

By Senator Wise

5-673-04

1                                   A bill to be entitled  
 2           An act relating to the Jobs for Florida's  
 3           Graduates Act; amending s. 446.609, F.S.;  
 4           deleting provisions authorizing the Department  
 5           of Education and the Commissioner of Education  
 6           to oversee the activities of the board of  
 7           directors of the Florida Endowment Foundation  
 8           for Florida's Graduates; revising the selection  
 9           criteria for schools chosen to participate in  
 10          the program; revising the goals of the Jobs for  
 11          Florida's Graduates Program; requiring the  
 12          board of directors to conduct an annual  
 13          financial audit of the foundation; deleting  
 14          provisions requiring the program to conduct a  
 15          review and deliver to the Office of Program  
 16          Policy Analysis and Government Accountability a  
 17          report of the program's activities; deleting  
 18          provisions requiring the Office of Economic and  
 19          Demographic Research to study the overall  
 20          efficacy of the program; providing an effective  
 21          date.

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

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 25           Section 1. Section 446.609, Florida Statutes, is  
 26 amended to read:

27           446.609 Jobs for Florida's Graduates Act.--

28           (1) SHORT TITLE.--This section may be cited as the  
 29 "Jobs for Florida's Graduates Act."

30           (2) DEFINITIONS.--For the purposes of this section:

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1 (a) "Board" means the board of directors of the  
2 Florida Endowment Foundation for Florida's Graduates.

3 ~~(b) "Department" means the Department of Education.~~

4 (b)~~(c)~~ "Endowment fund" means an account established  
5 within the Florida Endowment Foundation for Florida's  
6 Graduates to provide a continuing and growing source of  
7 revenue for school-to-work transition efforts.

8 (c)~~(d)~~ "Foundation" means the Florida Endowment  
9 Foundation for Florida's Graduates.

10 (d)~~(e)~~ "Operating account" means an account  
11 established under paragraph (7)(h) to carry out the purposes  
12 of this section.

13 (3) LEGISLATIVE INTENT.--The Legislature recognizes  
14 that it is in the best interest of the citizens of this state  
15 that the state have a well-educated and skilled workforce to  
16 be competitive in a changing economy. It is the intent of the  
17 Legislature to meet the challenge of ensuring a skilled  
18 workforce by creating a formal program to facilitate the  
19 important school-to-work transition and to provide additional  
20 funding to achieve this goal. Accordingly, the Legislature  
21 finds and declares that:

22 (a) The purpose of this section is to broaden the  
23 participation and funding potential for further significant  
24 support for Florida students who are approaching the  
25 transition from school to work.

26 (b) It is appropriate to encourage individual and  
27 corporate support and involvement, as well as state support  
28 and involvement, to promote employment opportunities for  
29 Florida's students.

30 (4) PROGRAM.--There is ~~hereby~~ created a school-to-work  
31 program, to be known as Jobs for Florida's Graduates, which

1 shall, ~~except as otherwise provided by law or by rule of the~~  
2 ~~Department of Education,~~ be operated in accordance with the  
3 process and outcome standards of Jobs for America's Graduates,  
4 Inc. To that end, the board shall enter into a sponsoring  
5 agreement with Jobs for America's Graduates, Inc., to carry  
6 out the Jobs for America's Graduates model within the state.

7 ~~(a) The goal of the program shall be to have a minimum~~  
8 ~~of 300 high schools participating in the program.~~

9 ~~(a)(b)~~ The schools chosen by the board to participate  
10 in the program should ~~must represent a demographically~~  
11 ~~balanced sample population,~~ include both urban and rural  
12 schools, and be comprised of schools in as many, ~~including~~  
13 ~~charter schools,~~ in all geographic areas of the state as  
14 economically feasible. Each school selected to participate  
15 shall enter into a formal written agreement with the board  
16 which, at a minimum, details the responsibilities of each  
17 party and the process and outcome goals of the Jobs for  
18 Florida's Graduates Program.

19 ~~(b)(c)~~ Students shall be selected and approved for  
20 participation in the program by the educational institutions  
21 in which they are enrolled, and such selection and approval  
22 shall be based on their being classified as at-risk students  
23 pursuant to the Jobs for America's Graduates model.

24 (5) THE FLORIDA ENDOWMENT FOUNDATION FOR FLORIDA'S  
25 GRADUATES.--

26 (a) The Florida Endowment Foundation for Florida's  
27 Graduates is created to encourage public and private support  
28 to enhance school-to-work transition and shall be:

29 1. A Florida corporation not for profit which is  
30 incorporated under the provisions of chapter 617 and approved  
31 by the Department of State.

1           2. Organized and operated exclusively to do the  
2 following: raise funds; submit requests and receive grants  
3 from the Federal Government, the state, private foundations,  
4 and individuals; receive, hold, and administer property; and  
5 make expenditures to or for the benefit of school-to-work  
6 transition programs approved by the board of directors of the  
7 foundation.

8           (b) The foundation shall:

9           1. Develop articles of incorporation.

10           2. Create a board of directors ~~appointed by the~~  
11 ~~Commissioner of Education.~~

12           3. Perform an annual financial and performance review  
13 to determine if the foundation is operating in a manner  
14 consistent with the goals of the Legislature in providing  
15 assistance for school-to-work transitions.

16           4. Provide a mechanism for the reversion to the state  
17 of moneys in the foundation and in any other funds and  
18 accounts held in trust by the foundation if the foundation is  
19 dissolved.

20           (6) BOARD OF DIRECTORS.--The foundation shall be  
21 administered by a board of directors, as follows:

22           (a) The board shall consist of at least 15 members, a  
23 majority of which shall be from the private sector. The chair  
24 shall be from the private sector.

25           (b) All members shall have an interest in  
26 school-to-work transition and, insofar as is practicable,  
27 shall:

28           1. Have skills in foundation work or other fundraising  
29 activities, financial consulting, or investment banking or  
30 other related experience; or

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1           2. Have experience in policymaking or senior  
2 management level positions or have distinguished themselves in  
3 the fields of education, business, or industry.

4           ~~(c) Initially, the chair and all board members shall~~  
5 ~~be appointed by the Commissioner of Education.~~Effective July  
6 1, 2001, all reappointments shall be made by a membership  
7 committee comprised of current board members.

8           1. The chair shall be appointed for a term of 2 years  
9 and may be reappointed. However, no chair may serve more than  
10 6 consecutive years.

11           2. Board members shall be appointed to serve for  
12 ~~3-year terms or until resignation or removal for cause, except~~  
13 ~~that members appointed to serve initial terms shall be~~  
14 ~~appointed for staggered terms of 1, 2, and 3 years,~~  
15 ~~respectively.~~

16           (d) In the event of a vacancy on the board caused by  
17 an occurrence other than the expiration of a term, a new  
18 member shall be appointed.

19           ~~(e) Each member is accountable to the Commissioner of~~  
20 ~~Education for the proper performance of the duties of office.~~  
21 ~~The commissioner may remove any member from office for~~  
22 ~~malfeasance, misfeasance, neglect of duty, incompetence, or~~  
23 ~~permanent inability to perform official duties or for pleading~~  
24 ~~nolo contendere to, or being found guilty of, a crime.~~

25           (7) ORGANIZATION, POWERS, AND DUTIES.--Within the  
26 limits prescribed in this section or by rule of the  
27 department:

28           (a) ~~Upon appointment, the board shall meet and~~  
29 ~~organize. Thereafter,~~The board shall hold such meetings as  
30 are necessary to implement the provisions of this section ~~and~~  
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1 ~~shall conduct its business in accordance with rules~~  
2 ~~promulgated by the department.~~

3 (b) The board may solicit and receive bequests, gifts,  
4 grants, donations, goods, and services. When gifts are  
5 restricted as to purpose, they may be used only for the  
6 purpose or purposes stated by the donor.

7 (c) The board may enter into contracts with the  
8 Federal Government, state or local agencies, private entities,  
9 or individuals to carry out the purposes of this section.

10 (d) The board may identify, initiate, and fund Jobs  
11 for Florida's Graduates programs to carry out the purposes of  
12 this section.

13 (e) The board may make gifts or grants:

14 1. To the state, or any political subdivision thereof,  
15 or any public agency of state or local government.

16 2. To a corporation, trust, association, or foundation  
17 organized and operated exclusively for charitable,  
18 educational, or scientific purposes.

19 3. To the department for purposes of program  
20 recognition and marketing, public relations and education,  
21 professional development, and technical assistance and  
22 workshops for grant applicants and recipients and the business  
23 community.

24 (f) The board may advertise and solicit applications  
25 for funding and shall evaluate applications and program  
26 proposals submitted thereto.

27 (g) The board shall monitor, review, and annually  
28 evaluate funded programs to determine whether funding should  
29 be continued, terminated, reduced, or increased.

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1 (h) The board shall establish an operating account for  
2 the deposit of funds to be used in carrying out the purposes  
3 of this section.

4 (i) The board shall operate the Jobs for Florida's  
5 Graduates Program in such a way as, ~~and shall recommend to the~~  
6 ~~Department of Education the adoption of such rules as may be~~  
7 ~~necessary~~, to ensure that the following ~~outcome~~ goals are met:

8 ~~1. In year 1:~~

9 ~~1.a.~~ The statewide graduation rates, or GED test  
10 completion rates, of participants in the Jobs for Florida's  
11 Graduates Program shall be at least 82 percent by June 30 of  
12 the year following the end of the academic year in which the  
13 participants' respective high school classes graduated.

14 ~~2.b.~~ By June 30 of the year following the end of the  
15 academic year in which the participants' respective high  
16 school classes graduated, 70 to 75 percent of graduated  
17 working participants in the Jobs for Florida's Graduates  
18 Program shall be employed full time in the civilian sector or  
19 the military or enrolled in postsecondary training education,  
20 or any combination of these that together are equivalent to  
21 full time.

22 ~~3.c.~~ By June 30 of the year following the end of the  
23 academic year in which the participants' respective high  
24 school classes graduated, the average wage of graduated  
25 participants in the Jobs for Florida's Graduates Program who  
26 are working shall be at or above the national average wage for  
27 all participants in programs affiliated with Jobs for  
28 America's Graduates, Inc.

29 ~~2. In year 2:~~

30 ~~a. The statewide graduation rates, or GED test~~  
31 ~~completion rates, of participants in the Jobs for Florida's~~

1 ~~Graduates Program shall be at least 85 percent by June 30 of~~  
2 ~~the year following the end of the academic year in which the~~  
3 ~~participants' respective high school classes graduated.~~

4 ~~b. By June 30 of the year following the end of the~~  
5 ~~academic year in which the participants' respective high~~  
6 ~~school classes graduated, 75 to 78 percent of graduated~~  
7 ~~working participants in the Jobs for Florida's Graduates~~  
8 ~~Program shall be employed full time in the civilian sector or~~  
9 ~~the military or enrolled in postsecondary training education,~~  
10 ~~or any combination of these that together are equivalent to~~  
11 ~~full time.~~

12 ~~c. By June 30 of the year following the end of the~~  
13 ~~academic year in which the participants' respective high~~  
14 ~~school classes graduated, the average wage of graduated~~  
15 ~~participants in the Jobs for Florida's Graduates Program who~~  
16 ~~are working shall be at or above the national average wage for~~  
17 ~~all participants in programs affiliated with Jobs for~~  
18 ~~America's Graduates, Inc.~~

19 ~~3. In years 3 through 5:~~

20 ~~a. The statewide graduation rates, or GED test~~  
21 ~~completion rates, of participants in the Jobs for Florida's~~  
22 ~~Graduates Program shall be at least 90 percent by June 30 of~~  
23 ~~the year following the end of the academic year in which the~~  
24 ~~participants' respective high school classes graduated.~~

25 ~~b. By June 30 of the year following the end of the~~  
26 ~~academic year in which the participants' respective high~~  
27 ~~school classes graduated, 80 percent of graduated working~~  
28 ~~participants in the Jobs for Florida's Graduates Program shall~~  
29 ~~be employed full time in the civilian sector or the military~~  
30 ~~or enrolled in postsecondary training education, or any~~

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1 ~~combination of these that together are equivalent to full~~  
2 ~~time.~~

3 ~~c. By June 30 of the year following the end of the~~  
4 ~~academic year in which the participants' respective high~~  
5 ~~school classes graduated, the average wage of graduated~~  
6 ~~participants in the Jobs for Florida's Graduates Program who~~  
7 ~~are working shall be at or above the national average wage for~~  
8 ~~all participants in programs affiliated with Jobs for~~  
9 ~~America's Graduates, Inc.~~

10 (j) The board may take such additional actions,  
11 including independently organizing and conducting hiring  
12 practices, as are deemed necessary and appropriate to  
13 administer the provisions of this section. To the maximum  
14 extent possible, the board shall hire Jobs for Florida's  
15 Graduates Program staff who operate in selected schools to  
16 fill necessary staff positions and shall provide for salary,  
17 benefits, discipline, evaluation, or discharge according to a  
18 contractual agreement. These positions shall not be state  
19 employee positions.

20 (8) ACCREDITATION.--The board shall request and  
21 contract with the national accreditation process of Jobs for  
22 America's Graduates, Inc., to ensure the viability and  
23 efficacy of the individual school-based Jobs for Florida's  
24 Graduates programs in the state.

25 (9) ANNUAL AUDIT.--The board shall conduct ~~provide for~~  
26 an annual financial audit of the foundation ~~in accordance with~~  
27 ~~s. 215.981.~~

28 ~~(10) ASSESSMENT OF PROGRAM RESULTS.--The success of~~  
29 ~~the Jobs for Florida's Graduates Program shall be assessed as~~  
30 ~~follows:~~

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1           ~~(a) No later than November 1 of each year of the Jobs~~  
2 ~~for Florida's Graduates Program, Jobs for America's Graduates,~~  
3 ~~Inc., shall conduct and deliver to the Office of Program~~  
4 ~~Policy Analysis and Government Accountability a full review~~  
5 ~~and report of the program's activities. The Office of Program~~  
6 ~~Policy Analysis and Government Accountability shall audit and~~  
7 ~~review the report and deliver the report, along with its~~  
8 ~~analysis and any recommendations for expansion, curtailment,~~  
9 ~~modification, or continuation, to the board not later than~~  
10 ~~December 31 of the same year.~~

11           ~~(b) Beginning in the first year of the Jobs for~~  
12 ~~Florida's Graduates Program, the Office of Economic and~~  
13 ~~Demographic Research shall undertake, during the initial~~  
14 ~~phase, an ongoing longitudinal study of participants to~~  
15 ~~determine the overall efficacy of the program. The division~~  
16 ~~shall transmit its findings each year to the Office of Program~~  
17 ~~Policy Analysis and Government Accountability for inclusion in~~  
18 ~~the report provided for in paragraph (a).~~

19           (10)~~(11)~~ ANNUAL REPORT.--The board shall issue a  
20 report to the Governor, the President of the Senate, the  
21 Speaker of the House of Representatives, and the Commissioner  
22 of Education ~~by March 1, 2000, and each year thereafter,~~  
23 summarizing the foundation's fundraising activities and  
24 performance and detailing those activities and programs  
25 supported by bequests, gifts, grants, donations, and other  
26 valued goods and services received.

27           ~~(12) RULES.--The department shall adopt rules to~~  
28 ~~implement this section.~~

29           Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Removes the authority of the Department of Education and the Commissioner of Education to administer the Jobs for Florida's Graduates Act. Revises the goals of the Jobs for Florida's Graduates Program. Provides for an annual financial audit of the foundation. Deletes requirements for the program to conduct a full review of the program's activities and deliver a report. Deletes requirements that the Office of Economic and Demographic Research undertake an ongoing study of the program.