

By the Committee on Education; and Senator Bennett

304-2031-03

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  
31          Program Policy Analysis and Government

1           Accountability; amending s. 1002.34, F.S.;

2           allowing charter technical career sponsors to

3           submit full-time-enrollment membership data as

4           defined in the charter agreement; providing

5           effective dates.

6

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

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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

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

3 (2) Effective July 1, 2008, 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, 2008, and recertified at least every 5 years thereafter.  
16 The State Board of Education shall adopt rules pursuant to  
17 sections 120.536(1) and 120.54, Florida Statutes, for  
18 implementing the certification process, which rules must  
19 establish any necessary procedures for obtaining appropriate  
20 business 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 section  
26 1011.62, Florida Statutes, and the annual General  
27 Appropriations Act.

28 (4) Effective July 1, 2008, 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

1 educational institutions to ensure a seamless transition to a  
2 related 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 educational institution and  
14 obtain employment. Therefore, a comprehensive career and  
15 technical education program of study must require of each  
16 student:

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

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

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

1           (d) Participation in work-based learning experiences,  
2 as defined by rule by the State Board 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 State 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 1003.43, 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 of  
19 Education with a score adequate to enroll in a public  
20 postsecondary educational program without the need for college  
21 preparatory or vocational 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 State  
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  
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1 as provided in section 1011.62, 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 State 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. Subsection (1) of section 1003.491, Florida  
11 Statutes, is amended to read:

12 1003.491 Career and technical education.--

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

21 School board, superintendent, and school accountability for  
22 career and technical education within elementary and secondary  
23 schools includes, but is not limited to:

24 (a) Student exposure to a variety of careers and  
25 provision of instruction to explore specific careers in  
26 greater depth.

27 (b) Student awareness of available career and  
28 technical programs and the corresponding occupations into  
29 which such programs lead.

30 (c) Student development of individual career plans.

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1 (d) Integration of academic and career and technical  
2 skills in the secondary curriculum.

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

7 (f) Student retention in school through high school  
8 graduation.

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

12 Section 6. Paragraphs (c) and (d) of subsection (1) of  
13 section 1011.62, Florida Statutes, are amended, paragraphs (k)  
14 through (r) of that subsection are redesignated as paragraphs  
15 (l) through (s), respectively, a new paragraph (k) is added to  
16 that subsection, and paragraph (a) of subsection (5) of that  
17 section is amended, to read:

18 1011.62 Funds for operation of schools.--If the annual  
19 allocation from the Florida Education Finance Program to each  
20 district for operation of schools is not determined in the  
21 annual appropriations act or the substantive bill implementing  
22 the annual appropriations act, it shall be determined as  
23 follows:

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

28 (c) Determination of programs.--Cost factors based on  
29 desired relative cost differences between the following  
30 programs shall be established in the annual General  
31 Appropriations Act. An industry-certified secondary career and



1 technical education program shall generate funding as provided  
2 in paragraph (k). Effective July 1, 2008, a full-time  
3 equivalent student in a career and technical education program  
4 that is not industry certified shall not generate any state  
5 funding unless the student is in a course classified as  
6 exploratory, orientation, or practical arts and the General  
7 Appropriations Act contains a cost factor for such course. The  
8 Commissioner of Education shall specify a matrix of services  
9 and intensity levels to be used by districts in the  
10 determination of the two weighted cost factors for exceptional  
11 students with the highest levels of need. For these students,  
12 the funding support level shall fund the exceptional students'  
13 education program, with the exception of extended school year  
14 services for students with disabilities.

- 15 1. Basic programs.--
  - 16 a. Kindergarten and grades 1, 2, and 3.
  - 17 b. Grades 4, 5, 6, 7, and 8.
  - 18 c. Grades 9, 10, 11, and 12.
- 19 2. Programs for exceptional students.--
  - 20 a. Support Level IV.
  - 21 b. Support Level V.
- 22 3. Secondary career and technical education programs  
23 that are industry certified--
- 24 4. Secondary career and technical education programs  
25 that are not industry certified--
  - 26 5.4. English for Speakers of Other Languages.--
    - 27 (d) Annual allocation calculation.--
      - 28 1. The Department of Education shall ~~is authorized and~~  
29 ~~directed to~~ review all district programs and enrollment  
30 projections and calculate a maximum total weighted full-time  
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1 equivalent student enrollment for each district for the K-12  
2 FEFP.

3           2. Maximum enrollments calculated by the department  
4 shall be derived from enrollment estimates used by the  
5 Legislature to calculate the FEFP. If two or more districts  
6 enter into an agreement under the provisions of s.  
7 1001.42(4)(d), after the final enrollment estimate is agreed  
8 upon, the amount of FTE specified in the agreement, not to  
9 exceed the estimate for the specific program as identified in  
10 paragraph (c), may be transferred from the participating  
11 districts to the district providing the program.

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

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

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1           b. If, for any calculation of the FEFP, the weighted  
2 enrollment for program group 2, derived by multiplying actual  
3 enrollments by appropriate program weights, exceeds the  
4 enrollment ceiling for that group, the following procedure  
5 shall be followed to reduce the weighted enrollment for that  
6 group to equal the enrollment ceiling:

7           (I) The weighted enrollment ceiling for each program  
8 in the program group shall be subtracted from the weighted  
9 enrollment for that program derived from actual enrollments.

10           (II) If the difference calculated under  
11 sub-sub-subparagraph (I) is greater than zero for any program,  
12 a reduction proportion shall be computed for the program by  
13 dividing the absolute value of the difference by the total  
14 amount by which the weighted enrollment for the program group  
15 exceeds the weighted enrollment ceiling for the program group.

16           (III) The reduction proportion calculated under  
17 sub-sub-subparagraph (II) shall be multiplied by the total  
18 amount of the program group's enrollment over the ceiling as  
19 calculated under sub-sub-subparagraph (I).

20           (IV) The prorated reduction amount calculated under  
21 sub-sub-subparagraph (III) shall be subtracted from the  
22 program's weighted enrollment. For any calculation of the  
23 FEFP, the enrollment ceiling for group 1 shall be calculated  
24 by multiplying the actual enrollment for each program in the  
25 program group by its appropriate program weight.

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

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

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

4 4. Following completion of the weighted enrollment  
5 ceiling calculation as provided in subparagraph 3., a  
6 supplemental capping calculation shall be employed for those  
7 districts that are over their weighted enrollment ceiling. For  
8 each such district, the total reported unweighted FTE  
9 enrollment for group 2 programs shall be compared with the  
10 total appropriated unweighted FTE enrollment for group 2  
11 programs. If the total reported unweighted FTE for group 2 is  
12 greater than the appropriated unweighted FTE, then the excess  
13 unweighted FTE up to the unweighted FTE transferred from group  
14 2 to group 1 for each district by the Public School FTE  
15 Estimating Conference shall be funded at a weight of 1.0 and  
16 added to the funded weighted FTE computed in subparagraph 3.

17 (k) Calculation of full-time equivalent membership for  
18 an industry-certified career and technical education  
19 program.--Funding for students enrolled in an  
20 industry-certified career and technical education program is  
21 calculated at 1.5 times the cost factor for students enrolled  
22 in the basic program for grades 9-12 multiplied by the number  
23 of full-time equivalent students in an industry-certified  
24 career and technical education program. A student who earns  
25 the career and technical education endorsement on the high  
26 school diploma indicating that he or she has completed the  
27 additional requirements for a comprehensive career and  
28 technical education program of study shall generate additional  
29 incentive funding for the program, as provided in subsection  
30 (5). During the transition from the 2003-2004 school year  
31 until July 1, 2008, all career and technical education

1 programs not industry certified or articulated to  
2 postsecondary educational institutions shall continue to earn  
3 weighted funding as determined in the General Appropriations  
4 Act.

5 (5) CATEGORICAL FUNDS.--

6 (a) In addition to the basic amount for current  
7 operations for the FEFP as determined in subsection (1), the  
8 Legislature may appropriate categorical funding for specified  
9 programs, activities, or purposes. Categorical funding shall  
10 include incentive funding for attainment of the career and  
11 technical education endorsement on the high school diploma.

12 Section 7. Paragraph (b) of subsection (2) of section  
13 1012.01, Florida Statutes, is amended to read:

14 1012.01 Definitions.--Specific definitions shall be as  
15 follows, and wherever such defined words or terms are used in  
16 the Florida K-20 Education Code, they shall be used as  
17 follows:

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

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

1 career occupational/placement specialists, and school  
2 psychologists.

3 Section 8. The Office of Program Policy Analysis and  
4 Government Accountability shall conduct a study to determine  
5 if career and technical education programs should have  
6 differentiated funding weights, which study shall be completed  
7 by January 1, 2004.

8 Section 9. Subsection (11) of section 1002.34, Florida  
9 Statutes, is amended to read:

10 1002.34 Charter technical career centers.--

11 (11) FUNDING.--

12 (a) Notwithstanding any other provision of law, a  
13 charter technical career center's student membership  
14 enrollment must be calculated pursuant to this section.

15 (b)~~(a)~~ Each district school board and community  
16 college that sponsors a charter technical career center shall  
17 pay directly to the center an amount stated in the charter.  
18 State funding shall be generated for the center for its  
19 student enrollment and program outcomes as provided in law. A  
20 center is eligible for funding from the Florida Workforce  
21 Development Education Fund, the Florida Education Finance  
22 Program, and the Community College Program Fund, depending  
23 upon the programs conducted by the center.

24 (c)~~(b)~~ A center may receive other state and federal  
25 aid, grants, and revenue through the district school board or  
26 community college board of trustees.

27 (d)~~(c)~~ A center may receive gifts and grants from  
28 private sources.

29 (e)~~(d)~~ A center may not levy taxes or issue bonds, but  
30 it may charge a student tuition fee consistent with authority  
31 granted in its charter and permitted by law.

1           ~~(f)(e)~~ A center shall provide for an annual financial  
2 audit in accordance with s. 218.39.

3           (g) A center must define in the charter agreement the  
4 delivery system in which the instructional offering of  
5 educational services will be placed. The rules governing this  
6 provider educational delivery system must be applied to all of  
7 the center's students and must authorize all other sponsoring  
8 educational systems to report required enrollment and student  
9 data as necessary, relying solely on the documentation  
10 required of the instructional provider sponsor. The  
11 educational system sponsors may submit their comparable data  
12 based solely on the rules of the offering institution, and  
13 each sponsor will earn full-time-equivalent membership for  
14 each student for funding and reporting purposes.

15           ~~(f) A center must provide instruction for at least the~~  
16 ~~number of days required by law for other public schools or~~  
17 ~~community colleges, as appropriate, and may provide~~  
18 ~~instruction for additional days.~~

19           Section 10. Except as otherwise provided in this act,  
20 this act shall take effect July 1, 2003.

21  
22                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
23                           COMMITTEE SUBSTITUTE FOR  
24                           Senate Bill 1914

25           The Committee Substitute includes a provision relating to the  
26 calculation of student membership at Charter Technical Career  
27 Centers. The new language specifies that the Charter  
28 agreement will define which system (public school or community  
29 college) will determine the method of calculating FTE at the  
30 center, and that the other system will accept and use that  
31 calculation for reporting its student enrollment.