

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Commerce and Tourism Committee

**BILL:** CS/SB 1314

**INTRODUCER:** Commerce and Tourism Committee and Senators Gaetz and Gardiner

**SUBJECT:** Career-themed Courses

**DATE:** February 3, 2012      **REVISED:** \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carrouth	deMarsh-Mathues	ED	<b>Favorable</b>
2.	Hrdlicka	Hrdlicka	CM	<b>Fav/CS</b>
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

CS/SB 1314 streamlines provisions included in the Career and Professional Academy (CAPE) law, as well as provisions established in 2011 for similar academies at the middle school level.<sup>1</sup> The CS allows for greater access to attainment of industry certifications in high demand fields, thus supporting critical workforce needs and providing an economic benefit to the state.

This CS amends ss. 1003.491, 1003.492, 1003.493, 1003.4935, and 1011.62 of the Florida Statutes.

**II. Present Situation:**

The Career and Professional Education (CAPE) Act was enacted by the 2007 Florida Legislature to attract and retain targeted, high-value industries and to develop a knowledge-based workforce.<sup>2</sup> The legislation has established significant partnerships among workforce and economic development agencies and local education communities, and resulted in meaningful

<sup>1</sup> Chapter 2011-175, L.O.F.

<sup>2</sup> Chapter 2007-216, L.O.F.

career and postsecondary opportunities for Florida's secondary students.<sup>3</sup> Current law requires each district school board to develop, in collaboration with the local workforce board and area postsecondary institutions, a 5-year strategic plan to address and meet local and regional workforce demands.<sup>4</sup> A focus of the plan was the requirement for at least one operational career and professional academy per school district beginning with the 2008-09 school year.<sup>5</sup> As specified in statute, career and professional academies must integrate a rigorous academic curriculum with an industry-specific curriculum that leads to an industry certification<sup>6</sup> in high-skill, high-wage, and high-demand occupations.<sup>7</sup> Additional requirements include opportunities for students to earn nationally recognized industry certifications, postsecondary credit, Bright Futures scholarships, and expanded offerings of integrated courses that combine academic content with technical skills.

For each student enrolled in a career and professional academy who graduates with a standard high school diploma and who earns a certification included on the "Industry Certification Funding List," the district of instruction may earn up to 0.3 full-time equivalent (FTE) student membership for the following year's funding calculation in the Florida Education Finance Program (FEFP).<sup>8</sup> In 2010-11, 9,712 students generated 2,913.6 additional FTE in the K-12 funding formula.<sup>9</sup> Because the funding is awarded retroactively, the data reported for 2009-10 is used for the 2010-11 FEFP calculation.<sup>10</sup>

#### *Profile of Career and Professional Academies<sup>11</sup>*

In 2010-11, the fourth year of implementation of the Florida Career and Professional Education Act, school districts registered 1,298 career and professional academies, representing all of Florida's 67 school districts.<sup>12</sup>

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<sup>3</sup> Presentation by the Department of Education, Okaloosa County School District, and St. John's County School District to the Senate Pre-K – 12 Appropriations Committee on March 15, 2011. The superintendent of schools in St. Johns County testified that the CAPE model is the most important and effective legislation of his 24-year career. Presentations available at <http://www.flsenate.gov/Committees/Show/BEA/> (last visited 1/30/2012).

<sup>4</sup> Section 1003.491(2), F.S.

<sup>5</sup> Section 1003.492(2), F.S., requires the Department of Education (DOE) to adopt rules for implementing an industry certification process. Rule 6A-6.0573, F.A.C., provides for a collaborative two-staged process by Workforce Florida, Inc. (WFI). The DOE annually establishes the Industry Certification Funding List, a subset of items included on the WFI Comprehensive Industry Certification List. References to years in this bill analysis refer to school years unless otherwise indicated.

<sup>6</sup> Industry certifications are based on assessment of skills by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies. Successful completion of the assessment results in the award of a time-limited credential that is nationally recognized and applicable to an occupation included in the workforce system's targeted occupation list or otherwise determined to be an occupation that is critical, emerging or addresses a local need. See the *CAPE Enrollment and Performance Report for 2009-2010*, pg. 3, on file with the Senate Committee on Pre-K – 12 Education.

<sup>7</sup> Section 1003.493(4), F.S.

<sup>8</sup> Section 1011.62(1)(p), F.S. Certifications earned through dual enrollment are not eligible for additional FTE. The additional FTE may not exceed 0.3 per student (i.e., no repeat allocations for additional certifications).

<sup>9</sup> Information provided by staff of the DOE Office of Career and Adult Education, January 20, 2012. On file with the Senate Committee on Pre-K – 12 Education.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

**History of Secondary Career and Professional Academies**

	2008-09	2009-10	2010-11
<b>Academies Registered</b>	490	838	1,298
<b>CAPE Academy Enrollment</b>	53,324	102,430	154,327

The most prevalent career areas represented by academies registered in 2009-10 were information technology, health sciences, and hospitality and tourism.<sup>13</sup>

*Performance of Career and Professional Academy Students<sup>14</sup>*

Among the 154,327 students enrolled in career and professional academies, 24,910 or 16.1 percent were reported as having earned one or more approved industry certifications in their high school careers going back to the 2007-08 school year; 20,644 students earned certifications in 2010-11 alone. A total of 31,389 assessments were attempted by academy students in 2010-11, of which 23,088 were passed, resulting in a pass rate of 73.6 percent. Forty-one percent of industry certifications earned by career and professional academy students were awarded to 12th graders. Among ninth-graders, 2,887 certifications were earned, representing 12.5 percent of total certifications reported.<sup>15</sup>

**2010-2011 Industry Certifications Earned by Grade Level<sup>16</sup>**

Grade Level	Certifications Earned	Percent
9	2,887	12.5%
10	4,193	18.2%
11	6,468	28%
12	9,540	41.3%
Total	23,088	100.0%

<sup>13</sup> *Id.*

<sup>14</sup> Information regarding CAPE Academy performance can be found in DOE’s “Career and Professional Academy Enrollment and Performance Report, 2010-11” (December 2011), available at <http://www.fldoe.org/workforce/pdf/capepr1011.pdf> (last visited 1/30/2012).

<sup>15</sup> The progression in the number of certifications as grade level increases is expected given the time and training required to earn industry certifications.

<sup>16</sup> See CAPE Performance Report, Table 6, p. 12. Updated information provided by staff of the DOE Office of Career and Adult Education, on file with the Senate Committee on Pre-K – 12 Education.

**Highlights of Performance Comparisons Among Non-Academy,  
Academy, and Industry Certified Academy Students, 2010-11<sup>17</sup>**

<b>Performance Indicator</b>	<b>Non-CAPE</b>	<b>CAPE, No Certification</b>	<b>Non-CAPE + Certification</b>	<b>CAPE and Certification</b>
Average GPA	2.46	2.58	2.79	3.00
Chronically Absent	16.3%	15.7%	11.2%	9.9%
At Least One Disciplinary Action	20.6%	20.5%	12.8%	10.9%
Dropout Rate	2.1%	0.9%	0.6%	0.3%
12th Graders Earning Standard Diploma	73.9%	85.9%	93.3%	96.1%
At Least One Accelerated Course	22.9%	25.4%	38.8%	41.2%
Bright Futures Eligible Seniors (2009-10)*	27.9%	25.9%		43.7%

\* Updated information not yet available.

Additionally, academy seniors earning certifications were much more likely to be Bright Futures scholarship eligible than their peers. Among academy seniors who earned at least one industry certification, 43.7 percent were eligible for Bright Futures compared to 25.9 percent among academy seniors who did not earn a certification.<sup>18</sup>

*Factors Included in the Calculation of High School Grades*

The 2008 Legislature enacted significant changes to the high school grading formula.<sup>19</sup> Beginning with the 2009-10 school year, in addition to the statewide assessment results in grades 9, 10, and 11, the law requires an equal focus be placed on access to and performance in rigorous, accelerated coursework, college readiness,<sup>20</sup> and graduation rates for all students including those who are academically at-risk.<sup>21</sup>

<sup>17</sup> *Id* at Table 12, p. 18.

<sup>18</sup> *Id.*

<sup>19</sup> Chapter 2008-235, L.O.F.

<sup>20</sup> In 2007, 54 percent of high school graduates who enrolled in community college required remediation in at least one subject. The Postsecondary Education Readiness Test (P.E.R.T.) is Florida's customized common placement test. The purpose of the P.E.R.T. is accurate course placement based on the student's skills and abilities. The P.E.R.T. is aligned with the Postsecondary Readiness Competencies identified by Florida faculty as necessary for success in entry-level college credit coursework. The P.E.R.T. assessment system includes Placement and Diagnostic tests in mathematics, reading and writing. See DOE's P.E.R.T. website available at <http://www.fldoe.org/cc/pert.asp> (last visited 1/30/2012).

<sup>21</sup> Section 1008.34(3)(b)3., F.S.

*Middle School Model*

Beginning in 2011-12, districts were required to register career and professional academies offered in middle school with the Department of Education (DOE).<sup>22</sup> In 2011-12, 56 middle school academies were registered with DOE.<sup>23</sup>

**III. Effect of Proposed Changes:**

CS/SB 1314 streamlines provisions included in the CAPE law, as well as provisions established in 2011 for similar academies at the middle school level. The CS allows for greater access to attainment of industry certifications in high demand fields, thus supporting critical workforce needs and providing an economic benefit to the state.

Under the CS:

- Secondary schools would no longer be required to have in place a full-scale career academy in order to be eligible for industry certification bonus funding. This provision maintains the integrity of CAPE and the rigorous coursework required for attainment of industry certifications, but removes additional, non-essential steps required of schools to earn the bonus funding.
- Secondary schools would still be required to offer rigorous courses that lead to industry certifications in high wage, high skill, and high demand occupations and to employ instructors who hold industry certifications.
- The strategic 5-year plan developed by the school district in collaboration with regional workforce boards and postsecondary institutions determines areas of academic emphasis to meet workforce needs. Under the CS, there would now be a 3-year plan. This provision allows for a more timely response to meet critical workforce needs.
- The 3-year plan would also encompass additional strategies, including strategies for providing personalized student advisement, plans to sustain and improve career-themed courses and career and professional academies, strategies to recruit students into the career-themed courses, and strategies to redirect appropriate funding to support such programs.
- The curriculum review committee, responsible to review and approve newly developed workforce-related courses, must now approve or deny proposals within 30 days instead of 60.
- The appropriation cap to fund the bonus awarded for the attainment of certifications is increased from \$15 million to \$30 million.

Based on the requirements in s. 1011.62(1)(o), F.S., and Rule 6A-6.0573(6), F.A.C., a student must meet all of the following conditions for the additional FTE membership funding for an earned industry certification:

- Be enrolled in career-themed courses or a career and professional academy that leads to industry certification;

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<sup>22</sup> Chapter 2011-175, L.O.F., established criteria for middle school career and professional academies relating to alignment to high school career and professional academies, an opportunity to earn an industry certification, and partnerships with the business community.

<sup>23</sup> DOE 2012 Agency Legislative Bill Analysis for SB 1314 (1/1/2012), on file with the Senate Committee on Pre-K – 12 Education.

- Attain the highest level of certification on the Industry Certification Funding List; and
- Receive a standard high school diploma.

This CS provides an effective date of July 1, 2012.

**Other Potential Implications:**

Career-themed courses will need to be identified based on a course with an industry-specific curriculum aligned directly to priority workforce needs established by the regional workforce board or the Department of Economic Opportunity. Since it is not a requirement that all career education programs (and courses), under s. 1003.01, F.S., lead to industry certification, the DOE or districts would be required to identify which career-themed courses were being offered in a given year.

The accountability requirements would be based on students enrolled in career-themed courses, instead of students in career and professional academies who take an industry certification exam.

As the CS is currently written, eligibility for the additional FTE membership calculation would be based on successful completion of career-themed courses and attainment of an industry certification rather than participation in a career and professional academy.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The CS provides for greater access to attainment of industry certifications in high demand fields, thus supporting critical workforce needs and providing an economic benefit to the state.

**C. Government Sector Impact:**

The appropriation cap to fund the bonus awarded for the attainment of certifications is increased from \$15 million to \$30 million. The appropriation has never reached the \$15 million level and the amount has never had to be pro-rated because the calculation exceeded the appropriation cap.<sup>24</sup> The amount is \$10.1 million in the 2011-12 3<sup>rd</sup> FEFP calculation.<sup>25</sup> However, in 2012-13, the tiered bonus will begin to take place and that will also affect the funding.<sup>26</sup>

**VI. Technical Deficiencies:**

The current performance factors are more directly aligned to program completion rather than the successful completion of a course. While there is much data to show the impact of a student's successful completion of a certain core academic course (Algebra 1, Biology, etc) there is not comparative data available at this time for a "career-themed course." Thus, the term "career-themed course" could be amended to refer to "career-themed programs" in some instances. While the term "career-themed courses" is used, the intent or application of the term is not clear.<sup>27</sup>

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Commerce and Tourism on February 2, 2012:**

This committee substitute provided clarification throughout, made changes recommended by DOE, and moved portions of planning and strategies from the career academies partnerships to be included in the 3-year strategic plan.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>24</sup>*Id.*

<sup>25</sup> Figure obtained from Senate Education Appropriations staff, January 23, 2012.

<sup>26</sup> See s. 1011.62(1) (o), F.S.

<sup>27</sup> DOE 2012 Agency Legislative Bill Analysis for SB 1314.