

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Education Appropriations offered the following:

Amendment (with title amendment)

On page 2, line 19 through page 5, line 17, remove from the bill: all of said lines

and insert in lieu thereof:

(3) CONDITIONS OF TRANSFER.--Unless otherwise provided in local agreements reached pursuant to subsection (5), the following conditions apply to the transfer of adult workforce development programs:

(a) No program that has sufficient demonstrated workforce demand to warrant the continuation of the program shall be eliminated in the transfer of programs. The state Workforce Development Board shall have the authority to determine the sufficiency of the demand.

(b) Notwithstanding the provisions of s. 240.335, in program areas that are transferred, the community college board of trustees shall provide for school district area technical center or adult vocational center staff employed in

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1 full-time, budgeted positions to be hired into the community
2 college personnel system at the same rate of salary.
3 Retirement provisions shall transfer in accordance with
4 provisions of chapter 121.

5 (4) EXEMPTIONS.--A school district may continue to
6 provide workforce development education programs, provided
7 that the Department of Education certifies that by the end of
8 the 2000-2001 school year the district does not have any
9 school designated as performance grade category "D" or "F."

10 (5) LOCAL OPTIONS.--

11 (a) By September 1, 2001, a formal joint agreement and
12 plan to implement the program transfer provisions of this act
13 must exist between each local community college board of
14 trustees and the district school board within its service area
15 not exempt pursuant to subsection (4). The independent
16 statewide panel created in paragraph (c) shall convene and, by
17 February 1, 2002, develop and recommend to any board that has
18 not jointly adopted such agreement by September 1, 2001, a
19 transition plan consistent with requirements of this section.
20 The panel-recommended plan may not be amended by any board,
21 must be jointly approved within 30 days of receipt, and shall
22 become effective July 1, 2002.

23 (b) Each Community college and school district must
24 locally agree to operate under one of the following options:

25 1. School district area technical centers and adult
26 centers shall be converted into community college branch
27 campuses, consistent with guidelines developed under s.
28 240.311.

29 2. Cooperative partnerships between the community
30 college and the school district shall be formed to emphasize
31 technical preparation in high schools that articulates into

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1 postsecondary programs of study. School districts shall
2 provide the secondary component and community colleges shall
3 provide the postsecondary component of such programs.

4 3. The community college shall establish a performance
5 contract with the school district for all or part of the adult
6 workforce development programs and courses provided by the
7 school district, in accordance with s. 240.319.

8 4. A school district area technical center shall
9 organize and operate under a board of directors through a
10 charter sponsored by the community college board of trustees.
11 In such arrangements, the board of directors may include, but
12 shall not be limited to, members of school boards and local
13 business groups. Charter application requirements and
14 procedures must be consistent with guidelines adopted by the
15 State Board of Community Colleges in consultation with the
16 executive director of the Postsecondary Education Planning
17 Commission.

18 5. A school district area technical center shall
19 petition to become an independent public postsecondary
20 institution, which may have a local board of trustees or
21 operate under an existing board of trustees, under the
22 governance and accountability system of the Florida Community
23 College System. The school district and the community college
24 must jointly petition the State Board of Community Colleges to
25 review and subsequently submit a recommendation regarding such
26 petition to the Postsecondary Education Planning Commission
27 for its consideration. The petition must address items
28 identified by the State Board of Community Colleges in
29 consultation with the executive director of the Postsecondary
30 Education Planning Commission. Consistent with s. 240.147,
31 the Postsecondary Education Planning Commission shall make a

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1 recommendation to the Legislature by March 30, 2002, as
2 information for the Legislature to consider in statutorily
3 creating these workforce development colleges.

4 6. Other governance models for establishing
5 independent public postsecondary institutions, based on
6 recommendations included in a feasibility study by the
7 Postsecondary Education Planning Commission on the creation of
8 additional independent public postsecondary institutions
9 within the Florida Community College System to operate
10 workforce development educational programs. The Postsecondary
11 Education Planning Commission shall provide a report and
12 recommendations to the Speaker of the House of
13 Representatives, the President of the Senate, the Executive
14 Office of the Governor, and the Commissioner of Education by
15 January 1, 2001, regarding the creation of such institutions.

16 (c) An independent statewide panel shall be created to
17 resolve disagreements between community colleges and school
18 boards regarding workforce development program transfers. The
19 independent panel shall be comprised of a school board member,
20 a district superintendent of schools, a member of a community
21 college board of trustees, and a community college president;
22 to be appointed by the Governor. The Florida Chamber of
23 Commerce shall appoint three additional members. Such
24 appointments shall be made by September 30, 2001.

25 (6) FACILITIES.--The Office of Program Policy Analysis
26 and Government Accountability shall evaluate the precedents
27 and issues in Florida and other states that relate to the
28 compensation of school districts for the transfer of workforce
29 development education facilities from school districts to
30 community colleges and shall submit a report and
31 recommendations to the Speaker of the House of

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1 Representatives, the President of the Senate, and the
2 Governor before January 1, 2001. The review shall consider
3 the disposition of facilities in the creation of the community
4 college system and in subsequent major program transfers, and
5 shall consider the overall support from the state for facility
6 construction that has been received by school districts.

7 (7) AGREEMENT IMPASSE.--If an agreement between
8 respective community colleges and school districts is not
9 formally adopted pursuant to local agreement or recommendation
10 of the independent panel by June 30, 2002, all state workforce
11 development education funding for adult general education and
12 adult certificate vocational education for the respective
13 colleges and school districts that do not come to agreement
14 will be appropriated to the state Workforce Development Board
15 to determine allocation of responsibility and associated funds
16 to service providers.

17 (8) RULES.--The State Board of Education may adopt
18 rules pursuant to ss. 120.536(1) and 120.54 to implement the
19 provisions of this section.

20 Section 2. This act shall take effect upon becoming a
21 law.

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24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, lines 6-18,
27 remove from the title of the bill: all of said lines

28
29 and insert in lieu thereof:

30 title; providing legislative intent;

31 establishing conditions regarding the transfer

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1 of workforce education programs from school
2 districts to community colleges; providing
3 exemptions for school districts that meet
4 certain performance standards; providing
5 options for incorporating area technical
6 centers into the community college system;
7 providing for an independent review; providing
8 for a study by the Postsecondary Education
9 Planning Commission; providing for a study by
10 the Office of Program Policy Analysis and
11 Government Accountability; providing for
12 resolution of an impasse; authorizing the
13 adoption of rules;

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