

By the Committee on Education; and Senator Montford

581-03194-14

20141202c1

1 A bill to be entitled
2 An act relating to career centers and charter
3 technical career centers; amending s. 1001.44, F.S.;
4 authorizing a career center to offer college credit
5 courses applicable toward specific certificates or
6 degrees; providing a process for approval to offer
7 specific degree programs; requiring the State Board of
8 Education to adopt rules; authorizing a career center
9 to change the institution's name if certain
10 requirements are met; amending s. 1002.34, F.S.;
11 authorizing a charter technical career center to offer
12 college credit courses applicable toward specific
13 certificates or degrees; providing an approval
14 process; authorizing a charter technical career center
15 to change the institution's name if certain
16 requirements are met; amending s. 1004.02, F.S.,
17 relating to definitions; renaming the applied
18 technology diploma program as the college credit
19 certificate program and clarifying the program;
20 amending ss. 1007.23 and 1007.25, F.S.; conforming
21 provisions; amending s. 1009.22, F.S.; revising and
22 clarifying tuition and fees for specific workforce
23 education programs; amending ss. 1009.53, 1009.532,
24 and 1009.536, F.S.; conforming provisions; amending s.
25 1011.80, F.S., relating to funds for operation of
26 workforce education programs; conforming provisions;
27 authorizing a career center to offer associate in
28 applied science degree programs; requiring school
29 districts and Florida College System institutions to

581-03194-14

20141202c1

30 maintain certain records; revising operational and
31 performance funding calculation and allocation for
32 workforce education programs; deleting provisions
33 relating to a program to assist in responding to needs
34 of new and expanding businesses; correcting a cross-
35 reference; providing an effective date.

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Section 1001.44, Florida Statutes, is amended to
40 read:

41 (Substantial rewording of section. See
42 s. 1001.44, F.S., for present text.)
43 1001.44 Career centers.-

44 (1) In order to provide additional career pathways, career
45 centers shall support and enhance a competitive workforce by
46 offering high-quality career and technical education programs
47 that prepare graduates for current and emerging careers.

48 (2) (a) A career center is an educational institution that
49 offers postsecondary career and technical education programs and
50 is under the control of the district school board of the school
51 district in which the center is located. A district school
52 board, after first obtaining the approval of the Commissioner of
53 Education, may organize, establish, and operate a career center
54 or acquire and operate a career center previously established. A
55 center that obtains approval to change its name to "technical
56 college" pursuant to subsection (7) remains under the control of
57 the district school board of the school district in which the
58 center is located.

581-03194-14

20141202c1

59 (b) The district school boards of two or more contiguous
60 districts may, after first obtaining the approval of the
61 commissioner, enter into an agreement to organize, establish,
62 and operate, or acquire and operate, a career center under this
63 section.

64 (3) A career center shall maintain an academic transcript
65 for each student enrolled in the center. A student's transcript
66 shall include each course completed, credit earned, and
67 credentials earned by the student. Each course shall be
68 delineated by the course prefix and title assigned pursuant to
69 s. 1007.24. A career center shall make each student's transcript
70 available to that student.

71 (4) A career center may offer college credit courses
72 applicable toward a college credit certificate or an associate
73 in applied science degree through a partnership with a Florida
74 College System institution or through direct authority to award
75 such certificates and degrees. A career center must submit a
76 proposal to the State Board of Education for approval before
77 offering and awarding associate in applied science degrees.

78 (5) The process for a career center to offer an associate
79 in applied science degree program shall be as follows:

80 (a) The career center shall submit a notice of its intent
81 to propose an associate in applied science degree program to the
82 Division of Career and Adult Education and the Florida College
83 System institution in its service area 45 days before submitting
84 the proposal. The notice must include a brief description of the
85 program, the geographic region to be served, and an estimated
86 timeframe for implementation. The notice must also include
87 evidence that the career center engaged in need, demand, and

581-03194-14

20141202c1

88 impact discussions with the Florida College System institution
89 in its service area.

90 (b) A proposal to offer an associate in applied science
91 degree program shall be submitted to the Division of Career and
92 Adult Education and, at a minimum, include:

93 1. A description of the planning process and timeline for
94 implementation.

95 2. An analysis of workforce demand and unmet need for
96 graduates of the program on a district or regional basis, as
97 appropriate, including evidence from entities independent of the
98 institution.

99 3. Identification of the facilities, equipment, and library
100 and academic resources that will be used to deliver the program.

101 4. A cost analysis of creating a new associate in applied
102 science degree program.

103 5. The program's admission requirements, academic content,
104 curriculum, faculty credentials, student-to-teacher ratios, and
105 accreditation plan.

106 6. Feedback from the Florida College System institution
107 regarding the notice of intent pursuant to paragraph (a).

108 7. The program's enrollment projections and funding
109 requirements.

110 8. A description of outcome measures that will be used to
111 determine success, including, but not limited to, program
112 completions, placements, licensures, and feedback of employer
113 satisfaction with the job performance of graduates.

114 9. A plan that describes how the career center's college
115 credit courses will meet the equivalent faculty credential
116 standards for inclusion in the statewide course numbering system

581-03194-14

20141202c1

117 pursuant to s. 1007.24(7).

118 10. A plan of action if the program is terminated.

119 (c) The Division of Career and Adult Education shall review
120 the proposal, notify the career center, in writing, of any
121 deficiencies within 30 days after receipt of the proposal, and
122 provide the center with an opportunity to correct the
123 deficiencies.

124 (d) Within 45 days after receipt of the finalized proposal
125 by the Division of Career and Adult Education, the commissioner
126 shall recommend approval or disapproval of the proposal to the
127 state board. The state board shall consider the recommendation
128 and the proposal at the next scheduled meeting, adhering to
129 appropriate meeting notice requirements. If the state board
130 disapproves the career center proposal, it shall provide the
131 center with a written explanation for that determination. The
132 state board's action is not subject to the provisions of the
133 Administrative Procedure Act.

134 (e) After approval by the state board to offer its first
135 associate in applied science degree program, the career center
136 must obtain accreditation as an associate-in-applied-science-
137 degree-granting institution from an accrediting agency that is
138 recognized by the United States Department of Education.

139 (f) A career center shall notify the appropriate
140 accrediting agency of subsequent degree programs that are
141 approved by the state board.

142 (g) A career center shall annually, and upon request of the
143 state board, the Chancellor of Career and Adult Education, or
144 the Legislature, report its status using the following
145 performance and compliance indicators:

581-03194-14

20141202c1

146 1. Obtaining and maintaining appropriate accreditation.

147 2. Maintaining qualified faculty and institutional
148 resources.

149 3. Maintaining enrollment in previously approved programs.

150 4. Managing fiscal resources appropriately.

151 5. Measuring program success, including program
152 completions, placements, licensures, and employer satisfaction
153 with the job performance of graduates.

154
155 The state board, upon review of the performance and compliance
156 indicators, may require a career center to modify or terminate
157 an associate in applied science degree program authorized under
158 this section.

159 (6) The state board shall adopt rules providing guidelines
160 for receiving, reviewing, and approving proposals to offer
161 associate in applied science degree programs. The rules shall
162 establish an annual timeframe by which proposals must be
163 received. The rules shall also require that a presentation be
164 made to assist the state board in its decision.

165 (7) With the approval of its district school board, a
166 career center may change the institution's name and use the
167 designation "technical college" if the center:

168 (a) Offers college credit certificate programs or has been
169 authorized to offer associate in applied science degree programs
170 pursuant to subsection (5);

171 (b) Offers only career and technical education programs
172 that are approved by an accrediting agency recognized by the
173 United States Department of Education; and

174 (c) Confirms that at least 75 percent of the career and

581-03194-14

20141202c1

175 technical education programs with enrollment during the current
176 school year lead to an industry certification or licensure.

177 Section 2. Paragraphs (b) and (g) of subsection (11) of
178 section 1002.34, Florida Statutes, are amended, and paragraphs
179 (h) and (i) are added to that subsection, to read:

180 1002.34 Charter technical career centers.—

181 (11) FUNDING.—

182 (b) Each district school board and Florida College System
183 institution that sponsors a charter technical career center
184 shall pay directly to the center an amount stated in the
185 charter. State funding shall be generated for the center for its
186 student enrollment and program outcomes as provided in law. A
187 center is eligible for funding from workforce education funds,
188 the Florida Education Finance Program, and the Florida College
189 System Program Fund, depending upon the programs offered
190 ~~conducted~~ by the center, pursuant to s. 1011.80.

191 (g) A center must describe ~~define~~ in the charter agreement
192 the delivery system in which the instructional offering of
193 educational services will be placed. The rules governing this
194 delivery system must be applied to all of the center's students
195 and must authorize all other sponsoring educational systems to
196 report required enrollment and student data based solely on the
197 rules of the offering institution. Each sponsor shall earn full-
198 time equivalent membership for each student for funding and
199 reporting purposes.

200 (h) A center may offer college credit courses applicable
201 toward a college credit certificate or an associate in applied
202 science degree through a partnership with a Florida College
203 System institution or through direct authority to award such

581-03194-14

20141202c1

204 certificates and degrees. A center must submit a proposal to the
205 State Board of Education for approval before offering and
206 awarding associate in applied science degrees, as prescribed in
207 s. 1001.44(5).

208 (i) With the approval of its board of directors, a center
209 may change the institution's name and use the designation
210 "technical college" if the center offers college credit
211 certificate programs or has been authorized to offer associate
212 in applied science degree programs pursuant to s. 1001.44(5).

213 Section 3. Subsections (8) and (26) of section 1004.02,
214 Florida Statutes, are amended to read:

215 1004.02 Definitions.—As used in this chapter:

216 (8) "College credit certificate program" ~~"Applied~~
217 ~~technology diploma program"~~ means a course of study that is part
218 of a technical degree program, is less than 60 credit hours, and
219 leads to employment in a specific occupation. ~~An applied~~
220 ~~technology diploma program may consist of either technical~~
221 ~~credit or college credit. A public school district may offer an~~
222 ~~applied technology diploma program only as technical credit,~~
223 ~~with college credit awarded to a student upon articulation to a~~
224 ~~Florida College System institution. Statewide articulation among~~
225 ~~public schools and Florida College System institutions is~~
226 ~~guaranteed by s. 1007.23, and is subject to guidelines and~~
227 ~~standards adopted by the State Board of Education pursuant to~~
228 ~~ss. 1007.24 and 1007.25.~~

229 (26) "Workforce education" means adult general education or
230 career education and may consist of a continuing workforce
231 education course or a program of study leading to an
232 occupational completion point, a career certificate, a college

581-03194-14

20141202c1

233 credit certificate ~~an applied technology diploma~~, or a career
234 degree.

235 Section 4. Subsections (1) and (4) of section 1007.23,
236 Florida Statutes, are amended to read:

237 1007.23 Statewide articulation agreement.—

238 (1) The State Board of Education and the Board of Governors
239 shall enter into a statewide articulation agreement which the
240 State Board of Education shall adopt by rule. The agreement must
241 preserve Florida's "2+2" system of articulation, facilitate the
242 seamless articulation of student credit across and among
243 Florida's educational entities, and reinforce the provisions of
244 this chapter by governing:

245 (a) Articulation between secondary and postsecondary
246 education.†

247 (b) Admission of associate in arts degree graduates from
248 Florida College System institutions and state universities.†

249 (c) Admission of college credit certificate ~~applied~~
250 ~~technology diploma~~ program graduates from Florida College System
251 institutions or career centers.†

252 (d) Admission of associate in science degree and associate
253 in applied science degree graduates from Florida College System
254 institutions.†

255 (e) The use of acceleration mechanisms, including
256 nationally standardized examinations through which students may
257 earn credit.†

258 (f) General education requirements and statewide course
259 numbers as provided for in ss. 1007.24 and 1007.25.† ~~and~~

260 (g) Articulation among programs in nursing.

261 (4) The articulation agreement must guarantee the statewide

581-03194-14

20141202c1

262 articulation of appropriate workforce development programs and
263 courses between school districts and Florida College System
264 institutions and specifically provide that every college credit
265 certificate ~~applied technology diploma~~ graduate must be granted
266 the same amount of credit upon admission to an associate in
267 science degree or associate in applied science degree program
268 unless it is a limited access program. Preference for admission
269 must be given to graduates who are residents of Florida.

270 Section 5. Subsections (2) and (11) of section 1007.25,
271 Florida Statutes, are amended to read:

272 1007.25 General education courses; common prerequisites;
273 other degree requirements.—

274 (2) The department shall identify postsecondary career
275 education programs offered by Florida College System
276 institutions and district school boards. The department shall
277 also identify career courses designated as college credit
278 courses applicable toward a college credit certificate ~~career~~
279 ~~education diploma~~ or degree. Such courses must be identified
280 within the statewide course numbering system.

281 (11) The Commissioner of Education shall appoint faculty
282 committees representing both Florida College System institution
283 and public school faculties to recommend to the commissioner for
284 approval by the State Board of Education a standard program
285 length and appropriate occupational completion points for each
286 postsecondary career certificate program, college credit
287 certificate ~~diploma~~, and degree offered by a school district or
288 a Florida College System institution.

289 Section 6. Subsection (3) of section 1009.22, Florida
290 Statutes, is amended to read:

581-03194-14

20141202c1

291 1009.22 Workforce education postsecondary student fees.—

292 (3) (a) Except as otherwise provided by law, fees for
293 students who are nonresidents for tuition purposes must offset
294 the full cost of instruction. Residency of students shall be
295 determined as required in s. 1009.21. Fee-nonexempt students
296 enrolled in applied academics for adult education instruction
297 shall be charged fees equal to the fees charged for adult
298 general education programs. Each Florida College System
299 institution that conducts developmental education and applied
300 academics for adult education instruction in the same class
301 section may charge a single fee for both types of instruction.

302 (b) Fees for continuing workforce education shall be
303 locally determined by the district school board or Florida
304 College System institution board. Expenditures for the
305 continuing workforce education program provided by the Florida
306 College System institution or school district must be fully
307 supported by fees. Enrollments in continuing workforce education
308 courses may not be counted for purposes of funding full-time
309 equivalent enrollment.

310 (c) ~~Effective July 1, 2011, for programs leading to a~~
311 ~~career certificate or an applied technology diploma, the~~
312 ~~standard tuition shall be \$2.22 per contact hour for residents~~
313 ~~and nonresidents and the out-of-state fee shall be \$6.66 per~~
314 ~~contact hour.~~ For adult general education programs, a block
315 tuition of \$45 per half year or \$30 per term shall be assessed
316 for residents and nonresidents, and the out-of-state fee shall
317 be \$135 per half year or \$90 per term. Each district school
318 board and Florida College System institution board of trustees
319 shall adopt policies and procedures for the collection of and

581-03194-14

20141202c1

320 accounting for the expenditure of the block tuition. All funds
321 received from the block tuition shall be used only for adult
322 general education programs. Students enrolled in adult general
323 education programs may not be assessed the fees authorized in
324 subsection (5), subsection (6), or subsection (7).

325 (d) For programs leading to a career certificate, the
326 standard tuition shall be \$2.33 per contact hour for residents
327 and nonresidents and the out-of-state fee shall be \$6.66 per
328 contact hour in addition to the standard tuition of \$2.33 per
329 contact hour. For programs leading to a college credit
330 certificate or an associate in applied science degree, the
331 standard tuition shall be \$71.98 per college credit hour for
332 residents and nonresidents and the out-of-state fee shall be
333 \$215.94 per credit hour in addition to the standard college
334 credit hour rate of \$71.98.

335 ~~(e)-(d) Beginning with the 2008-2009 fiscal year and each~~
336 ~~year thereafter,~~ The tuition and the out-of-state fee per
337 contact or credit hour shall increase at the beginning of each
338 fall semester at a rate ~~equal to inflation, unless otherwise~~
339 ~~provided in the General Appropriations Act. If the rate is not~~
340 ~~provided in the General Appropriations Act~~ The Office of
341 ~~Economic and Demographic Research shall report the rate of~~
342 ~~inflation to the President of the Senate, the Speaker of the~~
343 ~~House of Representatives, the Governor, and the State Board of~~
344 ~~Education each year prior to March 1. For purposes of this~~
345 ~~paragraph, the rate of inflation shall be defined as the rate of~~
346 ~~the 12-month percentage change in the Consumer Price Index for~~
347 ~~All Urban Consumers, U.S. City Average, All Items, or successor~~
348 ~~reports as reported by the United States Department of Labor,~~

581-03194-14

20141202c1

349 ~~Bureau of Labor Statistics, or its successor for December of the~~
350 ~~previous year. In the event the percentage change is negative,~~
351 ~~the tuition and out-of-state fee shall remain at the same level~~
352 ~~as the prior fiscal year.~~

353 (f) ~~(e)~~ Each district school board and each Florida College
354 System institution board of trustees may adopt tuition and out-
355 of-state fees that may vary no more than 5 percent below and 5
356 percent above the combined total of the standard tuition and
357 out-of-state fees established in paragraph (d) ~~(e)~~.

358 ~~(f) The maximum increase in resident tuition for any school~~
359 ~~district or Florida College System institution during the 2007-~~
360 ~~2008 fiscal year shall be 5 percent over the tuition charged~~
361 ~~during the 2006-2007 fiscal year.~~

362 ~~(g) The State Board of Education may adopt, by rule, the~~
363 ~~definitions and procedures that district school boards and~~
364 ~~Florida College System institution boards of trustees shall use~~
365 ~~in the calculation of cost borne by students.~~

366 Section 7. Subsection (1) of section 1009.53, Florida
367 Statutes, is amended to read:

368 1009.53 Florida Bright Futures Scholarship Program.—

369 (1) The Florida Bright Futures Scholarship Program is
370 created to establish a lottery-funded scholarship program to
371 reward any Florida high school graduate who merits recognition
372 of high academic achievement and who enrolls in a degree
373 program, certificate program, or college credit certificate
374 ~~applied technology~~ program at an eligible Florida public or
375 private postsecondary education institution within 3 years of
376 graduation from high school.

377 Section 8. Paragraph (c) of subsection (3) of section

581-03194-14

20141202c1

378 1009.532, Florida Statutes, is amended to read:

379 1009.532 Florida Bright Futures Scholarship Program;
380 student eligibility requirements for renewal awards.-

381 (3)

382 (c) A student who is initially eligible in the 2012-2013
383 academic year and thereafter may receive an award for a maximum
384 of 100 percent of the number of credit hours required to
385 complete an associate degree program, a baccalaureate degree
386 program, or a postsecondary career certificate program or, for a
387 Florida Gold Seal Vocational Scholars award, may receive an
388 award for a maximum of 100 percent of the number of credit hours
389 or equivalent clock hours required to complete one of the
390 following at a Florida public or nonpublic education institution
391 that offers these specific programs: for a college credit
392 certificate ~~an applied technology diploma~~ program as defined in
393 s. 1004.02(8), up to 60 credit hours or equivalent clock hours;
394 for a technical degree education program as defined in s.
395 1004.02(14), up to the number of hours required for a specific
396 degree not to exceed 72 credit hours or equivalent clock hours;
397 or for a career certificate program as defined in s.
398 1004.02(21), up to the number of hours required for a specific
399 certificate not to exceed 72 credit hours or equivalent clock
400 hours. A student who transfers from one of these program levels
401 to another program level becomes eligible for the higher of the
402 two credit hour limits.

403 Section 9. Paragraph (c) of subsection (4) of section
404 1009.536, Florida Statutes, is amended to read:

405 1009.536 Florida Gold Seal Vocational Scholars award.-The
406 Florida Gold Seal Vocational Scholars award is created within

581-03194-14

20141202c1

407 the Florida Bright Futures Scholarship Program to recognize and
408 reward academic achievement and career preparation by high
409 school students who wish to continue their education.

410 (4)

411 (c) A student who is initially eligible in the 2012-2013
412 academic year and thereafter may earn a Florida Gold Seal
413 Vocational Scholarship for a maximum of 100 percent of the
414 number of credit hours or equivalent clock hours required to
415 complete one of the following at a Florida public or nonpublic
416 education institution that offers these specific programs: for a
417 college credit certificate ~~an applied technology diploma~~ program
418 as defined in s. 1004.02(8), up to 60 credit hours or equivalent
419 clock hours; for a technical degree education program as defined
420 in s. 1004.02(14), up to the number of hours required for a
421 specific degree not to exceed 72 credit hours or equivalent
422 clock hours; or for a career certificate program as defined in
423 s. 1004.02(21), up to the number of hours required for a
424 specific certificate not to exceed 72 credit hours or equivalent
425 clock hours.

426 Section 10. Section 1011.80, Florida Statutes, is amended
427 to read:

428 1011.80 Funds for operation of workforce education
429 programs.—

430 (1) As used in this section, the terms "workforce
431 education" and "workforce education program" include:

432 (a) Adult general education programs designed to improve
433 the employability skills of the state's workforce as defined in
434 s. 1004.02(3).

435 (b) Career certificate programs, as defined in s.

581-03194-14

20141202c1

436 1004.02(21).

437 (c) College credit certificate ~~Applied technology diploma~~
438 programs, as defined in s. 1004.02(8).

439 (d) Continuing workforce education courses.

440 (e) Degree career education programs.

441 (f) Apprenticeship and preapprenticeship programs as
442 defined in s. 446.021.

443 (2) A ~~Any~~ workforce education program may be conducted by a
444 Florida College System institution or a school district, except
445 that ~~college credit in an associate in applied science or an~~
446 ~~associate in science degree~~ may be awarded only by a Florida
447 College System institution. However, if an ~~associate in applied~~
448 ~~science or an~~ associate in science degree program contains
449 within it an ~~occupational completion point that confers a~~
450 college credit certificate or an applied technology diploma,
451 that portion of the program may be offered ~~conducted~~ by a school
452 district career center. A career center authorized to offer an
453 associate in applied science degree program pursuant to s.
454 1001.44(5) may offer only those general education courses
455 contained within the approved degree program. ~~Any~~ Instruction
456 designed to articulate to a degree program is subject to
457 guidelines and standards adopted by the State Board of Education
458 pursuant to s. 1007.25.

459 (3) Each school district and Florida College System
460 institution receiving state appropriations for workforce
461 education programs must maintain adequate and accurate records,
462 including a system to record school district workforce education
463 funding and expenditures in order to maintain separation of
464 postsecondary workforce education expenditures from secondary

581-03194-14

20141202c1

465 education expenditures. These records must be filed with the
466 Department of Education in correct and proper form on or before
467 the date due as fixed by law or rule for each annual or periodic
468 report that is required by rules of the State Board of
469 Education.

470 (4) School districts shall report full-time equivalent
471 students by discipline category for the programs specified in
472 subsection (1). There shall be an annual cost analysis for the
473 school district workforce education programs that reports cost
474 by discipline category consistent with the reporting for full-
475 time equivalent students. The annual financial reports submitted
476 by the school districts must accurately report on the student
477 fee revenues by fee type according to the programs specified in
478 subsection (1). The Department of Education shall develop a plan
479 for comparable reporting of program, student, facility,
480 personnel, and financial data between the Florida College System
481 institutions and the school district workforce education
482 programs ~~If a program for disabled adults pursuant to s. 1004.93~~
483 ~~is a workforce program as defined in law, it must be funded as~~
484 ~~provided in this section.~~

485 ~~(4) Funding for all workforce education programs must be~~
486 ~~based on cost categories, performance output measures, and~~
487 ~~performance outcome measures.~~

488 ~~(a) The cost categories must be calculated to identify~~
489 ~~high-cost programs, medium-cost programs, and low-cost programs.~~
490 ~~The cost analysis used to calculate and assign a program of~~
491 ~~study to a cost category must include at least both direct and~~
492 ~~indirect instructional costs, consumable supplies, equipment,~~
493 ~~and standard program length.~~

581-03194-14

20141202c1

494 ~~(b) The performance output measure for an adult general~~
495 ~~education course of study is measurable improvement in student~~
496 ~~skills. This measure shall include improvement in literacy~~
497 ~~skills, grade level improvement as measured by an approved test,~~
498 ~~or attainment of a State of Florida diploma or an adult high~~
499 ~~school diploma.~~

500 ~~(c) The performance outcome measures for adult general~~
501 ~~education programs are associated with placement and retention~~
502 ~~of students after reaching a completion point or completing a~~
503 ~~program of study. These measures include placement or retention~~
504 ~~in employment. Continuing postsecondary education at a level~~
505 ~~that will further enhance employment is a performance outcome~~
506 ~~for adult general education programs.~~

507 (5) State funding and student fees for workforce education
508 instruction shall be established as follows:

509 (a) Expenditures for the continuing workforce education
510 programs provided by the Florida College System institutions or
511 school districts must be fully supported by fees. Enrollments in
512 continuing workforce education courses shall not be counted for
513 purposes of funding full-time equivalent enrollment.

514 (b) For all other workforce education programs, state
515 funding shall be calculated based on weighted enrollment and
516 program costs minus fee revenues generated to offset program
517 operational costs equal 75 percent of the average cost of
518 instruction with the remaining 25 percent made up from student
519 fees. Fees for courses within a program shall not vary according
520 to the cost of the individual program, but instead shall be as
521 provided in s. 1009.22 ~~based on a uniform fee calculated and set~~
522 ~~at the state level, as adopted by the State Board of Education,~~

581-03194-14

20141202c1

523 unless otherwise specified in the General Appropriations Act.

524 ~~(c) For fee exempt students pursuant to s. 1009.25, unless~~
525 ~~otherwise provided for in law, state funding shall equal 100~~
526 ~~percent of the average cost of instruction.~~

527 (c) ~~(d)~~ For a public educational institution that has been
528 fully funded by an external agency for direct instructional
529 costs of any course or program, the FTE generated shall not be
530 reported for state funding.

531 ~~(6) (a) A school district or a Florida College System~~
532 ~~institution that provides workforce education programs shall~~
533 ~~receive funds in accordance with distributions for base and~~
534 ~~performance funding established by the Legislature in the~~
535 ~~General Appropriations Act. To ensure equitable funding for all~~
536 ~~school district workforce education programs and to recognize~~
537 ~~enrollment growth, the Department of Education shall use the~~
538 ~~funding model developed by the District Workforce Education~~
539 ~~Funding Steering Committee to determine each district's~~
540 ~~workforce education funding needs. To assist the Legislature in~~
541 ~~allocating workforce education funds in the General~~
542 ~~Appropriations Act, the funding model shall annually be provided~~
543 ~~to the legislative appropriations committees no later than March~~
544 ~~1.~~

545 (b) Operational funding shall be provided to school
546 districts for workforce education programs based on weighted
547 student enrollment and program costs determined by cost
548 categories. The cost categories must be calculated to identify
549 high-cost programs, medium-cost programs, and low-cost programs.
550 The cost analysis used to calculate and assign a program of
551 study to a cost category must include at least both direct and

581-03194-14

20141202c1

552 indirect instructional costs, consumable supplies, equipment,
553 and standard program length.

554 (7) Performance funding for workforce education programs
555 shall be contingent upon specific appropriation in the General
556 Appropriations Act. To assist the Legislature in determining
557 performance funding allocations, the State Board of Education
558 shall provide the Legislature with recommended formulas,
559 criteria, timeframes, and mechanisms for distributing
560 performance funds no later than March 1. These recommendations
561 shall reward programs that:

562 (a) Prepare people to enter high-skill/high-wage
563 occupations identified by the Workforce Estimating Conference
564 pursuant to s. 216.136 and other programs as approved by
565 Workforce Florida, Inc. At a minimum, performance incentives
566 shall be calculated for adults who reach completion points or
567 complete programs that lead to specified high-wage employment
568 and to their placement in that employment.

569 (b) Prepare adults who are eligible for public assistance,
570 economically disadvantaged, disabled, not proficient in English,
571 or dislocated workers for high-wage occupations. At a minimum,
572 performance incentives shall be calculated at an enhanced value
573 for the completion by adults identified in this paragraph and
574 the job placement of such adults upon completion. In addition,
575 adjustments may be made in payments for job placements for areas
576 of high unemployment.

577 (c) Increase student achievement in adult general education
578 courses by measuring performance output and outcome measures.

579 1. The performance output measure for an adult general
580 education course of study is measurable improvement in student

581-03194-14

20141202c1

581 skills. This measure shall include improvement in literacy
582 skills, grade-level improvement as measured by an approved test,
583 or attainment of a Florida diploma or an adult high school
584 diploma.

585 2. The performance outcome measures for adult general
586 education programs are associated with placement and retention
587 of students after reaching a completion point or completing a
588 program of study. These measures include placement or retention
589 in employment. Continuing postsecondary education at a level
590 that will further enhance employment is a performance outcome
591 for adult general education programs.

592 (d) ~~(b)~~ Award industry certifications. Performance funding
593 for industry certifications ~~for school district workforce~~
594 education programs is contingent upon specific appropriation in
595 the ~~General Appropriations Act~~ and shall be determined as
596 follows:

597 1. Occupational areas for which industry certifications may
598 be earned, as established in the General Appropriations Act, are
599 eligible for performance funding. Priority shall be given to the
600 occupational areas emphasized in state, national, or corporate
601 grants provided to Florida educational institutions.

602 2. The Chancellor of Career and Adult Education shall
603 identify the industry certifications eligible for funding on the
604 Postsecondary Industry Certification Funding List approved by
605 the State Board of Education pursuant to s. 1008.44, based on
606 the occupational areas specified in the General Appropriations
607 Act.

608 3. Each school district shall be provided \$1,000 for each
609 industry certification earned by a workforce education student.

581-03194-14

20141202c1

610 The maximum amount of funding appropriated for performance
611 funding pursuant to this paragraph shall be limited to \$15
612 million annually. If funds are insufficient to fully fund the
613 calculated total award, such funds shall be prorated.

614 ~~(c) A program is established to assist school districts and~~
615 ~~Florida College System institutions in responding to the needs~~
616 ~~of new and expanding businesses and thereby strengthening the~~
617 ~~state's workforce and economy. The program may be funded in the~~
618 ~~General Appropriations Act. The district or Florida College~~
619 ~~System institution shall use the program to provide customized~~
620 ~~training for businesses which satisfies the requirements of s.~~
621 ~~288.047. Business firms whose employees receive the customized~~
622 ~~training must provide 50 percent of the cost of the training.~~
623 ~~Balances remaining in the program at the end of the fiscal year~~
624 ~~shall not revert to the general fund, but shall be carried over~~
625 ~~for 1 additional year and used for the purpose of serving~~
626 ~~incumbent worker training needs of area businesses with fewer~~
627 ~~than 100 employees. Priority shall be given to businesses that~~
628 ~~must increase or upgrade their use of technology to remain~~
629 ~~competitive.~~

630 (8)~~(7)~~(a) A school district or Florida College System
631 institution that receives workforce education funds must use the
632 money to benefit the workforce education programs it provides.
633 The money may be used for equipment upgrades, program
634 expansions, or any other use that would result in workforce
635 education program improvement. The district school board or
636 Florida College System institution board of trustees may not
637 withhold any portion of the performance funding for indirect
638 costs.

581-03194-14

20141202c1

639 (b) State funds provided for the operation of postsecondary
640 workforce programs may not be expended for the education of
641 state or federal inmates.

642 ~~(8) The State Board of Education and Workforce Florida,~~
643 ~~Inc., shall provide the Legislature with recommended formulas,~~
644 ~~criteria, timeframes, and mechanisms for distributing~~
645 ~~performance funds. The commissioner shall consolidate the~~
646 ~~recommendations and develop a consensus proposal for funding.~~
647 ~~The Legislature shall adopt a formula and distribute the~~
648 ~~performance funds to the State Board of Education for Florida~~
649 ~~College System institutions and school districts through the~~
650 ~~General Appropriations Act. These recommendations shall be based~~
651 ~~on formulas that would discourage low-performing or low-demand~~
652 ~~programs and encourage through performance funding awards:~~

653 (a) ~~Programs that prepare people to enter high-wage~~
654 ~~occupations identified by the Workforce Estimating Conference~~
655 ~~created by s. 216.136 and other programs as approved by~~
656 ~~Workforce Florida, Inc. At a minimum, performance incentives~~
657 ~~shall be calculated for adults who reach completion points or~~
658 ~~complete programs that lead to specified high-wage employment~~
659 ~~and to their placement in that employment.~~

660 (b) ~~Programs that successfully prepare adults who are~~
661 ~~eligible for public assistance, economically disadvantaged,~~
662 ~~disabled, not proficient in English, or dislocated workers for~~
663 ~~high-wage occupations. At a minimum, performance incentives~~
664 ~~shall be calculated at an enhanced value for the completion of~~
665 ~~adults identified in this paragraph and job placement of such~~
666 ~~adults upon completion. In addition, adjustments may be made in~~
667 ~~payments for job placements for areas of high unemployment.~~

581-03194-14

20141202c1

668 ~~(c) Programs that are specifically designed to be~~
669 ~~consistent with the workforce needs of private enterprise and~~
670 ~~regional economic development strategies, as defined in~~
671 ~~guidelines set by Workforce Florida, Inc. Workforce Florida,~~
672 ~~Inc., shall develop guidelines to identify such needs and~~
673 ~~strategies based on localized research of private employers and~~
674 ~~economic development practitioners.~~

675 ~~(d) Programs identified by Workforce Florida, Inc., as~~
676 ~~increasing the effectiveness and cost efficiency of education.~~

677 ~~(9) School districts shall report full-time equivalent~~
678 ~~students by discipline category for the programs specified in~~
679 ~~subsection (1). There shall be an annual cost analysis for the~~
680 ~~school district workforce education programs that reports cost~~
681 ~~by discipline category consistent with the reporting for full-~~
682 ~~time equivalent students. The annual financial reports submitted~~
683 ~~by the school districts must accurately report on the student~~
684 ~~fee revenues by fee type according to the programs specified in~~
685 ~~subsection (1). The Department of Education shall develop a plan~~
686 ~~for comparable reporting of program, student, facility,~~
687 ~~personnel, and financial data between the Florida College System~~
688 ~~institutions and the school district workforce education~~
689 ~~programs.~~

690 (9) ~~(10)~~ A high school student dually enrolled under s.
691 1007.271 in a workforce education program operated by a Florida
692 College System institution or school district career center
693 generates the amount calculated for workforce education funding,
694 including any payment of performance funding, and the
695 proportional share of full-time equivalent enrollment generated
696 through the Florida Education Finance Program for the student's

581-03194-14

20141202c1

697 enrollment in a high school. If a high school student is dually
698 enrolled in a Florida College System institution program,
699 including a program conducted at a high school, the Florida
700 College System institution earns the funds generated for
701 workforce education funding, and the school district earns the
702 proportional share of full-time equivalent funding from the
703 Florida Education Finance Program. If a student is dually
704 enrolled in a career center operated by the same district as the
705 district in which the student attends high school, that district
706 earns the funds generated for workforce education funding and
707 also earns the proportional share of full-time equivalent
708 funding from the Florida Education Finance Program. If a student
709 is dually enrolled in a workforce education program provided by
710 a career center operated by a different school district, the
711 funds must be divided between the two school districts
712 proportionally from the two funding sources. A student may not
713 be reported for funding in a dual enrollment workforce education
714 program unless the student has completed the basic skills
715 assessment pursuant to s. 1004.91. A student who is coenrolled
716 in a K-12 education program and an adult education program may
717 be reported for purposes of funding in an adult education
718 program. If a student is coenrolled in core curricula courses
719 for credit recovery or dropout prevention purposes and does not
720 have a pattern of excessive absenteeism or habitual truancy or a
721 history of disruptive behavior in school, the student may be
722 reported for funding for up to two courses per year. Such a
723 student is exempt from the payment of the block tuition for
724 adult general education programs provided in s. 1009.22(3)(c)
725 ~~1009.22(3)(d)~~. The Department of Education shall develop a list

581-03194-14

20141202c1

726 of courses to be designated as core curricula courses for the
727 purposes of coenrollment.

728 (10)~~(11)~~ The State Board of Education may adopt rules to
729 administer this section.

730 Section 11. This act shall take effect July 1, 2014.