

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 7055 PCB PKI 19-01 Education
SPONSOR(S): Education Committee, PreK-12 Appropriations Subcommittee, PreK-12 Innovation Subcommittee, Massullo, Duggan and others
TIED BILLS: None **IDEN./SIM. BILLS:** CS/CS/SB 770

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: PreK-12 Innovation Subcommittee	15 Y, 0 N	Brink	Brink
1) PreK-12 Appropriations Subcommittee	11 Y, 0 N, As CS	Seifert	Potvin
2) Education Committee	15 Y, 0 N, As CS	D'Souza	Hassell

SUMMARY ANALYSIS

Florida's growing labor market will need to fill an additional 1.7 million vacancies by 2030. In order to meet this demand, Florida's PreK-20 education system must have the capacity to produce graduates who are ready to fill high-growth, high-demand careers. Between 2018 and 2025, 64 percent of the jobs created will require a postsecondary degree or certificate. Currently, 48.3 percent of working-age Floridians have a postsecondary degree or certificate, and without growth the state will remain below the number necessary to fully meet the workforce demand. Florida ranks 21st in the nation for the percentage of adults with education and high-quality workforce credentials.

To help meet growing workforce demand and provide students flexibility and options to pursue advanced career pathways, the bill:

- revises the school grades formula to recognize career certificate clock hour dual enrollment and registered preapprenticeship program completions and establishes formal career dual enrollment agreements between high schools and career centers;
- allows students with an industry certification to earn two mathematics credits for Algebra I;
- allows a computer science credit to substitute for a mathematics or science credit and requires a biennial review of career education courses for alignment with high school graduation requirements;
- requires the Department of Education to provide assistance in increasing public awareness of apprenticeship and preapprenticeship opportunities;
- requires the Commissioner of Education to annually review career and technical education course offerings;
- establishes a "College and Career Decision Day" to recognize high school seniors for their postsecondary education and career plans;
- doubles the cap on career and professional education digital tool certificates the State Board of Education may identify for weighted FTE funding;
- reestablishes a middle grades career planning course requirement;
- requires academic advising for students whose GPA drops below a 2.0;
- allows school districts to use motor vehicles other than school buses to transport students to career education programs;
- allows the Academically Challenging Curriculum to Enhance Learning options to include career education credits, including work-based learning, that result in industry certifications;
- establishes a certificate of completion for students who have earned an industry certification;
- revises virtual instruction program provider requirements; and
- allows school districts to issue non-renewable adjunct teaching certificates, which are valid for up to 3 years, for full-time teaching positions and specifies reporting requirements for school districts.

The bill may have a fiscal impact with respect to career dual enrollment agreements. See Fiscal Analysis & Economic Impact Statement, *infra*.

Except as otherwise specified, the bill takes effect July 1, 2019.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h7055c.EDC

DATE: 4/19/2019

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Florida's growing labor market will need to fill an additional 1.7 million vacancies by 2030.¹ In order to meet this demand, Florida's PreK-20 education system must have the capacity to produce graduates who are ready to fill high-growth, high-demand careers. Between 2018 and 2025, 64 percent of the jobs created will require a postsecondary degree or certificate. Currently, 48.3 percent of working-age Floridians have a postsecondary degree or certificate, and without growth the state will remain below the number necessary to fully meet the workforce demand.² Additionally, Florida ranks 21st in the nation for percentage of adults with education and high-quality workforce credentials.³

Career education provides students the opportunity to complete career programs to attain and sustain employment and realize economic self-sufficiency.⁴ Such programs include:

- Career and professional academies
- Career-themed courses
- Industry certifications, including
 - CAPE acceleration,
 - CAPE digital tool certificates, and
 - CAPE innovation courses
- Career clusters.

Student enrollment in K-12 career preparatory programs has steadily increased since the 2013-2014 school year.⁵

School Year	Student Enrollment
2013-2014	388,568
2014-2015	406,366
2015-2016	417,910
2016-2017	422,080
2017-2018	431,730

¹ Florida Department of Education, *K-20 Pathways for Florida Students: hearing before the House Education Committee* (Feb. 5, 2019), available at

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2996&Session=2019&DocumentType=Meeting%20Packets&FileName=edc%202-5-19.pdf>.

² Department of Economic Opportunity. *Florida's Strategic Plan for Economic Development* (August 2018), available at <http://www.floridajobs.org/docs/default-source/division-of-strategic-business-development/fl5yrplan/fl-strategic-plan-booklet-2.pdf?sfvrsn=6>.

³ Lumina Foundation. *Leveraging Statewide Activities to Create a Systematic Approach to Talent Development* (February 7, 2019), available at

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3016&Session=2019&DocumentType=Meeting%20Packets&FileName=hec%202-7-19.pdf>.

⁴ Section 1004.92(1), F.S.

⁵ Email from Jared Ochs, Director of Government Relations, Florida Department of Education, Industry Certification, (Feb. 26, 2019).

In addition, the number of students graduating from high school with an industry certification has also increased since the 2014-2015 school year.⁶

School Year	Students Graduating from High School with an Industry Certification
2014-2015	36,950
2015-2016	40,370
2016-2017	47,944
2017-2018	55,327

The bill revises requirements related to career education to provide students additional flexibility to pursue career pathways that meet their interests and skills so that the state will be prepared to meet growing workforce demands.

Apprenticeship and Preapprenticeship Programs

Present Situation

An apprenticeship program is an organized course of instruction that is registered and approved by the Department of Education (DOE) and addresses all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.⁷ The length of an apprenticeship program varies depending on the occupation's training requirements and whether the program adopts a time-based or competency-based approach.⁸

The DOE is responsible for the development of the apprenticeship and preapprenticeship standards for trades and assisting district school boards and Florida College System (FCS) institution boards of trustees in developing preapprenticeship programs.⁹ Apprenticeship programs are operated by sponsors, which include any person, association, committee, or organization that registers the program with the DOE.¹⁰

An apprenticeship program may be offered only in occupations that:

- are customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training;
- are commonly recognized throughout the industry or recognized with a positive view toward changing technology;
- involve manual, mechanical, or technical skills and knowledge that require a minimum of 2,000 hours of work and training, excluding the time spent in related instruction;
- require related instruction to supplement on-the-job training; and
- involve the development of skills sufficiently broad to be applicable in like occupations throughout an industry, rather than skills that are of restricted application to the products or services of any one company.¹¹

The following categories of occupations may not create an apprenticeship program: selling, retailing, or similar occupations in the distributive field; managerial occupations; and professional and scientific vocations for which entrance requirements customarily require an academic degree.¹²

⁶ *Id.*

⁷ Section 446.021(6), F.S.

⁸ Rule 6A-23.004, F.A.C.

⁹ Sections 446.011(2) and 446.32(1), F.S.

¹⁰ *See* rule 6A-23.002(21), F.A.C.

¹¹ Section 446.092, F.S.

¹² Section 446.092(6), F.S.

To be eligible for an apprenticeship, a person must be at least 16 years of age; however, individuals must usually be 18 to be an apprentice in hazardous occupations. Admission requirements relating to education, physical ability, work experience, and other criteria vary based on the program's training needs.¹³ As of March 2019, there are 215 registered apprenticeship programs and 11,905 registered apprentices in Florida.¹⁴

A preapprenticeship program is an organized course of instruction designed to prepare a person 16 years of age or older to become an apprentice. The program must be registered with the DOE and sponsored by a registered apprenticeship program.¹⁵ The program's purpose is to provide training that will enable students, upon completion, to obtain entrance into a registered apprenticeship program.¹⁶ According to the DOE, there are six one credit preapprenticeship courses, which are counted as electives for graduation purposes.¹⁷ There is a total of 31 preapprenticeship programs for adults and youth located throughout the state, with 690 registered preapprentices.¹⁸

Events such as National Apprenticeship Week¹⁹ and the inaugural, statewide Apprenticeship Summit held in Miami from June 19-20, 2018,²⁰ have been used to promote awareness of apprenticeship and preapprenticeship opportunities. In 2017, Florida's Department of Economic Opportunity (DEO) received a federal ApprenticeshipUSA grant to expand apprenticeships and participation by under-represented populations.²¹

Effect of Proposed Changes

To increase participation in apprenticeship and preapprenticeship programs, the bill requires the DOE to assist district school boards, FCS institution boards of trustees, program sponsors, and local workforce development boards in notifying students, parents, and community members of the availability of apprenticeship and preapprenticeship opportunities, including through the use of data provided in the Economic Security Report.²²

¹³ United States Department of Labor, Employment and Training Administration, *Apprentices*, available at <http://www.doleta.gov/oa/apprentices.cfm> (last visited Sept. 20, 2018).

¹⁴ Email from Jared Ochs, Director of Government Relations, Florida Department of Education, Apprenticeship Data Update, (Feb. 25, 2019).

¹⁵ Section 446.021(5), F.S.

¹⁶ Rule 6A-23.010(1), F.A.C.

¹⁷ Florida Department of Education, Agency Legislative Bill Analysis, HB 525, (March 3, 2017).

¹⁸ See Florida Department of Education, *Adult Preapprenticeship Programs* (Dec. 2018),

<http://www.fldoe.org/core/fileparse.php/5626/urlt/hs-preapprenticeship.pdf>; Florida Department of Education, *Youth Preapprenticeship Programs* (Nov. 2018), <http://www.fldoe.org/core/fileparse.php/5626/urlt/hs-preapprenticeship.pdf>; Email from Jared Ochs, Director of Government Relations, Florida Department of Education, Apprenticeship Data Update, (Feb. 25, 2019).

¹⁹ National Apprenticeship Week offers leaders in business, labor, education, and other employment partners an opportunity to demonstrate support for apprenticeships. Events including career fairs, breakfasts and luncheons, and tours were held in Florida throughout the week of November 12, 2018. See United States Department of Labor, *National Apprenticeship Week*, <https://www.dol.gov/apprenticeship/naw/> (last visited Feb. 25, 2019).

²⁰ See Florida Department of Economic Opportunity, *Florida Summit Aims to Help Shape the Future of Apprenticeships as a Vital Career Pathway*, <http://floridajobs.org/news-center/DEO-Press/deo-press-2018/june-2018/2018/06/18/florida-summit-aims-to-help-shape-the-future-of-apprenticeships-as-a-vital-career-pathway> (last visited Feb. 25, 2019).

²¹ See Florida Department of Economic Opportunity, *Workforce Services: ApprenticeshipUSA* (April 2017), available at http://www.floridajobs.org/docs/default-source/office-of-workforce-services/apprenticeshipusa_one-pager.pdf?sfvrsn=2.

²² The Economic Security Report provides information on economic outcomes for graduates of public postsecondary educational institutions in Florida based on data from state universities, state colleges, and district technical centers. The Florida Department of Economic Opportunity and the DOE are responsible for preparing or contracting to prepare the report each year. Section 445.07, F.S. Florida Department of Economic Opportunity, *Economic Security Report 2018* (Feb. 2019), available at <https://launchmycareerfl.org/assets/esr-report-bf1df1e368522df957bd27cf7eb53e26605d05d67d2b135278fe82cc8f0910f9.pdf>.

Student Signing Days

Present Situation

In 2010, the Legislature established the “Academic Scholarship Signing Day” to encourage school districts to recognize, on the third Tuesday of each April, high school seniors who have been awarded postsecondary academic scholarships.²³ District school boards may authorize assemblies or other events in which students sign actual or ceremonial documents signifying acceptance of a scholarship. These events are modeled after “letter of intent” signing activities conducted by many high schools to celebrate a student athlete’s acceptance of a college athletic scholarship.²⁴

Effect of Proposed Changes

In addition to the “Academic Scholarship Signing Day,” the bill encourages school districts to declare a “College and Career Decision Day” to recognize high school seniors for their postsecondary education plans, i.e., the postsecondary institution he or she has been accepted to enroll; to encourage early preparation for college; and to encourage students to pursue advanced career pathways through the attainment of industry certifications. The bill also provides districts with flexibility on when to hold “Academic Scholarship Signing Day” by deleting the requirements that it occur on the third day of April.

Career Dual Enrollment

Present Situation

Dual Enrollment Program

The dual enrollment program is an acceleration mechanism that allows an eligible secondary²⁵ or home education student to enroll in a postsecondary course creditable toward high school completion and an associate or baccalaureate degree or career certificate.²⁶ Upon successful completion of a dual enrollment course, the student simultaneously receives high school and college, university, or career certificate credit.²⁷ Career dual enrollment includes courses offered through career certificate clock hour programs and career associate degree (college credit) programs that lead to an industry certification.²⁸ For career certificate dual enrollment courses, the DOE awards a one-half credit in an equivalent high school course for each 75 hours in the career certificate course, rounded down to the nearest one-half credit.²⁹

An eligible student must be enrolled in a Florida public secondary school or a Florida private secondary school conducting a secondary curriculum that satisfies the statutory high school graduation requirements.³⁰ Home education students are also eligible to participate in the dual enrollment

²³ Section 1, ch. 2010-203, L.O.F., *codified at* s. 1001.43(14), F.S.

²⁴ See National Letter of Intent, *NLI Signing Dates*, <http://www.nationalletter.org/signingDates/index.html> (last visited Feb. 25, 2019).

²⁵ For purposes of dual enrollment, “secondary” is defined as a student who is enrolled in grades 6-12 in a Florida public school or Florida private school. Section 1007.271(2), F.S.

²⁶ Section 1007.271(1), F.S.

²⁷ Florida Department of Education, Office of Articulation, *Dual Enrollment Frequently Asked Questions*, available at <http://fldoe.org/core/fileparse.php/5421/urlt/DualEnrollmentFAQ.pdf> (revised Sept. 2018) [hereinafter referred to as *Dual Enrollment FAQ*].

²⁸ Florida Department of Education, *2019-2020 Dual Enrollment Course-High School Subject Area Equivalency List* (Feb. 2019), available at <http://www.fldoe.org/core/fileparse.php/7744/urlt/22719-AgendaPacket-C-Career.pdf>.

²⁹ *Id.*

³⁰ Section 1007.271(2), F.S.; see also s. 1002.42(2), F.S. Section 1007.271(2), F.S., references the required curriculum with regard to the courses required for a standard high school diploma under s. 1003.4282, F.S., which applies to students entering grade 9 in the 2013-2014 school year.

program.³¹ Career dual enrollment must be provided as a curricular option for secondary students to earn an industry certification that counts as credit toward a high school diploma and which may articulate toward college credit.³²

Students must demonstrate readiness for college-level or career-level coursework. A student must have a 3.0 unweighted grade point average (GPA) for enrollment in college-level courses and a 2.0 unweighted GPA for enrollment in career certificate courses.³³

Transportation

District school boards are required to provide transportation for students to and from school. District school boards may also use motor vehicles other than school buses to transport students to and from other education sites, including to and from specialized education programs and agriculture education sites.³⁴

School Grades

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.³⁵ School grades are also used to determine whether a school must select or implement a turnaround option³⁶ or whether a school is eligible for school recognition funds as appropriated by the Legislature.³⁷ Elementary schools, middle schools, and high schools each share a basic model for determining school grades, based on the percentage of total points earned by a school for each component in the model. Middle and high school models include additional components beyond the basic model.³⁸

School Grades Models							
Basic/Elementary (700 Points)			Middle School (Basic +200 Points)		High School (Basic+300 Points)		
English Language Arts	Mathematics	Science	Civics EOC Assessment	Acceleration Success	U.S. History EOC Assessment	Graduation Rate	Acceleration Success
Achievement (0% to 100%)	Achievement (0% to 100%)	Achievement (0% to 100%)	Achievement (0% to 100%)	Percentage of students who pass high school EOC assessments & industry certifications (0% to 100%)	Achievement (0% to 100%)	Overall, 4-year graduation rate (0% to 100%)	Percent of students eligible to earn college credit through AP, IB, AICE, dual enrollment, or earn industry certification (0% to 100%)
Learning Gains (0% to 100%)	Learning Gains (0% to 100%)						
Learning Gains of Low 25% (0% to 100%)	Learning Gains of Low 25% (0% to 100%)						

³¹ Section 1007.271(13)(a), F. S.

³² See *Dual Enrollment FAQ*, *supra* n. 27. See also Florida Department of Education, *Industry Certification*, <http://www.fldoe.org/academics/career-adult-edu/career-technical-edu-agreements/industry-certification.shtml> (last visited Feb. 26, 2019) (providing a list of industry certifications that are articulable to college credit).

³³ Section 1007.271(3), F.S.

³⁴ Section 1006.22(1)(a), F.S.

³⁵ Section 1008.34(1), F.S. If there are fewer than 10 eligible students with data for a component, the component is not included in the calculation. Section 1008.34(3)(a), F.S.

³⁶ See s. 1008.33(4), F.S.

³⁷ See s. 1008.26, F.S.

³⁸ See s. 1008.34(3)(b), F.S.; rule 6A-1.09981(4)(a)-(c), F.A.C.

Under the high school model, students who earn college credit by passing certain standardized, college-level assessments or passing a dual enrollment course or who earn an industry certification identified in the Career and Professional Education (CAPE) Industry Certification Funding List are included on the acceleration component for the purpose of calculating a school's grade.³⁹ A student may be included in the acceleration component only once.⁴⁰ Courses and certifications that satisfy this acceleration component are adopted in state board rule.⁴¹

Students who complete career certificate clock hour dual enrollment courses are not included in the acceleration component of the school grades calculation. Because students who attain a qualifying industry certification during high school are included in the acceleration component, districts may choose to place students interested in career pathways in shorter industry certification programs instead of other advanced programs that culminate in a career credential after high school graduation at a technical center or state college.

For instance, a career certificate clock hour program in Machining Technologies requires a student to complete a sequence of courses lasting at least 1,500 clock hours.⁴² Because 75 clock hours of instruction equates to one half-credit, completing the program through career dual enrollment would require completion of 10 high school credits. Of the 24 credits required for high school graduation, only eight are reserved for electives. It would be impracticable for a student to complete the program through career dual enrollment and satisfy all other graduation requirements within the required 24 credits. However, a year-long course that culminates in an industry certification would be included in the school grade calculation even though it may not lead to more advanced certifications or opportunities for higher-level employment.

Effect of Proposed Changes

The bill incentivizes school districts to enroll high school students in advanced career pathways through career dual enrollment programs by including career certificate clock hour dual enrollment courses totaling 450 or more hours and registered preapprenticeship program completions totaling at least 300 hours in the acceleration component of the school grade calculation. Courses and programs meeting this requirement would be identified in state board rule. By allowing these career certificate clock hour dual enrollment courses and registered preapprenticeship program completions to count toward the school grades acceleration component, schools can be more responsive to student preferences by enrolling them in a career certificate clock hour dual enrollment education program that culminates in an industry certification after high school graduation or by enrolling them in a program that allows them to earn an industry certification before graduation.

The bill authorizes district school boards to regularly use motor vehicles other than school buses to transport students to and from career education program sites if transportation between a student's residence and such sites is not customary.

In addition, the bill requires each district school board career center to enter into a career dual enrollment agreement with each high school in any school district it serves. The agreement must be completed annually and submitted by the center to the DOE by August 1. The agreement must include specific terms related to available courses and programs, equivalent high school course credits, student and parent outreach and enrollment, eligibility requirements, and the delineation of costs associated with providing transportation to students who are unable to provide their own.

³⁹ Rule 6A-1.09981(4)(c)2., F.A.C.

⁴⁰ Rule 6A-1.09981(4)(c)3., F.A.C.; rule 6A-6.0573, F.A.C.

⁴¹ See rule 6A-6.0574, F.A.C. (industry certifications), and rule 6A-10.024, F.A.C. (dual enrollment course equivalencies).

⁴² Florida Department of Education, *Curriculum Framework* (for Machining Technologies) (2018), available at

<http://www.fldoe.org/core/fileparse.php/18567/urlt/J200100-1819.rtf>.

Career Planning

Present Situation

In 2006, the Legislature revised middle grade promotion requirements to include a course in career exploration and planning.⁴³ The course could be completed in grades 6, 7, or 8 and could be delivered as a stand-alone course or integrated into another course and be taught by any member of the instructional staff. The course was required to:

- be Internet-based, easy to use, and customizable to each student and include research-based assessments to assist students in determining educational and career options and goals;
- emphasize the importance of entrepreneurship skills;
- emphasize technology or the application of technology in career fields;
- include information from the DEO's Economic Security Report; and
- result in a completed personalized academic and career plan for the student, signed by the student and his or her parent.⁴⁴

The personalized academic and career plan had to inform students of requirements related to standardized assessments, high school graduation and diploma designations, college entrance tests and admissions, and the Florida Bright Futures Scholarship Program, as well as opportunities to earn college credit in high school through academic and career-based options.⁴⁵ As of the 2017-2018 school year, this is no longer a requirement for middle grades students.⁴⁶

Effect of Proposed Changes

The bill reestablishes the planning course requirement for middle grades students but eliminates the requirement that the student and his or her parent sign the personalized education plan. The bill also requires the personalized plan to be revisable as the student moves through high school, to emphasize the importance of employability skills, and to inform students of preapprenticeship and apprenticeship programs.

Career Education Opportunities

Present Situation

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.⁴⁷ The SBE must adopt rules to promulgate standards of basic skill mastery for completion of certificate career education programs.⁴⁸ Each school district and FCS institution that conducts programs that confer career and technical certificates must provide applied academics instruction through which students receive the basic skills instruction.⁴⁹

The Legislature enacted the Florida CAPE Act to provide a statewide planning partnership between the business and education communities to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.⁵⁰ The primary purpose of the CAPE Act is to:⁵¹

- improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities;

⁴³ Section 21, ch. 2006-74, L.O.F.

⁴⁴ See s. 1003.4156(1)(e), F.S. (2016)

⁴⁵ Section 1003.4156(1)(e), F.S.

⁴⁶ See s. 60, ch. 2017-116, L.O.F.

⁴⁷ Section 1004.92(1), F.S.

⁴⁸ Section 1004.91(1), F.S.

⁴⁹ *Id.*

⁵⁰ Section 1003.491, F.S.

⁵¹ Section 1003.491(1), F.S.

- 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; and
- provide state residents with access to high-wage and high-demand careers.

The CTE Programs within the DOE's Division of Career and Adult Education are responsible for developing and maintaining educational programs that prepare individuals for occupations important to Florida's economic development.⁵² Each CTE program is aligned to a career cluster and provides detailed curriculum frameworks adopted by the state board.⁵³ The adopted programs and courses range from middle grades through associate in science degree level. With the help of educators, business and industry representatives, and trade associations, CTE programs are aligned with the skill requirements needed in today's workforce. For 2018-19, the following total K-12 programs were approved:⁵⁴

- 88 Middle School Programs.
- 194 High School Programs.
- 81 Practical Arts/single course offerings.

Effect of Proposed Changes

The bill amends the Florida CAPE Act to require that each school board's strategic three-year plan include a provision for school boards to provide opportunities for students whose cumulative GPA drops below a 2.0 to enroll in career-themed courses or participate in career and professional academies. Such students must be provided in-person academic advising that includes information on career education programs by a certified school counselor or the school principal or his or her designee during any semester the student is at risk of dropping out or has a cumulative GPA below a 2.0.

The bill also requires the Commissioner of Education to conduct an annual review of K-12 and postsecondary career and technical education offerings, in consultation with the DEO, CareerSource Florida, Inc., leaders of business and industry, the Board of Governors of the State University System of Florida, the FCS, school districts, and other education stakeholders, to determine the alignment of existing offerings with employer demand, postsecondary degree or certificate programs, and professional industry certifications. The review must identify career and technical education offerings that are linked to occupations that are in high-demand by employers, require high-level skills, and provide middle- and high-level wages.

Using the findings from the annual review, the Commissioner of Education must phase out career and technical education programs that are not aligned with the needs of employers or do not provide those who complete such programs with a middle- or high-wage occupation. The bill encourages school districts and FCS institutions to offer programs that are not offered currently.

Digital Tool Certificates

Present Situation

CAPE digital tool certificates recognize a student's attainment of digital skills. The DOE is required to identify up to 15 digital tool certificates by June 15 each year, which must be made available to all public elementary and middle grades students. The Commissioner of Education may recommend adding digital tool certificates at any time. At least 75 percent of public middle grades students are expected to earn at least one digital tool certificate each year.⁵⁵

⁵² Florida Department of Education, *2019 Agency Legislative Bill Analysis for HB 661* (March 14, 2019), at 4.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ Section 1003.4203(3), F.S.

The Chancellor of Career and Adult Education may identify certificates and certifications for students with disabilities, which must be included on the CAPE Industry Certification Funding List, i.e., digital tool certifications, workplace industry certifications, and occupation safety and health administration industry certifications.⁵⁶ Only the chancellor may update CAPE digital tool certificates on the Industry Certification Funding List as identified by the State Board of Education.⁵⁷

A CAPE digital tool certificate may be included on the CAPE Industry Certification Funding List if it:

- is achievable by elementary school and middle grades students;
- assesses at least one of the following digital skills: word processing; development of spreadsheets; digital arts; cybersecurity; coding; and development of sound, motion, and color presentations that do not articulate for college credit; and
- is part of a career pathway leading to the attainment of a career and professional education industry certification on the career and professional education funding list.⁵⁸

An additional FTE membership value of 0.025 is calculated for each CAPE Digital Tool Certificate earned by an elementary or middle school student; however, FTE membership may not exceed 0.1 for certificates or industry certifications earned within the same fiscal year.⁵⁹

Students earned 40,953 CAPE Digital Tool Certificates during the 2017-2018 school year.⁶⁰

Effect of Proposed Changes

The bill doubles the cap on CAPE Digital Tool Certificates that may be included on the Industry Certification Funding List from 15 to 30, thereby increasing the number of certificates available to students and providing additional opportunities for school districts to earn weighted FTE for elementary and middle school students who earn a certificate.

Graduation Requirements

Present Situation

Credits Required for High School Graduation

A student must successfully complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum to earn a standard high school diploma.⁶¹ The required credits may be earned through equivalent, applied, or integrated courses or career education courses, including work-related internships approved by the State Board of Education (SBE) and identified in the course code directory. However, any must-pass assessment requirements must be met.⁶²

⁵⁶ Section 1008.44(1)(c), F.S.

⁵⁷ Section 1008.44(1)(b), F.S.

⁵⁸ See s. 1008.44(1)(b), F.S.; rule 6A-6.0573(7)(d), F.A.C.

⁵⁹ Section 1011.62(1)(o), F.S.

⁶⁰ Florida Department of Education, *Industry Certifications Earned by Certification – 2013-14 to 2017-18* (Feb. 2019), available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/ic-earned1314-1718.xls>.

⁶¹ Section 1003.4282(1)(a), F.S.

⁶² *Id.* at (1)(b). An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the Next Generation Sunshine State Standards for that subject. An applied course aligns with Next Generation Sunshine State Standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

In order to earn a standard high school diploma, a student must earn the following credits:⁶³

- English Language Arts (ELA) - 4 Credits
 - ELA I, II, III, and IV.
- Mathematics – 4 Credits
 - One credit in Algebra I, one credit in Geometry, and two additional credits.
 - A student who earns an industry certification for which there is a statewide college credit articulation agreement may substitute the certification for one of the two additional credits. Substitution may occur for up to 2 credits, with the exception of Algebra I and Geometry.
- Science – 3 Credits
 - One credit in Biology I and 2 credits in equally rigorous courses.
 - A student who earns an industry certification for which there is a statewide college credit articulation agreement may substitute the certification for one of the two equally rigorous courses.
- Social Studies – 3 Credits
 - One credit in United States History; one credit in World History; one-half credit in U.S. Government, and one-half credit in Economics, which must include Financial Literacy.
- Fine Arts, Performing Arts, Speech and Debate, or Practical Arts – 1 Credit
 - The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. Eligible courses are identified in the Course Code Directory.⁶⁴
- Physical Education - 1 Credit
 - Must include the integration of health.
- Electives – 8 Credits
 - Must include opportunities for students to earn college credit, including industry-certified career programs or courses that lead to college credit.

Students must also complete at least one online course.⁶⁵

To graduate, a student must complete the listed criteria and earn a cumulative GPA of 2.0 on a 4.0 scale.⁶⁶

Career Education Courses That Satisfy High School Graduation Requirements

By July 1, 2014, the DOE was required to develop, for approval by the SBE, career education courses or a series of courses that satisfy general high school credit requirements.⁶⁷ Students taking these courses can earn credit in both the career education course and the course required for a standard high school diploma. It is the responsibility of the SBE to determine if sufficient academic standards are

⁶³ See s. 1003.4282(3), F.S.

⁶⁴ The Course Code Directory requires that programs and courses funded through the Florida Education Finance Program (FEFP) and courses or programs for which students may earn elective or required credit toward high school graduation must be listed in the Course Code Directory. Rule 6A-1.0944, F.A.C.

⁶⁵ Section 1003.4282(4), F.S. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. A student who completes an online course in grades 6, 7, or 8 satisfies the requirement. This subsection does not apply to a student who has an individual education plan under s. 1003.57, F.S., which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school. *Id.*

⁶⁶ Section 1003.4282(6)(a), F.S.

⁶⁷ School districts are required to offer at least two career-themed courses, and each secondary school is encouraged to offer at least one career-themed course. Career-themed courses are courses, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the SBE. Career-themed courses have industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity. 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. Section 1003.493(1)(b), F.S.

covered to warrant the award of the academic credit.⁶⁸ The SBE has approved career education courses that satisfy credit requirements for practical arts, economics, and science.⁶⁹

Computer Science Courses

Florida law defines computer science as “the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society.”⁷⁰ Computer science also includes computer coding and computer programming.

Public schools are required to provide students in grades K-12 opportunities for learning computer science including, but not limited to, computer coding and computer programming.⁷¹ Such opportunities may include:⁷²

- instruction regarding computer coding in elementary and middle school;
- instruction to develop computer usage and digital literacy skills in middle school; and
- courses in computer science, computer coding, and computer programming in high school, including opportunities to earn industry certifications related to the courses.

Computer science courses must be offered to students in high school and middle school.⁷³ The Florida Virtual School (FLVS) must offer computer science courses identified in the Course Code Directory. If a school district does not offer an identified course, the district must provide students access to the course through FLVS or through other means.⁷⁴ There are 65 middle and high school computer science courses currently identified in the Course Code Directory.⁷⁵

The law allows high schools to provide students opportunities to satisfy certain mathematics and science graduation requirements by taking computer science courses of sufficient rigor and earning a related industry certification.⁷⁶ To qualify, the course must be in the area of computer science or 3D rapid prototype printing and the Commissioner of Education must identify the course and the related industry certification in the Course Code Directory.⁷⁷

A qualifying computer science course may satisfy up to one mathematics or science course credit, so long as the course is not Algebra I or higher-level mathematics or Biology I or higher-level science. A qualifying 3D rapid prototype printing course may satisfy up to two mathematics course credits, except for Algebra I.⁷⁸

Testing Requirements for High School Graduation

In order to be eligible for high school graduation, students must also pass the statewide, standardized grade 10 ELA assessment or earn a concordant score on the SAT or ACT⁷⁹ and pass the Algebra I EOC assessment or, beginning with students entering grade 9 in the 2018-19 school year, earn a

⁶⁸ Section 1003.4282(8)(a)1., F.S.

⁶⁹ Florida Department of Education, *CTE Courses that Fulfill the Graduation Designation for Economics, Equally Rigorous Science and Practical Arts 2018-2019*, available at <http://www.fldoe.org/core/fileparse.php/5652/urlt/1819coursesPAEQEC.rtf>.

⁷⁰ Section 1007.2616(1), F.S.

⁷¹ *Id.*

⁷² *Id.*

⁷³ Section 1007.2616(2)(a), F.S.

⁷⁴ Section 1007.2616(3), F.S.

⁷⁵ Florida Department of Education, *Florida Course Code Directory Computer Science Courses 2018-2019* (2018), available at <http://www.fldoe.org/core/fileparse.php/7746/urlt/1819CompSci.pdf>.

⁷⁶ Section 1007.2616(3), F.S.

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Section 1003.4282(3)(a) and (8), F.S.; rule 6A-1.09422(8)(a)2., F.A.C.

comparative score on the Math section of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), the SAT or the ACT.⁸⁰

Requirements for the Scholar High School Diploma Designation

In order to earn a Scholar diploma designation, a student must meet the high school graduation requirements, including earning a credit in Algebra II and a credit in statistics or an equally rigorous mathematics course; passing the statewide, standardized assessments for Geometry, Biology I, and U.S. History; earning two credits in the same foreign language; and earning at least one credit in an Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment course.⁸¹ Students who accelerate to a higher level math, i.e., College Algebra, without taking Algebra II are not eligible to earn a Scholar designation.

Academically Challenging Curriculum to Enhance Learning (ACCEL) Options Graduation Pathway

Students may also earn a standard high school diploma after completing 18 credits under the ACCEL option.⁸² ACCEL options are educational options that provide academically challenging curriculum or accelerated instruction to eligible public school students in kindergarten through grade 12.⁸³

At a minimum, each school must offer the following ACCEL options: whole-grade and midyear promotion; subject-matter acceleration; virtual instruction in higher grade level subjects; and the Credit Acceleration Program.⁸⁴ Additional ACCEL options may include, but are not limited to, enriched science, technology, engineering, and mathematics coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; rigorous industry certifications that are articulated to college credit and approved in accordance with the law;⁸⁵ work-related internships or apprenticeships; curriculum compacting; advanced-content instruction; and telescoping curriculum.⁸⁶

Under the ACCEL option, students may earn fewer elective credits (i.e., 3 credits in electives instead of the required eight credits under the 24-credit standard high school diploma pathway) and are not required to earn one credit in physical education.⁸⁷ Students still must earn a cumulative GPA of 2.0 on a 4.0 scale.⁸⁸

Certificate of Completion

A student who earns the required 24 credits, or the required 18 credits through the ACCEL options graduation pathway, but fails to pass the required assessments or achieve a 2.0 GPA must be awarded a certificate of completion in a form prescribed by the SBE. However, a student who is otherwise entitled to a certificate of completion may elect to remain in high school either as a full-time student or a part-time student for up to one additional year and receive special instruction designed to remedy his or her identified deficiencies.⁸⁹

⁸⁰ Section 1003.4282(3)(b) and (9), F.S.; rule 6A-1.09422(8)(b)2., F.A.C.

⁸¹ Section 1003.4285(1)(a), F.S.

⁸² Section 1002.3105(5), F.S.

⁸³ Section 1002.3105(1)(a), F.S.

⁸⁴ Section 1002.3105(1)(b), F.S. The Credit Acceleration Program is created to allow a student to earn high school credit in courses required for high school graduation through passage of a statewide, standardized end-of-course (EOC) assessment, an Advanced Placement (AP) Examination, or a College Level Examination Program (CLEP). A school district must award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding EOC assessment, AP Examination, or CLEP. Section 1003.4295(3), F.S.

⁸⁵ Sections 1003.492 and 1008.44, F.S.

⁸⁶ Section 1002.3105(1)(b), F.S.

⁸⁷ Section 1002.3105(5), F.S.

⁸⁸ Sections 1002.3105(5) and 1003.4282(6)(a), F.S.

⁸⁹ Section 1003.4282(6)(c), F.S.

Effect of Proposed Changes

The bill allows all students to earn up to two mathematics credits by successfully completing two full-year courses in Algebra I. This means that the student would be able to meet all mathematics credit requirements by completing two credits in Algebra I, one credit in Geometry, and earning the industry certification.

The bill specifies that a student may substitute one computer science credit for either one mathematics credit, excluding Algebra I and Geometry, or one science credit, excluding Biology I, without having to earn the associated industry certification for the computer science course. A computer science credit may not be used to substitute for both a mathematics credit and a science credit.

The bill also requires the SBE to determine at least biennially if sufficient academic standards are covered in career education courses to warrant the award of academic credit, including credit satisfaction of assessment requirements. Additionally, the bill requires the instructional methodology used in career education courses to provide for contextual academic learning and emphasize workplace skills.

Upon becoming law, a student may earn a Scholar high school diploma designation by earning a credit in an equally rigorous mathematics course, in lieu of earning a credit in Algebra II.

The bill specifies that electives under the ACCEL options graduation pathway may include credits in work-based learning and career and technical education resulting in a program completion and an industry certification.

The bill establishes a certificate of completion for students who earn an industry certification and meet the GPA and credit requirements for high school graduation, but do not pass the required statewide standardized assessments. The certificate of completion must specify that the student is workforce ready in any field in which he or she has earned an industry certification.

Virtual Instruction Program Providers

Present Situation

The DOE is tasked with annually publishing a list of providers approved to offer virtual instruction programs.⁹⁰ To be approved by the DOE, a provider must document that it, amongst other things,⁹¹ possesses prior, successful experience offering online courses to elementary, middle, or high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instructional program option.⁹² However, for a provider without sufficient prior, successful experience offering online courses, the DOE may conditionally approve the provider to offer courses.⁹³ Conditional approval is valid for 1 school year only and, based on the provider's experience in offering the courses, the DOE must determine whether to grant approval to offer a virtual instruction program.⁹⁴

Effect of Proposed Changes

The bill expands the approval criteria for virtual instruction providers by authorizing the use of student performance on statewide assessments, nationally recognized assessments, or other third party

⁹⁰ Section 1002.45(2)(a), F.S.

⁹¹ Section 1002.45(2)(a)1-10., F.S.

⁹² Section 1002.45(2)(a)5., F.S.

⁹³ *Id.*

⁹⁴ *Id.*

preassessments and postassessments from other states for virtual instruction provider approval. Additionally, the bill requires a provider's conditional approval from DOE to be valid for 2 years.

Adjunct Teaching Certificates

Present Situation

School districts may award adjunct teaching certificates to individuals who wish to teach part-time in a Florida public school.⁹⁵

District school boards are required to adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements specified in law,⁹⁶ including a background screening, and who has expertise in the subject area to be taught.⁹⁷ An applicant is considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test.⁹⁸ The adjunct teaching certificate must be used for part-time teaching positions.⁹⁹

Effect of Proposed Changes

The bill authorizes district school boards to issue of adjunct teaching certificates for full-time teaching positions. However, consistent with the terms of the temporary teaching certificate, the bill specifies that an adjunct teaching certificate issued for a full-time teaching position is valid for no more than 3 years and is nonrenewable. Additionally, the bill requires each school district to:

- post on the district's website requirements for issuance of an adjunct teaching certificates, which must specify the subject area test by which an applicant demonstrates subject area mastery; and
- annually report to the DOE the number of adjunct teaching certificates issued for full-time and part-time teaching positions.

B. SECTION DIRECTORY:

Section 1. Amends s. 446.011, F.S., revising terminology.

Section 2. Amends s. 446.032, F.S., requiring the DOE to provide assistance to certain entities relating to notifying specified persons of apprenticeship and preapprenticeship opportunities.

Section 3. Amends s. 446.052, F.S., revising terminology.

Section 4. Amends s. 1001.43, F.S., encouraging district school boards to declare an "Academic Scholarship Signing Day" and "College and Career Decision Day" for specified purposes.

Section 5. Amends s. 1002.3105, F.S.; providing that certain career education credits may be used to satisfy elective credit requirements for the accelerated high school graduation option.

Section 6. Amends s. 1002.45, F.S.; revising virtual education program provider requirements.

Section 7. Amends s. 1003.4156, F.S., requiring students to take a career education planning course for promotion to high school; providing requirements for such course; requiring each student that takes the course to receive an academic and career plan; and providing requirements for such plan.

⁹⁵ Section 1012.57(2), F.S.

⁹⁶ An applicant must fulfill the requirements of ss. 1012.56(2)(a)-(f) and (10), F.S. The requirements specified in law for adjunct teacher certification does not include the requirement to demonstrate mastery of general knowledge.

⁹⁷ Section 1012.57(1), F.S.

⁹⁸ *Id.*

⁹⁹ *Id.*

Section 8. Amends s. 1003.4282, FS., authorizing a credit in computer science to meet specified graduation requirements under certain circumstances; requiring the DOE to award a certificate of completion to students who fulfill specified requirements; requiring that the certificate of completion specify that the student is workforce ready; providing that students who are otherwise entitled to receive a certificate of completion may elect to remain in high school for up to a specified period of time to receive special instruction to remedy their deficiencies; requiring the department to adopt rules; correcting a cross-reference relating to the federal Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015; and revising the requirements for the instructional methodology of certain courses.

Section 9. Amends s. 1003.4285, F.S., revising the requirements to earn the scholar designation on a standard high school diploma.

Section 10. Amends s. 1003.491, F.S., requiring school districts to provide opportunities for certain students to enroll in specified courses or academies; requiring school districts to provide academic advising to students under certain circumstances; providing requirements for such academic advising; requiring the Commissioner of Education to annually review career and technical offerings in consultation with certain entities for specified purposes; and requiring the commissioner to phase out certain career and technical education offerings and encourage specified entities to offer certain programs.

Section 11. Amends s. 1006.22, F.S., expanding the circumstances in which motor vehicles may be used for public school transportation.

Section 12. Amends s. 1007.2616, F.S., conforming provisions to changes made by the act.

Section 13. Amends s. 1007.271, F.S.; requiring a career center to enter into an agreement with specified high schools to offer certain courses to high school students; and providing requirements for such agreement.

Section 14. Amends s. 1008.34, F.S.; revising school grade components to provide that career dual enrollment includes career clock-hour courses and the completion of certain preapprenticeship programs.

Section 15. Amends s. 1008.44, F.S.; increasing the number of CAPE Digital Tool certificates relating to specified subjects that may be included on the CAPE Industry Certification Funding List.

Section 16. Amends s. 1012.57, F.S.; deleting a requirement that the adjunct teaching certificate be used only for part-time teaching positions; authorizing school districts to issue adjunct teaching certificates for part-time and full-time teaching positions; providing limitations on adjunct teaching certificates for full-time positions; and providing school district requirements.

Section 17. Provides an effective date of July 1, 2019, except as otherwise specified.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Section 1011.62(1)(o)1., F.S., authorizes an add-on value of 0.025 per full-time equivalent student membership for each CAPE Digital Tool certificate earned by an elementary and middle school grade student. Currently the law allows the SBE to identify up to 15 digital tool certificates eligible for the add-on value and the bill doubles this cap to 30. Depending on the number of certificates identified by the SBE, there may be additional costs of up to \$4.3 million based on the 40,953 CAPE digital tool certificates that were awarded for the 2017-2018 school year and using the 2018-2019 fiscal year Base Student Allocation amount of \$4,204.42. If there are additional elementary and middle school grade students earning an identified CAPE Digital Tool certificate in the 2019-2020 fiscal year, the Florida Education Finance Program would be redistributed to accommodate the additional students.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill provides DOE with rulemaking authority for the award of certificates of completion to students who have earned an industry certification.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 25, 2019, the PreK-12 Appropriation Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The committee substitute differs from the bill in the following ways that:

- Clarifies that students may earn two math credits if they complete Algebra I over two years without also having to earn an industry certification; and
- Updates a cross reference to the federal Elementary and Secondary Education Act as amended in 2015.

On April 15, 2019, the Education Committee adopted a strike-all amendment with two amendments to the amendment and reported the bill favorably as a committee substitute. The strike-all amendment, as amended, does the following:

- Adds a provision to specify that the 18-credit, ACCEL options graduation pathway may include career education credits, including work-based learning, that result in industry certifications.
- Establishes a certificate of completion for students who meet the credit requirements, but not the assessment requirements for a high school diploma, and earn an industry certification. The certificate must indicate the student is workforce ready in any field in which an industry certification is earned.
- Requires the SBE's biennial review of career education courses to determine whether they may satisfy course credit graduation requirements, including statewide assessments.
- Specifies that the instructional methodology for career education courses must emphasize workplace skills such as applied mathematics and reading for information.
- Requires academic advising for students whose GPA drops below a 2.0. The advising must include information on and opportunities to enroll in career education programs.
- Specifies that, for purposes of school grades, the acceleration component may include the completion of career dual enrollment courses totaling at least 450 hours and the completion of a registered preapprenticeship program totaling at least 300 hours.
- Requires that the career dual enrollment agreement between a career center and high school must determine how transportation will be provided to students who are unable to provide their own transportation.
- Allows school districts to use motor vehicles other than school buses to transport students to career education programs.
- Requires the Commissioner of Education to annually review K-12 and postsecondary career and technical education offerings and phase out programs that are not aligned to industry needs or do not provide medium- and high-wage jobs.
- Expands the approval criteria for virtual instruction providers by authorizing the use of student performance on statewide assessments, nationally recognized assessments, or other third party preassessments and postassessments from other states; and requires a provider's conditional approval from DOE to be valid for 2 years.
- Allows an adjunct teaching certificate holder to teach full time for no more than 3 years; requires school districts to post adjunct certification requirements on their websites; and requires districts to annually report the number of full-time and part-time adjuncts.

The analysis is drafted to the committee substitute passed by the Education Committee.