

**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.)

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

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BILL: SB 1314

INTRODUCER: Senators Gaetz and Gardiner

SUBJECT: Career-themed Courses

DATE: February 1, 2012

REVISED: \_\_\_\_\_

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

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**I. Summary:**

The bill 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 bill 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 bill 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 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

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

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

<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).

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>

**History of Secondary Career and Professional Academies**

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

<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.*

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%

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

Performance Indicator	Non-CAPE	CAPE, No Certification	Non-CAPE + Certification	CAPE and Certification
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%

<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.

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

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>

*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:**

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 bill 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.

<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.

<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.

Under the bill:

- 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 bill, there would now be a 3-year plan. This provision allows for a more timely response to meet critical workforce needs.
- 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 a registered career and professional academy;
- Complete a certification on the Industry Certification Funding List; and
- Receive a standard high school diploma.

This bill 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 bill is currently written, eligibility for the additional FTE membership calculation would be based on successful completion of a career-themed course 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 bill 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>

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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.

Lines 246-252 provide that a student completing a career-themed course “must receive the highest available industry certification.” Industry certifications are currently designed to require 150 hours of instruction. The use of the term “course” and the implication that students could earn an industry certification after taking one course conflicts with current industry certification requirements as most involve multiple courses. According to the DOE, the use of the term Career and Technical Education (CTE) program may be more appropriate.<sup>28</sup>

The proposed legislation ties industry certifications to the course level. This may prove challenging as many certifications contained on the Industry Funding Certification list require students to complete a sequence of courses before they have the knowledge and skills to be able to master an examination leading to certification or licensure. Numerous certifications require over 150 hours of instruction for student preparation. For example, the Licensed Practical Nurse certification issued by the Florida Department of Health requires students complete a full program.<sup>29</sup>

The DOE notes that the reference to “Deputy Commissioner of Education” on line 175 is outdated, and suggests that this sentence be amended to refer to “a designee of the Commissioner of Education responsible for K-12 curriculum and instruction.”<sup>30</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.)

None.

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>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*