

By Senator Wise

6-1495-02

See HB 621

1                                   A bill to be entitled  
2           An act relating to career and technical  
3           education; providing legislative intent;  
4           requiring career and technical education  
5           programs within a comprehensive high school  
6           program of study to be industry certified;  
7           requiring Florida Board of Education rules for  
8           the certification process; providing full-time  
9           equivalent student funding for student  
10          enrollment; requiring articulation with  
11          postsecondary programs; providing academic  
12          requirements for students enrolled in career  
13          and technical education programs; providing for  
14          a career and technical education endorsement on  
15          a high school diploma and incentive funding to  
16          school districts for students receiving the  
17          endorsement; providing professional development  
18          programs for guidance counselors and career  
19          specialists; amending ss. 228.041, 229.601,  
20          229.602, and 239.121, F.S.; revising a  
21          personnel classification title; providing  
22          coordination with regional workforce boards;  
23          providing for certain professional development  
24          activities; amending s. 236.081, F.S., relating  
25          to the Florida Education Finance Program;  
26          providing for funding of career and technical  
27          education programs; revising a program group;  
28          providing requirements for course substitution;  
29          providing incentive funding for attainment of  
30          high school career and technical education  
31          endorsements as a categorical program;

1 requiring a study by the Office of Program  
2 Policy Analysis and Government Accountability;  
3 amending s. 239.229, F.S.; providing certain  
4 responsibilities for school boards and  
5 superintendents; providing effective dates.  
6

7 Be It Enacted by the Legislature of the State of Florida:  
8

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

19 (2) Key components of this process are:

20 (a) A variety of programs of study that are based on  
21 individual educational and career goals.

22 (b) Parental involvement in the identification of the  
23 appropriate program of study.

24 (c) Assurance that all programs of study are designed  
25 to provide a seamless transition to appropriate postsecondary  
26 education and employment.

27 Section 2. (1) A career and technical education  
28 program within a comprehensive high school program of study  
29 must be certified by the appropriate industry to ensure that  
30 all components of the program are relevant and appropriate to  
31

1 prepare the student for further education and employment in  
2 that industry.

3 (2) Effective July 1, 2007, each career and technical  
4 education program that prepares students for postsecondary  
5 education and employment and is offered as part of a  
6 comprehensive program of study in a high school must be  
7 industry certified, except for courses classified as  
8 exploratory, orientation, or practical arts. A student  
9 enrolled in a course within a career and technical education  
10 program that is not industry certified may not be reported for  
11 full-time equivalent funding through the Florida Education  
12 Finance Program unless the course is classified as  
13 exploratory, orientation, or practical arts. The Department of  
14 Education shall ensure that each program is certified by July  
15 1, 2007, and recertified at least every 5 years thereafter.  
16 The Florida Board of Education shall adopt rules pursuant to  
17 ss. 120.536(1) and 120.54, Florida Statutes, for implementing  
18 the certification process, which rules must establish any  
19 necessary procedures for obtaining appropriate business  
20 partners and requirements for business and industry  
21 involvement in curriculum oversight and equipment procurement.

22 (3) Each full-time equivalent student in an  
23 industry-certified career and technical education program  
24 shall generate 1.5 times the cost factor for students enrolled  
25 in the basic program for grades 9-12, as provided in s.  
26 236.081, Florida Statutes, and the annual General  
27 Appropriations Act.

28 (4) Effective July 1, 2007, each career and technical  
29 education program offered by a high school and able to be  
30 articulated to a postsecondary level must have an articulation  
31 agreement with one or more appropriate postsecondary education

1 institutions to ensure a seamless transition to a related  
2 postsecondary program without a loss of credit for the  
3 student. Students enrolled in a program that is not  
4 articulated to a postsecondary program may not be reported for  
5 full-time equivalent student funding through the Florida  
6 Education Finance Program unless the course is classified as  
7 exploratory, orientation, or practical arts or terminates at  
8 the high school level.

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

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

20       (b) Attainment of at least one occupational completion  
21 point in an industry-certified career and technical education  
22 program or completion of at least two courses in a technology  
23 education program.

24       (c) Completion of a one-credit core course addressing  
25 workplace readiness skills. The Florida Board of Education  
26 shall define by rule the content of the course and shall  
27 ensure that the course meets graduation requirements for  
28 performing fine arts or practical arts. The course requirement  
29 may be satisfied by infusing course content into an existing  
30 select career and technical education course.

31

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

3           (e) Participation in a capstone activity that includes  
4 a project related to a career. This activity is designed to  
5 apply and demonstrate the competencies and concepts attained  
6 in the student's program of study. The Florida Board of  
7 Education may specify by rule characteristics of capstone  
8 activities that meet the intent of this paragraph.

9           (2) A student who fulfills the following requirements  
10 may be recognized with a career and technical education  
11 endorsement on his or her high school diploma:

12           (a) Completion of the requirements for high school  
13 graduation as provided in section 232.246, Florida Statutes,  
14 and the additional requirements for a comprehensive career and  
15 technical education program of study provided in subsection  
16 (1).

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

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

28           (4) For each student who receives the career and  
29 technical education endorsement on his or her high school  
30 diploma, the school district shall receive incentive funding  
31

1 as provided in section 236.081, Florida Statutes, and the  
2 annual General Appropriations Act.

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

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

16 (1) Each guidance counselor and career specialist in a  
17 school with an industry-certified career and technical  
18 education program shall complete 12 hours of inservice  
19 training in career and technical education for every 5-year  
20 period. The inservice training shall include:

21 (a) An emphasis on labor market trends and  
22 projections.

23 (b) A practicum that focuses on development of a  
24 career awareness program.

25 (c) Content related to a career or employment within a  
26 guidance counselor's work experience.

27 (2) The Department of Education shall assist guidance  
28 counselors and career specialists in attaining the additional  
29 inservice training required. The Florida Board of Education  
30 shall revise rules governing the certification and  
31 recertification of guidance counselors to allow substitution

1 of personal work-based experiences and temporary employment  
2 opportunities in business and industry for the required  
3 classroom instruction.

4 (3) The Legislature encourages colleges of education  
5 to provide for additional coursework required pursuant to this  
6 section without increasing the total number of credit hours  
7 needed to complete a program. Instead, the colleges are  
8 encouraged to infuse course content into courses required for  
9 introduction, theory, and practicum.

10 Section 5. Paragraph (b) of subsection (9) of section  
11 228.041, Florida Statutes, is amended to read:

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

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

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

31

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

3           229.601 Career education program.--

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

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

19           Section 7. Paragraph (a) of subsection (5) of section  
20 229.602, Florida Statutes, is amended to read:

21           229.602 Florida private sector and education  
22 partnerships.--

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

30           (a) Maintaining contact with local businesses and  
31 industries, local chamber of commerce organizations, regional



1 ~~workforce boards private industry councils with Job Training~~  
2 ~~Partnership Act programs, career district occupational~~  
3 specialists, guidance personnel, economics educators,  
4 volunteer coordinators, community education coordinators,  
5 appropriate governmental personnel, and any others interested  
6 in private sector and education partnerships.

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

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

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

23 (c) Determination of programs.--Cost factors based on  
24 desired relative cost differences between the following  
25 programs shall be established in the annual General  
26 Appropriations Act. An industry-certified secondary career and  
27 technical education program shall generate funding as provided  
28 in paragraph (m). Effective July 1, 2007, a full-time  
29 equivalent student in a career and technical education program  
30 that is not industry certified shall not generate any state  
31 funding unless the student is in a course classified as

1 exploratory, orientation, or practical arts and the General  
2 Appropriations Act contains a cost factor for such course.The  
3 Commissioner of Education shall specify a matrix of services  
4 and intensity levels to be used by districts in the  
5 determination of the two weighted cost factors for exceptional  
6 students with the highest levels of need. For these students,  
7 the funding support level shall fund the exceptional students'  
8 education program, with the exception of extended school year  
9 services for students with disabilities.

10 1. Basic programs.--

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

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

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

14 2. Programs for exceptional students.--

15 a. Support Level IV.

16 b. Support Level V.

17 3. Secondary career and technical education programs  
18 that are industry certified.--

19 4. Secondary career and technical education programs  
20 that are not industry certified.--

21 ~~5.4.~~ English for Speakers of Other Languages.--

22 (d) Annual allocation calculation.--

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

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

1 230.23(4)(d), after the final enrollment estimate is agreed  
2 upon, the amount of FTE specified in the agreement, not to  
3 exceed the estimate for the specific program as identified in  
4 paragraph (c), may be transferred from the participating  
5 districts to the district providing the program.

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

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

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

31

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

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

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

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

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

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

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

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

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

12 (1) Instruction in career and technical  
13 ~~education.--Effective for the 1985-1986 school year and~~  
14 ~~thereafter,~~ District pupil progression plans shall provide for  
15 the substitution of career and technical education ~~vocational~~  
16 courses for the nonelective courses required for high school  
17 graduation pursuant to s. 232.246. Beginning July 1, 2007, a  
18 career and technical education course may not be substituted  
19 for another required course unless it is part of an  
20 industry-certified career and technical education program.A  
21 student in grades 9 through 12 who enrolls in and  
22 satisfactorily completes a career and technical education  
23 course ~~job-preparatory program~~ may substitute credit for a  
24 portion of the required four credits in English, three credits  
25 in mathematics, ~~and~~ three credits in science, and credits in  
26 social studies. The credit substituted for English,  
27 mathematics, ~~or~~ science, or social studies earned through the  
28 career and technical education course ~~vocational~~  
29 ~~job-preparatory program~~ shall be on a curriculum equivalency  
30 basis as provided for in the State Course Code Directory. The  
31 State Board of Education shall authorize by rule career and

1 technical education ~~vocational~~ course substitutions not to  
2 exceed two credits in each of the nonelective academic subject  
3 areas of English, mathematics, ~~and science,~~ and social  
4 studies. School districts shall provide for ~~vocational~~ course  
5 substitutions not to exceed two credits in each of the  
6 nonelective academic subject areas of English, mathematics,  
7 ~~and science,~~ and social studies upon adoption of career and  
8 technical education ~~vocational~~ student performance standards  
9 by the school board pursuant to s. 232.2454. A career and  
10 technical education course ~~vocational program~~ which has been  
11 used as a substitute for a nonelective academic credit in one  
12 subject area may not be used as a substitute for any other  
13 subject area. The credit in practical arts or exploratory  
14 career education required for high school graduation pursuant  
15 to s. 232.246(1) shall be funded as a career and technical  
16 education course. Such a course is eligible for funding at 1.5  
17 times the cost factor for students enrolled in the basic  
18 program for grades 9-12 only if it is part of an  
19 industry-certified career and technical education program.  
20 (m) Calculation of full-time equivalent membership for  
21 an industry-certified career and technical education  
22 program.--Funding for students enrolled in an  
23 industry-certified career and technical education program is  
24 calculated at 1.5 times the cost factor for students enrolled  
25 in the basic program for grades 9-12 multiplied by the number  
26 of full-time equivalent students in an industry-certified  
27 career and technical education program. A student who earns  
28 the career and technical education endorsement on the high  
29 school diploma indicating that he or she has completed the  
30 additional requirements for a comprehensive career and  
31 technical education program of study shall generate additional

1 incentive funding for the program, as provided in subsection  
2 (5). During the transition from the 2002-2003 school year  
3 until July 1, 2007, all career and technical education  
4 programs not industry certified or articulated to  
5 postsecondary education institutions shall continue to earn  
6 weighted funding as determined in the General Appropriations  
7 Act.

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

17 (a) General.--

18 1. Comprehensive school construction and debt service  
19 as provided by law.

20 2. Community schools as provided by law.

21 3. School lunch programs as provided by law.

22 4. Instructional material funds as provided by law.

23 5. Student transportation as provided by law.

24 6. Student development services as provided by law.

25 7. Diagnostic and learning resource centers as  
26 provided by law.

27 8. Comprehensive health education as provided by law.

28 9. Excellent Teaching Program as provided by law.

29 10. Incentive funding for attainment of the career and  
30 technical education endorsement on the high school diploma.

31

1           Section 9. The Office of Program Policy Analysis and  
2 Government Accountability shall conduct a study to determine  
3 if career and technical education programs should have  
4 differentiated funding weights, which study must be completed  
5 by January 1, 2003.

6           Section 10. Section 239.121, Florida Statutes, is  
7 amended to read:

8           239.121 Career ~~Occupational~~ specialists.--

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

21           (2) Career ~~Occupational~~ specialists shall receive  
22 certification pursuant to State Board of Education rule and s.  
23 231.1725. A career ~~No occupational~~ specialist may not be paid  
24 less than any other member of the instructional personnel who  
25 has equivalent qualifications and provides similar services.  
26 Career ~~Occupational~~ specialists may receive salary supplements  
27 upon documentation that such supplements are necessary for  
28 recruiting or retaining suitable personnel.

29           (3) The Department of Education and each school  
30 district that employs a career specialist shall assist that  
31 person in preparing a professional development plan designed



1 to provide the skills necessary to perform the duties  
2 associated with implementing a comprehensive career and  
3 technical education program of study.

4 Section 11. Paragraph (a) of subsection (2) of section  
5 239.229, Florida Statutes, is amended to read:

6 239.229 Vocational standards.--

7 (2)(a) Each school board and superintendent shall  
8 direct the smooth transition of high school career and  
9 technical education programs to industry-certified programs of  
10 study included in a comprehensive course of study. Each school  
11 board and superintendent shall also direct the implementation  
12 of all components required to obtain the career and technical  
13 education endorsement on the high school diploma if the school  
14 district chooses to offer the endorsement. School board,  
15 superintendent, and school accountability for career education  
16 within elementary and secondary schools includes, but is not  
17 limited to:

18 1. Student exposure to a variety of careers and  
19 provision of instruction to explore specific careers in  
20 greater depth.

21 2. Student awareness of available vocational programs  
22 and the corresponding occupations into which such programs  
23 lead.

24 3. Student development of individual career plans.

25 4. Integration of academic and vocational skills in  
26 the secondary curriculum.

27 5. Student preparation to enter the workforce and  
28 enroll in postsecondary education without being required to  
29 complete college-preparatory or vocational-preparatory  
30 instruction.

31

