

1 A bill to be entitled
2 An act relating to Workforce Development
3 Education; amending s. 236.081; providing for
4 reimbursement for certain instruction outside
5 the required number of school days; amending s.
6 239.105, F.S.; defining "literacy completion
7 point"; amending s. 239.115, F.S.; providing
8 for adult general education programs to include
9 courses that lead to a literacy completion
10 point; revising performance output measures for
11 adult general education courses of study;
12 authorizing formulas for the distribution of
13 workforce development education performance
14 funds to provide performance exemptions for new
15 programs; amending s. 239.117, F.S.; revising
16 requirements regarding fee schedules for
17 workforce development education; requiring that
18 fees for continuing workforce education be
19 locally determined; amending s.239.514, F.S.;
20 authorizing capitalization grant funds to be
21 spent on program upgrade; exempting certain
22 out-of-state fee requirements; requiring each
23 school district and community college with
24 responsibility for a workforce development
25 program to submit a report; providing sanctions
26 for failure to submit the report; providing an
27 effective date.

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29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Paragraph (h) of subsection (1) of section
2 236.081, Florida Statutes, 1998 Supplement is amended to read:

3 236.081 Funds for operation of schools.--If the annual
4 allocation from the Florida Education Finance Program to each
5 district for operation of schools is not determined in the
6 annual appropriations act or the substantive bill implementing
7 the annual appropriations act, it shall be determined as
8 follows:

9 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
10 OPERATION.--The following procedure shall be followed in
11 determining the annual allocation to each district for
12 operation:

13 (h) Instruction outside required number of school
14 days.--Students in grades 9 through 12 may be counted as
15 full-time equivalent students for instruction provided outside
16 the required school days or year if such instruction counts as
17 credit toward high school graduation. However, if a high
18 school student wishes to earn high school credits from a
19 community college or school district offering an adult
20 education program and enrolls in one or more adult secondary
21 education courses at the community college or school district,
22 the community college or school district's adult education
23 program shall be reimbursed for the costs incurred because of
24 the high school student's coenrollment as provided in the
25 General Appropriations Act.

26 Section 2. Subsections (21) through (29) of section
27 239.105, Florida Statutes, 1998 Supplement, are renumbered as
28 subsections (22) through (30), respectively, and a new
29 subsection (21) is added to said section to read:

30 239.105 Definitions.--As used in this chapter, the
31 term:

1 (21) "Literacy completion point" means the academic or
2 workforce readiness competencies that qualify a person for
3 further basic education, vocational education, or for
4 employment.

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

8 239.115 Funds for operation of adult general education
9 and vocational education programs.--

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

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

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

27 (b)1. The performance output measure for vocational
28 education programs of study is student completion of a
29 vocational program of study that leads to an occupational
30 completion point associated with a certificate; an
31 apprenticeship program; or a program that leads to an applied

1 technology diploma or an associate in science degree.
2 Performance output measures for registered apprenticeship
3 programs shall be based on program lengths that coincide with
4 lengths established pursuant to the requirements of chapter
5 446.

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

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

30 (a) Programs that prepare people to enter high-wage
31 occupations identified by the Occupational Forecasting

1 Conference created by s. 216.136 and other programs as
2 approved by the Jobs and Education Partnership. At a minimum,
3 performance incentives shall be calculated for adults who
4 reach completion points or complete programs that lead to
5 specified high-wage employment and to their placement in that
6 employment.

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

15 (c) Programs identified by the Jobs and Education
16 Partnership as increasing the effectiveness and cost
17 efficiency of education.

18 Section 4. Subsections (6) and (7) of section 239.117,
19 Florida Statutes, 1998 Supplement, are amended, and subsection
20 (18) and (19) are added, to read:

21 239.117 Postsecondary student fees.--

22 (6)(a) The Commissioner of Education shall provide to
23 the State Board of Education no later than December 31 of each
24 year a schedule of fees for workforce development education,
25 excluding continuing workforce education, for school districts
26 and community colleges. The fee schedule shall be based on the
27 amount of student fees necessary to produce 25 percent of the
28 prior year's average cost of a course of study leading to a
29 certificate or diploma ~~and 50 percent of the prior year's cost~~
30 ~~of a continuing workforce education course~~. At the discretion
31 of a school board or a community college, this fee schedule

1 may be implemented over a 3-year period, with full
 2 implementation in the 1999-2000 school year. In years
 3 preceding that year, if fee increases are necessary for some
 4 programs or courses, the fees shall be raised in increments
 5 designed to lessen their impact upon students already
 6 enrolled. Fees for students who are not residents for tuition
 7 purposes must offset the full cost of instruction.
 8 Fee-nonexempt students enrolled in vocational-preparatory
 9 instruction shall be charged fees equal to the fees charged
 10 for certificate career education instruction. Each community
 11 college that conducts college-preparatory and
 12 vocational-preparatory instruction in the same class section
 13 may charge a single fee for both types of instruction.

14 (b) Fees for continuing workforce education shall be
 15 locally determined by the school board or community college.

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

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

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

1 ~~year's program cost for student enrollment in continuing~~
2 ~~workforce education.~~ Fees for continuing workforce education
3 shall be locally determined by the school board or community
4 college. Fees for students who are not residents for tuition
5 purposes must offset the full cost of instruction.

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

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

16 Section 5. Each school district and community college
17 through the Division of Workforce Development and the Division
18 of Community Colleges must include a one-page summary of all
19 moneys that were expended or encumbered for workforce
20 development programs for which the school district or
21 community college was responsible during the preceding fiscal
22 year and an estimate of such moneys projected by the school
23 district or community college for the current fiscal year. All
24 such expenditures and estimates of such expenditures must be
25 expressed in line items by unit costs for each output measure
26 approved pursuant to ss. 216.0166(3) and 239.115. Unit-cost
27 totals must equal the total amount of moneys that were
28 expended or projected to be expended by the school district or
29 community college and must include expenditures or projected
30 expenditures of state funds by subordinate governmental
31 entities and contractors, as applicable. At the regular

1 session immediately following the submission of the summary,
2 the Legislature shall reduce in the General Appropriations Act
3 for the ensuing fiscal year, by an amount equal to at least 10
4 percent of the allocation for the fiscal year preceding the
5 current fiscal year, the funding of each school district or
6 community college that fails to submit the information
7 required by this section.

8 Section 6. Section 239.514, Florida Statutes, 1998
9 Supplement, is amended to read:

10 239.514 Workforce Development Capitalization Incentive
11 Grant Program.--The Legislature recognizes that the need for
12 school districts and community colleges to be able to respond
13 to emerging local or statewide economic development needs is
14 critical to the workforce development system. The Workforce
15 Development Capitalization Incentive Grant Program is created
16 to provide grants to school districts and community colleges
17 on a competitive basis to fund some or all of the costs
18 associated with the creation or expansion of workforce
19 development programs that serve specific employment workforce
20 needs. Funds may also be used to upgrade workforce development
21 programs to established industry standards in accordance with
22 program updates conducted by the Division of Community
23 Colleges or the Division of Workforce Development.

24 (1) Funds awarded for a workforce development
25 capitalization incentive grant may be used for instructional
26 equipment, laboratory equipment, supplies, personnel, student
27 services, or other expenses associated with the creation,
28 upgrade, or expansion of a workforce development program.
29 Expansion of a program may include either the expansion of
30 enrollments in a program or expansion into new areas of
31 specialization within a program. No grant funds may be used

1 for recurring instructional costs or for institutions'
2 indirect costs.

3 Section 7. This act shall take effect July 1, 1999.
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