

By Senator Bennett

21-1137-04

See HB

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. 1002.34, F.S.;
20 allowing charter technical career center
21 sponsors to submit full-time enrollment
22 membership data as defined in the charter
23 agreement; deleting requirements relating to
24 number of days of instruction; amending s.
25 1003.491, F.S.; providing certain
26 responsibilities for district school boards and
27 superintendents relating to career and
28 technical education; amending s. 1011.62, F.S.,
29 relating to the Florida Education Finance
30 Program; providing for funding of career and
31 technical education programs; revising a

1 program group; providing incentive funding for
2 attainment of high school career and technical
3 education endorsements as a categorical
4 program; amending s. 1012.01, F.S.; revising a
5 personnel classification title; requiring a
6 study by the Office of Program Policy Analysis
7 and Government Accountability; providing
8 effective dates.

9
10 Be It Enacted by the Legislature of the State of Florida:

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

22 (2) Key components of this process are:

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

25 (b) Parental involvement in the identification of the
26 appropriate program of study.

27 (c) Assurance that all programs of study are designed
28 to provide a seamless transition to appropriate postsecondary
29 education and employment.

30 Section 2. (1) A career and technical education
31 program within a comprehensive high school program of study

1 must be certified by the appropriate industry to ensure that
2 all components of the program are relevant and appropriate to
3 prepare the student for further education and employment in
4 that industry.

5 (2) Effective July 1, 2009, each career and technical
6 education program that prepares students for postsecondary
7 education and employment and is offered as part of a
8 comprehensive program of study in a high school must be
9 industry certified, except for courses classified as
10 exploratory, orientation, or practical arts. A student
11 enrolled in a course within a career and technical education
12 program that is not industry certified may not be reported for
13 full-time equivalent student funding through the Florida
14 Education Finance Program unless the course is classified as
15 exploratory, orientation, or practical arts. The Department of
16 Education shall ensure that each program is certified by July
17 1, 2009, and recertified at least every 5 years thereafter.
18 The State Board of Education shall adopt rules pursuant to
19 sections 120.536(1) and 120.54, Florida Statutes, for
20 implementing the certification process, which rules must
21 establish any necessary procedures for obtaining appropriate
22 business partners and requirements for business and industry
23 involvement in curriculum oversight and equipment procurement.

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

31

1 (4) Effective July 1, 2009, each career and technical
2 education program offered by a high school and able to be
3 articulated to a postsecondary level must have an articulation
4 agreement with one or more appropriate postsecondary
5 educational institutions to ensure a seamless transition to a
6 related postsecondary program without a loss of credit for the
7 student. Students enrolled in a program that is not
8 articulated to a postsecondary program may not be reported for
9 full-time equivalent student funding through the Florida
10 Education Finance Program unless the course is classified as
11 exploratory, orientation, or practical arts or terminates at
12 the high school level.

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

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

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

29 (c) Completion of a one-credit core course addressing
30 workplace readiness skills. The State Board of Education shall
31 define by rule the content of the course and shall ensure that

1 the course meets graduation requirements for performing fine
2 arts or practical arts. The course requirement may be
3 satisfied by infusing course content into an existing select
4 career and technical education course.

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

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

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

16 (a) Completion of the requirements for high school
17 graduation as provided in section 1003.429 or section 1003.43,
18 Florida Statutes, and the additional requirements for a
19 comprehensive career and technical education program of study
20 provided in subsection (1).

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

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

1 (4) For each student who receives the career and
2 technical education endorsement on his or her high school
3 diploma, the school district may receive incentive funding as
4 provided in section 1011.62, Florida Statutes, and the annual
5 General Appropriations Act.

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

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

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

24 (a) An emphasis on labor market trends and
25 projections.

26 (b) A practicum that focuses on development of a
27 career awareness program.

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

30 (2) The Department of Education shall assist guidance
31 counselors and career specialists in attaining the additional

1 inservice training required. The State Board of Education
2 shall revise rules governing the certification and
3 recertification of guidance counselors to allow substitution
4 of personal work-based experiences and temporary employment
5 opportunities in business and industry for the required
6 classroom instruction.

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

13 Section 5. Subsection (11) of section 1002.34, Florida
14 Statutes, is amended to read:

15 1002.34 Charter technical career centers.--

16 (11) FUNDING.--

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

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

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

1 ~~(d)(e)~~ A center may receive gifts and grants from
2 private sources.

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

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

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

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

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

26 1003.491 Career and technical education.--

27 (1) Each district school board and superintendent
28 shall direct the smooth transition of high school career and
29 technical education programs to industry-certified programs of
30 study included in a comprehensive course of study. Each
31 district school board and superintendent shall also direct the

1 implementation of all components required to obtain the career
2 and technical education endorsement on the high school diploma
3 if the school district chooses to offer the endorsement.

4 School board, superintendent, and school accountability for
5 career and technical education within elementary and secondary
6 schools includes, but is not limited to:

7 (a) Student exposure to a variety of careers and
8 provision of instruction to explore specific careers in
9 greater depth.

10 (b) Student awareness of available career and
11 technical programs and the corresponding occupations into
12 which such programs lead.

13 (c) Student development of individual career plans.

14 (d) Integration of academic and career and technical
15 skills in the secondary curriculum.

16 (e) Student preparation to enter the workforce and
17 enroll in postsecondary education without being required to
18 complete college preparatory or vocational preparatory
19 instruction.

20 (f) Student retention in school through high school
21 graduation.

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

25 Section 7. Paragraphs (c) and (d) of subsection (1) of
26 section 1011.62, Florida Statutes, are amended, paragraphs (k)
27 through (r) of that subsection are redesignated as paragraphs
28 (l) through (s), respectively, a new paragraph (k) is added to
29 that subsection, and paragraph (a) of subsection (5) of that
30 section is amended, to read:

31

1 1011.62 Funds for operation of schools.--If the annual
2 allocation from the Florida Education Finance Program to each
3 district for operation of schools is not determined in the
4 annual appropriations act or the substantive bill implementing
5 the annual appropriations act, it shall be determined as
6 follows:

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

11 (c) Determination of programs.--Cost factors based on
12 desired relative cost differences between the following
13 programs shall be established in the annual General
14 Appropriations Act. An industry-certified secondary career and
15 technical education program shall generate funding as provided
16 in paragraph (k). Effective July 1, 2009, a full-time
17 equivalent student in a career and technical education program
18 that is not industry certified shall not generate any state
19 funding unless the student is in a course classified as
20 exploratory, orientation, or practical arts and the General
21 Appropriations Act contains a cost factor for such course. The
22 Commissioner of Education shall specify a matrix of services
23 and intensity levels to be used by districts in the
24 determination of the two weighted cost factors for exceptional
25 students with the highest levels of need. For these students,
26 the funding support level shall fund the exceptional students'
27 education program, with the exception of extended school year
28 services for students with disabilities.

29 1. Basic programs.--

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

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

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

1 of Other Languages programs, and all career and technical
2 programs in grades 6-12 ~~7-12~~.

3 a. The weighted enrollment ceiling for group 2
4 programs shall be calculated by multiplying the final
5 enrollment conference estimate for each program by the
6 appropriate program weight. The weighted enrollment ceiling
7 for program group 2 shall be the sum of the weighted
8 enrollment ceilings for each program in the program group,
9 plus the increase in weighted full-time equivalent student
10 membership from the prior year for clients of the Department
11 of Children and Family Services and the Department of Juvenile
12 Justice.

13 b. If, for any calculation of the FEFP, the weighted
14 enrollment for program group 2, derived by multiplying actual
15 enrollments by appropriate program weights, exceeds the
16 enrollment ceiling for that group, the following procedure
17 shall be followed to reduce the weighted enrollment for that
18 group to equal the enrollment ceiling:

19 (I) The weighted enrollment ceiling for each program
20 in the program group shall be subtracted from the weighted
21 enrollment for that program derived from actual enrollments.

22 (II) If the difference calculated under
23 sub-sub-subparagraph (I) is greater than zero for any program,
24 a reduction proportion shall be computed for the program by
25 dividing the absolute value of the difference by the total
26 amount by which the weighted enrollment for the program group
27 exceeds the weighted enrollment ceiling for the program group.

28 (III) The reduction proportion calculated under
29 sub-sub-subparagraph (II) shall be multiplied by the total
30 amount of the program group's enrollment over the ceiling as
31 calculated under sub-sub-subparagraph (I).

1 (IV) The prorated reduction amount calculated under
2 sub-sub-subparagraph(III) shall be subtracted from the
3 program's weighted enrollment. For any calculation of the
4 FEFP, the enrollment ceiling for group 1 shall be calculated
5 by multiplying the actual enrollment for each program in the
6 program group by its appropriate program weight.

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

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

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

15 4. Following completion of the weighted enrollment
16 ceiling calculation as provided in subparagraph 3., a
17 supplemental capping calculation shall be employed for those
18 districts that are over their weighted enrollment ceiling. For
19 each such district, the total reported unweighted FTE
20 enrollment for group 2 programs shall be compared with the
21 total appropriated unweighted FTE enrollment for group 2
22 programs. If the total reported unweighted FTE for group 2 is
23 greater than the appropriated unweighted FTE, then the excess
24 unweighted FTE up to the unweighted FTE transferred from group
25 2 to group 1 for each district by the Public School FTE
26 Estimating Conference shall be funded at a weight of 1.0 and
27 added to the funded weighted FTE computed in subparagraph 3.

28 (k) Calculation of full-time equivalent membership for
29 an industry-certified career and technical education
30 program.--Subject to appropriation, it shall be the objective
31 of this paragraph to have each full-time equivalent student in

1 an industry-certified career and technical education program
2 generate a cost factor as a fraction or a multiple of that
3 provided students enrolled in the basic program for grades
4 9-12, as determined by the study provided in section 9 of this
5 act. A student who earns the career and technical education
6 endorsement on the high school diploma indicating that he or
7 she has completed the additional requirements for a
8 comprehensive career and technical education program of study
9 may generate additional incentive funding for the program, as
10 provided in subsection (5). During the transition from the
11 2004-2005 school year until July 1, 2009, all career and
12 technical education programs not industry certified or
13 articulated to postsecondary educational institutions shall
14 continue to earn weighted funding as determined in the General
15 Appropriations Act.

16 (5) CATEGORICAL FUNDS.--

17 (a) In addition to the basic amount for current
18 operations for the FEFP as determined in subsection (1), the
19 Legislature may appropriate categorical funding for specified
20 programs, activities, or purposes. Categorical funding may
21 include incentive funding for attainment of the career and
22 technical education endorsement on the high school diploma.

23 Section 8. Paragraph (b) of subsection (2) of section
24 1012.01, Florida Statutes, is amended to read:

25 1012.01 Definitions.--Specific definitions shall be as
26 follows, and wherever such defined words or terms are used in
27 the Florida K-20 Education Code, they shall be used as
28 follows:

29 (2) INSTRUCTIONAL PERSONNEL.--"Instructional
30 personnel" means any staff member whose function includes the
31 provision of direct instructional services to students.

1 Instructional personnel also includes personnel whose
2 functions provide direct support in the learning process of
3 students. Included in the classification of instructional
4 personnel are:

5 (b) Student personnel services.--Student personnel
6 services include staff members responsible for: advising
7 students with regard to their abilities and aptitudes,
8 educational and occupational opportunities, and personal and
9 social adjustments; providing placement services; performing
10 educational evaluations; and similar functions. Included in
11 this classification are guidance counselors, social workers,
12 career ~~occupational/placement~~ specialists, and school
13 psychologists.

14 Section 9. The Office of Program Policy Analysis and
15 Government Accountability shall conduct a study to determine
16 if career and technical education programs should have
17 differentiated funding weights, which study shall be completed
18 by January 1, 2005.

19 Section 10. Except as otherwise provided in this act,
20 this act shall take effect July 1, 2004.

21
22
23
24
25
26
27
28
29
30
31