

By the Committee on Education Innovation and
Representatives Wise and Melvin

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 distribution of
8 earnings on the endowment fund; deleting
9 provisions relating to startup funding;
10 revising annual report requirements; repealing
11 s. 3, ch. 98-218, Laws of Florida, relating to
12 a temporary pilot apprenticeship program;
13 providing an effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Section 446.609, Florida Statutes, is
18 amended to read:

19 446.609 Jobs for Florida's Graduates Act.--

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

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

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

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

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

30 (d) "Foundation" means the Florida Endowment
31 Foundation for Florida's Graduates.

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

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

13 (a) The purpose of this section is to broaden the
14 participation and funding potential for further significant
15 support for Florida students who are approaching the
16 transition from school to work.

17 (b) It is appropriate to encourage individual and
18 corporate support and involvement, as well as state support
19 and involvement, to promote employment opportunities for
20 Florida's students.

21 (4) PROGRAM.--There is hereby created, ~~for an initial~~
22 ~~5-year period,~~ a school-to-work program to be known as Jobs
23 for Florida's Graduates which shall, ~~during the initial 5-year~~
24 ~~phase set forth in this section and~~ except as otherwise
25 provided by law or by rule of the Department of Education, be
26 operated in accordance with the process and outcome standards
27 of Jobs for America's Graduates, Inc. To that end, the board
28 shall enter into a sponsoring agreement with Jobs for
29 America's Graduates, Inc., to carry out the Jobs for America's
30 Graduates model within the state.

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1 (a) ~~During the first year of operation, the Jobs for~~
2 ~~Florida's Graduates Program shall be operated in not less than~~
3 ~~25 nor more than 50 high schools in the state to be chosen by~~
4 ~~the board.~~ The goal of the program shall be to have a minimum
5 of 300 high schools participating in the program ~~by the end of~~
6 ~~the 2001-2002 school year.~~

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

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

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

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

26 ~~(b) The principal of the endowment fund shall consist~~
27 ~~of legislative appropriations that are made to the endowment~~
28 ~~fund and bequests, gifts, grants, and donations as may be~~
29 ~~solicited from public or private sources by the foundation.~~

30 ~~(c) The State Board of Administration shall invest and~~
31 ~~reinvest moneys of the endowment fund principal in accordance~~

1 ~~with the provisions of ss. 215.44-215.53. Interest and~~
2 ~~investment income earned on the endowment fund principal shall~~
3 ~~be annually transmitted to the foundation, based upon a fiscal~~
4 ~~year which runs from July 1 through June 30, and shall be~~
5 ~~deposited in the foundation's operating account for~~
6 ~~distribution as provided in this section.~~

7 (5)~~(6)~~ THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S
8 GRADUATES.--

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

15 1. A Florida corporation not for profit which is
16 incorporated under the provisions of chapter 617 and approved
17 by the Department of State.

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

25 (b) As a direct-support organization, the foundation
26 shall:

27 1. Develop articles of incorporation.

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

30 3. Perform an annual financial and performance review
31 to determine if the foundation is operating in a manner

1 consistent with the goals of the Legislature in providing
2 assistance for school-to-work transitions.

3 4. Provide a mechanism for the reversion to the state
4 of moneys in the foundation and in any other funds and
5 accounts held in trust by the foundation if the foundation is
6 dissolved.

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

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

16 (b) All members shall have an interest in
17 school-to-work transition and, insofar as is practicable,
18 shall:

19 1. Have skills in foundation work or other fundraising
20 activities, financial consulting, or investment banking or
21 other related experience; or

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

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

27 1. The chair shall be appointed for a term of 2 years
28 and may be reappointed. However, no chair may serve more than
29 6 consecutive years.

30 2. Board members shall serve for 3-year terms or
31 until resignation or removal for cause, except that members

1 appointed to serve initial terms shall be appointed for
2 staggered terms of 1, 2, and 3 years, respectively.

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

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

12 (7)~~(8)~~ ORGANIZATION, POWERS, AND DUTIES.--Within the
13 limits prescribed in this section or by rule of the
14 department:

15 (a) Upon appointment, the board shall meet and
16 organize. Thereafter, the board shall hold such meetings as
17 are necessary to implement the provisions of this section and
18 shall conduct its business in accordance with rules
19 promulgated by the department.

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

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

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

30 (e) The board may make gifts or grants:
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1 1. To the state, or any political subdivision thereof,
2 or any public agency of state or local government.

3 2. To a corporation, trust, association, or foundation
4 organized and operated exclusively for charitable,
5 educational, or scientific purposes.

6 3. To the department for purposes of program
7 recognition and marketing, public relations and education,
8 professional development, and technical assistance and
9 workshops for grant applicants and recipients and the business
10 community.

11 (f) The board may advertise and solicit applications
12 for funding and shall evaluate applications and program
13 proposals submitted thereto.

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

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

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

24 1. In year 1:

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

30 b. By March 31 of the year following the end of the
31 academic year in which the participants' respective high

1 school classes graduated, 70 to 75 percent of participants in
2 the Jobs for Florida's Graduates Program shall be employed a
3 minimum of 40 hours per week in the civilian sector or the
4 military or enrolled in postsecondary training education, or
5 any combination of these that together are equivalent to 40
6 hours per week.

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

13 2. In year 2:

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

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

27 c. By March 31 of the year following the end of the
28 academic year in which the participants' respective high
29 school classes graduated, the average wage of participants in
30 the Jobs for Florida's Graduates Program who are working shall
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1 be at or above the national average wage for all participants
2 in programs affiliated with Jobs for America's Graduates, Inc.
3 3. In years 3 through 5:
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 90 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, 80 percent of participants in the
12 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 (j) The board may take such additional actions,
24 including independently organizing and conducting hiring
25 practices, as are deemed necessary and appropriate to
26 administer the provisions of this section. To the maximum
27 extent possible, the board shall hire Jobs for Florida's
28 Graduates Program staff who operate in selected schools to
29 fill necessary staff positions and shall provide for salary,
30 benefits, discipline, evaluation, or discharge according to a
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1 contractual agreement. These positions shall not be state
2 employee positions.

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

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

10 ~~(b) Promotion of initiatives for school-to-work~~
11 ~~transition.~~

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

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

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

28 ~~(8)(11) ACCREDITATION.--During the initial 5-year~~
29 ~~period,~~The board shall request and contract with the national
30 accreditation process of Jobs for America's Graduates, Inc.,
31 to ensure the viability and efficacy of the individual

1 school-based Jobs for Florida's Graduates programs in the
2 state.

3 (9)~~(12)~~ ANNUAL AUDIT.--The board shall cause an annual
4 audit of the foundation's financial accounts to be conducted
5 by an independent certified public accountant in accordance
6 with rules adopted by the department. The annual audit report
7 shall be submitted to the Auditor General and the department
8 for review. The Auditor General and the department may
9 require and receive from the foundation, or from its
10 independent auditor, any relevant detail or supplemental data.

11 (10)~~(13)~~ ASSESSMENT OF PROGRAM RESULTS.--The success
12 of the Jobs for Florida's Graduates Program shall be assessed
13 as follows:

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

24 (b) Beginning in the first year of the Jobs for
25 Florida's Graduates Program, the Division of Economic and
26 Demographic Research of the Joint Legislative Management
27 Committee shall undertake, during the initial phase, an
28 ongoing longitudinal study of participants to determine the
29 overall efficacy of the program. The division shall transmit
30 its findings each year to the Office of Program Policy
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1 Analysis and Government Accountability for inclusion in the
2 report provided for in paragraph (a).
3 (11)~~(14)~~ ANNUAL REPORT.--The board shall issue a
4 report to the Governor, the President of the Senate, the
5 Speaker of the House of Representatives, and the Commissioner
6 of Education by March 1, 2000, and each year thereafter,
7 summarizing ~~the performance of the endowment fund for the~~
8 ~~previous fiscal year and the foundation's fundraising~~
9 activities and performance and detailing those activities and
10 programs supported ~~by the earnings on the endowment principal~~
11 ~~or~~ by bequests, gifts, grants, donations, and other valued
12 goods and services received.
13 (12)~~(15)~~ RULES.--The department shall adopt ~~promulgate~~
14 rules to implement ~~for the implementation of~~ this section.
15 Section 2. Section 3 of chapter 98-218, Laws of
16 Florida, is repealed.
17 Section 3. This act shall take effect July 1, 2000.
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