

1 A bill to be entitled
2 An act relating to career and adult education; amending s.
3 20.15, F.S.; renaming the Division of Workforce Education
4 within the Department of Education as the Division of
5 Career and Adult Education; amending s. 311.121, F.S.;
6 revising the membership of the Seaport Security Officer
7 Qualification, Training, and Standards Coordinating
8 Council by replacing the chancellor of the Community
9 College System with the Commissioner of Education;
10 amending s. 446.045, F.S.; revising definitions relating
11 to the State Apprenticeship Advisory Council; revising
12 membership of the council and certain reimbursement
13 provisions; authorizing meetings by teleconference and
14 other electronic means; amending s. 1003.4285, F.S.;
15 providing for a high school diploma designation reflecting
16 attainment of industry certifications; conforming
17 provisions to changes made by the act; amending s.
18 1003.43, F.S.; providing an exception for students
19 enrolled in adult general education from a prerequisite
20 for high school graduation; repealing s. 1003.431, F.S.,
21 relating to career education certification; amending s.
22 1011.62, F.S.; specifying the types of industry
23 certifications eligible for the award of additional full-
24 time membership; requiring the Office of Program Policy
25 Analysis and Government Accountability to review and
26 provide a report on workforce education programs for
27 occupations not included on specified occupation lists and
28 on funding options; providing an effective date.

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

Section 1. Paragraph (c) of subsection (3) of section 20.15, Florida Statutes, is amended to read:

20.15 Department of Education.--There is created a Department of Education.

(3) DIVISIONS.--The following divisions of the Department of Education are established:

(c) Division of Career and Adult Education ~~Workforce Education~~.

Section 2. Paragraphs (b) and (d) of subsection (3) of section 311.121, Florida Statutes, are amended to read:

311.121 Qualifications, training, and certification of licensed security officers at Florida seaports.--

(3)

(b)1. The executive director of the Department of Law Enforcement shall appoint 11 members to the council which shall include:

a. The seaport administrator of the Department of Law Enforcement.

b. The Commissioner of Education or his or her designee ~~chancellor of the Community College System~~.

c. The director of the Division of Licensing of the Department of Agriculture and Consumer Services.

d. The administrator of the Florida Seaport Transportation and Economic Development Council.

56 e. Two seaport security directors from seaports designated
57 under s. 311.09.

58 f. One director of a state law enforcement academy.

59 g. One representative of a local law enforcement agency.

60 h. Two representatives of contract security services.

61 i. One representative of the Division of Driver Licenses
62 of the Department of Highway Safety and Motor Vehicles.

63 2. In addition to the members designated in subparagraph
64 1., the executive director may invite a representative of the
65 United States Coast Guard to attend and participate in council
66 meetings as an ex officio, nonvoting member of the council.

67 (d) The Commissioner of Education or his or her designee
68 ~~chancellor of the Community College System~~ shall serve as chair
69 of the council.

70 Section 3. Section 446.045, Florida Statutes, is amended
71 to read:

72 446.045 State Apprenticeship Advisory Council.--

73 (1) As used in this section, the term:

74 (a) "Joint ~~employee~~ organization" means an apprenticeship
75 sponsor who participates in a collective bargaining agreement
76 ~~and represents employees.~~

77 (b) "Nonjoint ~~employer~~ organization" means an
78 apprenticeship sponsor who does not participate in a collective
79 bargaining agreement ~~and who represents management.~~

80 (2) (a) There is created a State Apprenticeship Advisory
81 Council to be composed of 10 voting members appointed by the
82 Governor and two ex officio nonvoting members. The purpose of
83 the advisory council is to advise the department on matters

84 relating to apprenticeship. The advisory council may not
85 establish policy, adopt rules, or consider whether particular
86 apprenticeship programs should be approved by the department.

87 (b) The Commissioner of Education or the commissioner's
88 designee shall serve ex officio as chair of the State
89 Apprenticeship Advisory Council, but may not vote. The state
90 director of the Office ~~Bureau~~ of Apprenticeship ~~and Training~~ of
91 the United States Department of Labor shall serve ex officio as
92 a nonvoting member of the council. The Governor shall appoint to
93 the council four ~~five~~ members representing ~~sponsors of joint~~
94 employee organizations and four ~~five~~ members representing
95 ~~sponsors of nonjoint~~ employer organizations. Each of these eight
96 members ~~member~~ shall represent industries that have registered
97 apprenticeship programs. The Governor shall also appoint two
98 public members who are knowledgeable about registered
99 apprenticeship and apprenticeable occupations, one of whom shall
100 be recommended by joint organizations and one of whom shall be
101 recommended by nonjoint organizations. Members shall be
102 appointed for 4-year staggered terms. A vacancy shall be filled
103 for the remainder of the unexpired term.

104 (c) The council shall meet at the call of the chair or at
105 the request of a majority of its membership, but at least twice
106 a year. A majority of the voting members shall constitute a
107 quorum, and the affirmative vote of a majority of a quorum is
108 necessary to take action.

109 (d) The Governor may remove any member for cause.

110 (e) The council shall maintain minutes of each meeting.
 111 The department shall keep on file the minutes of each meeting
 112 and shall make the minutes available to any interested person.

113 (f) Members of the council shall serve without
 114 compensation and, ~~but~~ are not entitled to receive reimbursement
 115 for per diem and travel expenses under ~~as provided in~~ s.
 116 112.061. Meetings may be held via teleconference or other
 117 electronic means.

118 Section 4. Section 1003.4285, Florida Statutes, is amended
 119 to read:

120 1003.4285 Standard high school diploma designations.--~~By~~
 121 ~~the 2008-2009 school year,~~ Each standard high school diploma
 122 shall include, as applicable:

123 (1) A designation of the student's major area of interest
 124 pursuant to the student's completion of credits as provided in
 125 s. 1003.428.

126 (2) A designation reflecting completion of four or more
 127 accelerated college credit courses if the student is eligible
 128 for college credit pursuant to s. 1007.27 or s. 1007.271 in
 129 Advanced Placement, International Baccalaureate, Advanced
 130 International Certificate of Education, or dual enrollment
 131 courses. The Commissioner of Education shall establish
 132 guidelines for successful passage of examinations or coursework
 133 in each of the accelerated college credit options for purposes
 134 of this subsection.

135 (3) A designation reflecting attainment of one or more
 136 industry certifications from the list approved by Workforce

137 Florida, Inc., under s. 1003.492 ~~career education certification~~
 138 ~~in accordance with s. 1003.431.~~

139 (4) A designation reflecting a Florida Ready to Work
 140 Credential in accordance with s. 1004.99.

141 Section 5. Paragraph (c) of subsection (6) of section
 142 1003.43, Florida Statutes, is amended to read:

143 1003.43 General requirements for high school graduation.--

144 (6) The Legislature recognizes that adult learners are
 145 unique in situation and needs. The following graduation
 146 requirements are therefore instituted for students enrolled in
 147 adult general education in accordance with s. 1004.93 in pursuit
 148 of a high school diploma:

149 (c) Any course listed within the Department of Education
 150 Course Code Directory in the areas of art, dance, drama, or
 151 music may be undertaken by adult secondary education students.
 152 ~~Enrollment and satisfactory completion of such a course shall~~
 153 ~~satisfy~~ The one credit in performing fine arts required for high
 154 school graduation pursuant to subsection (1) is not required for
 155 graduation and shall be substituted with elective credit keeping
 156 the total credits needed for graduation consistent with
 157 subsection (1).

158 Section 6. Section 1003.431, Florida Statutes, is
 159 repealed.

160 Section 7. Paragraph (o) of subsection (1) of section
 161 1011.62, Florida Statutes, is amended to read:

162 1011.62 Funds for operation of schools.--If the annual
 163 allocation from the Florida Education Finance Program to each
 164 district for operation of schools is not determined in the

165 annual appropriations act or the substantive bill implementing
 166 the annual appropriations act, it shall be determined as
 167 follows:

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

172 (o) Calculation of additional full-time equivalent
 173 membership based on certification of successful completion of
 174 industry-certified career and professional academy programs
 175 pursuant to ss. 1003.491, ~~s. 1003.492,~~ and 1003.493 and
 176 identified in the Industry Certification Funding List under
 177 rules adopted by the State Board of Education.--A value of 0.3
 178 full-time equivalent student membership shall be calculated for
 179 each student who completes an industry-certified career and
 180 professional academy program under s. 1003.491, s. 1003.492, or
 181 s. 1003.493 and who is issued the highest level of industry
 182 certification identified annually in the Industry Certification
 183 Funding List under rules adopted by the State Board of Education
 184 and a high school diploma. Such value shall be added to the
 185 total full-time equivalent student membership in secondary
 186 career education programs for grades 9 through 12 in the
 187 subsequent year for courses that were not funded through dual
 188 enrollment. The additional full-time equivalent membership
 189 authorized under this paragraph may not exceed 0.3 per student.
 190 Unless a different amount is specified in the General
 191 Appropriations Act, the appropriation for this calculation is
 192 limited to \$15 million annually. If the appropriation is

193 insufficient to fully fund the total calculation, the
194 appropriation shall be prorated.

195 Section 8. By January 15, 2010, the Office of Program
196 Policy Analysis and Government Accountability shall submit a
197 report to the Governor, the President of the Senate, and the
198 Speaker of the House of Representatives on workforce education
199 programs. The report shall:

200 (1) Review student outcomes in workforce education degree
201 and certificate programs offered by community colleges, school
202 districts, and independent institutions that prepare students
203 for occupations not included on the locally targeted occupations
204 lists developed by Workforce Florida, Inc., or on the statewide
205 occupational forecasting list developed by the Workforce
206 Estimating Conference. This review shall include examination of:

207 (a) Successful program completion and licensure passage
208 rates.

209 (b) Employment placement rates and wages earned according
210 to industry. Such examination shall:

211 1. Survey a statistically reliable sample of former
212 students to determine the rates at which students became
213 employed, and the wages earned, in the occupation for which the
214 workforce education program prepared the student. Survey
215 responses shall be cross-checked against available state data.

216 2. Consider the effect that students who became self-
217 employed have on the employment rates determined under
218 subparagraph 1.

219 3. Examine full-time, part-time, and contracted employment
220 as compared to other professions.

221 4. Examine how the percentage of commission impacts total
 222 wages as compared to other professions.

223 5. Compare the demand rate resulting from job openings
 224 annually to the demand rate for other professions.

225 6. Examine program enrollment demographics by gender and
 226 ethnicity as compared to such demographics for the occupation.

227 (2) Examine the cost-effectiveness of state funding for
 228 the workforce education programs reviewed under subsection (1)
 229 versus the provision of state financial assistance to students
 230 for attendance at independent institutions that offer such
 231 programs. Such examination shall consider:

232 (a) The availability of tuition waivers, scholarships, and
 233 loans and the total cost for workforce education programs at
 234 both public and independent institutions.

235 (b) The requirements for enrollment in public and
 236 independent institutions.

237 (3) Review the funding model used to determine funding for
 238 school district workforce education programs and provide options
 239 for modifying the funding system that will ensure equity among
 240 districts and access to these programs for students statewide.

241
 242 Community colleges and school districts shall provide
 243 information to the Office of Program Policy Analysis and
 244 Government Accountability on the workforce education programs
 245 reviewed under subsection (1) regarding the reasons for offering
 246 such programs, the demand for such programs, and student
 247 outcomes of such programs.

248 Section 9. This act shall take effect July 1, 2009.