

1                                   A bill to be entitled  
2           An act relating to education; providing for the  
3           Florida Bright Futures Scholarship Testing  
4           Program; requiring the Articulation  
5           Coordinating Committee to identify scores,  
6           credit, and courses for which credit may be  
7           awarded for specified examinations; requiring  
8           the completion of examinations for receipt of  
9           certain awards; providing requirements with  
10          respect to the award of credit; requiring  
11          annual reporting of the effectiveness of the  
12          program; providing legislative intent for  
13          certain career and technical education programs  
14          within comprehensive programs of study in high  
15          schools; providing for industry-certification,  
16          for certain required courses and activities;  
17          authorizing an endorsement and funding;  
18          authorizing rules of the Department of  
19          Education; requiring certain programs and  
20          career-development activities to assist  
21          counselors; amending ss. 228.041, 229.601,  
22          229.602, 239.121, F.S.; revising a personnel  
23          classification title; amending s. 236.081,  
24          F.S.; providing for funding of certain  
25          programs; prohibiting certain courses and  
26          programs from being reported for funding or  
27          from being substituted for other courses or  
28          programs; providing for certain  
29          professional-development activities; amending  
30          s. 239.229, F.S.; providing certain  
31          responsibilities for school boards and

1 superintendents; amending s. 446.609, F.S.;  
2 deleting a time-period limitation for the "Jobs  
3 for Florida's Graduates" school-to-work  
4 program; deleting provisions relating to an  
5 endowment fund; revising certain provisions  
6 relating to the members of the board of  
7 directors of the Florida Endowment Foundation  
8 for Florida Graduates; revising criteria for  
9 certain outcome goals; deleting provisions  
10 relating to distribution of earnings on the  
11 endowment fund; deleting provisions relating to  
12 startup funding; revising annual report  
13 requirements; requiring the State Board of  
14 Administration to transfer all principal and  
15 interest in the endowment fund to the  
16 foundation's board of directors for certain  
17 purposes; repealing s. 3, ch. 98-218, Laws of  
18 Florida, relating to a temporary pilot  
19 apprenticeship program; providing an effective  
20 date.

21

22 Be It Enacted by the Legislature of the State of Florida:

23

24 Section 1. Florida Bright Futures Scholarship Testing  
25 Program.--26 (1) By January 1, 2002, the Articulation Coordinating  
27 Committee shall identify the minimum scores, maximum credit,  
28 and course or courses for which credit is to be awarded for  
29 each College Level Examination Program (CLEP) general  
30 examination, CLEP subject examination, College Board Advanced  
31 Placement Program examination, and International Baccalaureate

1 examination. In addition, the Articulation Coordinating  
2 Committee shall identify such courses in the general education  
3 core curriculum of each state university and community  
4 college.

5 (2) Each community college and state university must  
6 award credit for specific courses for which competency has  
7 been demonstrated by successful passage of one of these  
8 examinations unless the award of credit duplicates credit  
9 already awarded. Community colleges and universities may not  
10 exempt students from courses without the award of credit if  
11 competencies have been so demonstrated.

12 (3) Beginning with initial award recipients for the  
13 2002-2003 academic year and continuing thereafter, students  
14 eligible for a Florida Academic Scholars award or a Florida  
15 Medallion Scholars award who are admitted to and enroll in a  
16 community college or state university shall, prior to  
17 registering for courses that may be earned through a CLEP  
18 examination and no later than registration for their second  
19 term, complete at least five examinations from those specified  
20 in subsection (1) in the following areas: English; humanities;  
21 mathematics; natural sciences; and social sciences. Successful  
22 completion of dual enrollment courses, Advanced Placement  
23 examinations, and International Baccalaureate examinations  
24 taken prior to high school graduation satisfy this  
25 requirement. The Articulation Coordinating Committee shall  
26 identify the examinations that satisfy each component of this  
27 requirement.

28 (4) Initial award recipients for the 2001-2002  
29 academic year who are eligible for a Florida Academic Scholars  
30 award or a Florida Medallion Scholars award and who are  
31 admitted to and enroll in a community college or state

1 university may choose, prior to registering for courses that  
2 may be earned through CLEP examination, to complete up to five  
3 CLEP examinations, one in each of the following areas:  
4 English; humanities; mathematics; natural sciences; and social  
5 sciences.

6 (5) Each community college and state university shall  
7 pay for the CLEP examinations required pursuant to this  
8 section from the funds appropriated from the Educational  
9 Enhancement Trust Fund. Institutions shall pay no more than  
10 \$46 per examination for the program, which shall include  
11 access to a student guide to prepare for the test. The  
12 Department of Education shall negotiate with the College Board  
13 for a reduced rate for the examinations. The institution shall  
14 not charge the student for preparation and administration of  
15 the test, access to a student guide to prepare for the test,  
16 or recordkeeping and reporting of each student's test results  
17 to the department.

18 (6) The credit awarded pursuant to this section shall  
19 apply toward the 120 hours of college credit required pursuant  
20 to section 240.115(6), Florida Statutes.

21 (7) The maximum number of credit hours for which a  
22 student is eligible to receive a Florida Bright Futures  
23 Scholarship Program award shall be reduced by the number of  
24 hours for which credit is awarded pursuant to this section.

25 (8) Beginning with the 2002-2003 award recipients, the  
26 Department of Education shall track and annually report on the  
27 effectiveness of the program, and include information on the  
28 number of students participating in the program; the CLEP  
29 examinations taken and the passage rate of Florida Academic  
30 Scholars and Florida Medallion Scholars award recipients; the  
31 use of Advanced Placement and International Baccalaureate

1 examinations and dual enrollment courses to satisfy the  
2 requirements of the program; and the course credit provided.

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

13 (2) Key components of this process are:

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

16 (b) Parental involvement in the identification of the  
17 appropriate program of study.

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

21 Section 3. (1) A career and technical education  
22 program within a comprehensive high school program of study  
23 must be certified or endorsed by the appropriate industry to  
24 ensure that all components of the program are relevant and  
25 appropriate to prepare the student for further education and  
26 employment in that industry.

27 (2) Effective July 1, 2006, each career and technical  
28 program preparing for postsecondary education and employment  
29 offered as part of a comprehensive program of study in a high  
30 school must be industry-certified or endorsed, except for  
31 courses classified as exploratory, orientation, or practical

1 arts. A student enrolled in a course within a career and  
2 technical program that is not industry-certified may not be  
3 reported for full-time equivalent funding through the Florida  
4 Education Finance Program unless the course is classified as  
5 exploratory, orientation, or practical arts. The Department of  
6 Education shall assure that each program is certified by July  
7 1, 2006, and recertified at least every 5 years. The  
8 department shall adopt rules for the certification process,  
9 and the rules must establish any necessary procedures for  
10 obtaining appropriate business partners and requirements for  
11 business and industry involvement in curriculum oversight and  
12 equipment procurement.

13 (3) Each full-time equivalent student in an  
14 industry-certified or endorsed career and technical program  
15 generates 1.15 times the cost factor for students enrolled in  
16 the basic program for grades 9-12, as provided by section  
17 236.081, Florida Statutes, and the annual General  
18 Appropriations Act.

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

31

1           Section 4. (1) A comprehensive program of study in  
2 career and technical education must be designed to ensure  
3 that, upon completion of the program of study and graduation  
4 from high school, a student is prepared to continue his or her  
5 education at a postsecondary education institution and obtain  
6 employment. Therefore, a comprehensive career and technical  
7 program of study must require of each student:

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

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

16           (c) Completion of a one-credit core course addressing  
17 workplace-readiness skills. The Department of Education shall  
18 define in rule the content of the course and shall assure that  
19 the course meets graduation requirements for performing arts  
20 or practical arts. The course requirement may be satisfied  
21 through infusing course content into existing select career  
22 and technical education course.

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

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

31

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

3           (a) Completes the requirements for high school  
4 graduation as provided in section 232.246, Florida Statutes,  
5 and the additional requirements for a comprehensive career and  
6 technical program of study provided in subsection (1).

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

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

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

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

27           Section 5. The Legislature finds that, to adequately  
28 assist students in advanced technical and academic career  
29 planning, high school guidance counselors and career  
30 specialists require preservice and inservice professional  
31



1 development programs that contain sufficient information on  
2 career education.

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

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

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

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

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

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

29 Section 6. Paragraph (b) of subsection (9) of section  
30 228.041, Florida Statutes, is amended to read:

31

1           228.041 Definitions.--Specific definitions shall be as  
2 follows, and wherever such defined words or terms are used in  
3 the Florida School Code, they shall be used as follows:

4           (9) INSTRUCTIONAL PERSONNEL.--"Instructional  
5 personnel" means any staff member whose function includes the  
6 provision of direct instructional services to students.  
7 Instructional personnel also includes personnel whose  
8 functions provide direct support in the learning process of  
9 students. Included in the classification of instructional  
10 personnel are:

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

20           Section 7. Paragraph (c) of subsection (2) of section  
21 229.601, Florida Statutes, is amended to read:

22           229.601 Career education program.--

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

31

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

8           Section 8. Paragraph (a) of subsection (5) of section  
9 229.602, Florida Statutes, is amended to read:

10           229.602 Florida private sector and education  
11 partnerships.--

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

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

27           Section 9. Paragraphs (c), (d), and (l) of subsection  
28 (1) of section 236.081, Florida Statutes, are amended, present  
29 paragraphs (m) through (p) of that subsection are redesignated  
30 as paragraphs (n) through (q), respectively, and a new  
31

1 paragraph (m) is added to that subsection, and paragraph (a)  
2 of subsection (5) of that section is amended, to read:

3           236.081 Funds for operation of schools.--If the annual  
4 allocation from the Florida Education Finance Program to each  
5 district for operation of schools is not determined in the  
6 annual appropriations act or the substantive bill implementing  
7 the annual appropriations act, it shall be determined as  
8 follows:

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

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

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

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

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

26           (I) The weighted enrollment ceiling for each program  
27 in the program group shall be subtracted from the weighted  
28 enrollment for that program derived from actual enrollments.

29           (II) If the difference calculated under  
30 sub-sub-subparagraph (I) is greater than zero for any program,  
31 a reduction proportion shall be computed for the program by

1 dividing the absolute value of the difference by the total  
2 amount by which the weighted enrollment for the program group  
3 exceeds the weighted enrollment ceiling for the program group.

4 (III) The reduction proportion calculated under  
5 sub-sub-subparagraph (II) shall be multiplied by the total  
6 amount of the program group's enrollment over the ceiling as  
7 calculated under sub-sub-subparagraph (I).

8 (IV) The prorated reduction amount calculated under  
9 sub-sub-subparagraph (III) shall be subtracted from the  
10 program's weighted enrollment. For any calculation of the  
11 FEFP, the enrollment ceiling for group 1 shall be calculated  
12 by multiplying the actual enrollment for each program in the  
13 program group by its appropriate program weight.

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

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

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

22 4. Following completion of the weighted enrollment  
23 ceiling calculation as provided in subparagraph 3., a  
24 supplemental capping calculation shall be employed for those  
25 districts that are over their weighted enrollment ceiling. For  
26 each such district, the total reported unweighted FTE  
27 enrollment for group 2 programs shall be compared with the  
28 total appropriated unweighted FTE enrollment for group 2  
29 programs. If the total reported unweighted FTE for group 2 is  
30 greater than the appropriated unweighted FTE, then the excess  
31 unweighted FTE up to the unweighted FTE transferred from group

1 2 to group 1 for each district by the Public School FTE  
2 Estimating Conference shall be funded at a weight of 1.0 and  
3 added to the funded weighted FTE computed in subparagraph 3.  
4 This adjustment shall be calculated beginning with the third  
5 calculation of the 1998-1999 FEFP.

6 (1) Instruction in career education.--~~Effective for~~  
7 ~~the 1985-1986 school year and thereafter,~~District pupil  
8 progression plans shall provide for the substitution of  
9 vocational courses for the nonelective courses required for  
10 high school graduation pursuant to s. 232.246. Beginning July  
11 1, 2006, a career and technical course may not be substituted  
12 for another required course unless it is part of an  
13 industry-certified or endorsed program certified as provided  
14 in section 2 of this act.A student in grades 9 through 12 who  
15 enrolls in and satisfactorily completes a job-preparatory  
16 course program may substitute credit for a portion of the  
17 required four credits in English, three credits in  
18 mathematics, any credits in social studies, and three credits  
19 in science. The credit substituted for English, mathematics,  
20 social studies,or science earned through the vocational  
21 job-preparatory course program shall be on a curriculum  
22 equivalency basis as provided for in the State Course Code  
23 Directory. The State Board of Education shall authorize by  
24 rule vocational course substitutions not to exceed two credits  
25 in each of the nonelective academic subject areas of English,  
26 mathematics, social studies,and science. School districts  
27 shall provide for vocational course substitutions not to  
28 exceed two credits in each of the nonelective academic subject  
29 areas of English, mathematics, social studies,and science,  
30 upon adoption of vocational student performance standards by  
31 the school board pursuant to s. 232.2454. A career and



1 technical course ~~vocational program~~ which has been used as a  
2 substitute for a nonelective academic credit in one subject  
3 area may not be used as a substitute for any other subject  
4 area. The credit in practical arts or exploratory career  
5 education required for high school graduation pursuant to s.  
6 232.246(1) shall be funded as a career education course. Such  
7 a course is eligible for funding at 1.15 times the cost factor  
8 for students enrolled in the basic program for grades 9-12  
9 only if it is part of a program certified or endorsed as  
10 required by section 2 of this act.

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

27 (5) CATEGORICAL PROGRAMS.--The Legislature hereby  
28 provides for the establishment of selected categorical  
29 programs to assist in the development and maintenance of  
30 activities giving indirect support to the programs previously  
31 funded. These categorical appropriations may be funded as

1 general and transitional categorical programs. It is the  
2 intent of the Legislature that no transitional categorical  
3 program be funded for more than 4 fiscal years from the date  
4 of original authorization. Such programs are as follows:

5 (a) General.--

6 1. Comprehensive school construction and debt service  
7 as provided by law.

8 2. Community schools as provided by law.

9 3. School lunch programs as provided by law.

10 4. Instructional material funds as provided by law.

11 5. Student transportation as provided by law.

12 6. Student development services as provided by law.

13 7. Diagnostic and learning resource centers as  
14 provided by law.

15 8. Comprehensive health education as provided by law.

16 9. Excellent Teaching Program as provided by law.

17 10. Attainment of the high school career and technical  
18 endorsement authorized by section 3 of this act and rules of  
19 the State Board of Education.

20 Section 10. Section 239.121, Florida Statutes, is  
21 amended to read:

22 239.121 Career ~~Occupational~~ specialists.--

23 (1) District school boards and community college  
24 boards of trustees may employ career ~~occupational~~ specialists  
25 to provide student counseling services and occupational  
26 information to students and to provide information to local  
27 business and industry regarding the availability of vocational  
28 programs through local educational institutions. Under the  
29 supervision of a certified counselor, career ~~occupational~~  
30 specialists may undertake special assignments that include,  
31 but are not limited to, the identification and intensive

1 counseling of current and former students and the parents of  
2 such students, as well as counseling students and all  
3 education personnel regarding job and career opportunities.

4 (2) Career ~~Occupational~~ specialists shall receive  
5 certification pursuant to State Board of Education rule and s.  
6 231.1725. A career ~~No occupational~~ specialist may not be paid  
7 less than any other member of the instructional personnel who  
8 has equivalent qualifications and provides similar services.  
9 Career ~~Occupational~~ specialists may receive salary supplements  
10 upon documentation that such supplements are necessary for  
11 recruiting or retaining suitable personnel.

12 (3) The Department of Education and each school  
13 district that employs a career specialist shall assist that  
14 person in preparing a professional development plan designed  
15 to provide the skills necessary to perform the duties  
16 associated with implementing a comprehensive technical  
17 education program of study.

18 Section 11. Paragraph (a) of subsection (2) of section  
19 239.229, Florida Statutes, is amended to read:

20 239.229 Vocational standards.--

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

1           1. Student exposure to a variety of careers and  
2 provision of instruction to explore specific careers in  
3 greater depth.

4           2. Student awareness of available vocational programs  
5 and the corresponding occupations into which such programs  
6 lead.

7           3. Student development of individual career plans.

8           4. Integration of academic and vocational skills in  
9 the secondary curriculum.

10          5. Student preparation to enter the workforce and  
11 enroll in postsecondary education without being required to  
12 complete college-preparatory or vocational-preparatory  
13 instruction.

14          6. Student retention in school through high school  
15 graduation.

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

19          Section 12. Section 446.609, Florida Statutes, is  
20 amended to read:

21           446.609 Jobs for Florida's Graduates Act.--

22           (1) SHORT TITLE.--This section may be cited as the  
23 "Jobs for Florida's Graduates Act."

24           (2) DEFINITIONS.--For the purposes of this section:

25           (a) "Board" means the board of directors of the  
26 Florida Endowment Foundation for Florida's Graduates.

27           (b) "Department" means the Department of Education.

28           (c) "Endowment fund" means an account established  
29 within the Florida Endowment Foundation for Florida's  
30 Graduates to provide a continuing and growing source of  
31 revenue for school-to-work transition efforts.

1 (d) "Foundation" means the Florida Endowment  
2 Foundation for Florida's Graduates.

3 (e) "Operating account" means an account established  
4 under paragraph (7)~~(8)~~(h) to carry out the purposes of this  
5 section.

6 (3) LEGISLATIVE INTENT.--The Legislature recognizes  
7 that it is in the best interest of the citizens of this state  
8 that the state have a well-educated and skilled workforce to  
9 be competitive in a changing economy. It is the intent of the  
10 Legislature to meet the challenge of ensuring a skilled  
11 workforce by creating a formal program to facilitate the  
12 important school-to-work transition and to provide additional  
13 funding to achieve this goal. Accordingly, the Legislature  
14 finds and declares that:

15 (a) The purpose of this section is to broaden the  
16 participation and funding potential for further significant  
17 support for Florida students who are approaching the  
18 transition from school to work.

19 (b) It is appropriate to encourage individual and  
20 corporate support and involvement, as well as state support  
21 and involvement, to promote employment opportunities for  
22 Florida's students.

23 (4) PROGRAM.--There is hereby created, ~~for an initial~~  
24 ~~5-year period~~, a school-to-work program to be known as Jobs  
25 for Florida's Graduates which shall, ~~during the initial 5-year~~  
26 ~~phase set forth in this section and~~ except as otherwise  
27 provided by law or by rule of the Department of Education, be  
28 operated in accordance with the process and outcome standards  
29 of Jobs for America's Graduates, Inc. To that end, the board  
30 shall enter into a sponsoring agreement with Jobs for  
31

1 America's Graduates, Inc., to carry out the Jobs for America's  
2 Graduates model within the state.

3 ~~(a) During the first year of operation, the Jobs for~~  
4 ~~Florida's Graduates Program shall be operated in not less than~~  
5 ~~25 nor more than 50 high schools in the state to be chosen by~~  
6 ~~the board.~~ The goal of the program shall be to have a minimum  
7 of 300 high schools participating in the program ~~by the end of~~  
8 ~~the 2001-2002 school year.~~

9 (b) The schools chosen by the board to participate in  
10 the program must represent a demographically balanced sample  
11 population, include both urban and rural schools, and be  
12 comprised of schools, including charter schools, in all  
13 geographic areas of the state. Each school selected to  
14 participate shall enter into a formal written agreement with  
15 the board which, at a minimum, details the responsibilities of  
16 each party and the process and outcome goals of the ~~initial~~  
17 ~~5-year~~ Jobs for Florida's Graduates Program.

18 (c) Students shall be selected and approved for  
19 participation in the program by the educational institutions  
20 in which they are enrolled, and such selection and approval  
21 shall be based on their being classified as ~~12th grade~~ at-risk  
22 students pursuant to the Jobs for America's Graduates model.

23 ~~(5) REVENUE FOR THE ENDOWMENT FUND.--~~

24 ~~(a) An endowment fund is created as a long-term,~~  
25 ~~stable, growing source of revenue to be administered by the~~  
26 ~~foundation in accordance with rules promulgated by the~~  
27 ~~department.~~

28 ~~(b) The principal of the endowment fund shall consist~~  
29 ~~of legislative appropriations that are made to the endowment~~  
30 ~~fund and bequests, gifts, grants, and donations as may be~~  
31 ~~solicited from public or private sources by the foundation.~~

1           ~~(c) The State Board of Administration shall invest and~~  
2 ~~reinvest moneys of the endowment fund principal in accordance~~  
3 ~~with the provisions of ss. 215.44-215.53. Interest and~~  
4 ~~investment income earned on the endowment fund principal shall~~  
5 ~~be annually transmitted to the foundation, based upon a fiscal~~  
6 ~~year which runs from July 1 through June 30, and shall be~~  
7 ~~deposited in the foundation's operating account for~~  
8 ~~distribution as provided in this section.~~

9           (5)~~(6)~~ THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S  
10 GRADUATES.--

11           (a) The Florida Endowment Foundation for Florida's  
12 Graduates is created ~~as a direct-support organization of the~~  
13 ~~Department of Education~~ to encourage public and private  
14 support to enhance school-to-work transition. ~~As a~~  
15 ~~direct-support organization, the foundation shall operate~~  
16 ~~under contract with the department and shall be:~~

17           1. A Florida corporation not for profit which is  
18 incorporated under the provisions of chapter 617 and approved  
19 by the Department of State.

20           2. Organized and operated exclusively to do the  
21 following: raise funds; submit requests and receive grants  
22 from the Federal Government, the state, private foundations,  
23 and individuals; receive, hold, and administer property; and  
24 make expenditures to or for the benefit of school-to-work  
25 transition programs approved by the board of directors of the  
26 foundation.

27           (b) ~~As a direct-support organization,~~The foundation  
28 shall:

29           1. Develop articles of incorporation.

30           2. Create a board of directors appointed by the  
31 Commissioner of Education.

1           3. Perform an annual financial and performance review  
2 to determine if the foundation is operating in a manner  
3 consistent with the goals of the Legislature in providing  
4 assistance for school-to-work transitions.

5           4. Provide a mechanism for the reversion to the state  
6 of moneys in the foundation and in any other funds and  
7 accounts held in trust by the foundation if the foundation is  
8 dissolved.

9           ~~(6)(7)~~ BOARD OF DIRECTORS.--The foundation shall be  
10 administered by a board of directors, as follows:

11           (a) The board shall consist of at least 15 members a  
12 majority of which shall. ~~At least 9 of the 15 members must be~~  
13 ~~from the private sector, and the remaining members may be from~~  
14 ~~the public sector. Among the public sector members,~~  
15 ~~representation shall come from secondary education, vocational~~  
16 ~~education, and job-training programs such as Job Education~~  
17 ~~Partnership.~~ The chair shall ~~may~~ be from ~~either~~ the private  
18 sector ~~or the public sector.~~

19           (b) All members shall have an interest in  
20 school-to-work transition and, insofar as is practicable,  
21 shall:

22           1. Have skills in foundation work or other fundraising  
23 activities, financial consulting, or investment banking or  
24 other related experience; or

25           2. Have experience in policymaking or senior  
26 management level positions or have distinguished themselves in  
27 the fields of education, business, or industry.

28           (c) Initially, the chair and all board members shall  
29 be appointed by the Commissioner of Education. Effective July  
30 1, 2001, all reappointments shall be made by a membership  
31 committee comprised of current board members.



1           1. The chair shall be appointed for a term of 2 years  
2 and may be reappointed. However, no chair may serve more than  
3 6 consecutive years.

4           2. Board members shall serve for 3-year terms or  
5 until resignation or removal for cause, except that members  
6 appointed to serve initial terms shall be appointed for  
7 staggered terms of 1, 2, and 3 years, respectively.

8           (d) In the event of a vacancy on the board caused by  
9 an occurrence other than the expiration of a term, a new  
10 member shall be appointed.

11           (e) Each member is accountable to the Commissioner of  
12 Education for the proper performance of the duties of office.  
13 The commissioner may remove any member from office for  
14 malfeasance, misfeasance, neglect of duty, incompetence, or  
15 permanent inability to perform official duties or for pleading  
16 nolo contendere to, or being found guilty of, a crime.

17           (7)~~(8)~~ ORGANIZATION, POWERS, AND DUTIES.--Within the  
18 limits prescribed in this section or by rule of the  
19 department:

20           (a) Upon appointment, the board shall meet and  
21 organize. Thereafter, the board shall hold such meetings as  
22 are necessary to implement the provisions of this section and  
23 shall conduct its business in accordance with rules  
24 promulgated by the department.

25           (b) The board may solicit and receive bequests, gifts,  
26 grants, donations, goods, and services. When gifts are  
27 restricted as to purpose, they may be used only for the  
28 purpose or purposes stated by the donor.

29           (c) The board may enter into contracts with the  
30 Federal Government, state or local agencies, private entities,  
31 or individuals to carry out the purposes of this section.

1 (d) The board may identify, initiate, and fund Jobs  
2 for Florida's Graduates programs to carry out the purposes of  
3 this section.

4 (e) The board may make gifts or grants:

5 1. To the state, or any political subdivision thereof,  
6 or any public agency of state or local government.

7 2. To a corporation, trust, association, or foundation  
8 organized and operated exclusively for charitable,  
9 educational, or scientific purposes.

10 3. To the department for purposes of program  
11 recognition and marketing, public relations and education,  
12 professional development, and technical assistance and  
13 workshops for grant applicants and recipients and the business  
14 community.

15 (f) The board may advertise and solicit applications  
16 for funding and shall evaluate applications and program  
17 proposals submitted thereto.

18 (g) The board shall monitor, review, and annually  
19 evaluate funded programs to determine whether funding should  
20 be continued, terminated, reduced, or increased.

21 (h) The board shall establish an operating account for  
22 the deposit of funds to be used in carrying out the purposes  
23 of this section.

24 (i) The board shall operate the Jobs for Florida's  
25 Graduates Program in such a way, and shall recommend to the  
26 Department of Education the adoption of such rules as may be  
27 necessary, to ensure that the following outcome goals are met:

28 1. In year 1:

29 a. The statewide graduation rates, or GED test  
30 completion rates, of participants in the Jobs for Florida's  
31 Graduates Program shall be at least 82 percent by June 30

1 ~~March 31~~ of the year following the end of the academic year in  
2 which the participants' respective high school classes  
3 graduated.

4       b. By June 30 ~~March 31~~ of the year following the end  
5 of the academic year in which the participants' respective  
6 high school classes graduated, 70 to 75 percent of graduated  
7 working participants in the Jobs for Florida's Graduates  
8 Program shall be employed full time ~~a minimum of 40 hours per~~  
9 ~~week~~ in the civilian sector or the military or enrolled in  
10 postsecondary training education, or any combination of these  
11 that together are equivalent to full time ~~40 hours per week~~.

12       c. By June 30 ~~March 31~~ of the year following the end  
13 of the academic year in which the participants' respective  
14 high school classes graduated, the average wage of graduated  
15 participants in the Jobs for Florida's Graduates Program who  
16 are working shall be at or above the national average wage for  
17 all participants in programs affiliated with Jobs for  
18 America's Graduates, Inc.

19       2. In year 2:

20       a. The statewide graduation rates, or GED test  
21 completion rates, of participants in the Jobs for Florida's  
22 Graduates Program shall be at least 85 percent by June 30  
23 ~~March 31~~ of the year following the end of the academic year in  
24 which the participants' respective high school classes  
25 graduated.

26       b. By June 30 ~~March 31~~ of the year following the end  
27 of the academic year in which the participants' respective  
28 high school classes graduated, 75 to 78 percent of graduated  
29 working participants in the Jobs for Florida's Graduates  
30 Program shall be employed full time ~~a minimum of 40 hours per~~  
31 ~~week~~ in the civilian sector or the military or enrolled in

1 postsecondary training education, or any combination of these  
2 that together are equivalent to full time ~~40 hours per week~~.

3 c. By June 30 ~~March 31~~ of the year following the end  
4 of the academic year in which the participants' respective  
5 high school classes graduated, the average wage of graduated  
6 participants in the Jobs for Florida's Graduates Program who  
7 are working shall be at or above the national average wage for  
8 all participants in programs affiliated with Jobs for  
9 America's Graduates, Inc.

10 3. In years 3 through 5:

11 a. The statewide graduation rates, or GED test  
12 completion rates, of participants in the Jobs for Florida's  
13 Graduates Program shall be at least 90 percent by June 30  
14 ~~March 31~~ of the year following the end of the academic year in  
15 which the participants' respective high school classes  
16 graduated.

17 b. By June 30 ~~March 31~~ of the year following the end  
18 of the academic year in which the participants' respective  
19 high school classes graduated, 80 percent of graduated working  
20 participants in the Jobs for Florida's Graduates Program shall  
21 be employed full time ~~a minimum of 40 hours per week~~ in the  
22 civilian sector or the military or enrolled in postsecondary  
23 training education, or any combination of these that together  
24 are equivalent to full time ~~40 hours per week~~.

25 c. By June 30 ~~March 31~~ of the year following the end  
26 of the academic year in which the participants' respective  
27 high school classes graduated, the average wage of graduated  
28 participants in the Jobs for Florida's Graduates Program who  
29 are working shall be at or above the national average wage for  
30 all participants in programs affiliated with Jobs for  
31 America's Graduates, Inc.

1           (j) The board may take such additional actions,  
2 including independently organizing and conducting hiring  
3 practices, as are deemed necessary and appropriate to  
4 administer the provisions of this section. To the maximum  
5 extent possible, the board shall hire Jobs for Florida's  
6 Graduates Program staff who operate in selected schools to  
7 fill necessary staff positions and shall provide for salary,  
8 benefits, discipline, evaluation, or discharge according to a  
9 contractual agreement. These positions shall not be state  
10 employee positions.

11           ~~(9) DISTRIBUTION OF EARNINGS ON ENDOWMENT FUND~~  
12 ~~PRINCIPAL.--The board shall use the moneys in the operating~~  
13 ~~account, by whatever means, to provide for:~~

14           ~~(a) Planning, research, and policy development for~~  
15 ~~issues related to school-to-work transition and publications~~  
16 ~~and dissemination of such information as may serve the~~  
17 ~~objectives of this section.~~

18           ~~(b) Promotion of initiatives for school-to-work~~  
19 ~~transition.~~

20           ~~(c) Funding of programs which engage in, contract for,~~  
21 ~~foster, finance, or aid in job training and counseling for~~  
22 ~~school-to-work transition research, education, or~~  
23 ~~demonstration, or other related activities.~~

24           ~~(d) Funding of programs which engage in, contract for,~~  
25 ~~foster, finance, or aid in activities designed to advance~~  
26 ~~better public understanding and appreciation of the~~  
27 ~~school-to-work transition.~~

28           ~~(10) STARTUP FUNDING.--Notwithstanding any provision~~  
29 ~~of this section to the contrary, in order to provide for first~~  
30 ~~year startup funds, 50 percent of the money allocated during~~  
31 ~~the 12-month period beginning July 1, 1998, shall not be~~

1 ~~available for investment by the State Board of Administration,~~  
2 ~~but shall be transmitted quarterly to the foundation board and~~  
3 ~~shall be available to the foundation for the purposes set~~  
4 ~~forth in this section.~~

5 (8)~~(11)~~ ACCREDITATION.--~~During the initial 5-year~~  
6 ~~period,~~The board shall request and contract with the national  
7 accreditation process of Jobs for America's Graduates, Inc.,  
8 to ensure the viability and efficacy of the individual  
9 school-based Jobs for Florida's Graduates programs in the  
10 state.

11 (9)~~(12)~~ ANNUAL AUDIT.--The board shall cause an annual  
12 audit of the foundation's financial accounts to be conducted  
13 by an independent certified public accountant in accordance  
14 with rules adopted by the department. The annual audit report  
15 shall be submitted to the Auditor General and the department  
16 for review. The Auditor General and the department may  
17 require and receive from the foundation, or from its  
18 independent auditor, any relevant detail or supplemental data.

19 (10)~~(13)~~ ASSESSMENT OF PROGRAM RESULTS.--The success  
20 of the Jobs for Florida's Graduates Program shall be assessed  
21 as follows:

22 (a) No later than November 1 of each year of the Jobs  
23 for Florida's Graduates Program, Jobs for America's Graduates,  
24 Inc., shall conduct and deliver to the Office of Program  
25 Policy Analysis and Government Accountability a full review  
26 and report of the program's activities. The Office of Program  
27 Policy Analysis and Government Accountability shall audit and  
28 review the report and deliver the report, along with its  
29 analysis and any recommendations for expansion, curtailment,  
30 modification, or continuation, to the board not later than  
31 December 31 of the same year.

1 (b) Beginning in the first year of the Jobs for  
2 Florida's Graduates Program, the Division of Economic and  
3 Demographic Research of the Joint Legislative Management  
4 Committee shall undertake, during the initial phase, an  
5 ongoing longitudinal study of participants to determine the  
6 overall efficacy of the program. The division shall transmit  
7 its findings each year to the Office of Program Policy  
8 Analysis and Government Accountability for inclusion in the  
9 report provided for in paragraph (a).

10 ~~(11)(14)~~ ANNUAL REPORT.--The board shall issue a  
11 report to the Governor, the President of the Senate, the  
12 Speaker of the House of Representatives, and the Commissioner  
13 of Education by March 1, 2000, and each year thereafter,  
14 summarizing ~~the performance of the endowment fund for the~~  
15 ~~previous fiscal year and~~ the foundation's fundraising  
16 activities and performance and detailing those activities and  
17 programs supported ~~by the earnings on the endowment principal~~  
18 ~~or~~ by bequests, gifts, grants, donations, and other valued  
19 goods and services received.

20 ~~(12)(15)~~ RULES.--The department shall adopt ~~promulgate~~  
21 rules to implement ~~for the implementation of~~ this section.

22 Section 13. The State Board of Administration shall  
23 transfer all principal and interest in the endowment fund, as  
24 defined in s. 446.609, Florida Statutes, to the Board of  
25 Directors of the Florida Endowment Foundation for Florida's  
26 Graduates to be used for the Jobs for Florida's Graduates  
27 Program as provided by law.

28 Section 14. Section 3 of chapter 98-218, Laws of  
29 Florida, is repealed.

30 Section 15. This act shall take effect July 1, 2001.

31