

By the Committees on Governmental Oversight and Productivity;
Education; and Senator Bennett

302-2313-03

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) Subject to appropriation, it shall be the
23 objective of this act to have each full-time equivalent
24 student in an industry-certified career and technical
25 education program generate a cost factor as a fraction or a
26 multiple of that provided students enrolled in the basic
27 program for grades 9-12, as determined by the studies provided
28 in sections 3 and 8 of this act.

29 (4) Effective July 1, 2008, each career and technical
30 education program offered by a high school and able to be
31 articulated to a postsecondary level must have an articulation

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

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

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

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

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

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1 satisfied by infusing course content into an existing select
2 career and technical education course.

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

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

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

14 (a) Completion of the requirements for high school
15 graduation as provided in section 1003.43, Florida Statutes,
16 and the additional requirements for a comprehensive career and
17 technical education program of study provided in subsection
18 (1).

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

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

30 (4) For each student who receives the career and
31 technical education endorsement on his or her high school

1 diploma, the school district shall receive incentive funding
2 as provided in section 1011.62, Florida Statutes, and the
3 annual General Appropriations Act.

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

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

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

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

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

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

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

1 recertification of guidance counselors to allow substitution
2 of personal work-based experiences and temporary employment
3 opportunities in business and industry for the required
4 classroom instruction.

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

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

13 1003.491 Career and technical education.--

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

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

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

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

31 (c) Student development of individual career plans.

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.--Subject to appropriation, it shall be the objective
20 of this act to have each full-time equivalent student in an
21 industry-certified career and technical education program
22 generate a cost factor as a fraction or a multiple of that
23 provided students enrolled in the basic program for grades
24 9-12, as determined by the studies provided in sections 3 and
25 8 of this act. A student who earns the career and technical
26 education endorsement on the high school diploma indicating
27 that he or she has completed the additional requirements for a
28 comprehensive career and technical education program of study
29 may generate additional incentive funding for the program, as
30 provided in subsection (5). During the transition from the
31 2003-2004 school year until July 1, 2008, all career and

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

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22 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
23 COMMITTEE SUBSTITUTE FOR
24 CS for SB 1914

25 The CS for CS for SB 1914 reduces the fiscal impact of the
26 bill by making all changes to the program of career education
27 contingent upon appropriation and removing specific references
28 to program weights. The funding issues will be subject to two
29 studies commissioned in the report, the findings of which will
30 affect the subsequent setting of the funding policy.
31