

1 A bill to be entitled
2 An act relating to college and career educational
3 pathways; creating s. 446.093, F.S.; establishing the
4 Task Force on Apprenticeship Expansion adjunct to
5 Department of Economic Opportunity; providing
6 definitions; specifying the duties of the task force;
7 providing for the composition and meetings of the task
8 force; requiring the Department of Economic
9 Opportunity and the Department of Education to provide
10 specified assistance to the task force; requiring the
11 task force to submit a report to the Governor and
12 Legislature by a specified date; providing for
13 termination of the task force; amending s. 464.008,
14 F.S.; authorizing certain persons to take the nursing
15 licensure examination before the Department of Health
16 receives certain documentation for licensure;
17 requiring such persons to complete specified
18 requirements before they are entitled to licensure as
19 a registered nurse or licensed practical nurse;
20 amending s. 464.203, F.S.; authorizing certain persons
21 to take the nursing assistant competency examination
22 before the Board of Nursing receives certain
23 documentation for certification; requiring such
24 persons to complete specified requirements before they
25 are entitled to certification as a certified nursing

26 assistant; amending s. 1008.34, F.S.; requiring the
 27 percentage of students engaged in an apprenticeship or
 28 preapprenticeship program to be used in determining a
 29 school's grade; amending s. 1011.62, F.S.; providing a
 30 specified value to be used in the calculation of full-
 31 time equivalent student membership for students who
 32 fulfill certain requirements; amending ss. 446.011,
 33 446.021, 446.041, 446.052, 446.081, and 446.091, F.S.;
 34 conforming cross-references; providing an effective
 35 date.

36

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

38

39 Section 1. Section 446.093, Florida Statutes, is created
 40 to read:

41 446.093 Task Force on Apprenticeship Expansion.—

42 (1) The Task Force on Apprenticeship Expansion, a task
 43 force as defined in s. 20.03, is established adjunct to the
 44 Department of Economic Opportunity.

45 (2) As used in this section, the term:

46 (a) "School district" has the same meaning as in s.
 47 595.402.

48 (b) "Skill deficit industries" means sectors of advanced
 49 manufacturing, construction, health care, agriculture,
 50 information technology, and trade industries that are

51 experiencing a severe shortage in skilled individuals in the
52 workforce.

53 (3) Except as otherwise provided in this section, the task
54 force shall operate consistent with s. 20.052. The task force
55 shall:

56 (a) Seek information from representatives of and experts
57 in the state's skill deficit industries regarding unmet
58 workforce needs.

59 (b) Explore the expansion of preapprenticeship and
60 apprenticeship programs by replicating current effective
61 programs and developing new programs incorporating industry best
62 practices without impacting currently registered programs.

63 (c) Examine and make legislative and administrative
64 recommendations regarding all of the following topics:

65 1. Enhancement of articulation between middle school
66 curriculum; high school and state college career and technical
67 education programs, including registered preapprenticeship
68 programs and registered apprenticeship programs; postsecondary
69 institution associate and baccalaureate degree programs; and
70 workforce needs.

71 2. Effective delivery of information regarding career and
72 technical education opportunities, including registered
73 preapprenticeship and apprenticeship programs, to the general
74 public, school districts, school administrators, school guidance
75 counselors, and students enrolled in grades K-12 and their

76 | parents or guardians.

77 | 3. Implementation of a sustainable model for the funding
78 | of registered preapprenticeship and apprenticeship programs,
79 | including the development of additional revenue sources,
80 | expansion of public-private partnerships, establishment of
81 | student scholarships, and replacement of funds lost through
82 | remission of tuition and fees.

83 | 4. Creation of benefits for businesses employing
84 | preapprentices or apprentices through a registered
85 | preapprenticeship or apprenticeship program and for educational
86 | institutions offering registered preapprenticeship and
87 | apprenticeship programs.

88 | 5. Obstacles to employer engagement in registered
89 | preapprenticeship and apprenticeship programs, and solutions to
90 | such obstacles.

91 | 6. Streamlined administrative processes for registered
92 | preapprenticeship and apprenticeship programs.

93 | 7. Means to expedite workforce readiness, job entry, and
94 | skill attainment through registered preapprenticeship and
95 | apprenticeship programs.

96 | 8. Increased recruitment of veterans, women, members of
97 | minority groups, low-income individuals, and individuals with
98 | disabilities into registered preapprenticeship and
99 | apprenticeship programs and subsequent potential placement
100 | opportunities.

- 101 (4) The task force is composed of the following 17
 102 members, who shall be appointed no later than July 31, 2019:
- 103 (a) A member of the Senate appointed by the President of
 104 the Senate.
- 105 (b) A member of the House of Representatives appointed by
 106 the Speaker of the House of Representatives.
- 107 (c) A member appointed by the Florida Farm Bureau
 108 Federation.
- 109 (d) A member appointed by the Florida Home Builders
 110 Association.
- 111 (e) A member appointed by the Florida AFL-CIO.
- 112 (f) A member appointed by the Manufacturers Association of
 113 Florida.
- 114 (g) A member appointed by the Florida Nurses Association.
- 115 (h) A member appointed by the Florida Building and
 116 Construction Trades Council.
- 117 (i) A member appointed by the Florida High Tech Corridor
 118 Council.
- 119 (j) A member appointed by the Florida Association for
 120 Career and Technical Education.
- 121 (k) A member appointed by the Florida Association of
 122 Postsecondary Schools and Colleges.
- 123 (l) A member appointed by the executive director of the
 124 Department of Economic Opportunity.
- 125 (m) A member appointed by the Commissioner of Education.

126 (n) A member appointed by CareerSource Florida.

127 (o) A member appointed by the Florida Association of
128 Apprenticeship Administrators.

129 (p) A member appointed by the Adult and Community
130 Education School.

131 (q) The Chancellor of the Florida College System.

132 (5) The task force shall elect a chair from among its
133 members.

134 (6) The task force shall meet as often as necessary to
135 fulfill its goals, but not fewer than three times. The first
136 meeting of the task force must be held no later than August 15,
137 2019. Task force meetings may be conducted by conference call,
138 teleconferencing, or similar technology.

139 (7) Task force members shall serve without compensation.

140 (8) The Department of Economic Opportunity and the
141 Department of Education shall provide such assistance as is
142 reasonably necessary to assist the task force in accomplishing
143 its goals.

144 (9) The task force shall submit a report detailing its
145 activities, findings, and specific recommendations for changes
146 in law, rules, policies, and programs to the Governor, the
147 President of the Senate, and the Speaker of the House of
148 Representatives by March 1, 2020.

149 (10) This section expires July 31, 2020.

150 Section 2. Subsection (1) of section 464.008, Florida

151 Statutes, is amended to read:

152 464.008 Licensure by examination.—

153 (1) Any person desiring to be licensed as a registered
154 nurse or licensed practical nurse shall apply to the department
155 to take the licensure examination. A person who provides proof
156 of meeting the educational requirements specified in this
157 subsection may apply to the department to take the licensure
158 examination before the department receives any other
159 documentation required for licensure under this subsection.
160 However, the person must complete all of the requirements
161 specified in this subsection before he or she is entitled to
162 licensure as a registered nurse or licensed practical nurse. The
163 department shall examine each applicant who:

164 (a) Has completed the application form and remitted a fee
165 set by the board not to exceed \$150 and has remitted an
166 examination fee set by the board not to exceed \$75 plus the
167 actual per applicant cost to the department for purchase of the
168 examination from the National Council of State Boards of Nursing
169 or a similar national organization.

170 (b) Has provided sufficient information on or after
171 October 1, 1989, which must be submitted by the department for a
172 statewide criminal records correspondence check through the
173 Department of Law Enforcement.

174 (c) Is in good mental and physical health, is a recipient
175 of a high school diploma or the equivalent, and has completed

176 the requirements for:

177 1. Graduation from an approved program;

178 2. Graduation from a prelicensure nursing education
179 program that the board determines is equivalent to an approved
180 program;

181 3. Graduation on or after July 1, 2009, from an accredited
182 program; or

183 4. Graduation before July 1, 2009, from a prelicensure
184 nursing education program whose graduates at that time were
185 eligible for examination.

186

187 Courses successfully completed in a professional nursing
188 education program that are at least equivalent to a practical
189 nursing education program may be used to satisfy the educational
190 ~~education~~ requirements for licensure as a licensed practical
191 nurse.

192 (d) Has the ability to communicate in the English
193 language, which may be determined by an examination given by the
194 department.

195 Section 3. Subsection (1) of section 464.203, Florida
196 Statutes, is amended to read:

197 464.203 Certified nursing assistants; certification
198 requirement.—

199 (1) The board shall issue a certificate to practice as a
200 certified nursing assistant to any person who demonstrates a

201 minimum competency to read and write and successfully passes the
202 required background screening pursuant to s. 400.215. If the
203 person has successfully passed the required background screening
204 pursuant to s. 400.215 or s. 408.809 within 90 days before
205 applying for a certificate to practice and the person's
206 background screening results are not retained in the
207 clearinghouse created under s. 435.12, the board shall waive the
208 requirement that the applicant successfully pass an additional
209 background screening pursuant to s. 400.215. A person may apply
210 to the board to take the nursing assistant competency
211 examination before the board receives any other documentation
212 required for certification under this subsection. However, a
213 person must complete all of the requirements specified in this
214 subsection before he or she is entitled to certification as a
215 certified nursing assistant. The person must also meet one of
216 the following requirements:

217 (a) Has successfully completed an approved training
218 program and achieved a minimum score, established by rule of the
219 board, on the nursing assistant competency examination, which
220 consists of a written portion and skills-demonstration portion
221 approved by the board and administered at a site and by
222 personnel approved by the department.

223 (b) Has achieved a minimum score, established by rule of
224 the board, on the nursing assistant competency examination,
225 which consists of a written portion and skills-demonstration

226 | portion, approved by the board and administered at a site and by
 227 | personnel approved by the department and:

- 228 | 1. Has a high school diploma, or its equivalent; or
- 229 | 2. Is at least 18 years of age.

230 | (c) Is currently certified in another state; is listed on
 231 | that state's certified nursing assistant registry; and has not
 232 | been found to have committed abuse, neglect, or exploitation in
 233 | that state.

234 | (d) Has completed the curriculum developed under the
 235 | Enterprise Florida Jobs and Education Partnership Grant and
 236 | achieved a minimum score, established by rule of the board, on
 237 | the nursing assistant competency examination, which consists of
 238 | a written portion and skills-demonstration portion, approved by
 239 | the board and administered at a site and by personnel approved
 240 | by the department.

241 | Section 4. Paragraph (b) of subsection (3) of section
 242 | 1008.34, Florida Statutes, is amended to read:

243 | 1008.34 School grading system; school report cards;
 244 | district grade.—

245 | (3) DESIGNATION OF SCHOOL GRADES.—

246 | (b)1. Beginning with the 2014-2015 school year, a school's
 247 | grade shall be based on the following components, each worth 100
 248 | points:

- 249 | a. The percentage of eligible students passing statewide,
 250 | standardized assessments in English Language Arts under s.

251 1008.22(3).

252 b. The percentage of eligible students passing statewide,
253 standardized assessments in mathematics under s. 1008.22(3).

254 c. The percentage of eligible students passing statewide,
255 standardized assessments in science under s. 1008.22(3).

256 d. The percentage of eligible students passing statewide,
257 standardized assessments in social studies under s. 1008.22(3).

258 e. The percentage of eligible students who make Learning
259 Gains in English Language Arts as measured by statewide,
260 standardized assessments administered under s. 1008.22(3).

261 f. The percentage of eligible students who make Learning
262 Gains in mathematics as measured by statewide, standardized
263 assessments administered under s. 1008.22(3).

264 g. The percentage of eligible students in the lowest 25
265 percent in English Language Arts, as identified by prior year
266 performance on statewide, standardized assessments, who make
267 Learning Gains as measured by statewide, standardized English
268 Language Arts assessments administered under s. 1008.22(3).

269 h. The percentage of eligible students in the lowest 25
270 percent in mathematics, as identified by prior year performance
271 on statewide, standardized assessments, who make Learning Gains
272 as measured by statewide, standardized Mathematics assessments
273 administered under s. 1008.22(3).

274 i. For schools comprised of middle grades 6 through 8 or
275 grades 7 and 8, the percentage of eligible students passing high

276 school level statewide, standardized end-of-course assessments
277 or attaining national industry certifications identified in the
278 CAPE Industry Certification Funding List pursuant to rules
279 adopted by the State Board of Education.

280

281 In calculating Learning Gains for the components listed in sub-
282 subparagraphs e.-h., the State Board of Education shall require
283 that learning growth toward achievement levels 3, 4, and 5 is
284 demonstrated by students who scored below each of those levels
285 in the prior year. In calculating the components in sub-
286 subparagraphs a.-d., the state board shall include the
287 performance of English language learners only if they have been
288 enrolled in a school in the United States for more than 2 years.

289 2. For a school comprised of grades 9, 10, 11, and 12, or
290 grades 10, 11, and 12, the school's grade shall also be based on
291 the following components, each worth 100 points:

292 a. The 4-year high school graduation rate of the school as
293 defined by state board rule.

294 b. The percentage of students who were eligible to earn
295 college and career credit through College Board Advanced
296 Placement examinations, International Baccalaureate
297 examinations, dual enrollment courses, or Advanced International
298 Certificate of Education examinations; ~~or~~ who, at any time
299 during high school, earned national industry certification
300 identified in the CAPE Industry Certification Funding List,

301 pursuant to rules adopted by the state board; or who, beginning
302 with the 2019-2020 school year, engaged in an apprenticeship
303 program or preapprenticeship program, as defined in s. 446.021.

304 Section 5. Paragraph (n) of subsection (1) of section
305 1011.62, Florida Statutes, is amended to read:

306 1011.62 Funds for operation of schools.—If the annual
307 allocation from the Florida Education Finance Program to each
308 district for operation of schools is not determined in the
309 annual appropriations act or the substantive bill implementing
310 the annual appropriations act, it shall be determined as
311 follows:

312 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
313 OPERATION.—The following procedure shall be followed in
314 determining the annual allocation to each district for
315 operation:

316 (n) Calculation of additional full-time equivalent
317 membership based on college board advanced placement scores of
318 students.—A value of 0.16 full-time equivalent student
319 membership shall be calculated for each student in each advanced
320 placement course who receives a score of 3 or higher on the
321 College Board Advanced Placement Examination. A value of 0.3
322 full-time equivalent student membership shall be calculated for
323 each student who receives an Advanced Placement Capstone Diploma
324 in addition to meeting the requirements for a standard high
325 school diploma under s. 1003.4282. Such value shall be ~~for the~~

326 ~~prior year and~~ added to the total full-time equivalent student
327 membership in basic programs for grades 9 through 12 in the
328 subsequent fiscal year. Each district must allocate at least 80
329 percent of the funds provided to the district for advanced
330 placement instruction, in accordance with this paragraph, to the
331 high school that generates the funds. The school district shall
332 distribute to each classroom teacher who provided advanced
333 placement instruction:

334 1. A bonus in the amount of \$50 for each student taught by
335 the Advanced Placement teacher in each advanced placement course
336 who receives a score of 3 or higher on the College Board
337 Advanced Placement Examination.

338 2. An additional bonus of \$500 to each Advanced Placement
339 teacher in a school designated with a grade of "D" or "F" who
340 has at least one student scoring 3 or higher on the College
341 Board Advanced Placement Examination, regardless of the number
342 of classes taught or of the number of students scoring a 3 or
343 higher on the College Board Advanced Placement Examination.

344
345 Bonuses awarded under this paragraph shall be in addition to any
346 regular wage or other bonus the teacher received or is scheduled
347 to receive. For such courses, the teacher shall earn an
348 additional bonus of \$50 for each student who has a qualifying
349 score.

350 Section 6. Subsection (3) of section 446.011, Florida

351 Statutes, is amended to read:

352 446.011 Legislative intent regarding apprenticeship
353 training.—

354 (3) It is the further intent of ss. 446.011-446.093 ~~ss.~~
355 ~~446.011-446.092~~ that the department ensure quality training
356 through the adoption and enforcement of uniform minimum
357 standards and that the department promote, register, monitor,
358 and service apprenticeship and training programs and ensure that
359 the programs adhere to the standards.

360 Section 7. Section 446.021, Florida Statutes, is amended
361 to read:

362 446.021 Definitions of terms used in ss. 446.011-446.093
363 ~~ss. 446.011-446.092~~.—As used in ss. 446.011-446.093 ~~ss. 446.011-~~
364 ~~446.092~~, the term:

365 (1)~~(2)~~ "Apprentice" means a person at least 16 years of
366 age who is engaged in learning a recognized skilled trade
367 through actual work experience under the supervision of
368 journeymen craftsmen, which training should be combined with
369 properly coordinated studies of related technical and
370 supplementary subjects, and who has entered into a written
371 agreement, which may be cited as an apprentice agreement, with a
372 registered apprenticeship sponsor who may be either an employer,
373 an association of employers, or a local joint apprenticeship
374 committee.

375 (2)~~(6)~~ "Apprenticeship program" means an organized course

376 of instruction, registered and approved by the department, which
377 course shall contain all terms and conditions for the
378 qualifications, recruitment, selection, employment, and training
379 of apprentices including such matters as the requirements for a
380 written apprenticeship agreement.

381 (3)~~(10)~~ "Cancellation" means the deregistration of an
382 apprenticeship program or the termination of an apprenticeship
383 agreement.

384 (4)~~(12)~~ "Department" means the Department of Education.

385 (5)~~(4)~~ "Journeyman" means a person working in an
386 apprenticeable occupation who has successfully completed a
387 registered apprenticeship program or who has worked the number
388 of years required by established industry practices for the
389 particular trade or occupation.

390 (6)~~(11)~~ "Jurisdiction" means the specific geographical
391 area for which a particular program is registered.

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

399 (8)~~(1)~~ "Preapprentice" means any person 16 years of age or
400 over engaged in any course of instruction in the public school

401 system or elsewhere, which course is registered as a
402 preapprenticeship program with the department.

403 (9)~~(5)~~ "Preapprenticeship program" means an organized
404 course of instruction in the public school system or elsewhere,
405 which course is designed to prepare a person 16 years of age or
406 older to become an apprentice and which course is approved by
407 and registered with the department and sponsored by a registered
408 apprenticeship program.

409 (10)~~(9)~~ "Related instruction" means an organized and
410 systematic form of instruction designed to provide the
411 apprentice with knowledge of the theoretical subjects related to
412 a specific trade or occupation.

413 (11)~~(3)~~ "Trainee" means a person at least 16 years of age
414 who is engaged in learning a specific skill, trade, or
415 occupation within a formalized, on-the-job training program.

416 (12)~~(8)~~ "Uniform minimum preapprenticeship standards"
417 means the minimum requirements established uniformly for each
418 craft under which a preapprenticeship program is administered
419 and includes standards of admission, training goals, training
420 objectives, curriculum outlines, objective standards to measure
421 successful completion of the preapprenticeship program, and the
422 percentage of credit which may be given to preapprenticeship
423 graduates upon acceptance into the apprenticeship program.

424 Section 8. Subsections (1) and (13) of section 446.041,
425 Florida Statutes, are amended to read:

426 446.041 Apprenticeship program, duties of the department.—

427 The department shall:

428 (1) Administer ss. 446.011-446.093 ~~ss. 446.011-446.092~~.

429 (13) Adopt rules required to administer ss. 446.011-
 430 446.093 ~~ss. 446.011-446.092~~.

431 Section 9. Subsection (2) of section 446.052, Florida
 432 Statutes, is amended to read:

433 446.052 Preapprenticeship program.—

434 (2) The department, under regulations established by the
 435 State Board of Education, may administer the provisions of ss.
 436 446.011-446.093 ~~ss. 446.011-446.092~~ which relate to
 437 preapprenticeship programs in cooperation with district school
 438 boards and community college district boards of trustees.
 439 District school boards, community college district boards of
 440 trustees, and registered program sponsors shall cooperate in
 441 developing and establishing programs that include career
 442 instruction and general education courses required to obtain a
 443 high school diploma.

444 Section 10. Subsections (1), (2), and (4) of section
 445 446.081, Florida Statutes, are amended to read:

446 446.081 Limitation.—

447 (1) Nothing in ss. 446.011-446.093 ~~ss. 446.011-446.092~~ or
 448 in any apprentice agreement approved under those sections shall
 449 operate to invalidate any apprenticeship provision in any
 450 collective agreement between employers and employees setting up

451 higher apprenticeship standards.

452 (2) No person shall institute any action for the
453 enforcement of any apprentice agreement, or for damages for the
454 breach of any apprentice agreement, made under ss. 446.011-
455 446.093 ~~ss. 446.011-446.092~~, unless he or she has first
456 exhausted all administrative remedies provided by this section.

457 (4) Nothing in ss.446.011-446.093 ~~ss. 446.011-446.092~~ or
458 in any rules adopted or contained in any approved apprentice
459 agreement under such sections invalidates any special provision
460 for veterans, minority persons, or women in the standards,
461 qualifications, or operation of the apprenticeship program which
462 is not otherwise prohibited by any applicable general law, rule,
463 or regulation.

464 Section 11. Section 446.091, Florida Statutes, is amended
465 to read:

466 446.091 On-the-job training program.—All provisions of ss.
467 446.011-446.093 ~~ss. 446.011-446.092~~ relating to apprenticeship
468 and preapprenticeship, including, but not limited to, programs,
469 agreements, standards, administration, procedures, definitions,
470 expenditures, local committees, powers and duties, limitations,
471 grievances, and ratios of apprentices and job trainees to
472 journeymen on state, county, and municipal contracts, shall be
473 appropriately adapted and made applicable to a program of on-
474 the-job training authorized under those provisions for persons
475 other than apprentices.

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476 | Section 12. This act shall take effect July 1, 2019. |