

HB 0769

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1 A bill to be entitled

2 An act relating to career and technical education;
3 providing legislative intent; requiring career and
4 technical education programs within a comprehensive high
5 school program of study to be industry certified;
6 requiring State Board of Education rules for the
7 certification process; providing full-time equivalent
8 student funding for student enrollment; requiring
9 articulation with postsecondary programs; providing
10 academic requirements for students enrolled in career and
11 technical education programs; providing for a career and
12 technical education endorsement on a high school diploma
13 and incentive funding to school districts for students
14 receiving the endorsement; providing professional
15 development programs for guidance counselors and career
16 specialists; amending s. 1002.34, F.S.; allowing charter
17 technical career center sponsors to submit full-time
18 enrollment membership data as defined in the charter
19 agreement; deleting requirements relating to number of
20 days of instruction; amending s. 1003.491, F.S.; providing
21 certain responsibilities for district school boards and
22 superintendents relating to career and technical
23 education; amending s. 1011.62, F.S., relating to the
24 Florida Education Finance Program; providing for funding
25 of career and technical education programs; revising a
26 program group; providing incentive funding for attainment
27 of high school career and technical education endorsements
28 as a categorical program; amending s. 1012.01, F.S.;
29 revising a personnel classification title; requiring a

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30 study by the Office of Program Policy Analysis and
 31 Government Accountability; providing effective dates.

32
 33 Be It Enacted by the Legislature of the State of Florida:

34
 35 Section 1. (1) The Legislature intends to ensure that all
 36 high schools provide supportive services to students and their
 37 parents to determine the comprehensive program of study that
 38 will best meet the needs and goals of each student. At a
 39 minimum, these services must include access to a guidance
 40 counselor and assistance in developing an educational and career
 41 plan. Each high school shall provide a variety of comprehensive,
 42 relevant programs of study that will meet the needs of all
 43 students and enable each student to pursue his or her individual
 44 educational and career goals.

45 (2) Key components of this process are:

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

48 (b) Parental involvement in the identification of the
 49 appropriate program of study.

50 (c) Assurance that all programs of study are designed to
 51 provide a seamless transition to appropriate postsecondary
 52 education and employment.

53 Section 2. (1) A career and technical education program
 54 within a comprehensive high school program of study must be
 55 certified by the appropriate industry to ensure that all
 56 components of the program are relevant and appropriate to
 57 prepare the student for further education and employment in that
 58 industry.

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59 (2) Effective July 1, 2009, each career and technical
60 education program that prepares students for postsecondary
61 education and employment and is offered as part of a
62 comprehensive program of study in a high school must be industry
63 certified, except for courses classified as exploratory,
64 orientation, or practical arts. A student enrolled in a course
65 within a career and technical education program that is not
66 industry certified may not be reported for full-time equivalent
67 student funding through the Florida Education Finance Program
68 unless the course is classified as exploratory, orientation, or
69 practical arts. The Department of Education shall ensure that
70 each program is certified by July 1, 2009, and recertified at
71 least every 5 years thereafter. The State Board of Education
72 shall adopt rules pursuant to ss. 120.536(1) and 120.54, Florida
73 Statutes, for implementing the certification process, which
74 rules must establish any necessary procedures for obtaining
75 appropriate business partners and requirements for business and
76 industry involvement in curriculum oversight and equipment
77 procurement.

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

84 (4) Effective July 1, 2009, each career and technical
85 education program offered by a high school and able to be
86 articulated to a postsecondary level must have an articulation
87 agreement with one or more appropriate postsecondary educational

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88 institutions to ensure a seamless transition to a related
89 postsecondary program without a loss of credit for the student.
90 Students enrolled in a program that is not articulated to a
91 postsecondary program may not be reported for full-time
92 equivalent student funding through the Florida Education Finance
93 Program unless the course is classified as exploratory,
94 orientation, or practical arts or terminates at the high school
95 level.

96 Section 3. (1) A comprehensive program of study in career
97 and technical education must be designed to ensure that upon
98 completion of the program of study and graduation from high
99 school, a student is prepared to continue his or her education
100 at a postsecondary educational institution and obtain
101 employment. Therefore, a comprehensive career and technical
102 education program of study must require of each student:

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

107 (b) Attainment of at least one occupational completion
108 point in an industry-certified career and technical education
109 program or completion of at least two courses in a technology
110 education program.

111 (c) Completion of a one-credit core course addressing
112 workplace readiness skills. The State Board of Education shall
113 define by rule the content of the course and shall ensure that
114 the course meets graduation requirements for performing fine
115 arts or practical arts. The course requirement may be satisfied

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116 by infusing course content into an existing select career and
117 technical education course.

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

120 (e) Participation in a capstone activity that includes a
121 project related to a career. This activity is designed to apply
122 and demonstrate the competencies and concepts attained in the
123 student's program of study. The State Board of Education may
124 specify by rule characteristics of capstone activities that meet
125 the intent of this paragraph.

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

129 (a) Completion of the requirements for high school
130 graduation as provided in s. 1003.429 or s. 1003.43, Florida
131 Statutes, and the additional requirements for a comprehensive
132 career and technical education program of study provided in
133 subsection (1).

134 (b) Passing of the college entry-level placement test or
135 an equivalent test identified by the Department of Education
136 with a score adequate to enroll in a public postsecondary
137 educational program without the need for college preparatory or
138 vocational preparatory instruction.

139 (3) The career and technical education endorsement
140 indicates that the student is prepared to continue into
141 postsecondary education without the need for remediation and
142 that the student has marketable employment skills. The State
143 Board of Education may adopt by rule a standard format for the
144 endorsement.

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145 (4) For each student who receives the career and technical
 146 education endorsement on his or her high school diploma, the
 147 school district may receive incentive funding as provided in s.
 148 1011.62, Florida Statutes, and the annual General Appropriations
 149 Act.

150 (5) A school district that generates funds as a result of
 151 industry-certified programs or incentive funding for student
 152 achievement of the career and technical education endorsement on
 153 the high school diploma must expend the total amount on the
 154 comprehensive career and technical education program of study.
 155 The school district may not apply indirect charges to incentive
 156 funds earned.

157 Section 4. The Legislature finds that to adequately assist
 158 students in advanced technical and academic career planning,
 159 high school guidance counselors and career specialists require
 160 preservice and inservice professional development programs that
 161 contain sufficient information on career education.

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

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

168 (b) A practicum that focuses on development of a career
 169 awareness program.

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

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

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174 inservice training required. The State Board of Education shall
 175 revise rules governing the certification and recertification of
 176 guidance counselors to allow substitution of personal work-based
 177 experiences and temporary employment opportunities in business
 178 and industry for the required classroom instruction.

179 (3) The Legislature encourages colleges of education to
 180 provide for additional coursework required pursuant to this
 181 section without increasing the total number of credit hours
 182 needed to complete a program. Instead, the colleges are
 183 encouraged to infuse course content into courses required for
 184 introduction, theory, and practicum.

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

187 1002.34 Charter technical career centers.--

188 (11) FUNDING.--

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

192 (b)(a) Each district school board and community college
 193 that sponsors a charter technical career center shall pay
 194 directly to the center an amount stated in the charter. State
 195 funding shall be generated for the center for its student
 196 enrollment and program outcomes as provided in law. A center is
 197 eligible for funding from the Florida Workforce Development
 198 Education Fund, the Florida Education Finance Program, and the
 199 Community College Program Fund, depending upon the programs
 200 conducted by the center.

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

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

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

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

211 (g) A center must define in the charter agreement the
 212 delivery system in which the instructional offering of
 213 educational services will be placed. The rules governing this
 214 provider educational delivery system must be applied to all of
 215 the center's students and must authorize all other sponsoring
 216 educational systems to report required enrollment and student
 217 data as necessary, relying solely on the documentation required
 218 of the instructional provider sponsor. The educational system
 219 sponsors may submit their comparable data based solely on the
 220 rules of the offering institution, and each sponsor shall earn
 221 full-time equivalent membership for each student for funding and
 222 reporting purposes.

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

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

229 1003.491 Career and technical education.--

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230 (1) Each district school board and superintendent shall
 231 direct the smooth transition of high school career and technical
 232 education programs to industry-certified programs of study
 233 included in a comprehensive course of study. Each district
 234 school board and superintendent shall also direct the
 235 implementation of all components required to obtain the career
 236 and technical education endorsement on the high school diploma
 237 if the school district chooses to offer the endorsement. School
 238 board, superintendent, and school accountability for career and
 239 technical education within elementary and secondary schools
 240 includes, but is not limited to:

241 (a) Student exposure to a variety of careers and provision
 242 of instruction to explore specific careers in greater depth.

243 (b) Student awareness of available career and technical
 244 programs and the corresponding occupations into which such
 245 programs lead.

246 (c) Student development of individual career plans.

247 (d) Integration of academic and career and technical
 248 skills in the secondary curriculum.

249 (e) Student preparation to enter the workforce and enroll
 250 in postsecondary education without being required to complete
 251 college preparatory or vocational preparatory instruction.

252 (f) Student retention in school through high school
 253 graduation.

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

257 Section 7. Paragraphs (c) and (d) of subsection (1) of
 258 section 1011.62, Florida Statutes, are amended, paragraphs (k)

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259 through (r) of said subsection are redesignated as paragraphs
 260 (l) through (s), respectively, a new paragraph (k) is added to
 261 said subsection, and paragraph (a) of subsection (5) of said
 262 section is amended, to read:

263 1011.62 Funds for operation of schools.--If the annual
 264 allocation from the Florida Education Finance Program to each
 265 district for operation of schools is not determined in the
 266 annual appropriations act or the substantive bill implementing
 267 the annual appropriations act, it shall be determined as
 268 follows:

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

273 (c) Determination of programs.--Cost factors based on
 274 desired relative cost differences between the following programs
 275 shall be established in the annual General Appropriations Act.
 276 An industry-certified secondary career and technical education
 277 program shall generate funding as provided in paragraph (k).
 278 Effective July 1, 2009, a full-time equivalent student in a
 279 career and technical education program that is not industry
 280 certified shall not generate any state funding unless the
 281 student is in a course classified as exploratory, orientation,
 282 or practical arts and the General Appropriations Act contains a
 283 cost factor for such course. The Commissioner of Education shall
 284 specify a matrix of services and intensity levels to be used by
 285 districts in the determination of the two weighted cost factors
 286 for exceptional students with the highest levels of need. For
 287 these students, the funding support level shall fund the

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288 exceptional students' education program, with the exception of
 289 extended school year services for students with disabilities.

290 1. Basic programs.--

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

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

293 c. Grades 9, 10, 11, and 12.

294 2. Programs for exceptional students.--

295 a. Support Level IV.

296 b. Support Level V.

297 3. Secondary career and technical education programs that
 298 are industry certified.--

299 4. Secondary career and technical education programs that
 300 are not industry certified.--

301 5.4. English for Speakers of Other Languages.--

302 (d) Annual allocation calculation.--

303 1. The Department of Education shall ~~is authorized and~~
 304 ~~directed to~~ review all district programs and enrollment
 305 projections and calculate a maximum total weighted full-time
 306 equivalent student enrollment for each district for the K-12
 307 FEFP.

308 2. Maximum enrollments calculated by the department shall
 309 be derived from enrollment estimates used by the Legislature to
 310 calculate the FEFP. If two or more districts enter into an
 311 agreement under the provisions of s. 1001.42(4)(d), after the
 312 final enrollment estimate is agreed upon, the amount of FTE
 313 specified in the agreement, not to exceed the estimate for the
 314 specific program as identified in paragraph (c), may be
 315 transferred from the participating districts to the district
 316 providing the program.

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

325 a. The weighted enrollment ceiling for group 2 programs
 326 shall be calculated by multiplying the final enrollment
 327 conference estimate for each program by the appropriate program
 328 weight. The weighted enrollment ceiling for program group 2
 329 shall be the sum of the weighted enrollment ceilings for each
 330 program in the program group, plus the increase in weighted
 331 full-time equivalent student membership from the prior year for
 332 clients of the Department of Children and Family Services and
 333 the Department of Juvenile Justice.

334 b. If, for any calculation of the FEFP, the weighted
 335 enrollment for program group 2, derived by multiplying actual
 336 enrollments by appropriate program weights, exceeds the
 337 enrollment ceiling for that group, the following procedure shall
 338 be followed to reduce the weighted enrollment for that group to
 339 equal the enrollment ceiling:

340 (I) The weighted enrollment ceiling for each program in
 341 the program group shall be subtracted from the weighted
 342 enrollment for that program derived from actual enrollments.

343 (II) If the difference calculated under sub-sub-
 344 subparagraph (I) is greater than zero for any program, a
 345 reduction proportion shall be computed for the program by

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346 dividing the absolute value of the difference by the total
 347 amount by which the weighted enrollment for the program group
 348 exceeds the weighted enrollment ceiling for the program group.

349 (III) The reduction proportion calculated under sub-sub-
 350 subparagraph (II) shall be multiplied by the total amount of the
 351 program group's enrollment over the ceiling as calculated under
 352 sub-sub-subparagraph (I).

353 (IV) The prorated reduction amount calculated under sub-
 354 sub-subparagraph(III) shall be subtracted from the program's
 355 weighted enrollment. For any calculation of the FEFP, the
 356 enrollment ceiling for group 1 shall be calculated by
 357 multiplying the actual enrollment for each program in the
 358 program group by its appropriate program weight.

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

361 (I) Multiplying the sum of reported FTE for all programs
 362 in the program group that have a cost factor of 1.0 or more by
 363 1.0, and

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

367 4. Following completion of the weighted enrollment ceiling
 368 calculation as provided in subparagraph 3., a supplemental
 369 capping calculation shall be employed for those districts that
 370 are over their weighted enrollment ceiling. For each such
 371 district, the total reported unweighted FTE enrollment for group
 372 2 programs shall be compared with the total appropriated
 373 unweighted FTE enrollment for group 2 programs. If the total
 374 reported unweighted FTE for group 2 is greater than the

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375 appropriated unweighted FTE, then the excess unweighted FTE up
376 to the unweighted FTE transferred from group 2 to group 1 for
377 each district by the Public School FTE Estimating Conference
378 shall be funded at a weight of 1.0 and added to the funded
379 weighted FTE computed in subparagraph 3.

380 (k) Calculation of full-time equivalent membership for an
381 industry-certified career and technical education
382 program.--Subject to appropriation, it shall be the objective of
383 this paragraph to have each full-time equivalent student in an
384 industry-certified career and technical education program
385 generate a cost factor as a fraction or a multiple of that
386 provided students enrolled in the basic program for grades 9-12,
387 as determined by the study provided in section 9 of this act. A
388 student who earns the career and technical education endorsement
389 on the high school diploma indicating that he or she has
390 completed the additional requirements for a comprehensive career
391 and technical education program of study may generate additional
392 incentive funding for the program, as provided in subsection
393 (5). During the transition from the 2004-2005 school year until
394 July 1, 2009, all career and technical education programs not
395 industry certified or articulated to postsecondary educational
396 institutions shall continue to earn weighted funding as
397 determined in the General Appropriations Act.

398 (5) CATEGORICAL FUNDS.--

399 (a) In addition to the basic amount for current operations
400 for the FEFP as determined in subsection (1), the Legislature
401 may appropriate categorical funding for specified programs,
402 activities, or purposes. Categorical funding may include

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403 incentive funding for attainment of the career and technical
 404 education endorsement on the high school diploma.

405 Section 8. Paragraph (b) of subsection (2) of section
 406 1012.01, Florida Statutes, is amended to read:

407 1012.01 Definitions.--Specific definitions shall be as
 408 follows, and wherever such defined words or terms are used in
 409 the Florida K-20 Education Code, they shall be used as follows:

410 (2) INSTRUCTIONAL PERSONNEL.--"Instructional personnel"
 411 means any staff member whose function includes the provision of
 412 direct instructional services to students. Instructional
 413 personnel also includes personnel whose functions provide direct
 414 support in the learning process of students. Included in the
 415 classification of instructional personnel are:

416 (b) Student personnel services.--Student personnel
 417 services include staff members responsible for: advising
 418 students with regard to their abilities and aptitudes,
 419 educational and occupational opportunities, and personal and
 420 social adjustments; providing placement services; performing
 421 educational evaluations; and similar functions. Included in this
 422 classification are guidance counselors, social workers, career
 423 ~~occupational/placement~~ specialists, and school psychologists.

424 Section 9. The Office of Program Policy Analysis and
 425 Government Accountability shall conduct a study to determine if
 426 career and technical education programs should have
 427 differentiated funding weights, which study shall be completed
 428 by January 1, 2005.

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