

By Senator Bennett

21-1813-03

See HB 191

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 State 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 s. 1003.491, F.S.;
20 providing certain responsibilities for district
21 school boards and superintendents; amending s.
22 1011.62, F.S., relating to the Florida
23 Education Finance Program; providing for
24 funding of career and technical education
25 programs; revising a program group; providing
26 incentive funding for attainment of high school
27 career and technical education endorsements as
28 a categorical program; amending s. 1012.01,
29 F.S.; revising a personnel classification
30 title; requiring a study by the Office of
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1 Program Policy Analysis and Government
2 Accountability; providing effective dates.

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

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

16 (2) Key components of this process are:

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

19 (b) Parental involvement in the identification of the
20 appropriate program of study.

21 (c) Assurance that all programs of study are designed
22 to provide a seamless transition to appropriate postsecondary
23 education and employment.

24 Section 2. (1) A career and technical education
25 program within a comprehensive high school program of study
26 must be certified by the appropriate industry to ensure that
27 all components of the program are relevant and appropriate to
28 prepare the student for further education and employment in
29 that industry.

30 (2) Effective July 1, 2008, each career and technical
31 education program that prepares students for postsecondary

1 education and employment and is offered as part of a
2 comprehensive program of study in a high school must be
3 industry certified, except for courses classified as
4 exploratory, orientation, or practical arts. A student
5 enrolled in a course within a career and technical education
6 program that is not industry certified may not be reported for
7 full-time equivalent funding through the Florida Education
8 Finance Program unless the course is classified as
9 exploratory, orientation, or practical arts. The Department of
10 Education shall ensure that each program is certified by July
11 1, 2008, and recertified at least every 5 years thereafter.
12 The State Board of Education shall adopt rules pursuant to
13 sections 120.536(1) and 120.54, Florida Statutes, for
14 implementing the certification process, which rules must
15 establish any necessary procedures for obtaining appropriate
16 business partners and requirements for business and industry
17 involvement in curriculum oversight and equipment procurement.

18 (3) Each full-time equivalent student in an
19 industry-certified career and technical education program
20 shall generate 1.5 times the cost factor for students enrolled
21 in the basic program for grades 9-12, as provided in section
22 1011.62, Florida Statutes, and the annual General
23 Appropriations Act.

24 (4) Effective July 1, 2008, each career and technical
25 education program offered by a high school and able to be
26 articulated to a postsecondary level must have an articulation
27 agreement with one or more appropriate postsecondary
28 educational institutions to ensure a seamless transition to a
29 related postsecondary program without a loss of credit for the
30 student. Students enrolled in a program that is not
31 articulated to a postsecondary program may not be reported for

1 full-time equivalent student funding through the Florida
2 Education Finance Program unless the course is classified as
3 exploratory, orientation, or practical arts or terminates at
4 the high school level.

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

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

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

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

28 (d) Participation in work-based learning experiences,
29 as defined by rule by the State Board of Education.

30 (e) Participation in a capstone activity that includes
31 a project related to a career. This activity is designed to

1 apply and demonstrate the competencies and concepts attained
2 in the student's program of study. The State Board of
3 Education may specify by rule characteristics of capstone
4 activities that meet the intent of this paragraph.

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

8 (a) Completion of the requirements for high school
9 graduation as provided in section 1003.43, Florida Statutes,
10 and the additional requirements for a comprehensive career and
11 technical education program of study provided in subsection
12 (1).

13 (b) Passing of the college entry-level placement test
14 or an equivalent test identified by the Department of
15 Education with a score adequate to enroll in a public
16 postsecondary educational program without the need for college
17 preparatory or vocational preparatory instruction.

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

24 (4) For each student who receives the career and
25 technical education endorsement on his or her high school
26 diploma, the school district shall receive incentive funding
27 as provided in section 1011.62, Florida Statutes, and the
28 annual General Appropriations Act.

29 (5) A school district that generates funds as a result
30 of industry-certified programs or incentive funding for
31 student achievement of the career and technical education

1 endorsement on the high school diploma must expend the total
2 amount on the comprehensive career and technical education
3 program of study. The school district may not apply indirect
4 charges to incentive funds earned.

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

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

16 (a) An emphasis on labor market trends and
17 projections.

18 (b) A practicum that focuses on development of a
19 career awareness program.

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

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

30 (3) The Legislature encourages colleges of education
31 to provide for additional coursework required pursuant to this

1 section without increasing the total number of credit hours
2 needed to complete a program. Instead, the colleges are
3 encouraged to infuse course content into courses required for
4 introduction, theory, and practicum.

5 Section 5. Subsection (1) of section 1003.491, Florida
6 Statutes, is amended to read:

7 1003.491 Career and technical education.--

8 (1) Each district school board and superintendent
9 shall direct the smooth transition of high school career and
10 technical education programs to industry-certified programs of
11 study included in a comprehensive course of study. Each
12 district school board and superintendent shall also direct the
13 implementation of all components required to obtain the career
14 and technical education endorsement on the high school diploma
15 if the school district chooses to offer the endorsement.

16 School board, superintendent, and school accountability for
17 career and technical education within elementary and secondary
18 schools includes, but is not limited to:

19 (a) Student exposure to a variety of careers and
20 provision of instruction to explore specific careers in
21 greater depth.

22 (b) Student awareness of available career and
23 technical programs and the corresponding occupations into
24 which such programs lead.

25 (c) Student development of individual career plans.

26 (d) Integration of academic and career and technical
27 skills in the secondary curriculum.

28 (e) Student preparation to enter the workforce and
29 enroll in postsecondary education without being required to
30 complete college preparatory or vocational preparatory
31 instruction.

1 (f) Student retention in school through high school
2 graduation.

3 (g) Career and technical education curriculum
4 articulation with corresponding postsecondary programs in the
5 local area technical center or community college, or both.

6 Section 6. Paragraphs (c) and (d) of subsection (1) of
7 section 1011.62, Florida Statutes, are amended, paragraphs (k)
8 through (r) of that subsection are redesignated as paragraphs
9 (l) through (s), respectively, a new paragraph (k) is added to
10 that subsection, and paragraph (a) of subsection (5) of that
11 section is amended, to read:

12 1011.62 Funds for operation of schools.--If the annual
13 allocation from the Florida Education Finance Program to each
14 district for operation of schools is not determined in the
15 annual appropriations act or the substantive bill implementing
16 the annual appropriations act, it shall be determined as
17 follows:

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

22 (c) Determination of programs.--Cost factors based on
23 desired relative cost differences between the following
24 programs shall be established in the annual General
25 Appropriations Act. An industry-certified secondary career and
26 technical education program shall generate funding as provided
27 in paragraph (k). Effective July 1, 2008, a full-time
28 equivalent student in a career and technical education program
29 that is not industry certified shall not generate any state
30 funding unless the student is in a course classified as
31 exploratory, orientation, or practical arts and the General

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

9 1. Basic programs.--
10 a. Kindergarten and grades 1, 2, and 3.
11 b. Grades 4, 5, 6, 7, and 8.
12 c. Grades 9, 10, 11, and 12.
13 2. Programs for exceptional students.--
14 a. Support Level IV.
15 b. Support Level V.
16 3. Secondary career and technical education programs
17 that are industry certified.--
18 4. Secondary career and technical education programs
19 that are not industry certified.--
20 5.4. English for Speakers of Other Languages.--
21 (d) Annual allocation calculation.--
22 1. The Department of Education shall ~~is authorized and~~
23 ~~directed to~~ review all district programs and enrollment
24 projections and calculate a maximum total weighted full-time
25 equivalent student enrollment for each district for the K-12
26 FEFP.
27 2. Maximum enrollments calculated by the department
28 shall be derived from enrollment estimates used by the
29 Legislature to calculate the FEFP. If two or more districts
30 enter into an agreement under the provisions of s.
31 1001.42(4)(d), after the final enrollment estimate is agreed

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

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

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

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

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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 (k) Calculation of full-time equivalent membership for
11 an industry-certified career and technical education
12 program.--Funding for students enrolled in an
13 industry-certified career and technical education program is
14 calculated at 1.5 times the cost factor for students enrolled
15 in the basic program for grades 9-12 multiplied by the number
16 of full-time equivalent students in an industry-certified
17 career and technical education program. A student who earns
18 the career and technical education endorsement on the high
19 school diploma indicating that he or she has completed the
20 additional requirements for a comprehensive career and
21 technical education program of study shall generate additional
22 incentive funding for the program, as provided in subsection
23 (5). During the transition from the 2003-2004 school year
24 until July 1, 2008, all career and technical education
25 programs not industry certified or articulated to
26 postsecondary educational institutions shall continue to earn
27 weighted funding as determined in the General Appropriations
28 Act.

29 (5) CATEGORICAL FUNDS.--

30 (a) In addition to the basic amount for current
31 operations for the FEFP as determined in subsection (1), the

1 Legislature may appropriate categorical funding for specified
2 programs, activities, or purposes. Categorical funding shall
3 include incentive funding for attainment of the career and
4 technical education endorsement on the high school diploma.

5 Section 7. Paragraph (b) of subsection (2) of section
6 1012.01, Florida Statutes, is amended to read:

7 1012.01 Definitions.--Specific definitions shall be as
8 follows, and wherever such defined words or terms are used in
9 the Florida K-20 Education Code, they shall be used as
10 follows:

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

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

27 Section 8. The Office of Program Policy Analysis and
28 Government Accountability shall conduct a study to determine
29 if career and technical education programs should have
30 differentiated funding weights, which study shall be completed
31 by January 1, 2004.

1 Section 9. Except as otherwise provided in this act,
2 this act shall take effect July 1, 2003.

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