

Bill No. CS for SB 1640

Amendment No.      Barcode 145148

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Horne moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 On page 1, line 10,

15

16 insert:

17 Section 1. (1) The Legislature intends to ensure that

18 all high schools provide supportive services to students and

19 their parents to determine the comprehensive program of study

20 that will best meet the needs and goals of each student. At a

21 minimum, these services must include access to a guidance

22 counselor and assistance in developing an educational and

23 career plan. Each high school shall provide a variety of

24 comprehensive, relevant programs of study which will meet the

25 needs of all students and enable each student to pursue his or

26 her individual educational and career goals.

27 (2) Key components of this process are:

28 (a) A variety of programs of study which are based on

29 individual educational and career goals.

30 (b) Parental involvement in the identification of the

31 appropriate program of study.

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1           (c) Assurance that all programs of study are designed  
2 to provide a seamless transition to an appropriate  
3 postsecondary education and employment.

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

10           (2) Effective July 1, 2006, each career and technical  
11 program preparing for postsecondary education and employment  
12 offered as part of a comprehensive program of study in a high  
13 school must be industry-certified or endorsed, except for  
14 courses classified as exploratory, orientation, or practical  
15 arts. A student enrolled in a course within a career and  
16 technical program that is not industry-certified may not be  
17 reported for full-time equivalent funding through the Florida  
18 Education Finance Program unless the course is classified as  
19 exploratory, orientation, or practical arts. The Department of  
20 Education shall assure that each program is certified by July  
21 1, 2006, and recertified at least every 5 years. The  
22 department shall adopt rules for the certification process,  
23 and the rules must establish any necessary procedures for  
24 obtaining appropriate business partners and requirements for  
25 business and industry involvement in curriculum oversight and  
26 equipment procurement.

27           (3) Each full-time equivalent student in an  
28 industry-certified or endorsed career and technical program  
29 generates 1.15 times the cost factor for students enrolled in  
30 the basic program for grades 9-12, as provided by section  
31 236.081, Florida Statutes, and the annual General

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1 Appropriations Act.

2 (4) Effective July 1, 2006, each career and technical  
3 education program offered by a high school and able to be  
4 articulated to a postsecondary level must also have an  
5 articulation agreement with one or more appropriate  
6 postsecondary education institutions to ensure a seamless  
7 transition to a related postsecondary program without a loss  
8 of credit for the student. Students enrolled in a program that  
9 is not articulated to a postsecondary program may not be  
10 reported for full-time equivalent student funding through the  
11 Florida Education Finance Program unless the course is  
12 classified as exploratory, orientation, or practical arts or  
13 terminates at the high school level.

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

21 (a) Completion of academic courses with a designation  
22 from the Department of Education of level two or above. All  
23 credits earned to meet graduation requirements in mathematics,  
24 science, and communication must have that designation.

25 (b) Attainment of at least one occupational completion  
26 point in an industry-certified or endorsed career and  
27 technical education program or completion of at least two  
28 courses in a technology education program.

29 (c) Completion of a one-credit core course addressing  
30 workplace-readiness skills. The Department of Education shall  
31 define in rule the content of the course and shall assure that

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1 the course meets graduation requirements for performing arts  
2 or practical arts. The course requirement may be satisfied  
3 through infusing course content into existing select career  
4 and technical education course.

5 (d) Participation in work-based learning experiences,  
6 as defined in rule by the Department of Education.

7 (e) Participation in a capstone activity that includes  
8 a project related to a career. This activity is designed to  
9 apply and demonstrate the competencies and concepts attained  
10 in the student's program of study. The Department of Education  
11 may specify in rule characteristics of capstone activities  
12 that meet the intent of this paragraph.

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

15 (a) Completes the requirements for high school  
16 graduation as provided in section 232.246, Florida Statutes,  
17 and the additional requirements for a comprehensive career and  
18 technical program of study provided in subsection (1).

19 (b) Passes the college entry-level placement test or  
20 an equivalent test identified by the department with a score  
21 adequate to enroll in a public postsecondary education program  
22 without the need for college preparatory or vocational  
23 preparatory instruction.

24 (3) The endorsement indicates that the student is  
25 prepared to continue into postsecondary education without the  
26 need for remediation and that the student has marketable  
27 employment skills. The Department of Education may adopt by  
28 rule a standard format for the endorsement.

29 (4) For each student who receives the endorsement on  
30 his or her diploma, the school district shall receive  
31 incentive funding, as provided in section 236.081, Florida

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1 Statutes, and the annual General Appropriations Act.

2 (5) A school district that generates funds as a result  
3 of industry-certified programs or incentive funding for  
4 student achievement of the endorsement must expend the total  
5 amount on the comprehensive career and technical program of  
6 study. The district may not apply indirect charges to  
7 incentive funds earned.

8 Section 4. The Legislature finds that, to adequately  
9 assist students in advanced technical and academic career  
10 planning, high school guidance counselors and career  
11 specialists require preservice and inservice professional  
12 development programs that contain sufficient information on  
13 career education.

14 (1) Each guidance counselor and career specialist in a  
15 school with technical education programs certified as provided  
16 in section 2 of this act shall complete 12 inservice points in  
17 technical education and career development which include:

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

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

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

24 (2) The Department of Education shall assist guidance  
25 counselors and career specialists in attaining the additional  
26 inservice required. The State Board of Education shall revise  
27 rules governing the certification and recertification of  
28 guidance counselors to allow substitution of personal  
29 work-based experiences and temporary-employment opportunities  
30 in business and industry for the required classroom  
31 instruction. A minimum of 12 hours of inservice in career and

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1 technical education will be required for each 5-year period.

2 (3) To implement the requirements of this act through  
3 preservice education, the Legislature encourages colleges of  
4 education to provide for the additional courses required  
5 without increasing the total number of credit hours needed to  
6 complete a program. Instead, the colleges are encouraged to  
7 infuse course content required for ethics courses into courses  
8 required for introduction, theory, and practicum.

9 Section 5. Paragraph (b) of subsection (9) of section  
10 228.041, Florida Statutes, is amended to read:

11 228.041 Definitions.--Specific definitions shall be as  
12 follows, and wherever such defined words or terms are used in  
13 the Florida School Code, they shall be used as follows:

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

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

30 Section 6. Paragraph (c) of subsection (2) of section  
31 229.601, Florida Statutes, is amended to read:

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1           229.601 Career education program.--

2           (2) There is hereby established a career education  
3 program in the state educational system. The Commissioner of  
4 Education and his or her designated staff shall administer  
5 this program. In developing and administering the career  
6 education program, the purpose of which is to promote positive  
7 career opportunities for all students regardless of their  
8 race, color, creed, national origin, ancestry, socioeconomic  
9 status, or gender, the commissioner shall:

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

17           Section 7. Paragraph (a) of subsection (5) of section  
18 229.602, Florida Statutes, is amended to read:

19           229.602 Florida private sector and education  
20 partnerships.--

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

28           (a) Maintaining contact with local businesses and  
29 industries, local chamber of commerce organizations, regional  
30 workforce boards ~~private industry councils with Job Training~~  
31 ~~Partnership Act programs, district, career occupational~~

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1 specialists, guidance personnel, economics educators,  
2 volunteer coordinators, community education coordinators,  
3 appropriate governmental personnel, and any others interested  
4 in private sector and education partnerships.

5 Section 8. Paragraphs (c), (d), and (l) of subsection  
6 (1) of section 236.081, Florida Statutes, are amended, present  
7 paragraphs (m) through (p) of that subsection are redesignated  
8 as paragraphs (n) through (q), respectively, and a new  
9 paragraph (m) is added to that subsection, and paragraph (a)  
10 of subsection (5) of that section is amended, to read:

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

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

21 (c) Determination of programs.--Cost factors based on  
22 desired relative cost differences between the following  
23 programs shall be established in the annual General  
24 Appropriations Act. A secondary career or technical education  
25 program certified as required by section 2 of this act  
26 generates funding as provided in paragraph (m). Effective July  
27 1, 2006, a full-time equivalent student in a career or  
28 technical education program that is not industry-certified or  
29 endorsed shall not generate any state funding unless the  
30 student is in a course classified as exploration, orientation,  
31 or practical arts and the General Appropriations Act contains



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1 a cost factor for such courses. The Department of Education  
2 shall complete a study by January 2002 to determine if career  
3 and technical education programs should have differentiated  
4 funding weights.The Commissioner of Education shall specify a  
5 matrix of services and intensity levels to be used by  
6 districts in the determination of the two weighted cost  
7 factors for exceptional students with the highest levels of  
8 need. For these students, the funding support level shall fund  
9 the exceptional students' education program, with the  
10 exception of extended school year services for students with  
11 disabilities.

12 1. Basic programs.--

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

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

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

16 2. Programs for exceptional students.--

17 a. Support Level IV.

18 b. Support Level V.

19 3. Secondary career and technical education programs,  
20 industry-certified or endorsed--

21 4. Career and technical education programs, all other  
22 programs--

23 ~~5.4.~~ English for Speakers of Other Languages.--

24 (d) Annual allocation calculation.--

25 1. The Department of Education shall ~~is authorized and~~  
26 ~~directed to~~ review all district programs and enrollment  
27 projections and calculate a maximum total weighted full-time  
28 equivalent student enrollment for each district for the K-12  
29 FEFP.

30 2. Maximum enrollments calculated by the department  
31 shall be derived from enrollment estimates used by the

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1 Legislature to calculate the FEFP. If two or more districts  
 2 enter into an agreement under the provisions of s.  
 3 230.23(4)(d), after the final enrollment estimate is agreed  
 4 upon, the amount of FTE specified in the agreement, not to  
 5 exceed the estimate for the specific program as identified in  
 6 paragraph (c), may be transferred from the participating  
 7 districts to the district providing the program.

8           3. As part of its calculation of each district's  
 9 maximum total weighted full-time equivalent student  
 10 enrollment, the department shall establish separate enrollment  
 11 ceilings for each of two program groups. Group 1 shall be  
 12 composed of grades K-3, grades 4-8, and grades 9-12. Group 2  
 13 shall be composed of students in exceptional student education  
 14 programs, English for Speakers of Other Languages programs,  
 15 all basic programs other than the programs in group 1, and all  
 16 vocational programs in grades 6-12 ~~7-12~~.

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

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

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1 group to equal the enrollment ceiling:

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

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

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

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

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

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

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

29 4. Following completion of the weighted enrollment  
30 ceiling calculation as provided in subparagraph 3., a  
31 supplemental capping calculation shall be employed for those

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

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

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1 in each of the nonelective academic subject areas of English,  
2 mathematics, social studies, and science. School districts  
3 shall provide for vocational course substitutions not to  
4 exceed two credits in each of the nonelective academic subject  
5 areas of English, mathematics, social studies, and science,  
6 upon adoption of vocational student performance standards by  
7 the school board pursuant to s. 232.2454. A career and  
8 technical course ~~vocational program~~ which has been used as a  
9 substitute for a nonelective academic credit in one subject  
10 area may not be used as a substitute for any other subject  
11 area. The credit in practical arts or exploratory career  
12 education required for high school graduation pursuant to s.  
13 232.246(1) shall be funded as a career education course. Such  
14 a course is eligible for funding at 1.15 times the cost factor  
15 for students enrolled in the basic program for grades 9-12  
16 only if it is part of a program certified or endorsed as  
17 required by section 2 of this act.

18 (m) Calculation of full-time equivalent membership for  
19 an industry-certified or endorsed technical program.--Funding  
20 for students enrolled in an industry-certified program as  
21 provided in section 2 of this act is calculated at 1.15 times  
22 the cost factor for students enrolled in the program for  
23 grades 9-12 and multiplying that number by the number of  
24 full-time equivalent students in an industry-certified or  
25 endorsed career and technical program. A student who earns the  
26 endorsement authorized by section 3 of this act generates  
27 additional incentive funding for the program, as provided in  
28 subsection (5). During the transition from the 2001-2002  
29 school year until July 1, 2006, all career and technical  
30 education programs not industry-certified or endorsed or  
31 articulated to postsecondary institutions will continue to

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1 earn weighted funding as determined in the General  
2 Appropriations Act.

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

12 (a) General.--

13 1. Comprehensive school construction and debt service  
14 as provided by law.

15 2. Community schools as provided by law.

16 3. School lunch programs as provided by law.

17 4. Instructional material funds as provided by law.

18 5. Student transportation as provided by law.

19 6. Student development services as provided by law.

20 7. Diagnostic and learning resource centers as  
21 provided by law.

22 8. Comprehensive health education as provided by law.

23 9. Excellent Teaching Program as provided by law.

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

27 Section 9. Section 239.121, Florida Statutes, is  
28 amended to read:

29 239.121 Career ~~Occupational~~ specialists.--

30 (1) District school boards and community college  
31 boards of trustees may employ career ~~occupational~~ specialists

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

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

19 (3) The Department of Education and each school  
20 district that employs a career specialist shall assist that  
21 person in preparing a professional development plan designed  
22 to provide the skills necessary to perform the duties  
23 associated with implementing a comprehensive technical  
24 education program of study.

25 Section 10. Paragraph (a) of subsection (2) of section  
26 239.229, Florida Statutes, is amended to read:

27 239.229 Vocational standards.--

28 (2)(a) Each school board and superintendent shall  
29 direct the smooth transition of high school career and  
30 technical education programs to industry-certified or endorsed  
31 programs of study included in a comprehensive course of study.





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1           On page 1, line 2, after the semicolon,  
2  
3 insert:  
4           providing legislative intent for certain career  
5           and technical education programs within  
6           comprehensive programs of study in high  
7           schools; providing for industry-certification,  
8           for certain required courses and activities;  
9           authorizing an endorsement and funding;  
10          authorizing rules of the Department of  
11          Education; requiring certain programs and  
12          career-development activities to assist  
13          counselors; amending ss. 228.041, 229.601,  
14          229.602, 239.121, F.S.; revising a personnel  
15          classification title; amending s. 236.081,  
16          F.S.; providing for funding of certain  
17          programs; prohibiting certain courses and  
18          programs from being reported for funding or  
19          from being substituted for other courses or  
20          programs; providing for certain  
21          professional-development activities; amending  
22          s. 239.229, F.S.; providing certain  
23          responsibilities for school boards and  
24          superintendents;  
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