

**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 Committee on Appropriations

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BILL: CS/SB 1206

INTRODUCER: Education Committee and Senator Montford

SUBJECT: Agricultural Industry Certifications

DATE: April 21, 2014

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McLaughlin</u>	<u>Klebacha</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Akhavein</u>	<u>Becker</u>	<u>AG</u>	<u>Favorable</u>
3.	<u>Elwell</u>	<u>Kynoch</u>	<u>AP</u>	<u>Pre-meeting</u>

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1206 establishes a process by which industry certifications for farm occupations are added to the list of certifications approved for funding in public schools and postsecondary institutions.

Specifically, the bill requires the Department of Agriculture and Consumer Services (DACS), in cooperation with the University of Florida and Florida Agriculture and Mechanical University, to annually furnish to the State Board of Education (SBE) and the Department of Education (DOE) industry certifications for farm occupations to be placed on the Industry Certification Funding List and the Postsecondary Industry Certification Funding List.

Additionally, the bill requires that the SBE use the expertise of the DACS to develop and adopt rules for implementing an industry certification process. The list of industry certifications approved by Workforce Florida, Inc., the DACS, and the DOE must be published and updated annually.

The bill requires the DOE to include the DACS in the analysis of collected student achievement and performance data in industry-certified career education programs and career-themed courses.

This bill does not have a fiscal impact to the state.

The bill provides an effective date of July 1, 2014.

## II. Present Situation:

Section 1003.492, F.S., requires the State Board of Education (SBE) to work with Workforce Florida, Inc., to establish and adopt rules for implementing an industry certification process. The Department of Economic Opportunity (DEO) must define industry certification based on the highest available national standards for specific industry certification to ensure student skill proficiency and to address emerging labor market and industry trends.<sup>1</sup> The DEO currently defines industry certification as “a voluntary process, through which individuals are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies, resulting in the award of a time-limited credential that is nationally recognized and applicable to an occupation that is included in the workforce system’s targeted occupation list or determined to be an occupation that is critical, emerging, or addresses a local need.”<sup>2</sup>

The selection of industry certifications for academy courses and career-themed courses occurs in two phases. First, Workforce Florida, Inc., must determine industry certifications that meet the DEO definition and compile them into a list.<sup>3</sup> Second, the Department of Education (DOE) must:

- Review the list;<sup>4</sup>
- Identify certifications that are academically rigorous and at least 150 hours in length;<sup>5</sup>
- Compile a preliminary list of industry certifications that qualify for additional weighted funding;<sup>6</sup>
- Consider district requests that industry certifications be added to the approved list;<sup>7</sup> and
- Annually publish a final list.<sup>8</sup>

However, a regional workforce board or a school principal may apply to Workforce Florida, Inc., to request additions to the approved list of industry certification based on high-skill, high-wage, and high-demand job requirements in the regional economy.<sup>9</sup>

Workforce Florida, Inc.’s list includes 428 industry certifications.<sup>10</sup> From this list, the DOE has identified 201 industry certifications and 287 postsecondary industry certifications as eligible for funding in the 2013-2014 school year.<sup>11</sup> Most industry certifications require passage of a subject area examination and some combination of work experience, educational achievement, or on-

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<sup>1</sup> Section 1003.492(2), F.S.

<sup>2</sup> Florida Department of Education, Division of Career and Adult Education, *Career and Professional Education Act CAPE*, at 1 (2012), available at <http://www.fldoe.org/workforce/pdf/CAPE-Act-TechAssist.pdf>

<sup>3</sup> Section 1003.492(2), F.S.; Rule 6A-6.0573(1)-(3), F.A.C.

<sup>4</sup> Rule 6A-6.0573(3), F.A.C.

<sup>5</sup> Rule 6A-6.0573(3)(b), F.A.C.

<sup>6</sup> Rule 6A-6.0573(4), F.A.C.

<sup>7</sup> Rule 6A-6.0573(4)(a)-(4)(b), F.A.C.

<sup>8</sup> Rule 6A-6.0573(8), F.A.C.

<sup>9</sup> Section 1003.492(2), F.S.

<sup>10</sup> Workforce Florida, Inc. Career and Professional Education (CAPE), *2013-14 Comprehensive Industry Certification List*, available at <http://careersourceflorida.com/wp-content/uploads/2014/02/2013-14ComprehensiveCondensedFINAL.pdf>

<sup>11</sup> Rule 6A-6.0573(6), F.A.C. The Industry Certification Funding List is incorporated by reference in the rule. See also Florida Department of Education, Division of Career and Adult Education, *2013-14 Final Industry Certification Funding List* (2013), available at [www.fldoe.org/workforce/fcpea/pdf/1314icfl.pdf](http://www.fldoe.org/workforce/fcpea/pdf/1314icfl.pdf).

the-job training. The DOE has approved industry certification in such career fields as information technology, automotive and aircraft mechanics, welding, and nursing. Certifying entities include Adobe System, Apple Computer, Inc., Hewlett-Packard, Microsoft Corporation, the National Institute for Automotive Services Excellence, the American Welding Society, the Federal Aviation Administration, and Florida Department of Health.<sup>12</sup>

Industry certifications on the final approved list are eligible for additional weighted funding through the Florida Education Finance Program (FEFP).<sup>13</sup> The list may include both industry certifications that are achievable in a secondary education program and those that have minimum age, grade-level, diploma or degree, post-graduation work experience of at least twelve months, or other requirements that make it impossible for the student to obtain full certification while in a public secondary school program. Funding industry certifications in which full certification cannot be achieved in a secondary program allows students to begin working toward these certifications while in high school, without having to fulfill all requirements before graduation.<sup>14</sup>

The DOE must also collect student achievement and performance data in industry-certified career education programs and career-themed courses and must work with Workforce Florida, Inc., in the analysis of collected data. The data collection and analyses must examine the performance of participating students over time. Performance factors must include, but are not limited to, graduation rates, retention rates, Florida Bright Futures Scholarship awards, additional educational attainment, employment records, earnings, industry certification, and employer satisfaction.<sup>15</sup>

### III. Effect of Proposed Changes:

The bill requires the Department of Agriculture and Consumer Services (DACCS), in cooperation with the Institute of Food and Agricultural Science at the University of Florida and the College of Agriculture and Food Sciences at Florida Agriculture and Mechanical University, to annually provide to the State Board of Education (SBE) and the Department of Education (DOE) information and industry certifications for farm occupations to be considered for placement on the Industry Certification Funding List and the Postsecondary Industry Certification Funding List. The bill establishes that the process by which industry certifications for farm occupations are added to the list of certifications approved for funding in public schools and postsecondary institutions is identical to the current process in existing law for identifying industry certifications for placement on this list.<sup>16</sup>

The bill defines industry certification as a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a time-limited credential that is nationally recognized and must be at least one of the following:

- Within an industry that addresses a critical local or statewide economic need;

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<sup>12</sup>See Florida Department of Education, Division of Career and Adult Education, *Industry Certification Funding List*, available at <http://www.fldoe.org/workforce/pdf/PS-ICFL.pdf>.

<sup>13</sup> Section 1011.62(1)(p), F.S.; Rule 6A-6.0573(3), F.A.C.

<sup>14</sup> Section 1008.44(3), F.S.

<sup>15</sup> Section 1003.492(3), F.S.

<sup>16</sup> Section 1008.44, F.S.

- Linked to an occupation that is included in the workforce system's targeted occupation list;  
or
- Linked to an occupation that is identified as emerging.

The bill requires the SBE to use the expertise of the DACS to develop and adopt rules for implementing an industry certification process. The list of industry certifications approved by Workforce Florida, Inc., the DACS, and the DOE must be published and updated annually.

The bill requires the DOE to include the DACS in the analysis of collected student achievement and performance data in industry-certified career education programs and career-themed courses.

The bill provides an effective date of July 1, 2014.

#### **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:

None.

C. Government Sector Impact:

CS/SB 1206 does not have a fiscal impact to the state.

#### **VI. Technical Deficiencies:**

None.

#### **VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 570.07, 1003.492, and 1003.4935.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education on March 25, 2014**

The committee substitute differs from SB 1206 in the following ways:

- Removes secondary schools and “other appropriate agencies” from the list of institutions the Department of Agriculture should cooperate with to provide data.
- Removes the agricultural industry, the Institute of Food and Agricultural Sciences at the University of Florida, Florida Agricultural and Mechanical University, secondary schools, and “other appropriate agencies” the Department of Agriculture should consult with in determining data.
- Removes the term “time limited” in describing an industry certification.

- B. **Amendments:**

None.