By the Committee on Education and Senator Horne

304-1709-00

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A bill to be entitled An act relating to education; providing legislative intent for certain technical programs within comprehensive programs of study in high schools; providing for industry-certification, certain required courses, and activities; authorizing an endorsement and funding; authorizing rules of the Department of Education; requiring certain schools to be selected as pilot projects; providing duties of the Department of Education and the schools; requiring certain programs and career-development activities to assist counselors; amending ss. 228.041, 229.601, 229.602, 239.121, F.S.; revising a personnel classification title; amending s. 231.1725, F.S.; imposing certain requirements for initial certification and recertification of certain personnel; amending s. 236.081, F.S.; providing for funding of certain programs; prohibiting certain courses and programs from being reported for funding or from being substituted for other courses or programs; providing for certain professional-development activities; amending s. 239.229, F.S.; providing certain responsibilities for school boards and superintendents; repealing s. 233.068, F.S., relating to job-related vocational instruction; providing an effective date. 31 Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) The Legislature intends to ensure that all high schools provide supportive services to students and their parents to determine the comprehensive program of study that will best meet the needs and goals of each student. At a minimum, these services must include access to a guidance counselor and assistance in developing an educational plan.

Each high school shall provide a variety of comprehensive, relevant programs of study which will meet the needs of all students and enable each student to pursue his or her individual educational goals.

- (2) Key components of this process are:
- (a) A variety of programs of study which are based on individual educational goals.
- (b) Parental involvement in the identification of the appropriate program of study.
- (c) Assurance that all programs of study are designed to provide a seamless transition to postsecondary education.

Section 2. (1) A technical education program within a comprehensive high school program of study must be certified by the appropriate industry to ensure that all components of the program are relevant and appropriate to prepare the student for further education and employment in that industry.

(2) Effective July 1, 2005, each technical program preparing for postsecondary education and employment offered as part of a comprehensive program of study in a high school must be industry-certified. A student enrolled in a course within a technical program that is not industry-certified may not be reported for full-time equivalent funding through the Florida Education Finance Program unless the course is classified as exploratory, orientation, or practical arts and the General Appropriations Act provides funding for those

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types of courses. The Department of Education shall assure that each program is certified by July 1, 2005, and 3 recertified as least every 5 years. The department shall adopt rules for the certification process, and the rules must establish any necessary procedures for obtaining appropriate business partners and requirements for business and industry involvement in curriculum oversight and equipment procurement. (3) Each full-time equivalent student in an

- industry-certified technical program generates 1.5 times the cost factor for students enrolled in the basic program for grades 9-12, as provided by section 236.081, Florida Statutes, and the annual General Appropriations Act.
- (4) Effective July 1, 2005, each technical education program offered by a high school must also have an articulation agreement with one or more appropriate postsecondary education institutions to ensure a seamless transition to a related postsecondary program without a loss of credit for the student. Students enrolled in a program that is not articulated to a postsecondary program may not be reported for full-time equivalent student funding through the Florida Education Finance Program unless the course is classified as exploratory, orientation, or practical arts.

Section 3. (1) A comprehensive program of study in technical education must be designed to ensure that, upon completion of the program of study and graduation from high school, a student is prepared to continue his or her education at a postsecondary education institution and obtain employment. Therefore, a comprehensive technical program of study must require of each student:

Completion of courses with a designation from the Department of Education of level two or above. All credits

earned to meet graduation requirements in mathematics, science, and communication must have that designation.

- (b) Attainment of at least one occupational completion point in an industry-certified technical program or completion of at least three courses in a technology education program.
- (c) Completion of a one-credit core course designated

 'Technical Systems and Applications." The Department of

 Education shall define in rule the content of the course and shall assure that the course meets graduation requirements for performing arts or practical arts.
- (d) Participation in a work-based learning experience, as defined in rule by the Department of Education.
- (e) Participation in a capstone activity that includes a project related to a career. This activity is designed to apply the competencies and concepts attained in the student's program of study. The Department of Education may specify in rule characteristics of capstone activities that meet the intent of this paragraph.
- (2) The Legislature intends to recognize with an endorsement on the high school diploma a student who:
- (a) Completes the requirements for high school graduation as provided in section 232.246, Florida Statutes, and the additional requirements for a comprehensive technical program of study provided in subsection (1).
- (b) Completes two credits in a foreign language or demonstrates the ability to converse in a foreign language, as defined by the Department of Education.
- (c) Passes the college entry-level placement test or an equivalent test identified by the department with a score adequate to enroll in a public postsecondary education program

without the need for college preparatory or vocational preparatory instruction.

- (3) The endorsement indicates that the student is prepared to continue into postsecondary education without the need for remediation and that the student has marketable employment skills. The Department of Education may adopt by rule a standard format for the endorsement.
- (4) For each student who receives the endorsement on his or her diploma, the high school may receive incentive funding, as provided in section 236.081, Florida Statutes, and the annual General Appropriations Act.
- (5) A school district that generates funds as a result of industry-certified programs or incentive funding for student achievement of the endorsement must expend the total amount on the comprehensive technical program of study.
- Section 4. <u>Technical education programs within</u> comprehensive programs of study; pilot projects and <u>implementation.--</u>
- (1) Prior to the 2000-2001 school year, the Department of Education shall select high schools to serve as pilot projects. The department shall issue a request for proposals that describes the requirements of sections 1-3 of this act and may include any additional requirements that will expedite the department's selection of the pilot projects.
- (2) The department shall select schools from each of the five educational planning regions of the state and shall give priority to a school that has experience as a Blueprint School for Career Development or a Career Academy or is in partnership with a business firm and a postsecondary education institution for specialized technical or occupational education. The department may also give priority to any other

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school that has attained experience with industry certification, student work experience, and the involvement of career counselors and guidance counselors to obtain the collaboration of local business or industry firms.

- (3) The selected schools may receive designation and funding for the 2000-2001 school year if they attain that status as provided in sections 1-3 of this act and if the General Appropriations Act for that year includes funding for that purpose. If a selected school is unable to achieve the designation by August 1, 2000, the school may participate and be funded as a pilot project for planning, as authorized in the 2000 General Appropriations Act.
- other schools and the Department of Education in their efforts to implement this act. The department shall identify three working committees to coordinate implementation of the pilot projects. These committees shall consider issues related to curriculum, funding, accountability, and guidance and counseling. By November 1, 2000, the Commissioner of Education shall report to the Legislature on the progress of the pilot projects and may recommend any changes in policy, rule, or law that would allow this act to be more effectively implemented.

Section 5. The Legislature finds that, to adequately assist students in advanced technical and academic career planning, high school guidance counselors require preservice and inservice professional development programs that contain sufficient information on career education.

(1) Each guidance counselor in a school with technical education programs certified as provided in section 2 of this act shall complete 3 semester credit hours or 60 inservice points in career development which include:

1 (a) An emphasis on labor-market trends and projections;

- (b) A practicum that focuses on development of a career-awareness program; and
- (c) Content related to a career or employment within the counselor's work experience.
- (2) The Department of Education shall assist guidance counselors in attaining the additional education required. The State Board of Education shall revise rules governing the certification and recertification of guidance counselors to allow substitution of personal work-based experiences and temporary-employment opportunities in business and industry for the required classroom instruction.
- (3) To implement the requirements of this act through preservice education, the Legislature encourages colleges of education to provide for the additional courses required without increasing the total number of credit hours needed to complete a program. Instead, the colleges are encouraged to infuse course content required for ethics courses into courses required for introduction, theory, and practicum.

Section 6. Paragraph (b) of subsection (9) of section 228.041, Florida Statutes, is amended to read:

228.041 Definitions.--Specific definitions shall be as follows, and wherever such defined words or terms are used in the Florida School Code, they shall be used as follows:

(9) INSTRUCTIONAL PERSONNEL.--"Instructional personnel" means any staff member whose function includes the provision of direct instructional services to students.

Instructional personnel also includes personnel whose functions provide direct support in the learning process of

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Included in the classification of instructional personnel are:

(b) Pupil personnel services. -- Pupil personnel services include staff members responsible for: advising students with regard to their abilities and aptitudes, educational and occupational opportunities, and personal and social adjustments; providing placement services; performing educational evaluations; and similar functions. Included in this classification are quidance counselors, social workers, career occupational/placement specialists, and school psychologists.

Section 7. Paragraph (c) of subsection (2) of section 229.601, Florida Statutes, is amended to read:

229.601 Career education program. --

- (2) There is hereby established a career education program in the state educational system. The Commissioner of Education and his or her designated staff shall administer this program. In developing and administering the career education program, the purpose of which is to promote positive career opportunities for all students regardless of their race, color, creed, national origin, ancestry, socioeconomic status, or gender, the commissioner shall:
- (c) Develop programs for preservice and inservice training for the purpose of infusing career education concepts into the basic curricula of public schools and core curricula of community colleges and state universities and programs for preservice and inservice training for counselors and career occupational and placement specialists to assist in career counseling and placement and followup activities.

Section 8. Paragraph (a) of subsection (5) of section 31 229.602, Florida Statutes, is amended to read:

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229.602 Florida private sector and education partnerships.--

- Each school district shall designate one or more (5) persons to coordinate local private sector and education partnership activities. The general activities of these coordinators shall be to enhance private sector and education partnership activities. The specific duties of the district coordinators shall include, but not be limited to, the following:
- (a) Maintaining contact with local businesses and industries, local chamber of commerce organizations, private industry councils with Job Training Partnership Act programs, district career occupational specialists, quidance personnel, economics educators, volunteer coordinators, community education coordinators, appropriate governmental personnel, and any others interested in private sector and education partnerships.

Section 9. Section 231.1725, Florida Statutes, is amended to read:

- 231.1725 Employment of substitute teachers, career specialists, teachers of adult education, and nondegreed teachers of career education; students performing clinical field experience. --
- (1) Notwithstanding the provisions of ss. 231.02, 231.15, and 231.17, or any other provision of law or rule to the contrary, each school board shall establish the minimal qualifications for:
- (a) Substitute teachers to be employed pursuant to s. 231.47. The qualifications shall require the filing of a complete set of fingerprints in the same manner as required by 31 s. 231.02.

- 1 (b) Part-time and full-time teachers in adult
 2 education programs. The qualifications shall require the
 3 filing of a complete set of fingerprints in the same manner as
 4 required by s. 231.02. Faculty employed solely to conduct
 5 postsecondary instruction may be exempted from this
 6 requirement.
 - (c) Part-time and full-time nondegreed teachers of vocational programs. Qualifications shall be established for agriculture, business, health occupations, family and consumer sciences, industrial, marketing, and public service education teachers, based primarily on successful occupational experience rather than academic training. The qualifications for such teachers shall require:
 - 1. The filing of a complete set of fingerprints in the same manner as required by s. 231.02. Faculty employed solely to conduct postsecondary instruction may be exempted from this requirement.
 - 2. Documentation of education and successful occupational experience including documentation of:
 - a. A high school diploma or the equivalent.
 - b. Completion of 6 years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. Alternate means of determining successful occupational experience may be established by the school board.
 - c. Completion of career education training conducted through the local school district inservice master plan.
 - d. For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students. This training may be completed through coursework

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28 29 from a standard institution or an approved district teacher education program.

- e. Demonstration of successful teaching performance.
- (2) Substitute, adult education, and nondegreed career education teachers who are employed pursuant to this section shall have the same rights and protection of laws as certified teachers.
- (3) Beginning with the 2000-2001 school year, to receive initial certification, a career specialist as defined in s. 239.121 must have:
- (a) At least 6 years of documented work experience
 that:
 - 1. Occurred within the last 15 years;
- 2. Consisted of paid employment outside the educational system; and
- 3. Included leadership or management responsibilities and decisionmaking skills.
- (b) A college degree at least at the level of an associate's degree or a minimum of 60 transferable credits.
- 21 Education may not be substituted for the required work 22 experience.
 - (4) As a condition of recertification, a career specialist employed after July 1, 2001, must complete, within the first 2 years of employment, at least four college-level courses that include:
 - (a) At least one course in career development, labor-market information, assessment instruments, goal setting, and job-search training.
- 30 (b) Up to three courses in any of the following areas:
 31 communications, vocational and technical education, public

relations and marketing, career development, counseling or human-resource management, or computer technology.

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A career specialist who has attained the required coursework through preservice education and who holds a baccalaureate degree is not required to comply with this subsection.

(5)(3) A student who is enrolled in a state-approved teacher preparation program in an institution of higher education which is approved by rules of the State Board of Education and who is jointly assigned by the institution of higher education and a school board to perform a clinical field experience under the direction of a regularly employed and certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the school board.

Section 10. Paragraphs (c), (d), and (l) of subsection (1) of section 236.081, Florida Statutes, are amended, present paragraphs (m) through (p) of that subsection are redesignated as paragraphs (n) through (q), respectively, and a new paragraph (m) is added to that subsection, and paragraph (a) of subsection (5) of that section is amended, to read:

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

COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR 31 OPERATION. -- The following procedure shall be followed in

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determining the annual allocation to each district for
    operation:
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           (c) Determination of programs. -- Cost factors based on
    desired relative cost differences between the following
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   programs shall be established in the annual General
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   Appropriations Act. A secondary technical or career education
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    program certified as required by section 2 of this act
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    generates funding as provided in paragraph (m). Effective July
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    1, 2005, a full-time equivalent student in a technical or
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    career education program that is not industry-certified will
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    not generate any state funding, unless the student is in a
    course classified as exploration, orientation, or practical
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    arts and the General Appropriations Act contains a cost factor
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    for such courses. The Commissioner of Education shall specify
    a matrix of services and intensity levels to be used by
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    districts in the determination of funding support for each
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    exceptional student. The funding support level for each
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    exceptional student shall fund the exceptional student's total
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    education program.
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               Basic programs. --
           1.
               Kindergarten and grades 1, 2, and 3.
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           a.
               Grades 4, 5, 6, 7, and 8.
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           b.
               Grades 9, 10, 11, and 12.
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           c.
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           2.
               Programs for exceptional students. --
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               Support Level I.
           a.
               Support Level II.
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           b.
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           C.
               Support Level III.
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           d.
               Support Level IV.
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               Support Level V.
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               Secondary career education programs. --
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Students-at-risk programs.--

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- Dropout prevention and teenage parents.
- b. English for Speakers of Other Languages.
- (d) Annual allocation calculation. --
- The Department of Education shall is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12
- 2. Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s. 230.23(4)(d), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement, not to exceed the estimate for the specific program as identified in paragraph (c), may be transferred from the participating districts to the district providing the program.
- 3. As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each of two program groups. Group 1 shall be composed of grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of students in exceptional student education programs, students-at-risk programs, all basic programs other than the programs in group 1, and all vocational programs in grades 7-12. Beginning July 1, 2005, a technical or career education program is not a weighted program unless it is industry-certified as required in section 2 of this act and is funded as provided in paragraph (m).
- The weighted enrollment ceiling for group 2 31 programs shall be calculated by multiplying the final

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enrollment conference estimate for each program by the appropriate program weight. The weighted enrollment ceiling for program group 2 shall be the sum of the weighted enrollment ceilings for each program in the program group, plus the increase in weighted full-time equivalent student membership from the prior year for clients of the Department of Children and Family Services and the Department of Juvenile Justice.

- b. If, for any calculation of the FEFP, the weighted enrollment for program group 2, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:
- (I) The weighted enrollment ceiling for each program in the program group shall be subtracted from the weighted enrollment for that program derived from actual enrollments.
- (II) If the difference calculated under sub-sub-subparagraph (I) is greater than zero for any program, a reduction proportion shall be computed for the program by dividing the absolute value of the difference by the total amount by which the weighted enrollment for the program group exceeds the weighted enrollment ceiling for the program group.
- (III) The reduction proportion calculated under sub-sub-subparagraph (II) shall be multiplied by the total amount of the program group's enrollment over the ceiling as calculated under sub-sub-subparagraph (I).
- (IV) The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be subtracted from the program's weighted enrollment. For any calculation of the 31 | FEFP, the enrollment ceiling for group 1 shall be calculated

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 by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

- c. For program group 2, the weighted enrollment ceiling shall be a number not less than the sum obtained by:
- (I) Multiplying the sum of reported FTE for all programs in the program group that have a cost factor of 1.0 or more by 1.0, and
- (II) By adding this number to the sum obtained by multiplying the projected FTE for all programs with a cost factor less than 1.0 by the actual cost factor.
- 4. Following completion of the weighted enrollment ceiling calculation as provided in subparagraph 3., a supplemental capping calculation shall be employed for those districts that are over their weighted enrollment ceiling. For each such district, the total reported unweighted FTE enrollment for group 2 programs shall be compared with the total appropriated unweighted FTE enrollment for group 2 programs. If the total reported unweighted FTE for group 2 is greater than the appropriated unweighted FTE, then the excess unweighted FTE up to the unweighted FTE transferred from group 2 to group 1 for each district by the Public School FTE Estimating Conference shall be funded at a weight of 1.0 and added to the funded weighted FTE computed in subparagraph 3. This adjustment shall be calculated beginning with the third calculation of the 1998-1999 FEFP.
- (1) Instruction in career education.—Effective for the 1985-1986 school year and thereafter, District pupil progression plans shall provide for the substitution of vocational courses for the nonelective courses required for high school graduation pursuant to s. 232.246. Beginning July 1, 2005, however, a technical course may not be substituted

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for another required course unless it is part of an industry-certified program certified as provided in section 2 of this act.A student in grades 9 through 12 who enrolls in and satisfactorily completes a job-preparatory program may substitute credit for a portion of the required four credits in English, three credits in mathematics, and three credits in science. The credit substituted for English, mathematics, or science earned through the vocational job-preparatory program shall be on a curriculum equivalency basis as provided for in the State Course Code Directory. The State Board of Education shall authorize by rule vocational course substitutions not to exceed two credits in each of the nonelective academic subject areas of English, mathematics, and science. School districts shall provide for vocational course substitutions not to exceed two credits in each of the nonelective academic subject areas of English, mathematics, and science, upon adoption of vocational student performance standards by the school board pursuant to s. 232.2454. A vocational program which has been used as a substitute for a nonelective academic credit in one subject area may not be used as a substitute for any other subject area. The credit in practical arts or exploratory career education required for high school graduation pursuant to s. 232.246(1) shall be funded as a career education course. Such a course is eligible for funding at 1.5 times the base student allocation for grades 9-12 only if it is part of a program certified as required by section 2 of this act. (m) Calculation of full-time equivalent membership for an industry-certified technical program. -- Funding for students enrolled in an industry-certified program as provided in section 2 of this act is calculated at 1.5 times the base student allocation and multiplying that number by the number

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of full-time equivalent students in an industry-certified program. A student who earns the endorsement authorized by section 3 of this act generates additional funding for the program, as provided in subsection (5).

- (5) CATEGORICAL PROGRAMS.—The Legislature hereby provides for the establishment of selected categorical programs to assist in the development and maintenance of activities giving indirect support to the programs previously funded. These categorical appropriations may be funded as general and transitional categorical programs. It is the intent of the Legislature that no transitional categorical program be funded for more than 4 fiscal years from the date of original authorization. Such programs are as follows:
 - (a) General.--
- 1. Comprehensive school construction and debt service as provided by law.
 - 2. Community schools as provided by law.
 - 3. School lunch programs as provided by law.
 - 4. Instructional material funds as provided by law.
 - 5. Student transportation as provided by law.
 - 6. Student development services as provided by law.
- $\begin{tabular}{ll} 7. & {\tt Diagnostic} \ \ {\tt and} \ \ {\tt learning} \ \ {\tt resource} \ \ {\tt centers} \ \ {\tt as} \\ & {\tt provided} \ \ {\tt by} \ \ {\tt law}. \\ \end{tabular}$
 - 8. Comprehensive health education as provided by law.
 - 9. Excellent Teaching Program as provided by law.
- 10. Attainment of the high school technical endorsement authorized by section 3 of this act and rules of the State Board of Education.
- 29 Section 11. Section 239.121, Florida Statutes, is 30 amended to read:
 - 239.121 Career Occupational specialists.--

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- (1) District school boards and community college boards of trustees may employ career occupational specialists to provide student counseling services and occupational information to students and to provide information to local business and industry regarding the availability of vocational programs through local educational institutions. Under the supervision of a certified counselor, career occupational specialists may undertake special assignments that include, but are not limited to, the identification and intensive counseling of current and former students and the parents of such students, as well as counseling students and all education personnel regarding job and career opportunities.
- (2) Career Occupational specialists shall receive certification pursuant to State Board of Education rule and s. 231.1725. A career No occupational specialist may not be paid less than any other member of the instructional personnel who has equivalent qualifications and provides similar services. Career Occupational specialists may receive salary supplements upon documentation that such supplements are necessary for recruiting or retaining suitable personnel.
- (3) The Department of Education and each school district that employs a career specialist shall assist that person in preparing a professional development plan designed to provide the skills necessary to perform the duties associated with implementing a comprehensive technical education program of study. This plan must set time limits for attaining any necessary coursework, demonstrating competencies, and completing any testing required by rules of the State Board of Education.

Section 12. Paragraph (a) of subsection (2) of section 31 239.229, Florida Statutes, is amended to read:

239.229 Vocational standards.--

direct the smooth transition of high school technical programs and career education to industry-certified programs of study included in a comprehensive course of study. Each school board and superintendent shall also direct the implementation of all components required to obtain the endorsement authorized in section 3 of this act if the district chooses to offer the endorsement. School board, superintendent, and school accountability for career education within elementary and secondary schools includes, but is not limited to:

- 1. Student exposure to a variety of careers and provision of instruction to explore specific careers in greater depth.
- 2. Student awareness of available vocational programs and the corresponding occupations into which such programs lead.
 - 3. Student development of individual career plans.
- 4. Integration of academic and vocational skills in the secondary curriculum.
- 5. Student preparation to enter the workforce and enroll in postsecondary education without being required to complete college-preparatory or vocational-preparatory instruction.
- 6. Student retention in school through high school graduation.
- 7. Vocational curriculum articulation with corresponding postsecondary programs in the local area technical center or community college, or both.
- 30 Section 13. Section 233.068, Florida Statutes, is repealed.

1	Section 14. This act shall take effect July 1, 2000.
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3	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
4	SB 860
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6	The Committee Substitute differs from the bill in that it:
7 8	Does not assign names to the high schools, the technical programs, or the endorsement granted upon completion of a program.
9	Requires the Department of Education to adopt rules to govern
10	the industry certification process, the competencies of the core course, and the specifications of the student's required business experience and capstone activity.
11	Deletes a requirement that, to generate the additional funding
12	weight for courses in a technical program, a student and his
13	or her parent must agree to a specific educational plan that includes all the academic and technical components of the program.
14	program.
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