposes, the schedule so adopted must produce
28 revenues equal to 25 percent of the prior year's average
29 program cost for college-preparatory and certificate-level
30 workforce development programs and at least 50 percent of the
31 prior year's program cost for student enrollment in continuing

1 workforce education. Fees for continuing workforce education
2 shall be locally determined by the school board or community
3 college. Fees for students who are not residents for tuition
4 purposes must offset the full cost of instruction.

5 (18) If a school district or community college enrolls
6 students who reside in a border county of another state that
7 does not charge nonresident fees to Florida students, that
8 school district or community college may exempt those students
9 from out-of-state fees for workforce development programs.

10 (19) A school district or community college that
11 provides workforce development education programs to employees
12 of a business or industrial firm with headquarters in Florida
13 may charge resident fees to a student employed by that firm,
14 even if the student works in an out-of-state location.

15 Section 4. This act shall take effect July 1, 1999.

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17 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18 COMMITTEE SUBSTITUTE FOR
19 SB 1994

20 The Committee Substitute:

21 Authorizes an exemption from out-of-state fees for students in
22 workforce development education who reside in border counties
23 of other states or who are employed by firms with headquarters
24 in Florida. The exemption is available only if the other state
25 exempts Florida residents from nonresident fees.

26 Requires fees for continuing workforce education to be at
27 least 50 percent of the cost. Local determination of fees will
28 be limited to charging more than 50 percent of the cost.
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