

1 A bill to be entitled
2 An act relating to education; providing
3 legislative intent for certain career and
4 technical education programs within
5 comprehensive programs of study in high
6 schools; providing for industry-certification,
7 for certain required courses and activities;
8 authorizing an endorsement and funding;
9 authorizing rules of the Department of
10 Education; requiring certain programs and
11 career-development activities to assist
12 counselors; amending ss. 228.041, 229.601,
13 229.602, 239.121, F.S.; revising a personnel
14 classification title; amending s. 236.081,
15 F.S.; providing for funding of certain
16 programs; prohibiting certain courses and
17 programs from being reported for funding or
18 from being substituted for other courses or
19 programs; providing for certain
20 professional-development activities; amending
21 s. 239.229, F.S.; providing certain
22 responsibilities for school boards and
23 superintendents; amending s. 231.6135, F.S.;
24 exempting regional educational consortia from
25 certain requirements to become eligible for
26 grants to create professional development
27 academies; providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. (1) The Legislature intends to ensure that
2 all high schools provide supportive services to students and
3 their parents to determine the comprehensive program of study
4 that will best meet the needs and goals of each student. At a
5 minimum, these services must include access to a guidance
6 counselor and assistance in developing an educational and
7 career plan. Each high school shall provide a variety of
8 comprehensive, relevant programs of study which will meet the
9 needs of all students and enable each student to pursue his or
10 her individual educational and career goals.

11 (2) Key components of this process are:

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

14 (b) Parental involvement in the identification of the
15 appropriate program of study.

16 (c) Assurance that all programs of study are designed
17 to provide a seamless transition to an appropriate
18 postsecondary education and employment.

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

25 (2) Effective July 1, 2006, each career and technical
26 program preparing for postsecondary education and employment
27 offered as part of a comprehensive program of study in a high
28 school must be industry-certified or endorsed, except for
29 courses classified as exploratory, orientation, or practical
30 arts. A student enrolled in a course within a career and
31 technical program that is not industry-certified may not be

1 reported for full-time equivalent funding through the Florida
2 Education Finance Program unless the course is classified as
3 exploratory, orientation, or practical arts. The Department of
4 Education shall assure that each program is certified by July
5 1, 2006, and recertified at least every 5 years. The
6 department shall adopt rules for the certification process,
7 and the rules must establish any necessary procedures for
8 obtaining appropriate business partners and requirements for
9 business and industry involvement in curriculum oversight and
10 equipment procurement.

11 (3) Each full-time equivalent student in an
12 industry-certified or endorsed career and technical program
13 generates 1.15 times the cost factor for students enrolled in
14 the basic program for grades 9-12, as provided by section
15 236.081, Florida Statutes, and the annual General
16 Appropriations Act.

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

29 Section 3. (1) A comprehensive program of study in
30 career and technical education must be designed to ensure
31 that, upon completion of the program of study and graduation

1 from high school, a student is prepared to continue his or her
2 education at a postsecondary education institution and obtain
3 employment. Therefore, a comprehensive career and technical
4 program of study must require of each student:

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

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

13 (c) Completion of a one-credit core course addressing
14 workplace-readiness skills. 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
18 through infusing course content into existing select career
19 and technical education course.

20 (d) Participation in work-based learning experiences,
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 career and
2 technical program of study provided in subsection (1).

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

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

13 (4) For each student who receives the endorsement on
14 his or her diploma, the school district shall receive
15 incentive funding, as provided in section 236.081, Florida
16 Statutes, and the annual General Appropriations Act.

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

23 Section 4. The Legislature finds that, to adequately
24 assist students in advanced technical and academic career
25 planning, high school guidance counselors and career
26 specialists require preservice and inservice professional
27 development programs that contain sufficient information on
28 career education.

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

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

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

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

9 (2) The Department of Education shall assist guidance
10 counselors and career specialists in attaining the additional
11 inservice required. The State Board of Education shall revise
12 rules governing the certification and recertification of
13 guidance counselors to allow substitution of personal
14 work-based experiences and temporary-employment opportunities
15 in business and industry for the required classroom
16 instruction. A minimum of 12 hours of inservice in career and
17 technical education will be required for each 5-year period.

18 (3) To implement the requirements of this act through
19 preservice education, the Legislature encourages colleges of
20 education to provide for the additional courses required
21 without increasing the total number of credit hours needed to
22 complete a program. Instead, the colleges are encouraged to
23 infuse course content required for ethics courses into courses
24 required for introduction, theory, and practicum.

25 Section 5. Paragraph (b) of subsection (9) of section
26 228.041, Florida Statutes, is amended to read:

27 228.041 Definitions.--Specific definitions shall be as
28 follows, and wherever such defined words or terms are used in
29 the Florida School Code, they shall be used as follows:

30 (9) INSTRUCTIONAL PERSONNEL.--"Instructional
31 personnel" means any staff member whose function includes the

1 provision of direct instructional services to students.
2 Instructional personnel also includes personnel whose
3 functions provide direct support in the learning process of
4 students. Included in the classification of instructional
5 personnel are:

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

15 Section 6. Paragraph (c) of subsection (2) of section
16 229.601, Florida Statutes, is amended to read:

17 229.601 Career education program.--

18 (2) There is hereby established a career education
19 program in the state educational system. The Commissioner of
20 Education and his or her designated staff shall administer
21 this program. In developing and administering the career
22 education program, the purpose of which is to promote positive
23 career opportunities for all students regardless of their
24 race, color, creed, national origin, ancestry, socioeconomic
25 status, or gender, the commissioner shall:

26 (c) Develop programs for preservice and inservice
27 training for the purpose of infusing career education concepts
28 into the basic curricula of public schools and core curricula
29 of community colleges and state universities and programs for
30 preservice and inservice training for counselors and career

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1 ~~occupational and placement~~ specialists to assist in career
2 counseling and placement and followup activities.

3 Section 7. Paragraph (a) of subsection (5) of section
4 229.602, Florida Statutes, is amended to read:

5 229.602 Florida private sector and education
6 partnerships.--

7 (5) Each school district shall designate one or more
8 persons to coordinate local private sector and education
9 partnership activities. The general activities of these
10 coordinators shall be to enhance private sector and education
11 partnership activities. The specific duties of the district
12 coordinators shall include, but not be limited to, the
13 following:

14 (a) Maintaining contact with local businesses and
15 industries, local chamber of commerce organizations, regional
16 workforce boards ~~private industry councils with Job Training~~
17 ~~Partnership Act programs, district, career occupational~~
18 ~~specialists, guidance personnel, economics educators,~~
19 ~~volunteer coordinators, community education coordinators,~~
20 ~~appropriate governmental personnel, and any others interested~~
21 ~~in private sector and education partnerships.~~

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

28 236.081 Funds for operation of schools.--If the annual
29 allocation from the Florida Education Finance Program to each
30 district for operation of schools is not determined in the
31 annual appropriations act or the substantive bill implementing

1 the annual appropriations act, it shall be determined as
2 follows:

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

7 (c) Determination of programs.--Cost factors based on
8 desired relative cost differences between the following
9 programs shall be established in the annual General
10 Appropriations Act. A secondary career or technical education
11 program certified as required by section 2 of this act
12 generates funding as provided in paragraph (m). Effective July
13 1, 2006, a full-time equivalent student in a career or
14 technical education program that is not industry-certified or
15 endorsed shall not generate any state funding unless the
16 student is in a course classified as exploration, orientation,
17 or practical arts and the General Appropriations Act contains
18 a cost factor for such courses. The Department of Education
19 shall complete a study by January 2002 to determine if career
20 and technical education programs should have differentiated
21 funding weights.The Commissioner of Education shall specify a
22 matrix of services and intensity levels to be used by
23 districts in the determination of the two weighted cost
24 factors for exceptional students with the highest levels of
25 need. For these students, the funding support level shall fund
26 the exceptional students' education program, with the
27 exception of extended school year services for students with
28 disabilities.

29 1. Basic programs.--

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

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

- 1 c. Grades 9, 10, 11, and 12.
- 2 2. Programs for exceptional students.--
- 3 a. Support Level IV.
- 4 b. Support Level V.
- 5 3. Secondary career and technical education programs,
- 6 industry-certified or endorsed.--
- 7 4. Career and technical education programs, all other
- 8 programs.--
- 9 5.4. English for Speakers of Other Languages.--
- 10 (d) Annual allocation calculation.--
- 11 1. The Department of Education shall ~~is authorized and~~
- 12 ~~directed to~~ review all district programs and enrollment
- 13 projections and calculate a maximum total weighted full-time
- 14 equivalent student enrollment for each district for the K-12
- 15 FEFP.
- 16 2. Maximum enrollments calculated by the department
- 17 shall be derived from enrollment estimates used by the
- 18 Legislature to calculate the FEFP. If two or more districts
- 19 enter into an agreement under the provisions of s.
- 20 230.23(4)(d), after the final enrollment estimate is agreed
- 21 upon, the amount of FTE specified in the agreement, not to
- 22 exceed the estimate for the specific program as identified in
- 23 paragraph (c), may be transferred from the participating
- 24 districts to the district providing the program.
- 25 3. As part of its calculation of each district's
- 26 maximum total weighted full-time equivalent student
- 27 enrollment, the department shall establish separate enrollment
- 28 ceilings for each of two program groups. Group 1 shall be
- 29 composed of grades K-3, grades 4-8, and grades 9-12. Group 2
- 30 shall be composed of students in exceptional student education
- 31 programs, English for Speakers of Other Languages programs,

1 all basic programs other than the programs in group 1, and all
2 vocational programs in grades 6-12 ~~7-12~~.

3 a. The weighted enrollment ceiling for group 2
4 programs shall be calculated by multiplying the final
5 enrollment conference estimate for each program by the
6 appropriate program weight. The weighted enrollment ceiling
7 for program group 2 shall be the sum of the weighted
8 enrollment ceilings for each program in the program group,
9 plus the increase in weighted full-time equivalent student
10 membership from the prior year for clients of the Department
11 of Children and Family Services and the Department of Juvenile
12 Justice.

13 b. If, for any calculation of the FEFP, the weighted
14 enrollment for program group 2, derived by multiplying actual
15 enrollments by appropriate program weights, exceeds the
16 enrollment ceiling for that group, the following procedure
17 shall be followed to reduce the weighted enrollment for that
18 group to equal the enrollment ceiling:

19 (I) The weighted enrollment ceiling for each program
20 in the program group shall be subtracted from the weighted
21 enrollment for that program derived from actual enrollments.

22 (II) If the difference calculated under
23 sub-sub-subparagraph (I) is greater than zero for any program,
24 a reduction proportion shall be computed for the program by
25 dividing the absolute value of the difference by the total
26 amount by which the weighted enrollment for the program group
27 exceeds the weighted enrollment ceiling for the program group.

28 (III) The reduction proportion calculated under
29 sub-sub-subparagraph (II) shall be multiplied by the total
30 amount of the program group's enrollment over the ceiling as
31 calculated under sub-sub-subparagraph (I).

1 (IV) The prorated reduction amount calculated under
2 sub-sub-subparagraph (III) shall be subtracted from the
3 program's weighted enrollment. For any calculation of the
4 FEFP, the enrollment ceiling for group 1 shall be calculated
5 by multiplying the actual enrollment for each program in the
6 program group by its appropriate program weight.

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

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

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

15 4. Following completion of the weighted enrollment
16 ceiling calculation as provided in subparagraph 3., a
17 supplemental capping calculation shall be employed for those
18 districts that are over their weighted enrollment ceiling. For
19 each such district, the total reported unweighted FTE
20 enrollment for group 2 programs shall be compared with the
21 total appropriated unweighted FTE enrollment for group 2
22 programs. If the total reported unweighted FTE for group 2 is
23 greater than the appropriated unweighted FTE, then the excess
24 unweighted FTE up to the unweighted FTE transferred from group
25 2 to group 1 for each district by the Public School FTE
26 Estimating Conference shall be funded at a weight of 1.0 and
27 added to the funded weighted FTE computed in subparagraph 3.
28 This adjustment shall be calculated beginning with the third
29 calculation of the 1998-1999 FEFP.

30 (1) Instruction in career education.--~~Effective for~~
31 ~~the 1985-1986 school year and thereafter,~~District pupil

1 progression plans shall provide for the substitution of
2 vocational courses for the nonelective courses required for
3 high school graduation pursuant to s. 232.246. Beginning July
4 1, 2006, a career and technical course may not be substituted
5 for another required course unless it is part of an
6 industry-certified or endorsed program certified as provided
7 in section 2 of this act.A student in grades 9 through 12 who
8 enrolls in and satisfactorily completes a job-preparatory
9 course ~~program~~ may substitute credit for a portion of the
10 required four credits in English, three credits in
11 mathematics, any credits in social studies, and three credits
12 in science. The credit substituted for English, mathematics,
13 social studies,or science earned through the vocational
14 job-preparatory course ~~program~~ shall be on a curriculum
15 equivalency basis as provided for in the State Course Code
16 Directory. The State Board of Education shall authorize by
17 rule vocational course substitutions not to exceed two credits
18 in each of the nonelective academic subject areas of English,
19 mathematics, social studies,and science. School districts
20 shall provide for vocational course substitutions not to
21 exceed two credits in each of the nonelective academic subject
22 areas of English, mathematics, social studies,and science,
23 upon adoption of vocational student performance standards by
24 the school board pursuant to s. 232.2454. A career and
25 technical course ~~vocational program~~ which has been used as a
26 substitute for a nonelective academic credit in one subject
27 area may not be used as a substitute for any other subject
28 area. The credit in practical arts or exploratory career
29 education required for high school graduation pursuant to s.
30 232.246(1) shall be funded as a career education course. Such
31 a course is eligible for funding at 1.15 times the cost factor

1 for students enrolled in the basic program for grades 9-12
2 only if it is part of a program certified or endorsed as
3 required by section 2 of this act.

4 (m) Calculation of full-time equivalent membership for
5 an industry-certified or endorsed technical program.--Funding
6 for students enrolled in an industry-certified program as
7 provided in section 2 of this act is calculated at 1.15 times
8 the cost factor for students enrolled in the program for
9 grades 9-12 and multiplying that number by the number of
10 full-time equivalent students in an industry-certified or
11 endorsed career and technical program. A student who earns the
12 endorsement authorized by section 3 of this act generates
13 additional incentive funding for the program, as provided in
14 subsection (5). During the transition from the 2001-2002
15 school year until July 1, 2006, all career and technical
16 education programs not industry-certified or endorsed or
17 articulated to postsecondary institutions will continue to
18 earn weighted funding as determined in the General
19 Appropriations Act.

20 (5) CATEGORICAL PROGRAMS.--The Legislature hereby
21 provides for the establishment of selected categorical
22 programs to assist in the development and maintenance of
23 activities giving indirect support to the programs previously
24 funded. These categorical appropriations may be funded as
25 general and transitional categorical programs. It is the
26 intent of the Legislature that no transitional categorical
27 program be funded for more than 4 fiscal years from the date
28 of original authorization. Such programs are as follows:

29 (a) General.--

30 1. Comprehensive school construction and debt service
31 as provided by law.

- 1 2. Community schools as provided by law.
- 2 3. School lunch programs as provided by law.
- 3 4. Instructional material funds as provided by law.
- 4 5. Student transportation as provided by law.
- 5 6. Student development services as provided by law.
- 6 7. Diagnostic and learning resource centers as
- 7 provided by law.
- 8 8. Comprehensive health education as provided by law.
- 9 9. Excellent Teaching Program as provided by law.
- 10 10. Attainment of the high school career and technical
- 11 endorsement authorized by section 3 of this act and rules of
- 12 the State Board of Education.

13 Section 9. Section 239.121, Florida Statutes, is
14 amended to read:

15 239.121 Career ~~Occupational~~ specialists.--

16 (1) District school boards and community college
17 boards of trustees may employ career ~~occupational~~ specialists
18 to provide student counseling services and occupational
19 information to students and to provide information to local
20 business and industry regarding the availability of vocational
21 programs through local educational institutions. Under the
22 supervision of a certified counselor, career ~~occupational~~
23 specialists may undertake special assignments that include,
24 but are not limited to, the identification and intensive
25 counseling of current and former students and the parents of
26 such students, as well as counseling students and all
27 education personnel regarding job and career opportunities.

28 (2) Career ~~Occupational~~ specialists shall receive
29 certification pursuant to State Board of Education rule and s.
30 231.1725. A career ~~No occupational~~ specialist may not be paid
31 less than any other member of the instructional personnel who

1 has equivalent qualifications and provides similar services.
2 ~~Career Occupational~~ specialists may receive salary supplements
3 upon documentation that such supplements are necessary for
4 recruiting or retaining suitable personnel.

5 (3) The Department of Education and each school
6 district that employs a career specialist shall assist that
7 person in preparing a professional development plan designed
8 to provide the skills necessary to perform the duties
9 associated with implementing a comprehensive technical
10 education program of study.

11 Section 10. Paragraph (a) of subsection (2) of section
12 239.229, Florida Statutes, is amended to read:

13 239.229 Vocational standards.--

14 (2)(a) Each school board and superintendent shall
15 direct the smooth transition of high school career and
16 technical education programs to industry-certified or endorsed
17 programs of study included in a comprehensive course of study.
18 Each school board and superintendent shall also direct the
19 implementation of all components required to obtain the
20 endorsement authorized in section 3 of this act if the
21 district chooses to offer the endorsement. School board,
22 superintendent, and school accountability for career education
23 within elementary and secondary schools includes, but is not
24 limited to:

25 1. Student exposure to a variety of careers and
26 provision of instruction to explore specific careers in
27 greater depth.

28 2. Student awareness of available vocational programs
29 and the corresponding occupations into which such programs
30 lead.

31 3. Student development of individual career plans.

1 4. Integration of academic and vocational skills in
2 the secondary curriculum.

3 5. Student preparation to enter the workforce and
4 enroll in postsecondary education without being required to
5 complete college-preparatory or vocational-preparatory
6 instruction.

7 6. Student retention in school through high school
8 graduation.

9 7. Career and technical ~~Vocational~~ curriculum
10 articulation with corresponding postsecondary programs in the
11 local area technical center or community college, or both.

12 Section 11. Subsections (5) and (6) of section
13 231.6135, Florida Statutes, are amended to read:

14 231.6135 Statewide system for inservice professional
15 development.--The intent of this section is to establish a
16 statewide system of professional development that provides a
17 wide range of targeted inservice training to teachers,
18 managers, and administrative personnel designed to upgrade
19 skills and knowledge needed to reach world class standards in
20 education. The system shall consist of a network of
21 professional development academies in each region of the state
22 that are operated in partnership with area business partners
23 to develop and deliver high-quality training programs
24 purchased by school districts. The academies shall be
25 established to meet the human resource development needs of
26 professional educators, schools, and school districts. Funds
27 appropriated for the initiation of professional development
28 academies shall be allocated by the Commissioner of Education,
29 unless otherwise provided in an appropriations act. To be
30 eligible for startup funds, the academy must:

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1 (5) Be operated under contract with its public
2 partners and governed by an independent board of directors,
3 which should include at least one superintendent of schools
4 and one district school board chair from the participating
5 school districts, the president of the collective bargaining
6 unit that represents the majority of the region's teachers,
7 and at least three individuals who are not employees or
8 elected or appointed officials of the participating school
9 districts. Regional educational consortia as defined in s.
10 228.0857 satisfy the requirements of this subsection.

11 (6) Be financed during the first year of operation by
12 an equal or greater match from private funding sources and
13 demonstrate the ability to be self-supporting within 1 year
14 after opening through fees for services, grants, or private
15 contributions. Regional educational consortia as defined in s.
16 228.0857 are exempt from the funding match required by this
17 subsection.

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