

By Senator Horne

6-834A-01

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; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. (1) The Legislature intends to ensure that
28 all high schools provide supportive services to students and
29 their parents to determine the comprehensive program of study
30 that will best meet the needs and goals of each student. At a
31 minimum, these services must include access to a guidance

1 counselor and assistance in developing an educational and
2 career plan. Each high school shall provide a variety of
3 comprehensive, relevant programs of study which will meet the
4 needs of all students and enable each student to pursue his or
5 her individual educational and career goals.

6 (2) Key components of this process are:

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

9 (b) Parental involvement in the identification of the
10 appropriate program of study.

11 (c) Assurance that all programs of study are designed
12 to provide a seamless transition to an appropriate
13 postsecondary education and employment.

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

20 (2) Effective July 1, 2006, each career and technical
21 program preparing for postsecondary education and employment
22 offered as part of a comprehensive program of study in a high
23 school must be industry-certified or endorsed, except for
24 courses classified as exploratory, orientation, or practical
25 arts. A student enrolled in a course within a career and
26 technical program that is not industry-certified may not be
27 reported for full-time equivalent funding through the Florida
28 Education Finance Program unless the course is classified as
29 exploratory, orientation, or practical arts. The Department of
30 Education shall assure that each program is certified by July
31 1, 2006, and recertified at least every 5 years. The

1 department shall adopt rules for the certification process,
2 and the rules must establish any necessary procedures for
3 obtaining appropriate business partners and requirements for
4 business and industry involvement in curriculum oversight and
5 equipment procurement.

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

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

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

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

5 (b) Attainment of at least one occupational completion
6 point in an industry-certified or endorsed career and
7 technical education program or completion of at least two
8 courses in a technology education program.

9 (c) Completion of a one-credit core course addressing
10 workplace-readiness skills. The Department of Education shall
11 define in rule the content of the course and shall assure that
12 the course meets graduation requirements for performing arts
13 or practical arts. The course requirement may be satisfied
14 through infusing course content into existing select career
15 and technical education course.

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

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

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

26 (a) Completes the requirements for high school
27 graduation as provided in section 232.246, Florida Statutes,
28 and the additional requirements for a comprehensive career and
29 technical program of study provided in subsection (1).

30 (b) Passes the college entry-level placement test or
31 an equivalent test identified by the department with a score

1 adequate to enroll in a public postsecondary education program
2 without the need for college preparatory or vocational
3 preparatory instruction.

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

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

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

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

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

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

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

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

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

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

21 Section 5. Paragraph (b) of subsection (9) of section
22 228.041, Florida Statutes, is amended to read:

23 228.041 Definitions.--Specific definitions shall be as
24 follows, and wherever such defined words or terms are used in
25 the Florida School Code, they shall be used as follows:

26 (9) INSTRUCTIONAL PERSONNEL.--"Instructional
27 personnel" means any staff member whose function includes the
28 provision of direct instructional services to students.
29 Instructional personnel also includes personnel whose
30 functions provide direct support in the learning process of
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1 students. Included in the classification of instructional
2 personnel are:

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

12 Section 6. Paragraph (c) of subsection (2) of section
13 229.601, Florida Statutes, is amended to read:

14 229.601 Career education program.--

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

23 (c) Develop programs for preservice and inservice
24 training for the purpose of infusing career education concepts
25 into the basic curricula of public schools and core curricula
26 of community colleges and state universities and programs for
27 preservice and inservice training for counselors and career
28 ~~occupational and placement~~ specialists to assist in career
29 counseling and placement and followup activities.

30 Section 7. Paragraph (a) of subsection (5) of section
31 229.602, Florida Statutes, is amended to read:

1 229.602 Florida private sector and education
2 partnerships.--

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

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

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

24 236.081 Funds for operation of schools.--If the annual
25 allocation from the Florida Education Finance Program to each
26 district for operation of schools is not determined in the
27 annual appropriations act or the substantive bill implementing
28 the annual appropriations act, it shall be determined as
29 follows:

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

1 determining the annual allocation to each district for
2 operation:

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

- 25 1. Basic programs.--
26 a. Kindergarten and grades 1, 2, and 3.
27 b. Grades 4, 5, 6, 7, and 8.
28 c. Grades 9, 10, 11, and 12.
29 2. Programs for exceptional students.--
30 a. Support Level IV.
31 b. Support Level V.

1 3. Secondary career and technical education programs,
2 industry-certified or endorsed.--

3 4. Career and technical education programs, all other
4 programs.--

5 5.4. English for Speakers of Other Languages.--

6 (d) Annual allocation calculation.--

7 1. The Department of Education shall ~~is authorized and~~
8 ~~directed to~~ review all district programs and enrollment
9 projections and calculate a maximum total weighted full-time
10 equivalent student enrollment for each district for the K-12
11 FEFP.

12 2. Maximum enrollments calculated by the department
13 shall be derived from enrollment estimates used by the
14 Legislature to calculate the FEFP. If two or more districts
15 enter into an agreement under the provisions of s.
16 230.23(4)(d), after the final enrollment estimate is agreed
17 upon, the amount of FTE specified in the agreement, not to
18 exceed the estimate for the specific program as identified in
19 paragraph (c), may be transferred from the participating
20 districts to the district providing the program.

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

30 a. The weighted enrollment ceiling for group 2
31 programs shall be calculated by multiplying the final

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

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

15 (I) The weighted enrollment ceiling for each program
16 in the program group shall be subtracted from the weighted
17 enrollment for that program derived from actual enrollments.

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

24 (III) The reduction proportion calculated under
25 sub-sub-subparagraph (II) shall be multiplied by the total
26 amount of the program group's enrollment over the ceiling as
27 calculated under sub-sub-subparagraph (I).

28 (IV) The prorated reduction amount calculated under
29 sub-sub-subparagraph (III) shall be subtracted from the
30 program's weighted enrollment. For any calculation of the
31 FEFP, the enrollment ceiling for group 1 shall be calculated

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

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

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

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

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

26 (1) Instruction in career education.--~~Effective for~~
27 ~~the 1985-1986 school year and thereafter,~~ District pupil
28 progression plans shall provide for the substitution of
29 vocational courses for the nonelective courses required for
30 high school graduation pursuant to s. 232.246. Beginning July
31 1, 2006, a career and technical course may not be substituted

1 for another required course unless it is part of an
2 industry-certified or endorsed program certified as provided
3 in section 2 of this act.A student in grades 9 through 12 who
4 enrolls in and satisfactorily completes a job-preparatory
5 course ~~program~~ may substitute credit for a portion of the
6 required four credits in English, three credits in
7 mathematics, any credits in social studies, and three credits
8 in science. The credit substituted for English, mathematics,
9 social studies,or science earned through the vocational
10 job-preparatory course ~~program~~ shall be on a curriculum
11 equivalency basis as provided for in the State Course Code
12 Directory. The State Board of Education shall authorize by
13 rule vocational course substitutions not to exceed two credits
14 in each of the nonelective academic subject areas of English,
15 mathematics, social studies,and science. School districts
16 shall provide for vocational course substitutions not to
17 exceed two credits in each of the nonelective academic subject
18 areas of English, mathematics, social studies,and science,
19 upon adoption of vocational student performance standards by
20 the school board pursuant to s. 232.2454. A career and
21 technical course ~~vocational program~~ which has been used as a
22 substitute for a nonelective academic credit in one subject
23 area may not be used as a substitute for any other subject
24 area. The credit in practical arts or exploratory career
25 education required for high school graduation pursuant to s.
26 232.246(1) shall be funded as a career education course. Such
27 a course is eligible for funding at 1.5 times the cost factor
28 for students enrolled in the basic program for grades 9-12
29 only if it is part of a program certified or endorsed as
30 required by section 2 of this act.
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1 (m) Calculation of full-time equivalent membership for
2 an industry-certified or endorsed technical program.--Funding
3 for students enrolled in an industry-certified program as
4 provided in section 2 of this act is calculated at 1.5 times
5 the cost factor for students enrolled in the program for
6 grades 9-12 and multiplying that number by the number of
7 full-time equivalent students in an industry-certified or
8 endorsed career and technical program. A student who earns the
9 endorsement authorized by section 3 of this act generates
10 additional incentive funding for the program, as provided in
11 subsection (5). During the transition from the 2001-2002
12 school year until July 1, 2006, all career and technical
13 education programs not industry-certified or endorsed or
14 articulated to postsecondary institutions will continue to
15 earn weighted funding as determined in the General
16 Appropriations Act.

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

26 (a) General.--

- 27 1. Comprehensive school construction and debt service
- 28 as provided by law.
- 29 2. Community schools as provided by law.
- 30 3. School lunch programs as provided by law.
- 31 4. Instructional material funds as provided by law.

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

10 Section 9. Section 239.121, Florida Statutes, is
11 amended to read:

12 239.121 Career ~~Occupational~~ specialists.--

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

25 (2) Career ~~Occupational~~ specialists shall receive
26 certification pursuant to State Board of Education rule and s.
27 231.1725. A career ~~No occupational~~ specialist may not be paid
28 less than any other member of the instructional personnel who
29 has equivalent qualifications and provides similar services.
30 Career ~~Occupational~~ specialists may receive salary supplements

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1 upon documentation that such supplements are necessary for
2 recruiting or retaining suitable personnel.

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

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

11 239.229 Vocational standards.--

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

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

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

29 3. Student development of individual career plans.

30 4. Integration of academic and vocational skills in
31 the secondary curriculum.

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

5 6. Student retention in school through high school
6 graduation.

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

10 Section 11. 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 high school guidance counselors and career specialists to complete certain professional-development programs. (See bill for details.)