

By Representative Jennings

1 A bill to be entitled
 2 An act relating to education; providing
 3 legislative intent for certain technical
 4 programs within comprehensive programs of study
 5 in high schools; providing for programs to be
 6 certified or endorsed by an industry; providing
 7 for certain required courses and activities;
 8 authorizing certification or endorsement and
 9 funding; authorizing rules of the Department of
 10 Education; requiring certain schools to be
 11 selected as pilot projects; providing duties of
 12 the Department of Education and the schools;
 13 requiring certain programs and
 14 career-development activities to assist
 15 counselors; amending ss. 228.041, 229.601,
 16 229.602, 239.121, F.S.; revising a personnel
 17 classification title; amending s. 236.081,
 18 F.S.; providing for funding of certain
 19 programs; prohibiting certain courses and
 20 programs from being reported for funding or
 21 from being substituted for other courses or
 22 programs; providing for certain
 23 professional-development activities; amending
 24 s. 239.229, F.S.; providing certain
 25 responsibilities for school boards and
 26 superintendents; providing an effective date.

27
 28 Be It Enacted by the Legislature of the State of Florida:

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 30 Section 1. (1) The Legislature intends to ensure that
 31 all high schools provide supportive services to students and

1 their parents to determine the comprehensive program of study
2 that will best meet the needs and goals of each student. At a
3 minimum, these services must include access to a guidance
4 counselor and assistance in developing an educational plan.
5 Each high school shall provide a variety of comprehensive,
6 relevant programs of study which will meet the needs of all
7 students and enable each student to pursue his or her
8 individual educational and career goals.

9 (2) Key components of this process are:

10 (a) A variety of programs of study which are based on
11 individual educational and career goals.

12 (b) Parental involvement in the identification of the
13 appropriate program of study.

14 (c) Assurance that all programs of study are designed
15 to provide a seamless transition to postsecondary education
16 and employment.

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

23 (2) Effective July 1, 2006, each career and technical
24 program preparing for postsecondary education and employment
25 offered as part of a comprehensive program of study in a high
26 school must be certified or endorsed by the industry, unless
27 the course is classified as exploratory, orientation, or
28 practical arts. A student enrolled in a course within a career
29 and technical program that is not certified or endorsed by the
30 industry may not be reported for full-time equivalent funding
31 through the Florida Education Finance Program unless the

1 course is classified as exploratory, orientation, or practical
2 arts and the General Appropriations Act provides funding for
3 those types of courses. The Department of Education shall
4 assure that each program is certified by July 1, 2006, and
5 recertified at least every 5 years. The department shall adopt
6 rules for the certification process, and the rules must
7 establish any necessary procedures for obtaining appropriate
8 business partners and requirements for business and industry
9 involvement in curriculum oversight and equipment procurement.

10 (3) Each full-time equivalent student in a career and
11 technical program certified or endorsed by an industry
12 generates 1.5 times the cost factor for students enrolled in
13 the basic program for grades 9-12, as provided by section
14 236.081, Florida Statutes, and the annual General
15 Appropriations Act.

16 (4) Effective July 1, 2006, each career and technical
17 education program offered by a high school which is
18 articulated to a postsecondary level must also have an
19 articulation agreement with one or more appropriate
20 postsecondary education institutions to ensure a seamless
21 transition to a related postsecondary program without a loss
22 of credit for the student. Students enrolled in a program that
23 is not articulated to a postsecondary program may not be
24 reported for full-time equivalent student funding through the
25 Florida Education Finance Program unless the course is
26 classified as exploratory, orientation, or practical arts or
27 terminates at the high school level.

28 Section 3. (1) A comprehensive program of study in
29 career and technical education must be designed to ensure
30 that, upon completion of the program of study and graduation
31 from high school, a student is prepared to continue his or her

1 education at a postsecondary education institution and obtain
2 employment. Therefore, a comprehensive career and technical
3 program of study must require of each student:

4 (a) Completion of courses with a designation from the
5 Department of Education of level two or above. All credits
6 earned to meet graduation requirements in mathematics,
7 science, and communication must have that designation.

8 (b) Attainment of at least one occupational completion
9 point in a technical program certified or endorsed by an
10 industry or completion of at least two courses in a technology
11 education program.

12 (c) Completion of a one-credit core course that
13 addresses workplace-readiness skills, designated "Technical
14 Systems and Applications." The Department of Education shall
15 define in rule the content of the course and shall assure that
16 the course meets graduation requirements for performing arts
17 or practical arts. The course requirement may be satisfied by
18 incorporating course content into an existing select career
19 and technical education course.

20 (d) Participation in a work-based learning experience,
21 as defined in rule by the Department of Education.

22 (e) Participation in a capstone activity that includes
23 a project related to a career. This activity is designed to
24 apply and demonstrate the competencies and concepts attained
25 in the student's program of study. The Department of Education
26 may specify in rule characteristics of capstone activities
27 that meet the intent of this paragraph.

28 (2) The Legislature intends to recognize with an
29 endorsement on the high school diploma a student who:

30 (a) Completes the requirements for high school
31 graduation as provided in section 232.246, Florida Statutes,

1 and the additional requirements for a comprehensive technical
2 program of study provided in subsection (1).

3 (b) Completes two credits in a foreign language or
4 demonstrates the ability to converse in a foreign language, as
5 defined by the Department of Education.

6 (c) Passes the college entry-level placement test or
7 an equivalent test identified by the department with a score
8 adequate to enroll in a public postsecondary education program
9 without the need for college preparatory or vocational
10 preparatory instruction.

11 (3) The endorsement indicates that the student is
12 prepared to continue into postsecondary education without the
13 need for remediation and that the student has marketable
14 employment skills. The Department of Education may adopt by
15 rule a standard format for the endorsement.

16 (4) The school district shall receive incentive
17 funding for each student who receives the endorsement on his
18 or her diploma, as provided in section 236.081, Florida
19 Statutes, and in the annual General Appropriations Act.

20 (5) A school district that generates funds as a result
21 of programs certified or endorsed by an industry or that
22 receives incentive funding for student achievement of the
23 endorsement must expend the total amount on the comprehensive
24 career and technical program of study. The school district may
25 not apply indirect charges to incentive funds earned.

26 Section 4. Technical education programs within
27 comprehensive programs of study; pilot projects and
28 implementation.--

29 (1) Prior to the 2001-2002 school year, the Department
30 of Education shall select high schools to serve as pilot
31 projects. The department shall issue a request for proposals

1 which describes the requirements of sections 1-3 of this act
2 and may include any additional requirements that will expedite
3 the department's selection of the pilot projects.

4 (2) The department shall select schools from each of
5 the five educational planning regions of the state and shall
6 give priority to a school that has experience as a Blueprint
7 School for Career Development or a Career Academy or is in
8 partnership with a business firm and a postsecondary education
9 institution for specialized technical or occupational
10 education. The department may also give priority to any other
11 school that has attained experience with industry
12 certification, student work experience, and the involvement of
13 career counselors and guidance counselors to obtain the
14 collaboration of local business or industry firms.

15 (3) The selected schools may receive designation and
16 funding for the 2001-2002 school year if they attain that
17 status as provided in sections 1-3 of this act and if the
18 General Appropriations Act for that year includes funding for
19 that purpose. If a selected school is unable to achieve the
20 designation by August 1, 2001, the school may participate and
21 be funded as a pilot project for planning, as authorized in
22 the 2001 General Appropriations Act.

23 (4) The designated schools shall provide assistance to
24 other schools and the Department of Education in their efforts
25 to implement this act. The department shall identify three
26 working committees to coordinate implementation of the pilot
27 projects. These committees shall consider issues related to
28 curriculum, funding, accountability, and guidance and
29 counseling. By November 1, 2001, the Commissioner of Education
30 shall report to the Legislature on the progress of the pilot
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1 projects and may recommend any changes in policy, rule, or law
2 that would allow this act to be more effectively implemented.

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

9 (1) Each guidance counselor in a school with technical
10 education programs certified as provided in section 2 of this
11 act shall complete 3 semester credit hours or 12 inservice
12 points in career development which include:

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

15 (b) A practicum that focuses on development of a
16 career-awareness program; and

17 (c) Content related to a career or employment within
18 the counselor's work experience.

19 (2) The Department of Education shall assist guidance
20 counselors and career specialists in attaining the additional
21 education required. The State Board of Education shall revise
22 rules governing the certification and recertification of
23 guidance counselors to allow substitution of personal
24 work-based experiences and temporary-employment opportunities
25 in business and industry for the required classroom
26 instruction. Every 5 years, each guidance counselor and career
27 specialist shall complete a minimum of 12 hours of inservice
28 in career and technical education.

29 (3) To implement the requirements of this act through
30 preservice education, the Legislature encourages colleges of
31 education to provide for the additional courses required

1 without increasing the total number of credit hours needed to
2 complete a program. Instead, the colleges are encouraged to
3 infuse course content required for ethics courses into courses
4 required for introduction, theory, and practicum.

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

7 228.041 Definitions.--Specific definitions shall be as
8 follows, and wherever such defined words or terms are used in
9 the Florida School Code, they shall be used as follows:

10 (9) INSTRUCTIONAL PERSONNEL.--"Instructional
11 personnel" means any staff member whose function includes the
12 provision of direct instructional services to students.
13 Instructional personnel also includes personnel whose
14 functions provide direct support in the learning process of
15 students. Included in the classification of instructional
16 personnel are:

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

26 Section 7. Paragraph (c) of subsection (2) of section
27 229.601, Florida Statutes, is amended to read:

28 229.601 Career education program.--

29 (2) There is hereby established a career education
30 program in the state educational system. The Commissioner of
31 Education and his or her designated staff shall administer

1 this program. In developing and administering the career
2 education program, the purpose of which is to promote positive
3 career opportunities for all students regardless of their
4 race, color, creed, national origin, ancestry, socioeconomic
5 status, or gender, the commissioner shall:

6 (c) Develop programs for preservice and inservice
7 training for the purpose of infusing career education concepts
8 into the basic curricula of public schools and core curricula
9 of community colleges and state universities and programs for
10 preservice and inservice training for counselors and career
11 ~~occupational and placement~~ specialists to assist in career
12 counseling and placement and followup activities.

13 Section 8. Paragraph (a) of subsection (5) of section
14 229.602, Florida Statutes, is amended to read:

15 229.602 Florida private sector and education
16 partnerships.--

17 (5) Each school district shall designate one or more
18 persons to coordinate local private sector and education
19 partnership activities. The general activities of these
20 coordinators shall be to enhance private sector and education
21 partnership activities. The specific duties of the district
22 coordinators shall include, but not be limited to, the
23 following:

24 (a) Maintaining contact with local businesses and
25 industries, local chamber of commerce organizations, private
26 industry councils with Job Training Partnership Act programs,
27 district career ~~occupational~~ specialists, guidance personnel,
28 economics educators, volunteer coordinators, community
29 education coordinators, appropriate governmental personnel,
30 and any others interested in private sector and education
31 partnerships.

1 Section 9. Paragraphs (c), (d), and (l) of subsection
2 (1) of section 236.081, Florida Statutes, are amended, present
3 paragraphs (m) through (p) of that subsection are redesignated
4 as paragraphs (n) through (q), respectively, and a new
5 paragraph (m) is added to that subsection, and paragraph (a)
6 of subsection (5) of that section is amended, to read:

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

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

17 (c) Determination of programs.--Cost factors based on
18 desired relative cost differences between the following
19 programs shall be established in the annual General
20 Appropriations Act. A secondary technical or career education
21 program certified as required by section 2 of this act
22 generates funding as provided in paragraph (m). Effective July
23 1, 2006, a full-time equivalent student in a technical or
24 career education program that is not certified or endorsed by
25 an industry shall not generate any state funding, unless the
26 student is in a course classified as exploration, orientation,
27 or practical arts and the General Appropriations Act contains
28 a cost factor for such courses. The Department of Education
29 shall complete a study by January, 2002, to determine if
30 career and technical education programs should have
31 differential funding weights.The Commissioner of Education

1 shall specify a matrix of services and intensity levels to be
2 used by districts in the determination of the two weighted
3 cost factors for exceptional students with the highest levels
4 of need. For these students, the funding support level shall
5 fund the exceptional students' education program, with the
6 exception of extended school year services for students with
7 disabilities.

8 1. Basic programs.--

9 a. Kindergarten and grades 1, 2, and 3.

10 b. Grades 4, 5, 6, 7, and 8.

11 c. Grades 9, 10, 11, and 12.

12 2. Programs for exceptional students.--

13 a. Support Level IV.

14 b. Support Level V.

15 3. Secondary career education programs.--

16 4. English for Speakers of Other Languages.--

17 (d) Annual allocation calculation.--

18 1. The Department of Education shall ~~is authorized and~~
19 ~~directed to~~ review all district programs and enrollment
20 projections and calculate a maximum total weighted full-time
21 equivalent student enrollment for each district for the K-12
22 FEFP.

23 2. Maximum enrollments calculated by the department
24 shall be derived from enrollment estimates used by the
25 Legislature to calculate the FEFP. If two or more districts
26 enter into an agreement under the provisions of s.

27 230.23(4)(d), after the final enrollment estimate is agreed
28 upon, the amount of FTE specified in the agreement, not to
29 exceed the estimate for the specific program as identified in
30 paragraph (c), may be transferred from the participating
31 districts to the district providing the program.

1 3. As part of its calculation of each district's
2 maximum total weighted full-time equivalent student
3 enrollment, the department shall establish separate enrollment
4 ceilings for each of two program groups. Group 1 shall be
5 composed of grades K-3, grades 4-8, and grades 9-12. Group 2
6 shall be composed of students in exceptional student education
7 programs, English for Speakers of Other Languages programs,
8 all basic programs other than the programs in group 1, and all
9 career and technical vocational programs in grades 7-12.
10 Beginning July 1, 2006, a technical or career education
11 program is not a weighted program unless it is certified or
12 endorsed by an industry as required in section 2 of this act
13 and is funded as provided in paragraph (m).

14 a. The weighted enrollment ceiling for group 2
15 programs shall be calculated by multiplying the final
16 enrollment conference estimate for each program by the
17 appropriate program weight. The weighted enrollment ceiling
18 for program group 2 shall be the sum of the weighted
19 enrollment ceilings for each program in the program group,
20 plus the increase in weighted full-time equivalent student
21 membership from the prior year for clients of the Department
22 of Children and Family Services and the Department of Juvenile
23 Justice.

24 b. If, for any calculation of the FEFP, the weighted
25 enrollment for program group 2, derived by multiplying actual
26 enrollments by appropriate program weights, exceeds the
27 enrollment ceiling for that group, the following procedure
28 shall be followed to reduce the weighted enrollment for that
29 group to equal the enrollment ceiling:

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1 (I) The weighted enrollment ceiling for each program
2 in the program group shall be subtracted from the weighted
3 enrollment for that program derived from actual enrollments.

4 (II) If the difference calculated under
5 sub-sub-subparagraph (I) is greater than zero for any program,
6 a reduction proportion shall be computed for the program by
7 dividing the absolute value of the difference by the total
8 amount by which the weighted enrollment for the program group
9 exceeds the weighted enrollment ceiling for the program group.

10 (III) The reduction proportion calculated under
11 sub-sub-subparagraph (II) shall be multiplied by the total
12 amount of the program group's enrollment over the ceiling as
13 calculated under sub-sub-subparagraph (I).

14 (IV) The prorated reduction amount calculated under
15 sub-sub-subparagraph (III) shall be subtracted from the
16 program's weighted enrollment. For any calculation of the
17 FEFP, the enrollment ceiling for group 1 shall be calculated
18 by multiplying the actual enrollment for each program in the
19 program group by its appropriate program weight.

20 c. For program group 2, the weighted enrollment
21 ceiling shall be a number not less than the sum obtained by:

22 (I) Multiplying the sum of reported FTE for all
23 programs in the program group that have a cost factor of 1.0
24 or more by 1.0, and

25 (II) By adding this number to the sum obtained by
26 multiplying the projected FTE for all programs with a cost
27 factor less than 1.0 by the actual cost factor.

28 4. Following completion of the weighted enrollment
29 ceiling calculation as provided in subparagraph 3., a
30 supplemental capping calculation shall be employed for those
31 districts that are over their weighted enrollment ceiling. For

1 each such district, the total reported unweighted FTE
2 enrollment for group 2 programs shall be compared with the
3 total appropriated unweighted FTE enrollment for group 2
4 programs. If the total reported unweighted FTE for group 2 is
5 greater than the appropriated unweighted FTE, then the excess
6 unweighted FTE up to the unweighted FTE transferred from group
7 2 to group 1 for each district by the Public School FTE
8 Estimating Conference shall be funded at a weight of 1.0 and
9 added to the funded weighted FTE computed in subparagraph 3.
10 This adjustment shall be calculated beginning with the third
11 calculation of the 1998-1999 FEFP.

12 (1) Instruction in career education.--~~Effective for~~
13 ~~the 1985-1986 school year and thereafter,~~District pupil
14 progression plans shall provide for the substitution of
15 vocational courses for the nonelective courses required for
16 high school graduation pursuant to s. 232.246. Beginning July
17 1, 2006, however, a career and technical course may not be
18 substituted for another required course unless it is part of a
19 program that is certified or endorsed by an industry as
20 provided in section 2 of this act.A student in grades 9
21 through 12 who enrolls in and satisfactorily completes a
22 job-preparatory program may substitute credit for a portion of
23 the required four credits in English, three credits in
24 mathematics, and three credits in science. The credit
25 substituted for English, mathematics, or science earned
26 through the vocational job-preparatory program shall be on a
27 curriculum equivalency basis as provided for in the State
28 Course Code Directory. The State Board of Education shall
29 authorize by rule vocational course substitutions not to
30 exceed two credits in each of the nonelective academic subject
31 areas of English, mathematics, and science. School districts

1 shall provide for vocational course substitutions not to
2 exceed two credits in each of the nonelective academic subject
3 areas of English, mathematics, and science, upon adoption of
4 vocational student performance standards by the school board
5 pursuant to s. 232.2454. A vocational program which has been
6 used as a substitute for a nonelective academic credit in one
7 subject area may not be used as a substitute for any other
8 subject area. The credit in practical arts or exploratory
9 career education required for high school graduation pursuant
10 to s. 232.246(1) shall be funded as a career education course.
11 Such a course is eligible for funding at 1.5 times the
12 base-cost factor for students enrolled in the basic program
13 only if it is part of a program certified or endorsed as
14 required by section 2 of this act.

15 (m) Calculation of full-time equivalent membership for
16 a technical program certified or endorsed by an
17 industry.--Funding for students enrolled in a program
18 certified or endorsed by an industry as provided in section 2
19 of this act is calculated at 1.5 times the cost factor for
20 students enrolled in the program for grades 9-12 and
21 multiplying that number by the number of full-time equivalent
22 students in a career and technical program certified or
23 endorsed by an industry. A student who earns the endorsement
24 authorized by section 3 of this act generates additional
25 funding for the program, as provided in subsection (5). During
26 the transition from the 2001-2002 school year until July 1,
27 2006, all career and technical education programs that are not
28 certified or endorsed by an industry or articulated to
29 postsecondary institutions shall continue to earn weighted
30 funding as determined in the General Appropriations Act.

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1 (5) CATEGORICAL PROGRAMS.--The Legislature hereby
2 provides for the establishment of selected categorical
3 programs to assist in the development and maintenance of
4 activities giving indirect support to the programs previously
5 funded. These categorical appropriations may be funded as
6 general and transitional categorical programs. It is the
7 intent of the Legislature that no transitional categorical
8 program be funded for more than 4 fiscal years from the date
9 of original authorization. Such programs are as follows:

10 (a) General.--

11 1. Comprehensive school construction and debt service
12 as provided by law.

13 2. Community schools as provided by law.

14 3. School lunch programs as provided by law.

15 4. Instructional material funds as provided by law.

16 5. Student transportation as provided by law.

17 6. Student development services as provided by law.

18 7. Diagnostic and learning resource centers as
19 provided by law.

20 8. Comprehensive health education as provided by law.

21 9. Excellent Teaching Program as provided by law.

22 10. Attainment of the high school career and technical
23 endorsement authorized by section 3 of this act and rules of
24 the State Board of Education.

25 Section 10. Section 239.121, Florida Statutes, is
26 amended to read:

27 239.121 Career ~~Occupational~~ specialists.--

28 (1) District school boards and community college
29 boards of trustees may employ career ~~occupational~~ specialists
30 to provide student counseling services and occupational
31 information to students and to provide information to local

1 business and industry regarding the availability of vocational
2 programs through local educational institutions. Under the
3 supervision of a certified counselor, career ~~occupational~~
4 specialists may undertake special assignments that include,
5 but are not limited to, the identification and intensive
6 counseling of current and former students and the parents of
7 such students, as well as counseling students and all
8 education personnel regarding job and career opportunities.

9 (2) Career ~~Occupational~~ specialists shall receive
10 certification pursuant to State Board of Education rule and s.
11 231.1725. A career ~~No occupational~~ specialist may not be paid
12 less than any other member of the instructional personnel who
13 has equivalent qualifications and provides similar services.
14 Career ~~Occupational~~ specialists may receive salary supplements
15 upon documentation that such supplements are necessary for
16 recruiting or retaining suitable personnel.

17 (3) The Department of Education and each school
18 district that employs a career specialist shall assist that
19 person in preparing a professional development plan designed
20 to provide the skills necessary to perform the duties
21 associated with implementing a comprehensive technical
22 education program of study. This plan must set time limits for
23 attaining any necessary coursework, demonstrating
24 competencies, and completing any testing required by rules of
25 the State Board of Education.

26 Section 11. Paragraph (a) of subsection (2) of section
27 239.229, Florida Statutes, is amended to read:

28 239.229 Vocational standards.--

29 (2)(a) Each school board and superintendent shall
30 direct the smooth transition of high school technical programs
31 and career education to programs of study certified or

1 endorsed by an industry which are included in a comprehensive
2 course of study. Each school board and superintendent shall
3 also direct the implementation of all components required to
4 obtain the endorsement authorized in section 3 of this act if
5 the district chooses to offer the endorsement. School board,
6 superintendent, and school accountability for career education
7 within elementary and secondary schools includes, but is not
8 limited to:

9 1. Student exposure to a variety of careers and
10 provision of instruction to explore specific careers in
11 greater depth.

12 2. Student awareness of available vocational programs
13 and the corresponding occupations into which such programs
14 lead.

15 3. Student development of individual career plans.

16 4. Integration of academic and vocational skills in
17 the secondary curriculum.

18 5. Student preparation to enter the workforce and
19 enroll in postsecondary education without being required to
20 complete college-preparatory or vocational-preparatory
21 instruction.

22 6. Student retention in school through high school
23 graduation.

24 7. Vocational curriculum articulation with
25 corresponding postsecondary programs in the local area
26 technical center or community college, or both.

27 Section 12. This act shall take effect July 1, 2001.

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SENATE SUMMARY

Provides for career and technical education programs to be certified or endorsed by the appropriate industry. Revises funding requirements for such programs. Provides requirements for a comprehensive career and technical program of study. Requires the Department of Education to establish pilot projects in selected schools. Requires high school guidance counselors and career specialists to complete certain professional-development programs. (See bill for details.)