

By Senator Horne

6-853-00

See HB 321

1                                   A bill to be entitled  
2           An act relating to job training; amending s.  
3           446.609, F.S.; deleting a time-period  
4           limitation for the "Jobs for Florida's  
5           Graduates" school-to-work program; deleting  
6           provisions relating to an endowment fund;  
7           deleting provisions relating to program outcome  
8           goals related to the time-period limitation;  
9           deleting provisions relating to distribution of  
10          earnings on the endowment fund; deleting  
11          provisions relating to startup funding;  
12          revising annual report requirements; repealing  
13          ss. 2 and 3, ch. 98-218, Laws of Florida,  
14          relating to future legislative review and a  
15          temporary pilot apprenticeship program;  
16          providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20           Section 1. Section 446.609, Florida Statutes, is  
21 amended to read:

22           446.609 Jobs for Florida's Graduates Act.--

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

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

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

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

29           (c) "Endowment fund" means an account established  
30 within the Florida Endowment Foundation for Florida's  
31

1 Graduates to provide a continuing and growing source of  
2 revenue for school-to-work transition efforts.

3 (d) "Foundation" means the Florida Endowment  
4 Foundation for Florida's Graduates.

5 (e) "Operating account" means an account established  
6 under paragraph (7)~~(8)~~(h) to carry out the purposes of this  
7 section.

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

17 (a) The purpose of this section is to broaden the  
18 participation and funding potential for further significant  
19 support for Florida students who are approaching the  
20 transition from school to work.

21 (b) It is appropriate to encourage individual and  
22 corporate support and involvement, as well as state support  
23 and involvement, to promote employment opportunities for  
24 Florida's students.

25 (4) PROGRAM.--There is hereby created, ~~for an initial~~  
26 ~~5-year period,~~ a school-to-work program to be known as Jobs  
27 for Florida's Graduates which shall, ~~during the initial 5-year~~  
28 ~~phase set forth in this section and~~ except as otherwise  
29 provided by law or by rule of the Department of Education, be  
30 operated in accordance with the process and outcome standards  
31 of Jobs for America's Graduates, Inc. To that end, the board

1 shall enter into a sponsoring agreement with Jobs for  
2 America's Graduates, Inc., to carry out the Jobs for America's  
3 Graduates model within the state.

4 ~~(a) During the first year of operation, the Jobs for~~  
5 ~~Florida's Graduates Program shall be operated in not less than~~  
6 ~~25 nor more than 50 high schools in the state to be chosen by~~  
7 ~~the board.~~ The goal of the program shall be to have a minimum  
8 of 300 high schools participating in the program ~~by the end of~~  
9 ~~the 2001-2002 school year.~~

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

19 (c) Students shall be selected and approved for  
20 participation in the program by the educational institutions  
21 in which they are enrolled, and such selection and approval  
22 shall be based on their being classified as 12th grade at-risk  
23 students.

24 ~~(5) REVENUE FOR THE ENDOWMENT FUND.--~~

25 ~~(a) An endowment fund is created as a long-term,~~  
26 ~~stable, growing source of revenue to be administered by the~~  
27 ~~foundation in accordance with rules promulgated by the~~  
28 ~~department.~~

29 ~~(b) The principal of the endowment fund shall consist~~  
30 ~~of legislative appropriations that are made to the endowment~~

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1 ~~fund and bequests, gifts, grants, and donations as may be~~  
2 ~~solicited from public or private sources by the foundation.~~

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

11 (5)~~(6)~~ THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S  
12 GRADUATES.--

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

19 1. A Florida corporation not for profit which is  
20 incorporated under the provisions of chapter 617 and approved  
21 by the Department of State.

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

29 (b) As a direct-support organization, the foundation  
30 shall:

31 1. Develop articles of incorporation.

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

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

7           4. Provide a mechanism for the reversion to the state  
8 of moneys in the foundation and in any other funds and  
9 accounts held in trust by the foundation if the foundation is  
10 dissolved.

11           (6)~~(7)~~ BOARD OF DIRECTORS.--The foundation shall be  
12 administered by a board of directors, as follows:

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

20           (b) All members shall have an interest in  
21 school-to-work transition and, insofar as is practicable,  
22 shall:

23           1. Have skills in foundation work or other fundraising  
24 activities, financial consulting, or investment banking or  
25 other related experience; or

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

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

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1           1. The chair shall be appointed for a term of 2 years  
2 and may be reappointed. However, no chair may serve more than  
3 6 consecutive years.

4           2. Board members shall serve for 3-year terms or  
5 until resignation or removal for cause, except that members  
6 appointed to serve initial terms shall be appointed for  
7 staggered terms of 1, 2, and 3 years, respectively.

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

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

17           (7)~~(8)~~ ORGANIZATION, POWERS, AND DUTIES.--Within the  
18 limits prescribed in this section or by rule of the  
19 department:

20           (a) Upon appointment, the board shall meet and  
21 organize. Thereafter, the board shall hold such meetings as  
22 are necessary to implement the provisions of this section and  
23 shall conduct its business in accordance with rules  
24 promulgated by the department.

25           (b) The board may solicit and receive bequests, gifts,  
26 grants, donations, goods, and services. When gifts are  
27 restricted as to purpose, they may be used only for the  
28 purpose or purposes stated by the donor.

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

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

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

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

7 2. To a corporation, trust, association, or foundation  
8 organized and operated exclusively for charitable,  
9 educational, or scientific purposes.

10 3. To the department for purposes of program  
11 recognition and marketing, public relations and education,  
12 professional development, and technical assistance and  
13 workshops for grant applicants and recipients and the business  
14 community.

15 (f) The board may advertise and solicit applications  
16 for funding and shall evaluate applications and program  
17 proposals submitted thereto.

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

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

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

28 1. ~~In year 1:~~

29 a. ~~The statewide graduation rates, or GED test~~  
30 ~~completion rates, of participants in the Jobs for Florida's~~  
31 ~~Graduates Program shall be at least 82 percent by March 31 of~~

1 ~~the year following the end of the academic year in which the~~  
2 ~~participants' respective high school classes graduated.~~

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

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

17 ~~2. In year 2:~~

18 ~~a. The statewide graduation rates, or GED test~~  
19 ~~completion rates, of participants in the Jobs for Florida's~~  
20 ~~Graduates Program shall be at least 85 percent by March 31 of~~  
21 ~~the year following the end of the academic year in which the~~  
22 ~~participants' respective high school classes graduated.~~

23 ~~b. By March 31 of the year following the end of the~~  
24 ~~academic year in which the participants' respective high~~  
25 ~~school classes graduated, 75 to 78 percent of participants in~~  
26 ~~the Jobs for Florida's Graduates Program shall be employed a~~  
27 ~~minimum of 40 hours per week in the civilian sector or the~~  
28 ~~military or enrolled in postsecondary training education, or~~  
29 ~~any combination of these that together are equivalent to 40~~  
30 ~~hours per week.~~

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

7           ~~3. In years 3 through 5:~~

8           ~~a. The statewide graduation rates, or GED test~~  
9 ~~completion rates, of participants in the Jobs for Florida's~~  
10 ~~Graduates Program shall be at least 90 percent by March 31 of~~  
11 ~~the year following the end of the academic year in which the~~  
12 ~~participants' respective high school classes graduated.~~

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

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

27           (i)(j) The board may take such additional actions,  
28 including independently organizing and conducting hiring  
29 practices, as are deemed necessary and appropriate to  
30 administer the provisions of this section. To the maximum  
31 extent possible, the board shall hire Jobs for Florida's

1 Graduates Program staff who operate in selected schools to  
2 fill necessary staff positions and shall provide for salary,  
3 benefits, discipline, evaluation, or discharge according to a  
4 contractual agreement. These positions shall not be state  
5 employee positions.

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

9 ~~(a) Planning, research, and policy development for~~  
10 ~~issues related to school-to-work transition and publications~~  
11 ~~and dissemination of such information as may serve the~~  
12 ~~objectives of this section.~~

13 ~~(b) Promotion of initiatives for school-to-work~~  
14 ~~transition.~~

15 ~~(c) Funding of programs which engage in, contract for,~~  
16 ~~foster, finance, or aid in job training and counseling for~~  
17 ~~school-to-work transition research, education, or~~  
18 ~~demonstration, or other related activities.~~

19 ~~(d) Funding of programs which engage in, contract for,~~  
20 ~~foster, finance, or aid in activities designed to advance~~  
21 ~~better public understanding and appreciation of the~~  
22 ~~school-to-work transition.~~

23 ~~(10) STARTUP FUNDING.--Notwithstanding any provision~~  
24 ~~of this section to the contrary, in order to provide for first~~  
25 ~~year startup funds, 50 percent of the money allocated during~~  
26 ~~the 12-month period beginning July 1, 1998, shall not be~~  
27 ~~available for investment by the State Board of Administration,~~  
28 ~~but shall be transmitted quarterly to the foundation board and~~  
29 ~~shall be available to the foundation for the purposes set~~  
30 ~~forth in this section.~~

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1           (8)~~(11)~~ ACCREDITATION.--~~During the initial 5-year~~  
2 ~~period,~~The board shall request and contract with the national  
3 accreditation process of Jobs for America's Graduates, Inc.,  
4 to ensure the viability and efficacy of the individual  
5 school-based Jobs for Florida's Graduates programs in the  
6 state.

7           (9)~~(12)~~ ANNUAL AUDIT.--The board shall cause an annual  
8 audit of the foundation's financial accounts to be conducted  
9 by an independent certified public accountant in accordance  
10 with rules adopted by the department. The annual audit report  
11 shall be submitted to the Auditor General and the department  
12 for review. The Auditor General and the department may  
13 require and receive from the foundation, or from its  
14 independent auditor, any relevant detail or supplemental data.

15           (10)~~(13)~~ ASSESSMENT OF PROGRAM RESULTS.--The success  
16 of the Jobs for Florida's Graduates Program shall be assessed  
17 as follows:

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

28           (b) Beginning in the first year of the Jobs for  
29 Florida's Graduates Program, the Division of Economic and  
30 Demographic Research of the Joint Legislative Management  
31 Committee shall undertake, during the initial phase, an

1 ongoing longitudinal study of participants to determine the  
2 overall efficacy of the program. The division shall transmit  
3 its findings each year to the Office of Program Policy  
4 Analysis and Government Accountability for inclusion in the  
5 report provided for in paragraph (a).

6 (11)~~(14)~~ ANNUAL REPORT.--The board shall issue a  
7 report to the Governor, the President of the Senate, the  
8 Speaker of the House of Representatives, and the Commissioner  
9 of Education by March 1, 2000, and each year thereafter,  
10 summarizing ~~the performance of the endowment fund for the~~  
11 ~~previous fiscal year and~~ the foundation's fundraising  
12 activities and performance and detailing those activities and  
13 programs supported ~~by the earnings on the endowment principal~~  
14 ~~or~~ by bequests, gifts, grants, donations, and other valued  
15 goods and services received.

16 (12)~~(15)~~ RULES.--The department shall adopt ~~promulgate~~  
17 rules to implement ~~for the implementation of~~ this section.

18 Section 2. Sections 2 and 3 of chapter 98-218, Laws of  
19 Florida, are repealed.

20 Section 3. This act shall take effect July 1, 2000.

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23 LEGISLATIVE SUMMARY

24 Revises the "Jobs for Florida's Graduates Act" to remove  
25 provisions relating to a 5-year initial time period  
26 limitation and outcome goals specific to the 5-year  
27 limitation period, an endowment fund and distributions of  
28 earnings from the fund, and startup funding. Repeals a  
29 future legislative review provision and a temporary pilot  
30 apprenticeship program. (See bill for details.)  
31