

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 331 Career and Adult Education

SPONSOR(S): Patronis

TIED BILLS: **IDEN./SIM. BILLS:** SB 1010

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-20 Innovation Subcommittee	11 Y, 0 N	Thomas	Sherry
2) PreK-12 Appropriations Subcommittee	15 Y, 0 N	Seifert	Heflin
3) Education Committee	15 Y, 0 N	Thomas	Klebacha

SUMMARY ANALYSIS

The bill revises various provisions relating to career and adult education. More specifically, the bill:

- Repeals the requirement that adult general education programs provide academic services to students who enroll in lifelong learning courses or activities and to students who enroll in courses related to students' recreational and leisure pursuits.
- Establishes "Action Steps to Employment", activities for students entering adult general education programs after July 1, 2012. The following activities must be completed prior to completion of the first term:
 - Identify employment opportunities using market-driven tools;
 - Create a personalized employment goal;
 - Conduct a personalized skill and knowledge inventory;
 - Compare the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal; and
 - Upgrade skills and knowledge needed through adult general education programs and additional educational pursuits based on the personalized employment goal.
- Moves financial literacy from the mathematics Next Generation Sunshine State Standards to the social studies Next Generation Sunshine State Standards as part of the economics curriculum. The bill also adds financial literacy to s. 1003.42 as part of the public school required instruction.
- Provides authority to school districts and Florida College System institutions boards of trustees for a 10% variance of the learning outcomes for career education programs that do not require state or federal licensure, certification, or registration.
- Removes obsolete references to the College-Level Academic Skills Test (CLAST) examination and exemption from the payment of tuition and fees, including lab fees for students attending adult basic, adult secondary or vocational-preparatory instruction.

In addition, the bill makes the following technical changes:

- "Vocational preparatory instruction" is changed to "applied academics for adult education" or "applied academics instruction."
- "Career preparatory instruction" is changed to "career education program basic skills requirements."
- "Career preparatory instruction" is changed to "applied academics instruction."
- "Career programs" is changed to "career education programs."

The bill appears to have a minimal fiscal impact. See FISCAL COMMENTS.

The bill provides an effective date of July 1, 2012.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

The bill revises various provisions relating to career and adult education.

Sunshine State Standards

Present Situation

The Sunshine State Standards establish core curricula and benchmarks for student achievement in eight subject areas: language arts, science, mathematics, social studies, visual and performing arts, foreign language, health, and physical education.¹

Section 1003.41, F.S., requires the State Board of Education to review the Sunshine State Standards and replace them with Next Generation Sunshine State Standards that specify the core content knowledge and skills that K-12 public school students are expected to acquire.² In September 2007, the State Board of Education adopted the Next Generation Sunshine Standards for Mathematics.³ The mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, probability, statistics, calculus, discrete mathematics, financial literacy, and trigonometry.⁴ In December 2008, the State Board of Education adopted the Next Generation Sunshine Standards for Social Studies.⁵ The social studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, economics, and humanities.⁶

Effect of Proposed Changes

The bill removes financial literacy as a component of the mathematics standard requirements approved by the State Board of Education as part of the Next Generation Sunshine State Standards. The financial literacy component is added as a component of the social studies Next Generation Sunshine State Standards. This change will require the State Board of Education to revise both the mathematics and economics Next Generation Sunshine State Standards and adopt those revisions in Rule 6A-1.09401, F.A.C.

High School Graduation Options

Present Situation

Florida high school students are provided several options for earning a standard high school diploma. There are two 18-credit graduation options, College Preparatory Program and Career Preparatory Program, which allow students to graduate from high school in 3 years⁷ and the 24-credit graduation option, which allows students to graduate from high school in 4 years.⁸

¹ Section 1003.41, F.S..

² Section 1003.41, F.S.(1), F.S.

³ Florida Department of Education, *Next Generation Sunshine State Standards*, available at <http://www.fldoe.org/bii/curriculum/sss>, (last visited Jan. 23, 2012).

⁴ Section 1003.41(1)(a)3., F.S.

⁵ Florida Department of Education, *Next Generation Sunshine State Standards*, available at <http://www.fldoe.org/bii/curriculum/sss>, (last visited Jan. 23, 2012).

⁶ Section 1003.41(1)(a)4., F.S.

⁷ Section 1003.429, F.S.

⁸ Section 1003.428, F.S.

Currently, three credits in social studies are required for earning a standard high school diploma⁹ as follows: one credit in United States history; one credit in world history; one-half credit in economics; and one-half credit in United States government. Current law establishes a comprehensive list of required instruction for public schools.¹⁰

Effect of Proposed Changes

The bill requires that the one-half credit in economics include financial literacy. Given that this is a new requirement that must be taught within the .5 credit economics course, professional development may be necessary for districts and social studies (economics) teachers.¹¹ The bill adds financial literacy to the required instruction for public schools.

Career-preparatory Instruction

Present Situation

A student who is enrolled in a postsecondary program offered for career education credit of 450 hours or more is required to complete an entry-level basic skills examination within the first six weeks after admission to the program.¹² The State Board of Education must designate examinations that assess student mastery of basic skills. Any student found to lack the required level of basic skills must be referred to career-preparatory instruction or adult basic education for a structured program of basic skills instruction.¹³

The following students are exempt from the entry-level examination requirements:¹⁴

- An adult student with a disability;
- A student who possesses a college degree at the associate in applied science level or higher;
- A student who has completed or who is exempt from the college-level communication and computation skills examination or who is exempt from the college entry level examination;
- A student who has passed a state, national or industry licensure exam; and
- An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education.

Effect of Proposed Changes

The bill removes the exemption for a student who has completed or who is exempt from the college-level communication and computation skills examination or who is exempt from the college entry level examination and obsolete references to the College-Level Academic Skills Test (CLAST) examination. The CLAST examination was repealed in 2009, so removal of the provision has no effect.

Adult General Education

Present Situation

Adult general education is defined as “comprehensive instructional programs designed to improve the employability of the state’s workforce through adult basic education (ABE), adult secondary education (ASE), English for Speakers of Other Languages (ESOL), vocational-preparatory instruction, and instruction for adults with disabilities.”¹⁵

⁹ Sections 1003.429 and 1003.428, F.S.

¹⁰ Section 1003.42, F.S.

¹¹ Staff of the Florida Department of Education, *Agency Legislative Bill Analysis for HB 331* (2012).

¹² Section 1004.91(2), F.S.

¹³ Section 1004.91(1), F.S.

¹⁴ Section 1004.91(3), F.S.

¹⁵ Section 1004.02(3), F.S.

Current law encourages each district school board and Florida College System institution to provide educational services to enable adults to acquire a high school diploma or high school equivalency diploma and basic and functional literacy so that such adults become more employable, productive, and self-sufficient citizens. In order for adults to acquire the specified skills, the adult education program must provide academic services¹⁶ to students enrolled in the program in the following order of priority:

- (a) Students who demonstrate skills at less than a fifth grade level.
- (b) Students who demonstrate skills at the fifth grade level or higher, but below the ninth grade level.
- (c) Students who are earning credit required for a high school diploma or who are preparing for the General Education Development (GED) test.
- (d) Students who have earned high school diploma and require specific improvement.
- (e) Students who enroll in lifelong learning courses.
- (f) Students who enroll in courses related to the recreational and leisurely pursuits.¹⁷

The Department of Education (DOE) is required to develop program standards and industry-driven benchmarks for career, adult, and community general education programs. These standards must be updated every three years. The standards must include career, academic, and workforce skills; viability of distance learning for instruction; and work/learn cycles that are responsive to business and industry.¹⁸ The State Board of Education has adopted standards for successful completion of the following adult general education programs: ABE, Adult High School (formerly called General Education Promotion), GED, ESOL, Applied Academics for Adult Education (formerly called Vocational Preparatory Instruction), and Adult General Education for Adults with Disabilities. Based on these standards, DOE has developed a curriculum framework for each of the specified adult general education programs.¹⁹

Funding

Funds for adult general education programs are included in the funds appropriated for workforce education programs.²⁰ These funds are provided in the General Appropriations Act.²¹

State funds are provided for the following adult general education programs: ABE, ASE, ESOL, vocational-preparatory instruction, and instruction for adults with disabilities. State funds are not provided for instruction in lifelong learning courses.²² The cost of instruction in courses related to recreational and leisure pursuits and courses is supported by fees from students who enroll in those courses.²³

Effect of Proposed Changes

The bill repeals a requirement that the adult general education program provide academic services to students who enroll in lifelong learning courses or activities and to students who enroll in courses related to students' recreational and leisurely pursuits. Lifelong learning courses and courses related to recreational and leisurely pursuits are not included among the "comprehensive instructional programs

¹⁶ Academic services for adult general education program encompass all instruction specified in the statewide curriculum framework for each type of program, academic testing for progress [e.g., Test for Adult Basic Education (TABE) and General Assessment of Instructional Needs (GAIN)], and other career exploration and workforce readiness activities. E-mail, Florida Department of Education, Division of Career and Adult Education (Jan. 19, 2012); *see also* Rule 6A-6.014, F.A.C.

¹⁷ Section 1004.93(2), F.S.

¹⁸ Section 1004.92(2)(b)4., F.S.

¹⁹ E-mail, Florida Department of Education, Division of Career and Adult Education (Jan. 19, 2012); *see also* Rule 6A-6.0571, F.A.C.; and Florida Department of Education, *2012-13 Adult Education Curriculum Frameworks*,

http://www.fldoe.org/workforce/dwdframe/ad_frame.asp (last visited Jan. 20, 2012).

²⁰ Section 1011.80(1)(a), F.S.

²¹ Sections 1 and 2, ch. 2011-69, L.O.F.

²² Telephone interview with staffs from the Florida Department of Education (Jan. 20, 2012); *see also* Florida Department of Education, Analysis of HB 331 (Oct. 20, 2011); and Section 1011.84(3)(b)3., F.S.

²³ Section 1004.93(2)(f), F.S.; *see also* s. 1011.84(3)(b)3., F.S.

[under adult general education] designed to improve the employability of the state's workforce."²⁴ As a result, DOE has not developed standards and curriculum frameworks for such courses.²⁵ Additionally, lifelong learning courses and courses related to recreational and leisurely pursuits are not supported by state funds.

Fee Exemption

Present Situation

During the 2011 Legislative Session, the fee exemption set forth in s. 1009.25(1), F.S., for students enrolled in adult basic, adult secondary and career-preparatory instruction from payment of tuition and fees was repealed. However, an obsolete reference to s. 1009.25, F.S., relating to the fee exemption for students who enter a Florida public school at the 11th or 12th grade from out-of-state or from a foreign country²⁶ remains in Florida Statutes.

Effect of Proposed Changes

The bill removes the fee exemption for out-of state and out of country transfer students attending adult basic, adult secondary or vocational-preparatory instruction programs. This change is necessary to conform to changes made to s. 1009.25, F.S. during the 2011 Legislative Session.

Career Education Programs

In accordance with statute and rule, the Division of Career and Adult Education reviews and updates career education curriculum frameworks every three years based on input from business and industry.²⁷ However, some program standards and outcomes, particularly in the Information Technology Cluster, change rapidly.

Effect of Proposed Changes

The bill allows district school boards and Florida College System institution boards of trustees to vary the intended learning outcomes of each career education program up to 10 percent, provided that the career education program does not lead to an occupation that requires state or federal licensure, certification, or registration. The inclusion of a 10 percent variance on the learning outcomes for non-regulated career education programs would provide some flexibility to school districts and college providers to develop curriculum and learning outcomes specific to local employers needs. This variance would also give education providers the ability to alter specific standards and outcomes.

Action Steps to Employment

Effect of Proposed Changes

To ensure that students in adult general education programs identify goals and link their skills to potential employment opportunities, the bill establishes "Action Steps to Employment" activities for students entering an adult general education program after July 1, 2012. The following activities must be completed prior to completion of the first term:

- Identify employment opportunities using market-driven tools;
- Create a personalized employment goal;
- Conduct personalized skill and knowledge inventory;
- Compare the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal; and

²⁴ Section 1004.02(3), F.S.

²⁵ Telephone interview with staffs from the Florida Department of Education (Jan. 20, 2012).

²⁶ Section 1003.433(2)(c), F.S.

²⁷ Section 1004.92(2)(a), F.S., Rule 6A-6.0571, F.A.C.

- Upgrade skills and knowledge needed through adult general education program and additional educational pursuits based on the personalized employment goal.

The bill provides that the “Action Steps to Employment” may be developed through a blended approach with assistance provided to adult general education students by teachers, employment specialists, guidance counselors, business and industry representatives and online resources. Students should also be directed to online resources or provided information on financial literacy, student financial aid, industry certification, and occupational skills and knowledge tools, and a listing of job openings.

Technical Changes

Effect of Proposed Changes

The bill makes the following technical changes:

- “Vocational preparatory instruction” is changed to “applied academics for adult education” or “applied academics instruction.”
- “Career preparatory instruction” is changed to “career education program basic skills requirements.”
- “Career preparatory instruction” is changed to “applied academics instruction.”
- “Career programs” is changed to “career education programs.”

B. SECTION DIRECTORY:

Section 1. Amends s. 1003.41, F.S., relating to Sunshine State Standards; requiring the Next Generation Sunshine State Standards to include financial literacy in the core curricular content of economics.

Section 2. Amends s. 1003.42, F.S., relating to required instruction; including the study of financial literacy in public school required instruction.

Section 3. Amends s. 1003.428, F.S., relating to general requirements for high school graduation; revised, providing that the credit requirement in economics for high school graduation includes instruction in financial literacy.

Section 4. Amends s. 1003.429, F.S., relating to accelerated high school graduation options; providing that the credit requirement in economics for high school graduation includes instruction in financial literacy.

Section 5. Amends s. 1003.433, F.S., relating to learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements; deleting provisions that exempt adult general education students from payment of tuition and fees.

Section 6. Amends s. 1004.02, F.S., relating to definitions; revising definitions; replacing the term "vocational-preparatory" instruction with the term "applied academics for adult education" instruction with respect to adult general education.

Section 7. Amends s. 1004.91, F.S., relating to career preparatory instruction; conforming provisions relating to career education programs; deleting obsolete provisions.

Section 8. Amends s. 1004.92, F.S., relating to purpose and responsibilities for career education; authorizing district school boards and Florida College System institution boards of trustees to vary up to a specified percentage of intended learning outcomes of career education programs.

Section 9. Amends s. 1004.93, F.S., relating to adult general education; deleting lifelong learning courses or activities and recreational or leisure courses as priorities in the provision of adult education

program academic services; requiring students entering adult general education programs to complete specified "Action Steps to Employment" activities.

Section 10. Amends s. 1007.263, F.S., relating to Florida College System institutions, admissions of students; conforming terminology to changes made by the act.

Section 11. Amends s. 1007.271, F.S., relating to dual enrollment programs; conforming terminology to changes made by the act.

Section 12. Amends s. 1008.37, F.S., relating to postsecondary feedback of information to high schools; conforming terminology to changes made by the act.

Section 13. Amends s. 1009.22, F.S., relating to workforce education postsecondary student fees; conforming terminology to changes made by the act.

Section 14. Amends s. 1009.25, F.S., relating to fee exemptions; conforming terminology to changes made by the act.

Section 15. Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

According to the DOE, the cost of developing the proposed adult education Action Steps to Employment criteria will be minimal and will be completed through the use of existing services and programs.²⁸ Additionally, it is anticipated that the financial literacy reclassification will require revised professional development criteria and guidance standards; however, the DOE anticipates these costs to be insignificant.²⁹

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

²⁸ Staff of the Florida Department of Education, *Agency Legislative Bill Analysis for HB 331* (2012).

²⁹ *Id.*

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.