

**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.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1290  
 INTRODUCER: Senator Hutson  
 SUBJECT: Career and Technical Education  
 DATE: March 24, 2017      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Graf	ED	<b>Favorable</b>
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

**I. Summary:**

SB 1290 establishes the “CAPE pathway” to mean a sequence of rigorous academic and career courses that lead to industry-recognized certificates or certification and to postsecondary certificates and degrees. Specifically, the bill:

- Requires, beginning with the 2020-2021 school year, each school district to develop at least one CAPE pathway in a regional area of high demand. Additionally, school districts must:
  - Provide students and their families with electronic access to the CAPE pathways offered by the school district.
  - Specify in the CAPE pathway the sequence of rigorous academic and career courses that lead toward industry-recognized certificates or certifications, and transition to a postsecondary certificate or a degree, and identify the occupation that corresponds to the coursework and certificate or certification.
  - Allow a parent to enroll his or her child in and transport such child to any school’s CAPE pathway in the school district, subject to class size requirements.
  - Ensure that each school within the school district has one career education program specialist to coordinate career programs.
  - Report, by November 1, 2019, on expected costs to develop a CAPE pathway; and annually by November 1, on CAPE pathway enrollment and success.
- Expands the goals of career and professional academies and career-themed courses to CAPE pathways; and adds to such goals the intent to provide students a map of required coursework to earn an industry-recognized certificate or certification or a postsecondary certificate or degree in this state.

The bill has no fiscal impact for the 2017-2018 fiscal year, however, the requirement that each school have a career education program specialist may increase costs to school districts to provide those staff in the 2020-2021 fiscal year; the costs are indeterminate at this time.

The bill takes effect on July 1, 2017.

## II. Present Situation:

The federal government and the states provide support to develop and maintain high-quality career and technical education programs

### **Carl D. Perkins Career and Technical Education Act of 2006**

The “Carl D. Perkins Career and Technical Education Act of 2006” (Perkins IV<sup>1</sup>) is the principal source of federal funding to states for the improvement of secondary and postsecondary career and technical education (CTE)<sup>2</sup> programs.<sup>3</sup> Perkins IV is intended to provide an increased focus on the academic achievement of CTE students, strengthen the connections between secondary and postsecondary education, and improve state and local accountability.<sup>4</sup>

#### *Programs of Study*

Each recipient of federal funds under Perkins IV must offer at least one program of study,<sup>5</sup> which:<sup>6</sup>

- Incorporates secondary education and postsecondary education elements.
- Includes coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education.
- May include the opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits. and
- Leads to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree.

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<sup>1</sup> The Smith-Hughes Act of 1917 was the first authorization for the federal funding of vocational education. Subsequent legislation for vocational education (now termed career and technical education) included the *Vocational Act of 1973* and the *Carl D. Perkins Vocational and Education Act of 1984* (Perkins I). Perkins was reauthorized as the *Carl D. Perkins Vocational and Applied Technology Act* (Perkins II) in 1990, the *Carl D. Perkins Vocational and Technical Education Act of 1998* (Perkins III), and the *Carl D. Perkins Career and Technical Education Act of 2006* (Perkins IV). Perkins Collaborative Resource Network, *Perkins Act*, <http://cte.ed.gov/legislation/about-perkins-iv> (last visited March 24, 2017).

<sup>2</sup> CTE is organized educational activities that offer a sequence of courses that provides individuals with the academic and technical knowledge and skills the individuals need to prepare for further education and for careers in current or emerging employment sectors. 20 U.S.C. 2301 et seq., Public Law 109-270, s 3(5)(A) and (B). CTE includes competency-based applied learning that contributes to student’s academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills. *Id.*

<sup>3</sup> Office of Career, Technical, and Adult Education, *Perkins IV – Frequently Asked Questions*, <https://www2.ed.gov/about/offices/list/ovae/pi/cte/factsh/faq-080528.pdf> (last visited March 24, 2017).

<sup>4</sup> U.S. Department of Education, *Carl D. Perkins Career and Technical Education Act of 2006*, <https://www2.ed.gov/policy/sectech/leg/perkins/index.html> (last visited March 24, 2017).

<sup>5</sup> 20 U.S.C. 2301 et seq., Public Law 109-270, s. 134(b)(3)(A).

<sup>6</sup> *Id.* at s. 122(c)(1)(A).

Programs of study were added into Perkins IV to more consistently and thoroughly connect secondary and postsecondary education, require integration of rigorous academic and technical instruction, and encourage the acquisition of postsecondary credits.<sup>7</sup>

### ***Florida Programs of Study***

Florida school districts and Florida College System institutions comply with program of study requirements under Perkins IV through criteria determined by the Department of Education (DOE),<sup>8</sup> which requires programs of study to include, but is not limited to:<sup>9</sup>

- At least one articulation agreement.
- Local area need based on local economic conditions, a targeted or regional occupation list, or a recommendation by the local workforce advisory board.
- Content relating to one of Florida's 17 Career Clusters.<sup>10</sup>
- Relevant and rigorous locally required core academic courses as well as the rigorous CTE courses that prepare students for program-related certification exams and prepares students for postsecondary options.<sup>11</sup>

### **Career and Technical Education in Florida**

The purpose of career education in Florida is to enable students who complete career programs<sup>12</sup> to attain and sustain employment and realize economic self-sufficiency.<sup>13</sup>

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<sup>7</sup> Florida Department of Education, Career and Adult Education, *Programs of Study Question and Answers* <http://www.fldoe.org/core/fileparse.php/3/urlt/pos-qa.pdf> (last visited March 24, 2017).

<sup>8</sup> 20 U.S.C. 2301 et seq., Public Law 109-270, s. 121(a)(4) authorizes the state agency adopt such procedures as the agency considers necessary to implement the activities of the act.

<sup>9</sup> Florida Department of Education, Career and Adult Education, *Programs of Study Webinar*, available at <http://www.fldoe.org/core/fileparse.php/7521/urlt/1617RFA-ProgramStudyWebinar.pdf>.

<sup>10</sup> Florida has defined 17 career clusters: Agriculture, Food & Natural Resources, Architecture & Construction, Arts, A/V Technology & Communication, Business, Management & Administration, Education & Training, Energy, Finance, Government & Public Administration, Health Science, Hospitality & Tourism, Human Services, Information Technology, Law, Public Safety & Security, Manufacturing, Marketing, Sales & Service, Engineering and Technology Education, and Transportation, Distribution & Logistics. Rule 6A-6.0571, F.A.C.

<sup>11</sup> Florida's programs of study are developed using a state-approved template, which incorporates the core elements described in 20 U.S.C. 2301 et seq., Public Law 109-270, s. 122(c)(1)(A)(i-iv). Florida Department of Education, *Programs of Study Question and Answers*, <http://www.fldoe.org/core/fileparse.php/3/urlt/pos-qa.pdf> (last visited March 24, 2017). The template describes, for the CTE program, the secondary coursework leading toward a certificate or industry certification, postsecondary options, sample career specialties, and articulation and dual enrollment opportunities. Florida Department of Education, *Template2017*, available at <http://www.fldoe.org/core/fileparse.php/7521/urlt/template2017-notes.doc>.

<sup>12</sup> A career certificate program is a course of study that leads to at least one occupational completion point. "Occupational completion point" means the occupational competencies that qualify a person to enter an occupation that is linked to a career and technical program. Section 1004.02(21), F.S. The program may also confer credit that may articulate with a diploma or career degree education program, if authorized by rules of the State Board of Education. *Id.* at (20).

<sup>13</sup> Section 1004.92(1), F.S.

In 2007,<sup>14</sup> the Florida Legislature passed the Career and Professional Education Act (CAPE Act) to:<sup>15</sup>

- Improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities.
- Provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and lead to industry certification.
- Support local and regional economic development.
- Respond to Florida's critical workforce needs.
- Provide state residents with access to high-wage and high-demand careers.

The CAPE Act requires that each district school board develop a three-year strategic plan to address and meet local and regional workforce demands.<sup>16</sup> This plan must be developed in collaboration with a district's local workforce board and local postsecondary institutions to include, but not be limited to, course alignment to standards, courses leading toward industry certifications,<sup>17</sup> postsecondary credit, and expanded offerings of integrated courses that combine academic content with technical skills.<sup>18</sup>

### ***CAPE Academies and Career-Themed Courses***

Career and professional academies were created in 2006<sup>19</sup> and are defined as a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity.<sup>20</sup> Students completing career and professional academy programs must receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution approved to operate in the state.<sup>21</sup>

Career-themed courses are courses, or a series of courses, that lead to an industry certification identified on the Career and Professional Education (CAPE) Industry Certification Funding List.<sup>22</sup> Career-themed courses have an industry-specific curriculum aligned directly to priority

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<sup>14</sup> Section 1, ch. 2007-216, L.O.F.

<sup>15</sup> Section 1003.491(1), F.S.

<sup>16</sup> Section 1003.491(2), F.S. The school district must collaborate with local workforce development boards, economic development agencies, and postsecondary institutions approved to operate in the state.

<sup>17</sup> Industry certification is 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 credential that is nationally recognized and is either within an industry that addresses a critical local or statewide economic need, 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. Section 1003.492(2), F.S.

<sup>18</sup> *Id.* at (2) and (3).

<sup>19</sup> Section 27, ch. 2006-74, L.O.F.

<sup>20</sup> Section 1003.493(1)(a), F.S.

<sup>21</sup> *Id.*

<sup>22</sup> The CAPE Industry Certification Funding List is used to determine annual performance funding distributions to school districts or Florida College System institutions for students who complete specified career-themed courses, digital certificates or industry certifications. Section 1008.44(2), F.S. Included on the Funding List are CAPE Industry Certifications, CAPE Acceleration Industry Certifications, CAPE Digital Tool Certificates, and CAPE Innovation Courses. Rule 6A-6.0573, F.A.C.

workforce needs established by the local workforce development board or DEO. Students completing a career-themed course must be provided opportunities to earn postsecondary credit if the credit for the career-themed course can be articulated to a postsecondary institution approved to operate in the state.

The goals of a career and professional academy and career-themed courses are to:<sup>23</sup>

- Increase student academic achievement and graduation rates through integrated academic and career curricula.
- Prepare graduating high school students to make appropriate choices relative to employment and future educational experiences.
- Focus on career preparation through rigorous academics and industry certification.
- Raise student aspiration and commitment to academic achievement and work ethics through relevant coursework.
- Promote acceleration mechanisms, such as dual enrollment or articulated credit, so that students may earn postsecondary credit while in high school.
- Support the state's economy by meeting industry needs for skilled employees in high-skill, high-wage, and high-demand occupations.

Public schools and school districts must offer career and professional academies,<sup>24</sup> school districts must offer at least two career-themed courses,<sup>25</sup> and secondary schools are encouraged to offer at least one career-themed course.<sup>26</sup> The Florida Virtual Schools is encouraged to develop and offer career-themed courses as appropriate.<sup>27</sup>

### **CareerSource Florida, Inc.**

CareerSource Florida, Inc., is a not-for-profit corporation that serves as Florida's state-level workforce investment board.<sup>28</sup> CareerSource Florida, Inc., is responsible for developing and implementing a 5-year plan for the statewide workforce system and collaborates with the Department of Economic Opportunity, Regional Workforce Boards,<sup>29</sup> and one-stop career centers<sup>30</sup> to ensure that workforce services provided are consistent with state and local plans.

<sup>23</sup> Section 1003.493(2), F.S.

<sup>24</sup> In academic year 2015-16, 1,807 high school career and professional academies were registered in Florida, and 1,097 (60.4 percent) of these academies reported student enrollments. Florida Department of Education, *Florida Career and Professional Education Act Enrollment and Performance Report, 2015-16, (December 2016)*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1516capepr.pdf> at 8.

<sup>25</sup> In academic year 2015-16, 6,442 unique career-themed courses were registered in Florida, with all of Florida's 67 school districts registering at least one career-themed course with the DOE. There were 379,668 students who were enrolled in at least one career-themed course. *Id.*

<sup>26</sup> Section 1003.493(1) and (2), F.S.

<sup>27</sup> *Id.*

<sup>28</sup> Section 445.004(5)(a), F.S. Prior to 2014, CareerSource Florida, Inc., was known as Workforce Florida, Inc.

<sup>29</sup> Regional Workforce Boards serve as local workforce investment boards and operate under a charter approved by CareerSource Florida, Inc. *See* ss. 445.007(1) and 445.004(11), F.S.

<sup>30</sup> One-stop career service centers provide Floridians access to workforce services, including job placement, career counseling, and skills training. *See* s. 445.009, F.S.

CareerSource Florida, Inc., also provides state-level policy, planning, performance evaluation, and oversight of the delivery of workforce services.<sup>31</sup>

### III. Effect of Proposed Changes:

SB 1290 establishes the “CAPE pathway” to mean a sequence of rigorous academic and career courses that lead to industry-recognized certificates or certification and to postsecondary certificates and degrees. Specifically, the bill:

- Requires, beginning with the 2020-2021 school year, each school district to develop at least one CAPE pathway in a regional area of high demand. Additionally, school districts must:
  - Provide students and their families with electronic access to the CAPE pathways offered by the school district.
  - Specify in the CAPE pathway the sequence of rigorous academic and career courses that lead toward industry-recognized certificates or certifications, and transition to a postsecondary certificate or a degree, and identify the occupation that corresponds to the coursework and certificate or certification.
  - Allow a parent to enroll his or her child in and transport such child to any school’s CAPE pathway in the school district, subject to class size requirements.
  - Ensure that each school within the school district has one career education program specialist to coordinate career programs.
  - Report, by November 1, 2019, on expected costs to develop a CAPE pathway; and annually by November 1, on CAPE pathway enrollment and success.
- Expands the goals of career and professional academies and career-themed courses to CAPE pathways; and adds to such goals the intent to provide students a map of required coursework to earn an industry-recognized certificate or certification or a postsecondary certificate or degree in this state.

The bill requires school districts, to establish at least one CAPE pathway for high school students in the school district, to consult with local businesses and the local Florida College System institution. Additionally, the school district may evaluate an established program of study<sup>32</sup> to determine if that program of study will meet the requirements of the bill. This may also require the school district to consult with technical centers and state universities in the area. However, the bill does not address such consultation.

Additionally, each CAPE pathway must be in an area of regional high demand, as determined by CareerSource Florida, Inc., and the regional boards. Currently, regional targeted occupations are identified by CareerSource Florida, Inc., the Department of Economic Opportunity, and regional workforce boards using labor market data and input from local industry. School districts may be required to evaluate those designated regional targeted occupations to establish CAPE pathways in areas of regional high demand.

The bill also requires school districts to allow a parent to enroll his or her child in and transport such child to participate in a CAPE pathway as long as that school has not reached capacity and

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<sup>31</sup> Section 445.003(2), F.S., and *see* s. 445.004, F.S.

<sup>32</sup> *Supra*, note 7.

that any such enrollment would not cause a class to exceed the maximum class size.<sup>33</sup> While a student will be able to attend any school in Florida that has not reached capacity, the establishment of a CAPE pathway may prompt a student to choose and attend a specific school that offers a CAPE pathway of interest.

The requirement in the bill for each school within the district to have one career education program specialist who serves as the coordinator for career programs to develop, implement, and administer career education at that school. It is unclear if each school employs a career education specialist, or if one specialist may serve this function for multiple schools within a school district. This may require some school districts to add additional staff to perform these duties.

School districts are required to report, by November 1, 2019, to the Legislature on expected costs to develop a CAPE pathway. Once a CAPE pathway is established for the 2020-2021 school year, the school district must annually, by November 1, report to the Commissioner of Education:

- CAPE pathways offered in the school district.
- The number and percentage of students enrolled in each CAPE pathway during the current and prior school year.
- The number and percentage of high school graduates, for the prior school year, who completed the sequence of courses specified under the CAPE pathway which led to students earning one more industry recognized certificates or certification.

The map of required coursework may assist students to take courses purposefully toward an industry certification or postsecondary certificate or degree. Accordingly, the map may also assist with planning for higher education and preparing for future employment.

Additionally, the bill conforms cross references for career-themed courses with statutory provisions regarding the development of career-themed courses by school districts,<sup>34</sup> coordination with relevant and appropriate industry to prepare students for further education or employment,<sup>35</sup> inclusion of such courses in middle school,<sup>36</sup> and funding incentives to school districts for students who complete career-themed courses.<sup>37</sup>

The bill takes effect on July 1, 2017.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>33</sup> Section 1002.31, F.S., authorizes, beginning in the 2017-2018 school year, a parent from any school district in the state whose child is not subject to current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size pursuant to sec. 1, Art. IX, Fla. Const. and s. 1003.03, F.S.

<sup>34</sup> Section 1003.491(2), F.S.

<sup>35</sup> Section 1003.492(1), F.S.

<sup>36</sup> Section 1003.4935(1), F.S.

<sup>37</sup> Section 1011.62(1)(o)b., F.S.

**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:**

SB 1290 has no fiscal impact for the 2017-2018 fiscal year, however, the requirement that each school have a career education program specialist may increase costs to school districts to provide those staff in the 2020-2021 fiscal year; the costs are indeterminate at this time.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1003.493, 1003.491, 1003.492, 1003.4935, and 1011.62

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.