



HB 7017, Engrossed 1

2016

1 A bill to be entitled
2 An act relating to career and adult education;
3 amending s. 446.021, F.S.; revising definitions
4 relating to state apprenticeship and job-training
5 programs; amending s. 446.032, F.S.; conforming a
6 provision; amending s. 446.045, F.S.; revising
7 criteria for certain appointments to the State
8 Apprenticeship Advisory Council; amending s. 446.081,
9 F.S.; limiting applicability of state apprenticeship
10 and job-training program requirements with respect to
11 certain provisions for veterans, minority persons, and
12 women; amending s. 446.091, F.S.; conforming a
13 provision; amending s. 446.092, F.S.; revising
14 criteria for apprenticeship occupations; amending s.
15 1003.435, F.S.; revising requirements for the high
16 school equivalency diploma; amending s. 1004.015,
17 F.S.; revising the membership of the Higher Education
18 Coordinating Council; amending s. 1004.02, F.S.;
19 revising the definition of the term "applied
20 technology diploma program"; amending s. 1004.92,
21 F.S.; revising the Department of Education's
22 responsibility for the development of program
23 standards for career, adult, and community education
24 programs; providing for rulemaking; amending s.
25 1004.93, F.S.; revising provisions relating to adult
26 general education; providing that adult education



27 | programs may only provide academic services to
28 | specified students under certain circumstances;
29 | deleting duties of the State Board of Education
30 | relating to adult general education programs; deleting
31 | a requirement that specific expenditures be reported
32 | separately; revising allocation requirements for
33 | developmental education; amending s. 1008.44, F.S.;
34 | revising the number of allowable CAPE Digital Tool
35 | certificates in certain areas that do not lead to
36 | college credit; deleting a provision authorizing the
37 | Chancellor of Career and Adult Education to update the
38 | list of certificates; amending s. 1009.22, F.S.;
39 | revising tuition and fees for specific workforce
40 | education programs; amending s. 1009.42, F.S.;
41 | requiring district school boards operating a career
42 | center and governing bodies of charter technical
43 | career centers to establish a specific appeal
44 | procedure for students; amending s. 1011.80, F.S.;
45 | conforming provisions; requiring school districts and
46 | Florida College System institutions to maintain
47 | certain records; revising operational and performance
48 | funding calculation and allocation for workforce
49 | education programs; deleting provisions relating to a
50 | program to assist in responding to the needs of new
51 | and expanding businesses and a requirement that the
52 | State Board of Education and CareerSource Florida,



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53 | Inc., provide the Legislature with certain formulas
54 | and mechanisms for distributing performance funds;
55 | creating s. 1011.802, F.S.; creating the Florida
56 | Apprenticeship Grant (FLAG) program; providing for the
57 | purpose, requirements, and administration of the
58 | program; requiring certain career centers and
59 | institutions to provide quarterly reports; creating s.
60 | 1011.803, F.S.; creating the Rapid Response Grant
61 | program; providing for the purpose, requirements, and
62 | administration of the program; requiring certain
63 | career centers to provide quarterly reports; requiring
64 | the department to administer the program and conduct
65 | an annual program analysis; providing an
66 | appropriation; providing an effective date.

67 |
68 | Be It Enacted by the Legislature of the State of Florida:

69 |
70 | Section 1. Section 446.021, Florida Statutes, is reordered
71 | and amended to read:

72 | 446.021 Definitions of terms used in ss. 446.011-446.092.-
73 | As used in ss. 446.011-446.092, the term:

74 | (1)~~(2)~~ "Apprentice" means a person at least 16 years of
75 | age who is engaged in learning a recognized skilled trade
76 | through actual work experience under the supervision of a
77 | journeyworker ~~journeymen-craftsmen~~, which training should be
78 | combined with properly coordinated studies of related technical



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79 and supplementary subjects, and who has entered into a written
80 agreement, which may be cited as an apprentice agreement, with a
81 registered apprenticeship sponsor who may be ~~either~~ an employer,
82 an association of employers, or a local joint apprenticeship
83 committee.

84 (2)~~(6)~~ "Apprenticeship program" means an organized course
85 of instruction, registered and approved by the department, which
86 course shall contain all terms and conditions for the
87 qualifications, recruitment, selection, employment, and training
88 of apprentices including such matters as the requirements for a
89 written apprenticeship agreement.

90 (3)~~(10)~~ "Cancellation" means the deregistration of an
91 apprenticeship program or the termination of an apprenticeship
92 agreement.

93 (4)~~(12)~~ "Department" means the Department of Education.

94 (5)~~(4)~~ "Journeyworker ~~Journeyman~~" means a person working
95 in an ~~apprenticeable~~ occupation who has attained a level of
96 skill and the abilities and competencies recognized within the
97 industry as having mastered the skills and competencies required
98 for the occupation. The term includes a mentor, technician,
99 specialist, or other skilled worker who has documented
100 sufficient skills and knowledge of the occupation through formal
101 apprenticeship or practical on-the-job experience and formal
102 training ~~successfully completed a registered apprenticeship~~
103 ~~program or who has worked the number of years required by~~
104 ~~established industry practices for the particular trade or~~



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105 ~~occupation.~~

106 (6)~~(11)~~ "Jurisdiction" means the specific geographical
107 area for which a particular program is registered.

108 (7) "On-the-job training program" means a formalized
109 system of job processes which may be augmented by related
110 instruction that provides the experience and knowledge necessary
111 to meet the training objective of learning a specific skill,
112 trade, or occupation. The training program must be at least 6
113 months and not more than 2 years in duration and must be
114 registered with the department.

115 (8)~~(1)~~ "Preapprentice" means any person 16 years of age or
116 over engaged in any course of instruction in the public school
117 system or elsewhere, which course is registered as a
118 preapprenticeship program with the department.

119 (9)~~(5)~~ "Preapprenticeship program" means an organized
120 course of instruction in the public school system or elsewhere,
121 which course is designed to prepare a person 16 years of age or
122 older to become an apprentice and which course is approved by
123 and registered with the department and sponsored by a registered
124 apprenticeship program.

125 (10)~~(9)~~ "Related instruction" means an organized and
126 systematic form of instruction designed to provide the
127 apprentice with knowledge of the theoretical and technical
128 subjects related to a specific trade or occupation. Such
129 instruction may be given in a classroom, through occupational or
130 industrial courses or correspondence courses of equivalent



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131 value, through electronic media, or through other forms of self-
132 study approved by the department.

133 (11)~~(3)~~ "Trainee" means a person at least 16 years of age
134 who is engaged in learning a specific skill, trade, or
135 occupation within a formalized, on-the-job training program.

136 (12)~~(8)~~ "Uniform minimum preapprenticeship standards"
137 means the minimum requirements established uniformly for each
138 craft under which a preapprenticeship program is administered
139 and includes standards of admission, training goals, training
140 objectives, curriculum outlines, objective standards to measure
141 successful completion of the preapprenticeship program, and the
142 percentage of credit which may be given to preapprenticeship
143 graduates upon acceptance into the apprenticeship program.

144 Section 2. Subsection (1) of section 446.032, Florida
145 Statutes, is amended to read:

146 446.032 General duties of the department for
147 apprenticeship training.—The department shall:

148 (1) Establish uniform minimum standards and policies
149 governing apprentice programs and agreements. The standards and
150 policies shall govern the terms and conditions of the
151 apprentice's employment and training, including the quality
152 training of the apprentice for, but not limited to, such matters
153 as ratios of apprentices to journeyworkers ~~journeymen~~, safety,
154 related instruction, and on-the-job training; but these
155 standards and policies may not include rules, standards, or
156 guidelines that require the use of apprentices and job trainees



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157 on state, county, or municipal contracts. The department may
158 adopt rules necessary to administer the standards and policies.

159 Section 3. Paragraph (b) of subsection (2) of section
160 446.045, Florida Statutes, is amended to read:

161 446.045 State Apprenticeship Advisory Council.—

162 (2) (b) The Commissioner of Education or the commissioner's
163 designee shall serve ex officio as chair of the State
164 Apprenticeship Advisory Council, but may not vote. The state
165 director of the Office of Apprenticeship of the United States
166 Department of Labor shall serve ex officio as a nonvoting member
167 of the council. The Governor shall appoint to the council four
168 members representing employee organizations and four members
169 representing employer organizations. Each of these eight members
170 shall represent industries that have registered apprenticeship
171 programs. The Governor shall also appoint two public members who
172 are knowledgeable about registered apprenticeship and
173 apprenticeshipable occupations and who are independent of any joint
174 or nonjoint organization, ~~one of whom shall be recommended by~~
175 ~~joint organizations, and one of whom shall be recommended by~~
176 ~~nonjoint organizations~~. Members shall be appointed for 4-year
177 staggered terms. A vacancy shall be filled for the remainder of
178 the unexpired term.

179 Section 4. Subsection (1) of section 446.081, Florida
180 Statutes, is amended to read:

181 446.081 Limitation.—

182 (1) Nothing in ss. 446.011-446.092, or in any apprentice



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183 agreement approved under those sections, may ~~shall operate to~~
184 ~~invalidate:~~

185 (a) Any apprenticeship provision in any collective
186 agreement between employers and employees setting up higher
187 apprenticeship standards.

188 (b) Any special provision for veterans, minority persons,
189 or women in the standards, apprentice qualifications, or
190 operation of the program that is not otherwise prohibited by
191 law, executive order, or authorized regulation.

192 Section 5. Section 446.091, Florida Statutes, is amended
193 to read:

194 446.091 On-the-job training program.—All provisions of ss.
195 446.011-446.092 relating to apprenticeship and
196 preapprenticeship, including, but not limited to, programs,
197 agreements, standards, administration, procedures, definitions,
198 expenditures, local committees, powers and duties, limitations,
199 grievances, and ratios of apprentices and job trainees to
200 journeyworkers ~~journeymen~~ on state, county, and municipal
201 contracts, shall be appropriately adapted and made applicable to
202 a program of on-the-job training authorized under those
203 provisions for persons other than apprentices.

204 Section 6. Section 446.092, Florida Statutes, is amended
205 to read:

206 446.092 Criteria for apprenticeship occupations.—An
207 apprenticeable occupation is a skilled trade which possesses all
208 of the following characteristics:



209 (1) It is customarily learned in a practical way through a
210 structured, systematic program of on-the-job, supervised
211 training.

212 (2) It is clearly identified and commonly recognized
213 throughout an the industry ~~or recognized with a positive view~~
214 ~~towards changing technology.~~

215 (3) It involves manual, mechanical, or technical skills
216 and knowledge which, in accordance with the industry standards
217 for the occupation, would require a minimum of 2,000 hours of
218 on-the-job work and training, which hours are excluded from the
219 time spent at related instruction.

220 (4) It requires related instruction to supplement on-the-
221 job training. Such instruction may be given in a classroom,
222 through occupational or industrial courses or ~~through~~
223 correspondence courses of equivalent value, through electronic
224 media, or through other forms of self-study approved by the
225 department.

226 ~~(5) It involves the development of skill sufficiently~~
227 ~~broad to be applicable in like occupations throughout an~~
228 ~~industry, rather than of restricted application to the products~~
229 ~~or services of any one company.~~

230 ~~(6) It does not fall into any of the following categories:~~

231 ~~(a) Selling, retailing, or similar occupations in the~~
232 ~~distributive field.~~

233 ~~(b) Managerial occupations.~~

234 ~~(c) Professional and scientific vocations for which~~



235 ~~entrance requirements customarily require an academic degree.~~

236 Section 7. Subsection (4) of section 1003.435, Florida
 237 Statutes, is amended to read:

238 1003.435 High school equivalency diploma program.—

239 (4) A candidate for a high school equivalency diploma
 240 shall be at least 16 ~~18~~ years of age on the date of the
 241 examination, ~~except that in extraordinary circumstances, as~~
 242 ~~provided for in rules of the district school board of the~~
 243 ~~district in which the candidate resides or attends school, a~~
 244 ~~candidate may take the examination after reaching the age of 16.~~
 245 Before taking the examination, a public school student must file
 246 a formal declaration of intent to terminate school enrollment
 247 pursuant to s. 1003.21.

248 Section 8. Subsection (2) of section 1004.015, Florida
 249 Statutes, is amended to read:

250 1004.015 Higher Education Coordinating Council.—

251 (2) Members of the council shall include:

252 (a) One member of the Board of Governors, appointed by the
 253 chair of the Board of Governors.

254 (b) The Chancellor of the State University System.

255 (c) The Chancellor of the Florida College System.

256 (d) The Chancellor of Career and Adult Education.

257 (e) ~~(d)~~ One member of the State Board of Education,
 258 appointed by the chair of the State Board of Education.

259 (f) ~~(e)~~ The Executive Director of the Florida Association
 260 of Postsecondary Schools and Colleges.



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261 (g)~~(f)~~ The president of the Independent Colleges and
262 Universities of Florida.

263 (h)~~(g)~~ The president of CareerSource Florida, Inc., or his
264 or her designee.

265 (i)~~(h)~~ The president of Enterprise Florida, Inc., or a
266 designated member of the Stakeholders Council appointed by the
267 president.

268 (j)~~(i)~~ Three representatives of the business community,
269 one appointed by the President of the Senate, one appointed by
270 the Speaker of the House of Representatives, and one appointed
271 by the Governor, who are committed to developing and enhancing
272 world class workforce infrastructure necessary for Florida's
273 citizens to compete and prosper in the ever-changing economy of
274 the 21st century.

275 Section 9. Subsection (7) of section 1004.02, Florida
276 Statutes, is amended to read:

277 1004.02 Definitions.—As used in this chapter:

278 (7) "Applied technology diploma program" means a course of
279 study that is part of a technical degree program, is less than
280 60 credit hours, and leads to employment in a specific
281 occupation. An applied technology diploma program consists ~~may~~
282 ~~consist of either technical credit or college credit~~ and may be
283 offered by a public school district or a Florida College System
284 institution. ~~A public school district may offer an applied~~
285 ~~technology diploma program only as technical credit, with~~
286 ~~college credit awarded to a student upon articulation to a~~



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287 ~~Florida College System institution.~~ Statewide articulation among
288 public schools and Florida College System institutions is
289 guaranteed by s. 1007.23~~7~~ and is subject to guidelines and
290 standards adopted by the State Board of Education pursuant to
291 ss. 1007.24 and 1007.25.

292 Section 10. Paragraph (b) of subsection (2) of section
293 1004.92, Florida Statutes, is amended, and subsection (4) is
294 added to that section, to read:

295 1004.92 Purpose and responsibilities for career
296 education.—

297 (2)

298 (b) Department of Education accountability for career
299 education includes, but is not limited to:

300 1. The provision of timely, accurate technical assistance
301 to school districts and Florida College System institutions.

302 2. The provision of timely, accurate information to the
303 State Board of Education, the Legislature, and the public.

304 3. The development of policies, rules, and procedures that
305 facilitate institutional attainment of the accountability
306 standards and coordinate the efforts of all divisions within the
307 department.

308 4. The development of program standards and industry-
309 driven benchmarks for career, adult, and community education
310 programs, which must be updated every 3 years. The standards
311 must reflect the quality components of a career and technical
312 education program and include career, academic, and workplace



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313 skills; viability of distance learning for instruction; and
314 work/learn cycles that are responsive to business and industry.

315 5. Overseeing school district and Florida College System
316 institution compliance with the provisions of this chapter.

317 6. Ensuring that the educational outcomes for the
318 technical component of career programs are uniform and designed
319 to provide a graduate who is capable of entering the workforce
320 on an equally competitive basis regardless of the institution of
321 choice.

322 (4) The State Board of Education shall adopt rules to
323 administer this section.

324 Section 11. Section 1004.93, Florida Statutes, is
325 reordered and amended to read:

326 1004.93 Adult general education.—

327 (1) (a) The intent of this section is to encourage the
328 provision of educational services that will enable adults to
329 acquire:

330 1. The basic skills necessary to attain basic and
331 functional literacy.

332 2. A high school diploma or successfully complete the high
333 school equivalency examination.

334 3. An educational foundation that will enable them to
335 become more employable, productive, and self-sufficient
336 citizens.

337 (b) It is further intended that educational opportunities
338 be available for adults who have earned a diploma or high school



339 | equivalency diploma but who lack the basic skills necessary to
340 | function effectively in everyday situations, to enter the job
341 | market, or to enter career certificate instruction.

342 | (2) The adult education program must provide academic
343 | services to ~~students in the following priority:~~

344 | (a) Students who ~~demonstrate skills at less than a fifth~~
345 | ~~grade level, as measured by tests approved for this purpose by~~
346 | ~~the State Board of Education, and who~~ are studying to achieve
347 | basic literacy.

348 | (b) Students who ~~demonstrate skills at the fifth grade~~
349 | ~~level or higher, but below the ninth grade level, as measured by~~
350 | ~~tests approved for this purpose by the State Board of Education,~~
351 | ~~and who~~ are studying to achieve functional literacy.

352 | (c) Students who are earning credit required for a high
353 | school diploma or ~~who are~~ preparing for the high school
354 | equivalency examination. By July 1, 2017, each school district
355 | or Florida College System institution with an adult high school
356 | or offering a high school equivalency examination preparation
357 | program must offer at least one online program option that
358 | enables students to earn a high school diploma or its
359 | equivalent.

360 | (d) Students who have earned high school diplomas and
361 | require specific improvement in order to:

362 | 1. Obtain or maintain employment or benefit from
363 | certificate career education programs;

364 | 2. Pursue a postsecondary degree; or



365 3. Develop competence in the English language to qualify
366 for employment.

367 (3) If all students meeting the criteria of subsection (2)
368 are provided academic services, the adult education program may
369 provide academic services to:

370 (a)~~(e)~~ Students who enroll in lifelong learning courses or
371 activities that seek to address community social and economic
372 issues that consist of health and human relations, government,
373 parenting, consumer economics, and senior citizens.

374 (b)~~(f)~~ Students who enroll in courses that relate to the
375 recreational or leisure pursuits of the students. The cost of
376 courses conducted pursuant to this paragraph shall be borne by
377 the enrollees.

378 (4)~~(3)~~(a) Each district school board or Florida College
379 System institution board of trustees shall negotiate with the
380 regional workforce board for basic and functional literacy
381 skills assessments for participants in the welfare transition
382 employment and training programs. Such assessments shall be
383 conducted at a site mutually acceptable to the district school
384 board or Florida College System institution board of trustees
385 and the regional workforce board.

386 (b) State employees who are employed in local or regional
387 offices of state agencies shall inform clients of the
388 availability of adult basic and secondary programs in the
389 region. The identities of clients who do not possess high school
390 diplomas or who demonstrate skills below the level of functional



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391 literacy shall be conveyed, with their consent, to the local
392 school district or Florida College System institution, or both.

393 (c) To the extent funds are available, the Department of
394 Children and Families shall provide for day care and
395 transportation services to clients who enroll in adult basic
396 education programs.

397 (5)~~(4)~~(a) Adult general education shall be evaluated and
398 funded as provided in s. 1011.80.

399 (b) Fees for adult basic instruction are to be charged in
400 accordance with chapter 1009.

401 ~~(c) The State Board of Education shall define, by rule,~~
402 ~~the levels and courses of instruction to be funded through the~~
403 ~~developmental education program. The state board shall~~
404 ~~coordinate the establishment of costs for developmental~~
405 ~~education courses, the establishment of statewide standards that~~
406 ~~define required levels of competence, acceptable rates of~~
407 ~~student progress, and the maximum amount of time to be allowed~~
408 ~~for completion of developmental education. Developmental~~
409 ~~education is part of an associate in arts degree program and may~~
410 ~~not be funded as an adult career education program.~~

411 ~~(d) Expenditures for developmental education and lifelong~~
412 ~~learning students shall be reported separately. Allocations for~~
413 ~~developmental education shall be based on proportional full-time~~
414 ~~equivalent enrollment. Program review results shall be included~~
415 ~~in the determination of subsequent allocations. A student shall~~
416 ~~be funded to enroll in the same developmental education class~~



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417 ~~within a skill area only twice, after which time the student~~
418 ~~shall pay 100 percent of the full cost of instruction to support~~
419 ~~the continuous enrollment of that student in the same class;~~
420 ~~however, students who withdraw or fail a class due to~~
421 ~~extenuating circumstances may be granted an exception only once~~
422 ~~for each class, provided approval is granted according to policy~~
423 ~~established by the board of trustees. Each Florida College~~
424 ~~System institution shall have the authority to review and reduce~~
425 ~~payment for increased fees due to continued enrollment in a~~
426 ~~developmental education class on an individual basis contingent~~
427 ~~upon the student's financial hardship, pursuant to definitions~~
428 ~~and fee levels established by the State Board of Education.~~
429 ~~Developmental education and lifelong learning courses do not~~
430 ~~generate credit toward an associate or baccalaureate degree.~~

431 (c)~~(e)~~ A district school board or a Florida College System
432 institution board of trustees may negotiate a contract with the
433 regional workforce board for specialized services for
434 participants in the welfare transition program, beyond what is
435 routinely provided for the general public, to be funded by the
436 regional workforce board.

437 (6)~~(5)~~ If students who have been determined to be adults
438 with disabilities are enrolled in workforce development
439 programs, the funding formula must provide additional incentives
440 for their achievement of performance outputs and outcomes.

441 (7)~~(6)~~ The commissioner shall recommend the level of
442 funding for public school and Florida College System institution



443 adult education within the legislative budget request and make
444 other recommendations and reports considered necessary or
445 required by rules of the State Board of Education.

446 (8)~~(7)~~ Buildings, land, equipment, and other property
447 owned by a district school board or Florida College System
448 institution board of trustees may be used for the conduct of the
449 adult education program. Buildings, land, equipment, and other
450 property owned or leased by cooperating public or private
451 agencies, organizations, or institutions may also be used for
452 the purposes of this section.

453 (9)~~(8)~~ In order to accelerate the employment of adult
454 education students, students entering adult general education
455 programs after July 1, 2013, must complete the following action-
456 steps-to-employment activities before the completion of the
457 first term:

458 (a) Identify employment opportunities using market-driven
459 tools.

460 (b) Create a personalized employment goal.

461 (c) Conduct a personalized skill and knowledge inventory.

462 (d) Compare the results of the personalized skill and
463 knowledge inventory with the knowledge and skills needed to
464 attain the personalized employment goal.

465 (e) Upgrade skills and knowledge needed through adult
466 general education programs and additional educational pursuits
467 based on the personalized employment goal.

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469 The action-steps-to-employment activities may be developed
470 through a blended approach with assistance provided to adult
471 general education students by teachers, employment specialists,
472 guidance counselors, business and industry representatives, and
473 online resources. Students may be directed to online resources
474 and provided information on financial literacy, student
475 financial aid, industry certifications, and occupational
476 services and a listing of job openings.

477 (10)~~(9)~~ The State Board of Education may adopt rules
478 necessary for the implementation of this section.

479 Section 12. Paragraph (b) of subsection (1) of section
480 1008.44, Florida Statutes, is amended to read:

481 1008.44 CAPE Industry Certification Funding List and CAPE
482 Postsecondary Industry Certification Funding List.—

483 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department
484 of Education shall, at least annually, identify, under rules
485 adopted by the State Board of Education, and the Commissioner of
486 Education may at any time recommend adding the following
487 certificates, certifications, and courses:

488 (b) No more than 30 ~~15~~ CAPE Digital Tool certificates
489 limited to the areas of word processing; spreadsheets; sound,
490 motion, and color presentations; digital arts; cybersecurity;
491 and coding pursuant to s. 1003.4203(3) that do not articulate
492 for college credit. Such certificates shall be annually
493 identified on the CAPE Industry Certification Funding List ~~and~~
494 ~~updated solely by the Chancellor of Career and Adult Education.~~



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495 The certificates shall be made available to students in
496 elementary school and middle school grades and, if earned by a
497 student, shall be eligible for additional full-time equivalent
498 membership pursuant to s. 1011.62(1)(o)1.

499 Section 13. Paragraphs (d) and (e) of subsection (3) of
500 section 1009.22, Florida Statutes, are redesignated as
501 paragraphs (e) and (f), respectively, paragraph (c) of that
502 subsection is amended, and a new paragraph (d) is added to that
503 subsection, to read:

504 1009.22 Workforce education postsecondary student fees.—
505 (3)

506 (c) Effective July 1, 2014, for programs leading to a
507 career certificate ~~or an applied technology diploma~~, the
508 standard tuition shall be \$2.33 per contact hour for residents
509 and nonresidents, and the out-of-state fee shall be \$6.99 per
510 contact hour. For adult general education programs, a block
511 tuition of \$45 per half year or \$30 per term shall be assessed.
512 Each district school board and Florida College System
513 institution board of trustees shall adopt policies and
514 procedures for the collection of and accounting for the
515 expenditure of the block tuition. All funds received from the
516 block tuition shall be used only for adult general education
517 programs. Students enrolled in adult general education programs
518 may not be assessed the fees authorized in subsection (5),
519 subsection (6), or subsection (7).

520 (d) Effective July 1, 2016, for programs leading to an



521 applied technology diploma, the standard tuition shall be \$71.98
522 per credit hour for residents and nonresidents, and the out-of-
523 state fee shall be \$215.94 per credit hour.

524 Section 14. Subsection (2) of section 1009.42, Florida
525 Statutes, is amended to read:

526 1009.42 Financial aid appeal process.—

527 (2) The president of each state university and each
528 Florida College System institution, each district school board
529 operating a career center pursuant to s. 1001.44, and each
530 governing body of a charter technical career center operating
531 pursuant to s. 1002.34 shall establish a procedure for appeal,
532 by students, of grievances related to the award or
533 administration of financial aid at the institution.

534 Section 15. Section 1011.80, Florida Statutes, is
535 reordered and amended to read:

536 1011.80 Funds for operation of workforce education
537 programs.—

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

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

543 (b) Career certificate programs, as defined in s.
544 1004.02(20).

545 (c) Applied technology diploma programs.

546 (d) Continuing workforce education courses.



547 (e) Degree career education programs.

548 (f) Apprenticeship and preapprenticeship programs as
549 defined in s. 446.021.

550 (2) A ~~Any~~ workforce education program may be conducted by
551 a Florida College System institution or a school district,
552 except that ~~college credit in~~ an associate in applied science or
553 an associate in science degree may be awarded only by a Florida
554 College System institution. However, if an associate in applied
555 science or an associate in science degree program contains
556 within it an occupational completion point that confers a
557 certificate or an applied technology diploma, that portion of
558 the program may be offered ~~conducted~~ by a school district career
559 center. ~~Any~~ Instruction designed to articulate to a degree
560 program is subject to guidelines and standards adopted by the
561 State Board of Education pursuant to s. 1007.25.

562 (3) Each school district and Florida College System
563 institution receiving state appropriations for workforce
564 education programs must maintain adequate and accurate records,
565 including a system to record school district workforce education
566 funding and expenditures, in order to maintain separation of
567 postsecondary workforce education expenditures from secondary
568 workforce education expenditures. These records must be filed
569 with the Department of Education in correct and proper form on
570 or before the date due as provided by law or rule for each
571 annual or periodic report that is required by rules of the State
572 Board of Education.



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573 (4)~~(9)~~ School districts shall report full-time equivalent
574 students by discipline category for the programs specified in
575 subsection (1). There shall be an annual cost analysis for the
576 school district workforce education programs that reports cost
577 by discipline category consistent with the reporting for full-
578 time equivalent students. The annual financial reports submitted
579 by the school districts must accurately report on the student
580 fee revenues by fee type according to the programs specified in
581 subsection (1). The Department of Education shall develop a plan
582 for comparable reporting of program, student, facility,
583 personnel, and financial data between the Florida College System
584 institutions and the school district workforce education
585 programs.

586 ~~(3) If a program for disabled adults pursuant to s.
587 1004.93 is a workforce program as defined in law, it must be
588 funded as provided in this section.~~

589 ~~(4) Funding for all workforce education programs must be
590 based on cost categories, performance output measures, and
591 performance outcome measures.~~

592 ~~(a) The cost categories must be calculated to identify
593 high cost programs, medium cost programs, and low cost programs.
594 The cost analysis used to calculate and assign a program of
595 study to a cost category must include at least both direct and
596 indirect instructional costs, consumable supplies, equipment,
597 and standard program length.~~



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598 ~~(b) The performance output measure for an adult general~~
599 ~~education course of study is measurable improvement in student~~
600 ~~skills. This measure shall include improvement in literacy~~
601 ~~skills, grade level improvement as measured by an approved test,~~
602 ~~or attainment of a State of Florida diploma or an adult high~~
603 ~~school diploma.~~

604 ~~(c) The performance outcome measures for adult general~~
605 ~~education programs are associated with placement and retention~~
606 ~~of students after reaching a completion point or completing a~~
607 ~~program of study. These measures include placement or retention~~
608 ~~in employment. Continuing postsecondary education at a level~~
609 ~~that will further enhance employment is a performance outcome~~
610 ~~for adult general education programs.~~

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

613 (a) Expenditures for the continuing workforce education
614 programs provided by the Florida College System institutions or
615 school districts must be fully supported by fees. Enrollments in
616 continuing workforce education courses shall not be counted for
617 purposes of funding full-time equivalent enrollment.

618 (b) For all other workforce education programs, state
619 funding shall be calculated based on weighted enrollment and
620 program costs minus fee revenues generated to offset program
621 operational costs equal 75 percent of the average cost of
622 instruction with the remaining 25 percent made up from student
623 fees. Fees for courses within a program shall not vary according



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624 to the cost of the individual program, but instead shall be as
625 provided in s. 1009.22 ~~based on a uniform fee calculated and set~~
626 ~~at the state level, as adopted by the State Board of Education,~~
627 unless otherwise specified in the General Appropriations Act.

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

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

635 (6) (a) ~~A school district or a Florida College System~~
636 ~~institution that provides workforce education programs shall~~
637 ~~receive funds in accordance with distributions for base and~~
638 ~~performance funding established by the Legislature in the~~
639 ~~General Appropriations Act.~~ To ensure equitable funding for all
640 school district workforce education programs and to recognize
641 enrollment growth, the Department of Education shall use the
642 funding model developed by the District Workforce Education
643 Funding Steering Committee to determine each district's
644 workforce education funding needs. To assist the Legislature in
645 allocating workforce education funds in the General
646 Appropriations Act, the funding model shall annually be provided
647 to the legislative appropriations committees no later than March
648 1.



649 (b) Operational funding shall be provided to school
650 districts for workforce education programs based on weighted
651 student enrollment and program costs determined by cost
652 categories. The cost categories must be calculated to identify
653 high-cost programs, medium-cost programs, and low-cost programs.
654 The cost analysis used to calculate and assign a program of
655 study to a cost category must include, at a minimum, direct and
656 indirect instructional costs, consumable supplies, equipment,
657 and standard program length.

658 (7) Performance funding for workforce education programs
659 shall be contingent upon specific appropriation in the General
660 Appropriations Act. To assist the Legislature in determining
661 performance funding allocations, the State Board of Education
662 shall annually, by March 1, provide the Legislature with
663 recommended formulas, criteria, timeframes, and mechanisms for
664 distributing performance funds. These recommendations shall
665 reward programs that:

666 (a) Prepare people to enter high-skill and high-wage
667 occupations identified by the Workforce Estimating Conference
668 pursuant to s. 216.136 and programs approved by CareerSource
669 Florida, Inc. At a minimum, performance incentives shall be
670 calculated for adults who reach completion points or complete
671 programs that lead to their placement in high-skill and high-
672 wage employment.

673 (b) Prepare adults who are eligible for public assistance,
674 economically disadvantaged, disabled, not proficient in English,



675 or dislocated workers for high-wage occupations. At a minimum,
676 performance incentives shall be calculated at an enhanced value
677 for such adults who complete programs that lead to their
678 placement in high-wage employment. In addition, adjustments may
679 be made in performance incentives for such adults who become
680 employed in high-wage occupations in areas with high
681 unemployment rates.

682 (c) Increase student achievement in adult general
683 education courses by measuring performance output and outcome
684 measures.

685 1. The performance output measure for an adult general
686 education course is measurable improvement in student skills.
687 This measure includes improvement in literacy skills, grade-
688 level improvement as measured by an approved test, or attainment
689 of a high school diploma.

690 2. The performance outcome measures for adult general
691 education programs are placement in and retention of employment
692 after reaching a completion point or completing a program. These
693 measures include continuation of postsecondary education at a
694 level that will further enhance employment.

695 (d) ~~(b)~~ Award industry certifications. Performance funding
696 for industry certifications ~~for school district workforce~~
697 education programs is contingent upon specific appropriation in
698 the General Appropriations Act and shall be determined as
699 follows:



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700 1. Occupational areas for which industry certifications
701 may be earned, as established in the General Appropriations Act,
702 are eligible for performance funding. Priority shall be given to
703 the occupational areas emphasized in state, national, or
704 corporate grants provided to Florida educational institutions.

705 2. The Chancellor of Career and Adult Education shall
706 identify the industry certifications eligible for funding on the
707 CAPE Postsecondary Industry Certification Funding List approved
708 by the State Board of Education pursuant to s. 1008.44, based on
709 the occupational areas specified in the General Appropriations
710 Act.

711 3. Each school district shall be provided \$1,000 for each
712 industry certification earned by a workforce education student.
713 The maximum amount of funding appropriated for performance
714 funding pursuant to this paragraph shall be limited to \$15
715 million annually. If funds are insufficient to fully fund the
716 calculated total award, such funds shall be prorated.

717 ~~(c) A program is established to assist school districts
718 and Florida College System institutions in responding to the
719 needs of new and expanding businesses and thereby strengthening
720 the state's workforce and economy. The program may be funded in
721 the General Appropriations Act. The district or Florida College
722 System institution shall use the program to provide customized
723 training for businesses which satisfies the requirements of s.
724 288.047. Business firms whose employees receive the customized
725 training must provide 50 percent of the cost of the training.~~



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726 ~~Balances remaining in the program at the end of the fiscal year~~
727 ~~shall not revert to the general fund, but shall be carried over~~
728 ~~for 1 additional year and used for the purpose of serving~~
729 ~~incumbent worker training needs of area businesses with fewer~~
730 ~~than 100 employees. Priority shall be given to businesses that~~
731 ~~must increase or upgrade their use of technology to remain~~
732 ~~competitive.~~

733 (8) ~~(7)~~ (a) A school district or Florida College System
734 institution that receives workforce education funds must use the
735 money to benefit the workforce education programs it provides.
736 The money may be used for equipment upgrades, program
737 expansions, or any other use that would result in workforce
738 education program improvement. The district school board or
739 Florida College System institution board of trustees may not
740 withhold any portion of the performance funding for indirect
741 costs.

742 (b) State funds provided for the operation of
743 postsecondary workforce programs may not be expended for the
744 education of state or federal inmates.

745 ~~(8) The State Board of Education and CareerSource Florida,~~
746 ~~Inc., shall provide the Legislature with recommended formulas,~~
747 ~~criteria, timeframes, and mechanisms for distributing~~
748 ~~performance funds. The commissioner shall consolidate the~~
749 ~~recommendations and develop a consensus proposal for funding.~~
750 ~~The Legislature shall adopt a formula and distribute the~~
751 ~~performance funds to the State Board of Education for Florida~~



752 ~~College System institutions and school districts through the~~
753 ~~General Appropriations Act. These recommendations shall be based~~
754 ~~on formulas that would discourage low-performing or low-demand~~
755 ~~programs and encourage through performance-funding awards:~~

756 ~~(a) Programs that prepare people to enter high-wage~~
757 ~~occupations identified by the Workforce Estimating Conference~~
758 ~~created by s. 216.136 and other programs as approved by~~
759 ~~CareerSource Florida, Inc. At a minimum, performance incentives~~
760 ~~shall be calculated for adults who reach completion points or~~
761 ~~complete programs that lead to specified high-wage employment~~
762 ~~and to their placement in that employment.~~

763 ~~(b) Programs that successfully prepare adults who are~~
764 ~~eligible for public assistance, economically disadvantaged,~~
765 ~~disabled, not proficient in English, or dislocated workers for~~
766 ~~high-wage occupations. At a minimum, performance incentives~~
767 ~~shall be calculated at an enhanced value for the completion of~~
768 ~~adults identified in this paragraph and job placement of such~~
769 ~~adults upon completion. In addition, adjustments may be made in~~
770 ~~payments for job placements for areas of high unemployment.~~

771 ~~(c) Programs that are specifically designed to be~~
772 ~~consistent with the workforce needs of private enterprise and~~
773 ~~regional economic development strategies, as defined in~~
774 ~~guidelines set by CareerSource Florida, Inc. CareerSource~~
775 ~~Florida, Inc., shall develop guidelines to identify such needs~~
776 ~~and strategies based on localized research of private employers~~
777 ~~and economic development practitioners.~~



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778 ~~(d) Programs identified by CareerSource Florida, Inc., as~~
779 ~~increasing the effectiveness and cost efficiency of education.~~

780 (9)~~(10)~~ A high school student dually enrolled under s.
781 1007.271 in a workforce education program operated by a Florida
782 College System institution or school district career center
783 generates the amount calculated for workforce education funding,
784 including any payment of performance funding, and the
785 proportional share of full-time equivalent enrollment generated
786 through the Florida Education Finance Program for the student's
787 enrollment in a high school. If a high school student is dually
788 enrolled in a Florida College System institution program,
789 including a program conducted at a high school, the Florida
790 College System institution earns the funds generated for
791 workforce education funding, and the school district earns the
792 proportional share of full-time equivalent funding from the
793 Florida Education Finance Program. If a student is dually
794 enrolled in a career center operated by the same district as the
795 district in which the student attends high school, that district
796 earns the funds generated for workforce education funding and
797 also earns the proportional share of full-time equivalent
798 funding from the Florida Education Finance Program. If a student
799 is dually enrolled in a workforce education program provided by
800 a career center operated by a different school district, the
801 funds must be divided between the two school districts
802 proportionally from the two funding sources. A student may not
803 be reported for funding in a dual enrollment workforce education



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804 program unless the student has completed the basic skills
805 assessment pursuant to s. 1004.91. A student who is coenrolled
806 in a K-12 education program and an adult education program may
807 be reported for purposes of funding in an adult education
808 program. If a student is coenrolled in core curricula courses
809 for credit recovery or dropout prevention purposes and does not
810 have a pattern of excessive absenteeism or habitual truancy or a
811 history of disruptive behavior in school, the student may be
812 reported for funding for up to two courses per year. Such a
813 student is exempt from the payment of the block tuition for
814 adult general education programs provided in s. 1009.22(3)(c).
815 The Department of Education shall develop a list of courses to
816 be designated as core curricula courses for the purposes of
817 coenrollment.

818 (10)~~(11)~~ The State Board of Education may adopt rules to
819 administer this section.

820 Section 16. Section 1011.802, Florida Statutes, is created
821 to read:

822 1011.802 Florida Apprenticeship Grant (FLAG) program.—

823 (1) The Florida Apprenticeship Grant (FLAG) program is
824 created to provide grants to career centers, charter technical
825 career centers, and Florida College System institutions on a
826 competitive basis to establish new apprenticeship programs and
827 expand existing apprenticeship programs. The Division of Career
828 and Adult Education within the department shall administer the
829 grant program.



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830 (2) Applications from career centers, charter technical
831 career centers, and Florida College System institutions must
832 contain projected enrollment and projected costs for the new or
833 expanded apprenticeship program.

834 (3) The department shall give priority to apprenticeship
835 programs in the areas of information technology, health, and
836 machining and manufacturing. Grant funds may be used for
837 instructional equipment, supplies, personnel, student services,
838 and other expenses associated with the creation or expansion of
839 an apprenticeship program. Grant funds may not be used for
840 recurring instructional costs or for a center's or an
841 institution's indirect costs. Grant recipients must submit
842 quarterly reports in a format prescribed by the department.

843 Section 17. Section 1011.803, Florida Statutes, is created
844 to read:

845 1011.803 Rapid Response Grant program.—

846 (1) The Rapid Response Grant program is established to
847 competitively award grants for the expansion or implementation
848 of high-demand postsecondary programs at career centers, as
849 defined in ss. 1001.44 and 1002.34.

850 (2) Each career center applying for a grant shall submit
851 an application to the Department of Education in the format
852 prescribed by the department. The application must include, but
853 need not be limited to, program expansion or development
854 details, projected enrollment, and projected costs.

855 (3) Each career center that is awarded a grant under this



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856 section shall submit quarterly reports to the department in the
857 format prescribed by the department. Grant funds may not be used
858 to supplant current funds and must be used to expand enrollment
859 in existing postsecondary programs or develop new postsecondary
860 programs.

861 (4) The department shall administer the program and
862 conduct an annual analysis and assessment of the effectiveness
863 of the postsecondary programs funded under this section in
864 meeting labor market demand.

865 Section 18. For the 2016-2017 fiscal year, the sum of \$3
866 million in recurring funds is appropriated from the General
867 Revenue Fund to the Department of Education to implement the
868 Florida Apprenticeship Grant (FLAG) program.

869 Section 19. This act shall take effect July 1, 2016.