

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 1203 Pathways to Career Opportunities

SPONSOR(S): Education Committee, Higher Education & Career Readiness Subcommittee, Mariano

TIED BILLS: None **IDEN./SIM. BILLS:** SB 866

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Higher Education & Career Readiness Subcommittee	15 Y, 0 N, As CS	Sleap	Fudge
2) Appropriations Committee	29 Y, 0 N	Peters	Pridgeon
3) Education Committee	17 Y, 0 N, As CS	Sleap	Hassell

SUMMARY ANALYSIS

To provide additional pathways that prepare students for college and career success, the bill:

- Revises the legislative intent regarding apprenticeships to include broadening job training opportunities by increasing coordination between secondary and postsecondary institutions and apprenticeship programs so that residents of our state will benefit from additional on-ramps to a postsecondary credential or degree when on-the-job training is combined with technical and theoretical instruction; the bill encourages programs that lead to college credit, a college degree, or a nationally recognized industry credential.
- Expands the number of entities that may serve as a sponsor of an apprenticeship program to include educational institutions, a local workforce board, a community or faith-based organization, an association, or an entity preapproved by the DOE.
- Clarifies apprenticeship and preapprenticeship program requirements and broadens the scope of such programs to occupations, not just trades.
- Revises a number of apprenticeship definitions to align with the United States Department of Labor's definitions and clarifies that apprenticeship and preapprenticeship programs are only those programs that are registered with the DOE.
- Requires district school boards and public postsecondary boards of trustees to work together to ensure that an individual who completes an apprenticeship program may be able to receive college credit.
- Encourages district school boards and public postsecondary boards of trustees to cooperate and assist program sponsors of apprenticeship and preapprenticeship programs.
- Clarifies the role of the DOE and apprenticeship program sponsor.
- Specifies that Florida Pathways to Career Opportunities Grant Program funds may be used for instructional personnel but may not be used for administrative expenses.
- Revises the requirements of the annual report on apprenticeship and preapprenticeship programs.
- Requires the statewide articulation agreement to specify three mathematics pathways, align to programs, meta-majors, and careers, identified by an Articulation Coordinating Committee workgroup.
- Requires the Commissioner to submit a report by December 1, 2020, meeting specified requirements, to determine the feasibility of implementing a Pathways in Technology Early College High School (P-TECH), or similar program, in Florida.
- Provides incentives to school districts to provide Career and Professional Education (CAPE) industry certifications that articulate to college credit, are linked to a high-skill occupation, or lead to employment in aviation-related or aerospace-related occupations.
- Provides incentives to school districts and FCS institutions for workforce education students who earn a professional level Federal Aviation Administration industry certification.
- Expands the annual economic security report to include data on employment and earning outcomes for private postsecondary institutions and technical colleges and career centers.

The fiscal impact of the bill can be absorbed into existing resources. See Fiscal Analysis and Economic Impact Statement, *infra*.

Except as otherwise provided, the bill takes effect on July 1, 2020.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Apprenticeship and Preapprenticeship Programs

Present Situation

Legislative Intent

The Florida Legislature established apprenticeship training to provide educational opportunities for training in trades, occupations, and professions where an apprentice is trained in occupations throughout industry in the state that require physical manipulative skills.¹ By broadening job training opportunities and providing for increased coordination between public school academic programs, career programs, and registered apprenticeship programs, the residents of this state benefit from the valuable training opportunities developed when on-the-job training (OTJ) is combined with academic-related classroom experiences.²

The Legislature provided the Florida Department of Education (DOE) with the responsibility for the development of the apprenticeship and preapprenticeship uniform minimum standards for apprenticeable trades as well as assisting district school boards and Florida College System (FCS) institution boards of trustees in developing preapprenticeship programs.³

Apprenticeships and Preapprenticeships in Florida

The DOE serves as the state apprenticeship agency and registers apprentices and apprenticeship programs on behalf of the United States Department of Labor's Office of Apprenticeship (USDOL).⁴ The USDOL does not oversee preapprenticeship programs, so the DOE is the authorized registration agency for registering, servicing, and providing technical assistance for preapprenticeship programs and preapprentices in Florida.⁵

According to current law, an apprenticeable occupation is a skilled trade which possess all of the following characteristics:

- It is customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training.
- It is clearly identified and commonly recognized throughout an industry.
- It involves manual, mechanical, or technical skills and knowledge which, in accordance with the industry standards for the occupation, would require a minimum of 2,000 hours of on-the-job training, which hours are excluded from the time spent at related instruction.
- It requires related instruction to supplement OJT. Such instruction may be given in a classroom, through occupational or industrial courses or correspondence courses of equivalent value, through electronic media, or through other forms of self-study approved by the department.⁶

Registered Apprenticeship

¹ Section 446.011(1), F.S.

² *Id.*

³ Section 446.011(2), F.S.

⁴ Florida Department of Education, *Florida's Annual Apprenticeship and Preapprenticeship Report – Program Year 2018-2019* (2019), at 4, available at <http://www.fldoe.org/core/fileparse.php/5398/urlt/2019appr-rpt.pdf>

⁵ *Id.* at 5.

⁶ Section 446.092, F.S.

A registered apprenticeship is an employer-driven, OTJ workforce educational training program that connects job seekers looking to learn new skills and career opportunities with employers looking to create a pipeline of highly skilled individuals for their workforce.⁷ The key components of a registered apprenticeship program in Florida include:

- registration of program standards of apprenticeship with the DOE for federal purposes;
- business involvement as employers are the foundation of every Florida-registered apprenticeship program;
- structured OTJ as apprentices receive OTJ from an experienced journeyworker or mentor;
- apprentices combine OTJ learning with related technical instruction at FCS institutions, school district technical colleges, apprenticeship training schools, union training facilities, or at the employer's facility and can be delivered in a classroom, on-line, correspondence, or any combination thereof;
- apprentices receive increases in wages as their skill levels and knowledge increase;
- successful completion of a registered apprenticeship program results in a nationally recognized credential issued by the DOE, which confirms for potential future employers that the apprentice is fully qualified for the job; and
- apprentices who complete a Florida-registered apprenticeship program may be accepted by their respective industry as a journey worker.⁸

Apprenticeship Sponsors

If the apprenticeship sponsor meets all of the standards established by the DOE, one or more local apprenticeship sponsors must be approved in any trade or group of trades by the DOE, upon a determination of need.⁹ The term "need" refers to the need of state residents for apprenticeship training.¹⁰ A local apprenticeship sponsor may be a committee, a group of employers, an employer, or a group of employees, or any combination thereof.¹¹

Employers can become a sponsor in an existing program or work with apprenticeship training representatives to develop a new program.¹² Sponsors of new programs define their own training standards with the assistance of an experienced Apprenticeship Training Representative who monitors and coordinates the development and implementation of registered programs.¹³ The more specific standards written by program sponsors define the selection process, wages earned by apprentices as training progresses, length of time the employer will provide OTJ, and number of classroom instruction hours required.¹⁴ Although sponsors define specific program standards, all registered programs must be aligned with industry occupational standards to provide authenticity and consistency in certification.¹⁵

Apprenticeship Program

⁷ Florida Department of Education, *Florida's Annual Apprenticeship and Preapprenticeship Report – Program Year 2018-2019* (2019), at 2, available at <http://www.fldoe.org/core/fileparse.php/5398/urlt/2019appr-rpt.pdf>

⁸ *Id.* at 2-3.

⁹ Section 446.071(1), F.S.

¹⁰ *Id.*

¹¹ Section 446.071(2), F.S.

¹² Florida Department of Education, What is Registered Apprenticeship?, <http://www.fldoe.org/academics/career-adult-edu/apprenticeship-programs/what-is-apprenticeship.shtml> (last visited Feb. 7, 2020).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

An “apprentice” is a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journeymen craftsmen.¹⁶ Apprenticeship training should be combined with properly coordinated studies of related technical and supplementary subjects.¹⁷ An apprentice must enter into a written agreement, which may be cited as an apprentice agreement, with a registered apprenticeship sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee.¹⁸

Potential candidates for an apprenticeship may apply with a registered sponsor, who determines whether the candidate meets the required qualifications.¹⁹ Sponsors may provide private classroom instruction or enter into agreements with school districts or FCS institutions to provide classroom instruction. The apprentice is exempt from paying tuition and fees at a school district technical career center that provides workforce education programs, FCS institution, or state university.²⁰

An “apprenticeship program” is an organized course of instruction, registered and approved by the DOE.²¹ The course must contain all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices, including such matters as the requirements for a written apprenticeship agreement.²² The length of a registered apprenticeship program varies from 1 to 5 years depending on occupation training requirements.²³

The administration and supervision of related and supplemental instruction for apprentices, coordination of such instruction with job experiences, and selection and training of teachers and coordinators for such instruction, all as approved by the registered program sponsor, is the responsibility of the appropriate career education institution.²⁴ The career education institution is encouraged to cooperate with and assist in providing to any registered program sponsor facilities, equipment and supplies, and instructors’ salaries for the performance of related and supplemental instruction associated with the registered program.²⁵

According to the DOE, there is a total of 230 registered apprenticeship programs located throughout the state, with 12,765 registered apprentices.

Preapprenticeship Program

A “preapprentice” is any person 16 years of age or over engaged in any course of instruction in the public school system or elsewhere, which course is registered as a preapprenticeship program with the DOE.²⁶ 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 approved and registered with the DOE and sponsored by a registered apprenticeship program.²⁷

The DOE is authorized to administer the law relating to preapprenticeship programs in cooperation with district schools boards and FCS institution boards of trustees.²⁸ District school boards, FCS institution boards of trustees, and registered program sponsors must cooperate in developing and establishing programs that include career instruction and general education courses required to obtain a high school

¹⁶ Section 446.021(2), F.S.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Florida Department of Education, What is Registered Apprenticeship?, <http://www.fldoe.org/academics/career-adult-edu/apprenticeship-programs/what-is-apprenticeship.shtml> (last visited Feb. 7, 2020).

²⁰ Section 1009.25(1)(b), F.S.

²¹ Section 446.021(6), F.S.

²² *Id.*

²³ Florida Department of Education, What is Registered Apprenticeship?, <http://www.fldoe.org/academics/career-adult-edu/apprenticeship-programs/what-is-apprenticeship.shtml> (last visited Feb. 7, 2020).

²⁴ Section 446.051(1), F.S.

²⁵ Section 446.051(2), F.S.

²⁶ Section 446.021(1), F.S.

²⁷ Section 446.021(5), F.S.

²⁸ Section 446.052(2), F.S.

diploma.²⁹ In addition, the DOE, district school boards and FCS institution boards of trustees must work together with existing registered apprenticeship programs to provide that an individual completing the preapprenticeship program may be able to receive credit towards completing a registered apprenticeship program.³⁰

According to the DOE, there is a total of 22 registered preapprenticeship programs for adults and youth located throughout the state, with 1,077 registered preapprentices.³¹

Florida Department of Education Duties

The DOE is responsible for administering, facilitating, and supervising registered apprenticeship programs, including, but not limited to:

- registering any apprenticeship or preapprenticeship program, regardless of affiliation,³² which meets standards established by the department;
- developing and encouraging apprenticeship programs;
- leading and coordinating outreach efforts to educate veterans about apprenticeship and career opportunities; and
- cooperating with and assisting local apprenticeship sponsors in the development of apprenticeship standards and training requirements.³³

The DOE must establish uniform minimum standards and policies governing apprentice programs and agreements.³⁴ The standards and policies must govern the terms and conditions of the apprentice's employment and training, including the quality training of the apprentice for, but not limited to, such matters as ratios of apprentices to journeyworkers, safety, related instruction, and OTJ.³⁵ The DOE must provide assistance to district school boards, FCS institution boards of trustees, program sponsors, and local workforce development boards in notifying students, parents, and member of the community of the availability of apprenticeship and preapprenticeship opportunities.³⁶

The DOE must publish, annually by September 1, a report on apprenticeship and preapprenticeship programs on its website, which must include, at a minimum, the following:

- A list of registered apprenticeship and preapprenticeship programs.
- A summary of each local educational agency's expenditures of funds for apprenticeship and preapprenticeship programs.
- The number of apprentices and preapprentices per trade and occupation.
- The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.
- Information and resources related to applications for new apprenticeship programs and technical assistance and requirements of potential applicants.
- Documentation of activities conducted by the department to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives.³⁷

²⁹ *Id.*

³⁰ Section 446.052(3), F.S.

³¹ See Florida Department of Education, *Adult Preapprenticeship Programs* (Nov. 2019), available at, <http://www.fldoe.org/core/fileparse.php/5626/urlt/adult-preapprenticeship.pdf>; Florida Department of Education, *Youth Preapprenticeship Programs* (Dec. 2019), available at, <http://www.fldoe.org/core/fileparse.php/5626/urlt/hs-preapprenticeship.pdf>.

³² Apprenticeship programs may be in both non-union and union workplaces. Sponsors of apprenticeship programs can include employers, labor organizations, and joint labor-management organizations. United States Department of Labor, Frequently Asked Questions, <https://www.dol.gov/apprenticeship/toolkit/toolkitfaq.htm#3b> (last visited Fed. 7, 2020).

³³ Section 446.041, F.S.

³⁴ Section 446.032(1), F.S.

³⁵ *Id.*

³⁶ Section 446.032(3), F.S.

³⁷ Section 446.032(2)(a)-(f), F.S.

State Apprenticeship Advisory Council

The State Apprenticeship Advisory Council provides input to DOE on matters relating to apprenticeships.³⁸ The council may not establish policy, adopt rules, or consider whether particular apprenticeship programs should be approved by DOE.³⁹ The council is composed of ten voting members appointed by the Governor and two ex officio nonvoting members.⁴⁰

The Commissioner of Education or the commissioner's designee must serve ex officio as chair of the State Apprenticeship Advisory Council, but may not vote. The state director of the USDOL must serve ex officio as a nonvoting member of the council. The Governor must appoint to the council four members representing employee organizations and four members representing employer organizations. Each of these eight members must represent industries that have registered apprenticeship programs. The Governor must also appoint two public members who are knowledgeable about registered apprenticeship and apprenticeable occupations, one of whom must be recommended by joint organizations, and one of whom must be recommended by nonjoint organizations.

Florida Pathways to Career Opportunities Grant Program

The Florida Pathways to Career Opportunities Grant Program was established in 2019⁴¹ in the DOE to provide grants on a competitive basis to high schools, career centers, charter technical career centers, FCS institutions, and other entities authorized to sponsor an apprenticeship or preapprenticeship program to establish new apprenticeship or preapprenticeship programs and expand existing apprenticeship or preapprenticeship programs.⁴² Grant funds may be used for instructional equipment, supplies, personnel, student services, and other expenses associated with the creation or expansion of an apprenticeship program. Grant funds may not be used for recurring instructional costs or for indirect costs.⁴³

In 2019, the Legislature appropriated \$10 million for the grant program.⁴⁴ According to the DOE, as of January 17, 2020, \$7,222,392 has been awarded for 36 projects, including 12 new apprenticeship programs, 14 expansion of apprenticeship programs, 7 new preapprenticeship programs, and 3 expansions of preapprenticeship programs.

Effect of Proposed Changes

The bill makes a number of changes to align with USDOL definitions, as the DOE serves as the state apprenticeship agency and registers apprentices and apprenticeship programs on behalf of USDOL. The bill clarifies that apprenticeship and preapprenticeship programs are only those programs that are registered with the DOE. The bill reenacts statute on fee exemptions to incorporate the changes to definitions made by the bill. In addition, the bill makes a number of changes that clarify apprenticeship and preapprenticeship program requirements and broadens the scope of such programs to occupations, not just trades. The bill clarifies that standards are uniform minimum standards, which aligns with current practice.⁴⁵ The bill removes outdated language related to job trainees, OTJ training, and limitations to local sponsors.

Legislative Intent

³⁸ Section 446.045(2)(a), F.S.

³⁹ *Id.*

⁴⁰ Section 446.045(2)(a)-(b), F.S.

⁴¹ Section 33, ch. 2019-119, L.O.F.

⁴² Section 1011.802

⁴³ Section 1011.802(3), F.S.

⁴⁴ Specific Appropriation 125A, s. 2, ch. 2019-115, L.O.F.

⁴⁵ "Standards of Apprenticeship" means the minimum requirements established for each apprenticeable occupation under which an apprenticeship program is administered. Rule 6A-23.002(27), F.A.C.

The bill broadens the scope of apprenticeship programs by removing the requirement that such programs be in occupations that require physical manipulative skills.

The bill revises legislative intent regarding apprenticeship training in Florida to include broadening job training opportunities by increasing coordination between secondary and postsecondary educational institutions and business and industry participating in apprenticeship programs so that residents of Florida will benefit from an additional on-ramp to a postsecondary credential or degree when OTJ is combined with related technical and theoretical instruction provided by a school district, FCS institution, or a state university. Apprenticeship programs that lead to college credit, a college degree, or a nationally recognized industry credential are encouraged.

The bill connects OTJ with academic related experiences, but removes the qualifier that these are classroom experiences.

The bill clarifies that DOE is responsible for quality training through uniform minimum standards for apprenticeship programs and preapprenticeship programs.

Florida Department of Education Duties

The bill modifies the DOE's annual apprenticeship and preapprenticeship report to include the percentage of apprentices and preapprentices who complete their respective programs. The change allows for the variance in program length among sponsors, while still tracking program completers. The report must also include information about potential apprenticeship programs, rather than applications.

The bill clarifies the role of the DOE to review and evaluate, not administer, the uniform minimum standards established by the DOE for apprenticeship and preapprenticeship programs. The bill recognizes the requirement of the sponsor, not the DOE, to develop and supervise programs. The bill also requires the DOE to register any apprenticeship or preapprenticeship program that meets the established uniform minimum standards. The bill removes the DOE's duty to lead and coordinate outreach efforts to education veterans about career opportunities. The outreach is beyond the scope of duties related to apprenticeship programs.

State Apprenticeship Advisory Council

The bill modifies the advisory council purpose to include matters relating to apprenticeship and preapprenticeship. The membership of the council changes from the state director of the Office of Apprenticeship in the USDOL, to a representative of the office. This change is consistent with the current organizational structure of USDOL, which includes regional offices, not state directors. The bill authorizes the council chair's designee to call a meeting, and authorizes a voting majority of the council membership to request a meeting.

Apprenticeship and Preapprenticeship Programs

The bill clarifies the responsibility of the apprenticeship or preapprenticeship program sponsor, not the career education institution, to administer and supervise the related supplemental instruction for apprentices, to include the selection and training of teachers, instructors, and coordinators for such instruction.

The bill encourages district school boards and FCS institutions and state university boards of trustees to cooperate with and assist in providing to any program sponsor facilities, equipment and supplies, along with other specified items for apprenticeship or preapprenticeship programs.

For preapprenticeship programs, the bill encourages district school boards, FCS institution and state university boards of trustees, and apprenticeship program sponsors to cooperate in developing and establishing preapprenticeship programs that include career instruction. The preapprenticeship program is no longer required to include general education courses required to obtain a high school diploma.

The bill requires district school boards, FCS institution, and state university board of trustees to work with existing apprenticeship programs in order for an individual completing the preapprenticeship program to be able to receive credit toward completing an apprenticeship program. The bill requires district school boards and FCS and state university boards of trustees to work with established associate of science or associate of applied science degree programs and career certificate programs so that individuals who complete an apprenticeship program may be able to receive college credit toward a technical degree education program.

The bill expands the number of entities that may serve as a sponsor of an apprenticeship program. The bill specifies that a sponsor may also include an educational institution, a local workforce board, a community or faith-based organization, an association, or any entity preapproved by the DOE. The bill provides flexibility to the DOE in the determination of need in apprenticeship program approvals.

The bill revises the criteria for apprenticeable occupations, removing the limitation that apprenticeable occupations are only occupations in a skilled trade. The criteria also clarifies that apprenticeable occupations require a minimum of 2,000 hours of OTJ and those hours are excluded from the time spent at related technical or supplementary related instruction.

Florida Pathways to Career Opportunities Grant Program

The bill specifies that grants funds may be used for instructional personnel, however, funds may not be used for administrative expenses. The bill authorizes the DOE to use up to \$200,000 of the total allocation to administer the grant program.

Statewide Articulation

Present Situation

Statewide Articulation Agreement

The State Board of Education (SBE) and the Board of Governors (BOG) are required to enter into a statewide articulation agreement.⁴⁶ The agreement must preserve Florida's "2+2" system of articulation and facilitate the seamless articulation of student credit across and among Florida's educational entities.⁴⁷ The agreement requires each state university board of trustees, FCS board of trustees, and district school board, to plan and adopt policies and procedures to provide articulated programs so students can proceed toward their educational objectives as quickly as their circumstances permit.⁴⁸ The Articulation Coordinating Committee (ACC), a K-20 advisory board appointed by the Commissioner of Education, exists to coordinate ways to help students move easily from institution to institution and from one level of education to the next.⁴⁹

Academic Pathways

The SBE, in consultation with the BOG, is required to approve a series of meta-majors and the academic pathways that identify the gateway courses⁵⁰ associated with each meta-major.⁵¹ A meta-major is a collection of academic programs that have common or related content.⁵² The meta-major academic pathways include:

- arts, humanities, communication and design;

⁴⁶ Section 1007.23(1), F.S.

⁴⁷ *Id.*

⁴⁸ Rule 6A-10.024, F.A.C.

⁴⁹ Florida Department of Education, *Articulation Coordinating Committee-Oversight Committee*, <http://www.fldoe.org/policy/articulation/committees/articulation-coordinating-committee-ov/meetings.stml> (last visited Feb. 7, 2020).

⁵⁰ "Gateway course" means the first course that provides transferable, college-level credit allowing a student to progress in his or her program of study. s.1008.02(2), F.S.

⁵¹ Section 1008.30(4), F.S.

⁵² See s.1008.02(3), F.S.

- business;
- education;
- health sciences;
- industry/manufacturing and construction;
- public safety;
- science, technology, engineering, and mathematics; and
- social and behavioral sciences and human services.⁵³

The purpose of the meta-majors is to advise FCS associate degree seeking students of the gateway courses aligned with their intended academic and career goals.⁵⁴ English Composition I is the gateway course for all meta-major academic pathways. The gateway courses for mathematics are aligned with the meta-major academic pathway and include courses such as College Algebra, Elementary Statistics, or Liberal Arts Mathematics.⁵⁵

In 2018, the Florida Student Success Center⁵⁶ established three inter-connected workgroups to identify current challenges in mathematics pathways and develop policy and practice recommendations to improve student achievement across Florida's education system.⁵⁷ More than 90 mathematics faculty, administrators, and key stakeholders from Florida's K-12 system, FCS, and state university system served as members of the workgroups.

One of the recommendations of the workgroup called for the creation of common mathematics pathways by aligning mathematics courses to programs, meta-majors, and careers in Florida.⁵⁸ The workgroup found that many institutions still use the College Algebra pathway as the primary pathway for students, even if the Liberal Arts Mathematics or statistics pathway is more appropriate for the student's degree.⁵⁹

Effect of Proposed Changes

To facilitate seamless transfer, reduce excess credit hours, and ensure students are taking the relevant courses for their future careers, the bill modifies the statewide articulation agreement, requiring the agreement to specify three mathematics pathways, which are aligned to programs, meta-majors, and careers, on which degree seeking students must be placed.

To accomplish the identification of the three mathematics pathways, the bill requires the ACC to convene by September 30, 2020, a representative workgroup of academic affairs administrators and faculty from state universities and FCS institutions. The workgroup must report its recommendations to the ACC, BOG, and SBE by March 31, 2021. Upon submission of its recommendations, the workgroup is terminated. The ACC must approve the mathematics pathways by May 31, 2021.

PTECH 9-14 School Model

Present Situation

The Pathways in Technology Early College High School (P-Tech) 9-14 school model is a pioneering global education reform initiative created by IBM that prepares students with the academic, technical

⁵³ Rule 6A-14.065, F.A.C.

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ The Florida Student Success Center is part of the national Student Success Center Network and supports Florida's 28 state and community colleges' efforts to develop student-centered pathways and increase student completion rates. The Florida College System, *Florida Student Success Center*, https://www.floridacollegesystem.com/student_success_center.aspx (last visited Feb. 7, 2020)

⁵⁷ Florida Student Success Center, *Florida Mathematics Re-Design Publication At a Glance* (June 2019), available at <https://www.dropbox.com/s/8q049qrqu1w9elz/5.%20Florida%20Mathematics%20Re-Design%20Publication%20At%20a%20Glance.pdf?dl=0>.

⁵⁸ *Id.* at 7.

⁵⁹ *Id.*

and professional skills required for 21st century jobs and ongoing education.⁶⁰ In September 2011, the first P-TECH school was launched in Brooklyn, New York, through a public-private partnership between IBM, the New York City Department of Education, and The City University of New York.⁶¹ The P-TECH school was designed to accomplish two goals:

- Address the global “skills gap” and strengthen regional economies by building a workforce with the academic, technical and professional skills required for new jobs.
- Provide underserved youth with an innovative education that creates a direct pathway to college attainment and career readiness.⁶²

From the first school launched in 2011, the P-TECH model has been implemented in over 204 schools across eight states in the United States and 16 international countries.⁶³ Over 500 companies are partnering with schools in industries, such as health information management, advanced manufacturing and energy technology.⁶⁴

Students who participated in the first P-TECH Brooklyn School cohort achieved a 100 percent graduation rate from high school, and 112 students went on to graduate with both their high school and associate degrees in science, technology, engineering, and math (STEM).⁶⁵ The graduation rate for those students was more than four times the national on-time community college graduation rate, and five times the rate for students from low-income families.⁶⁶

How the Model Works

The P-TECH model is a partnership among K-12, postsecondary, and industry, whereby the partners commit to providing students with rigorous and hands-on academic, technical, and workplace experiences.⁶⁷ P-TECH schools span grades 9-14, and enable students to earn both a high school diploma and a no-cost, 2-year postsecondary degree in a STEM field.⁶⁸ Students participate in a range of workplace experiences, which include mentorship, worksite visits, and paid internships. The P-TECH model is designed as a 6-year experience; however, students are able to move at their own pace, allowing a student to complete in 4 years.⁶⁹ The model is comprised of six key components:

- Public-Private Partnership: developing and sustaining partnerships with the school district, postsecondary institution, and one or more major employers;
- Six-Year Integrated Program: integrating high school and college courses, which are aligned to essential industry skills and lead to a postsecondary degree for students;⁷⁰
- Workplace Learning: providing opportunities for students to obtain and develop workplace skills both in the classroom and with hands-on experiences;
- Open Enrollment: schools are open to all students and have no grade or testing requirements for admission;
- No Cost: the P-TECH school program and the associate degree earned is provided at no cost to students or their families; and

⁶⁰ P-TECH, *About*, <http://www.ptech.org/about/> (last visited Jan. 14, 2020).

⁶¹ P-TECH, *History*, <http://www.ptech.org/about/history/> (last visited Jan. 14, 2020).

⁶² *Id.*

⁶³ P-TECH, *Our Schools Map*, <http://www.ptech.org/resources/schools-map/> (last visited Jan. 14, 2020).; The eight U.S. states with P-TECH schools include New York, Illinois, Connecticut, Maryland, Colorado, Rhode Island, Texas, and Louisiana.

⁶⁴ P-TECH, *History*, <http://www.ptech.org/about/history/> (last visited Jan. 14, 2020).

⁶⁵ P-TECH, *Results*, <http://www.ptech.org/impact/results/> (last visited Jan. 14, 2020).

⁶⁶ Rick Hess, *Straight Up Conversation: IBM Foundation Chief Jen Crozier on P-TECH Schools* (Oct. 18, 2018), http://blogs.edweek.org/edweek/rick_hess_straight_up/2018/10/straight_up_conversation_ibm_foundation_chief_jen_crozier_on_p-tech_schools.html (last visited Jan. 14, 2020).

⁶⁷ P-TECH, *How it Works-The Model*, <http://www.ptech.org/how-it-works/the-model/> (last visited Jan. 14, 2020).

⁶⁸ P-TECH, *Mission*, <http://www.ptech.org/about/mission/> (last visited Jan. 14, 2020).

⁶⁹ *Id.*

⁷⁰ P-TECH, *College Partner*, <http://www.ptech.org/how-it-works/partners/college-partners/> (last visited Jan. 14, 2020).; P-TECH schools are aimed at creating a structure that allows a student to complete an associate in applied science degree aligned to high-potential jobs. A choice between a maximum of two degrees provides greater structure and support for students.

- Access to Jobs: industry partners commit to making graduates first in line for jobs.⁷¹

Funding for a P-TECH school comes from a variety of sources including K-12 schools, postsecondary, workforce, and other grants. Ensuring adequate funding for the school is important for its ongoing sustainability and high-quality replication in a state.⁷²

Effect of Proposed Changes

To determine the feasibility of implementing the P-TECH program, or a similar program, in Florida, the bill requires the Commissioner of Education to submit a report by December 1, 2020, to the Governor, Senate President, Speaker of the House, BOG, and the SBE, with recommendations addressing the feasibility of implementing in Florida.

The bill requires the P-TECH program, or a similar program, to achieve the following:

- Incorporate secondary and postsecondary education with workforce education and work experience in a flexible 6-year integrated model.
- Allow students to earn a high school diploma, an associate degree, and applicable industry certifications and gain work experience, within 6 years after enrolling in the 9th grade.
- Have an open enrollment policy that encourages a diverse student body, including students from low-income families and first-generation college students.
- Support student success through flexible class scheduling, advising and mentoring, and other wrap-around services.
- Provide seamless articulation to Florida's postsecondary institutions.

The commissioner's report must, at a minimum, include the following:

- Timelines for implementing a P-TECH program, or similar program, including courses of study which support completion in 4 to 6 years and which meet regional workforce demand.
- A funding model that provides the P-TECH program, or similar program, at no cost to students and may incorporate K-12, postsecondary, and workforce funding, grants, scholarships, and other funding options.
- Partnerships with industries and businesses, including private investment, work-based job training, internships, and priority placement for job opportunities after graduation.
- Recommendations for modifications, if any, to the school and school district accountability requirements.⁷³

The bill provides that this section of law will be effective upon becoming law and expire on December 1, 2020.

Career and Professional Education Industry Certifications

Present Situation

In 2007, the Legislature passed the Career and Professional Education (CAPE) Act,⁷⁴ to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.⁷⁵ One of the primary purposes of the CAPE Act is to provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and lead to industry certification.⁷⁶

⁷¹ P-TECH, *How it Works-The Model*, <http://www.ptech.org/how-it-works/the-model/> (last visited Jan. 14, 2020).

⁷² P-TECH, *How it Works-Funding*, <http://www.ptech.org/how-it-works/funding/> (last visited Jan. 15, 2020).

⁷³ Section 1008.34, F.S.

⁷⁴ Section 1, ch. 2017-116, L.O.F.

⁷⁵ Section 1003.491, F.S.

⁷⁶ Section 1003.491(1)(b), F.S.

An 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.⁷⁷ Industry certifications that generate additional funds for school districts⁷⁸ are included on the CAPE Industry Certification Funding List, which also contains the industry certifications on the career pathways list approved for the Florida Gold Seal Vocational Scholarship award.⁷⁹ In order for an industry certification to be included on the CAPE Industry Certification Funding List, a certification must be on the CareerSource Florida Recommendations, and meet the specified DOE criteria.⁸⁰

The DOE must annually identify the CAPE industry certifications, CAPE Digital Tool certificates, and CAPE Innovation Courses identified on the CAPE Industry Certification Funding List that must be applied in the distribution of funding to school districts.⁸¹ The commissioner may limit CAPE industry certifications and CAPE Digital Tool certificates to students in certain grades based on formal recommendations by providers of CAPE Industry Certifications and CAPE Digital Tool certificates.⁸²

Industry certifications on the final approved CAPE Industry Certification Funding List are eligible for additional weighted funding through the Florida Education Finance Program (FEFP).⁸³ The value is added to the total full-time equivalent (FTE) in secondary career education programs for grades 9 through 12. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification to the program that generated the funds. The allocation may not be used to supplant funds provided for basic operation of the program.⁸⁴

A value of 0.025 FTE is calculated for CAPE Digital Tool certificates earned by students in elementary and middle school. Weights of 0.1, 0.2, 0.3, 0.5, or 1.0 FTE are added for courses that lead to the attainment of a CAPE Industry Certification, as follows:⁸⁵

Weight	Course Type
0.1 FTE	CAPE Industry Certification does not articulate to college credit
0.2 FTE	CAPE Industry Certification articulates to college credit
0.3 FTE	CAPE Innovation Course with embedded certification
0.5 FTE	CAPE Acceleration Industry Certification articulates to 15-29 college credit hours
1.0 FTE	CAPE Acceleration Industry Certification articulates to 30+ college credit hours

Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year.⁸⁶

For industry certifications earned in the 2013-14 school year and thereafter, bonuses are available for teachers of courses in which students earn industry certifications, as follows:

- A bonus amount of \$25 is awarded for a course with a weight of 0.1.
- A bonus amount of \$50 is awarded for a course with a weight of 0.2.
- A bonus amount of \$75 is awarded for a course with a weight of 0.3.
- A bonus amount of \$100 is awarded for a course with a weight of 0.5 or 1.0.⁸⁷

⁷⁷ Section 1003.492(2), F.S.

⁷⁸ Section 1011.62(1)(o), F.S.

⁷⁹ Section 1008.44(1)(a), F.S.

⁸⁰ Rule 6A-6.0573(7)(a), F.A.C.

⁸¹ Section 1008.44(1)(a), F.S.

⁸² Section 1008.44(4)(b), F.S.

⁸³ Section 1011.62(1)(o), F.S.; rule 6A-6.0573(12), F.A.C.

⁸⁴ Section 1011.62(1)(o), F.S.

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.*

Bonuses must be provided to teachers who are employed in the district in the year in which the additional FTE membership calculation is included.⁸⁸

According to the DOE, in 2018-2019, the estimated value of the FTE bonus for career-themed courses and industry certifications in all school districts was approximately \$77.4 million.

Effect of Proposed Changes

The bill adds industry certifications associated with aviation related and aerospace-related occupations which are identified on the CAPE Industry Certification Funding List as eligible for additional FTE membership bonus funds.

The bill provides greater authority to the commissioner to limit CAPE industry certifications and Digital Tools to certain grades. The bill specifies that such limits are for the purposes of calculating additional FTE membership for the industry certification bonus funding and not based on recommendations by CAPE providers.

The bill changes a reference from the Florida Gold Seal Vocational Scholars award to the Florida Gold Seal CAPE Scholars award for the identification of CAPE industry certifications on the career pathways list. This corrects the reference to the appropriate Bright Futures Scholarship program award.

The bill modifies the FTE bonus funding for CAPE industry certifications with a statewide articulation agreement for college credit. The bill specifies that:

- a value of 0.2 FTE is calculated for a CAPE industry certification that has a statewide articulation agreement of 4 to 14 college credits;
- a value of 0.2 FTE is calculated for a CAPE industry certification that has a statewide articulation agreement of 1 to 3 college credits and is deemed by the DOE to be of sufficient rigor and linked to a high-skill occupation; and
- a value of 0.1 FTE is calculated for all other CAPE industry certifications with a statewide articulation agreement of 1 to 3 college credits.

The bill adds a new supplemental value of 0.2 FTE for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in aviation-related or aerospace-related occupations and meeting specified criteria prescribed by the DOE. The bill provides that this additional weight will expire on June 30, 2023.

The bill specifies that the 20 percent of bonus funds that are not required to be allocated to the program that generated the bonus may be used for other program expenses. Those expenses include administrative costs, which may not exceed 5 percent of the funds provided, and for other career-themed courses.⁸⁹ The bill provides that this allocation may not be used to supplant funds provided for basic operation of the program, such as teacher salaries and other costs that are not funded through this allocation.

The bill provides flexibility to school districts by removing the requirement that bonus funds must be provided to the teachers employed by the district in the year that the FTE bonus funds is included in the calculation.

The bill removes the prohibition that additional FTE calculations for an elementary or middle school student may not exceed 0.1 for certificates or industry certifications earned in the same fiscal year.

⁸⁸ *Id.*

⁸⁹ Section 1003.493(1)(b), F.S. A “career-themed course” is a course, 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 State Board of Education. 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.

Funding for Workforce Education Programs

Present Situation

Workforce education may be conducted by a FCS institution or a school district, with the exception that college credit in an associated in applied science or an associated in science degree may awarded only by a FCS institution.⁹⁰ Workforce education includes:

- adult general education programs designed to improve the employability skills of the state's workforce;
- career certification programs;
- applied technology diploma programs;
- continuing workforce education courses;
- degree career education programs; and
- apprenticeship and preapprenticeship programs.⁹¹

A school district or FCS institution that provides workforce education programs receives funds in accordance with distributions for base and performance funding established by the Legislature in the General Appropriations Act (GAA).⁹²

Performance funding for industry certifications for school district⁹³ workforce education programs and FCS institutions⁹⁴ is contingent upon specific appropriation in the GAA and is determined by criteria specified in law.⁹⁵ Each school district or FCS institution is provided \$1,000 for each industry certification earned by a workforce education or FCS institution student.⁹⁶ If funds are insufficient to fully fund the calculated total award, the funds are prorated.⁹⁷

Effect of Proposed Changes

The aviation and aerospace industry sector was identified as an area in our state that needs a more robust talent development pipeline. To encourage school districts and colleges to provide industry certifications in this sector and support the operational costs of these programs, the bill requires each school district or FCS institution be provided a total of \$6,000 for each professional-level Federal Aviation Administration (FAA) industry certifications earned by a workforce education student or FCS institution student. If funds are insufficient to fully fund the calculated total award, such funds must be prorated. The bill provides that this additional incentive will expire on June 30, 2023.

Economic Security Report

Present Situation

The Department of Economic Opportunity (DEO) in consultation with the DOE, prepare an annual economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions.⁹⁸ The report must be easy to read and access by the public and must be made available online.⁹⁹ Additionally, each middle school and high school student or the student's, parent prior to registration, must be provided a 2-page summary of the report.¹⁰⁰

The report, by education sector, must provide the following information:

⁹⁰ Section 1011.80(2), F.S.

⁹¹ Section 1011.80(1)(a)-(f), F.S.

⁹² Section 1011.80(7)(a), F.S.

⁹³ Section 1011.80(7), F.S.

⁹⁴ Section 1011.81(2), F.S.

⁹⁵ See s. 1011.80(7) and s.1011.81(2), F.S.

⁹⁶ See s. 1011.80(7)3. and s.1011.81(2)(c), F.S.

⁹⁷ *Id.*

⁹⁸ Section 445.07(1), F.S.

⁹⁹ Section 445.07(2), F.S.

¹⁰⁰ Section 1002.20(24), F.S.

- Employment data of graduates of a degree or certificate program from a public postsecondary institution the year after the degree or certificate is earned by number and percentage; for graduates employed full-time in the year after graduation by number and percentage; employment data of graduates of a degree or certificate program from a public postsecondary institution 5 years after graduation by number and percentage.¹⁰¹
- Data on the earnings of graduates of a degree or certificate program from a public postsecondary institution the year after earning the degree or certificate by at least the following levels on a quarterly and annualized bases, rounded to the nearest dollar:
 - Quarterly wages of \$6,250 and annualized wages of \$25,000 and below.
 - Quarterly wages between \$6,251 and \$11,250 and annualized wages between \$25,001 and \$45,000.
 - Quarterly wages of \$11,251 and annualized wages of \$45,001 and above.¹⁰²

Effect of Proposed Changes

The bill modifies the economic security report to include the employment and earning outcomes for degrees or certificates earned at private postsecondary institutions as well as technical colleges and career centers. The report must also include the average cost of tuition for each institution, the average graduation rate, and the average student loan default rate by institution.

B. SECTION DIRECTORY:

Section 1: Amends s. 445.07, F.S.; revising report requirements for the economic security report of employment and earning outcomes.

Section 2: Amends s. 446.011, F.S.; revising legislative intent related to apprenticeship training.

Section 3: Amends s. 446.021, F.S.; defining and revising terms.

Section 4: Amends s. 446.032, F.S.; revising the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs.

Section 5: Amends s. 446.041, F.S.; revising duties of the department for apprenticeship and preapprenticeship programs.

Section 6: Amends s. 446.045, F.S.; revising the membership of the State Apprenticeship Advisory Council; revising meeting requirements for such council; conforming provisions to changes made by the act.

Section 7: Amends s. 446.051, F.S.; providing that apprenticeship or preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; encouraging district school boards and Florida College System institution and state university boards of trustees to cooperate with and providing certain resources for specified programs.

Section 8: Amends s. 446.052, F.S.; encouraging certain boards of trustees to cooperate in developing and establishing certain apprenticeship and preapprenticeship programs; encouraging such boards and boards of trustees to cooperate with certain degree programs and certificate programs to ensure that certain individuals may be eligible to receive certain college credit.

Section 9: Amends s. 446.071, F.S.; providing that certain organizations may be apprenticeship sponsors if they meet certain uniform minimum standards; updating terminology; deleting a specified definition.

Section 10: Amends s. 446.081, F.S.; revising the applicability of a certain limitation.

Section 11: Repeals s. 446.091, F.S., relating to the adaptation and applicability of certain provisions to on-the-job training programs.

Section 12: Amends s. 446.092, F.S.; revising criteria for apprenticeship occupations.

¹⁰¹ Section 445.07(2)(c), F.S.

¹⁰² Section 445.07(2)(d), F.S.

Section 13: Amends s. 1007.23, F.S.; requiring the statewide articulation agreement contain certain mathematics pathways; providing requirements for such pathways.

Section 14: Requires the Articulation Coordinating Committee to convene a representative workgroup; providing duties and membership of the workgroup; providing reporting requirements for the workgroup; requiring the Articulation Coordinating Committee to approve the mathematics pathways by a specified date; providing for termination of the workgroup.

Section 15: Requires the Commissioner of Education to submit to certain entities by a specified date a report with recommendations relating to the implementation of the Pathways in Technology Early College High School program, or a similar program; providing requirements for such program and report; providing for expiration.

Section 16: Amends s. 1008.44, F.S.; requiring the CAPE Industry Certification Funding List to incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE Scholars award; providing requirements for industry certifications associated with aviation-related and aerospace-related occupations; providing that such certifications are eligible for additional full-time equivalent membership; providing that the commissioner may limit CAPE industry certification and CAPE Digital Tool certificates to students in certain grades for a specified purpose.

Section 17: Amends s. 1011.62, F.S.; revising the calculation of certain additional full-time equivalent membership relating to funding for the operation of schools; deleting a provision related to full-time equivalent membership calculation for elementary and middle students; providing for a calculation of full-time equivalent membership for aviation-related and aerospace-related occupations; providing for the future expiration of such calculation; authorizing the use of a specified percentage of certain funds for other program expenses; limiting the amount of funds that may be used for administrative costs; prohibiting the use of such funding to supplant certain funds.

Section 18: Amends s. 1011.80, F.S.; revising performance funding for industry certifications for school district workforce education programs to provide for Federal Aviation Administration (FAA) industry certifications; providing for the future expiration of specified performance funding.

Section 19: Amends s. 1011.802, F.S.; making technical changes; prohibiting the use of grant funds for administrative costs; specifying the maximum amount of funds that may be used by the department to administer the Florida Pathways to Career Opportunities Grant Program.

Section 20: Amends s. 1011.81, F.S.; revising performance funding for industry certifications for Florida College System Institutions to provide for FAA industry certifications; providing for the future expiration of specified performance funding.

Section 21: Reenacts s. 1009.25, F.S., relating to fee exemptions.

Section 22: Provides for an effective date of July 1, 2020, except as otherwise provided in the bill.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill expands sponsors of an apprenticeship program beyond local sponsors and adds to those who may sponsor an apprenticeship to include an educational institution, a local workforce board, a community or faith-based organization, an association, or any entity preapproved by the DOE. Businesses may benefit from an increase in apprenticeship programs as a result.

Additionally, students may benefit from potential educational costs savings as a result of the requirement for the DOE, school districts and FCS and SUS boards of trustees to work with existing apprenticeship programs so that an individual competing the preapprenticeship program may be able to receive credit toward completing an apprenticeship program. Students may also benefit from the requirement for district school boards and FCS and SUS boards of trustees to work with established associate of science or associate of applied science degree programs and career certificate programs so that individuals who complete an apprenticeship program may be able to receive college credit toward a technical degree education program.

D. FISCAL COMMENTS:

The bill makes changes to the FTE bonus funding for CAPE industry certifications with a statewide articulation agreement for college credit and adds a new supplemental value of 0.2 FTE for industry certifications leading to employment in aviation-related or aerospace-related occupations. Based on the number of CAPE industry certifications awarded in Fiscal Year 2020-2021, the Florida Education Finance Program would be redistributed to accommodate these students.

In addition, the bill provides a total of \$6,000 to each school district or FCS institution for each professional-level Federal Aviation Administration (FAA) industry certification earned by a workforce education student or FCS institution student. The impact of this change can be absorbed within existing resources.

There may be minimal costs to the Department of Education associated with the P-TECH, or similar program, feasibility study; however, these costs can be absorbed within existing appropriations.

There may be minimal costs associated with changes to the economic security report; however, these costs can be absorbed within existing appropriations.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 12, 2020, the Education Committee adopted two amendments and reported the bill favorably as a committee substitute. The amendments:

- revise legislative intent to also encourage apprenticeships which lead to a nationally recognized industry credential;
- provides an expiration of June 30, 2023, for the additional weight and bonus for those industry certifications leading to employment in aviation-related or aerospace-related occupations;
- clarifies that CAPE funds may be used for career-themed courses; and
- provides that Florida Pathways to Career Opportunity Grant funds may not be used for administrative expenses.

The bill analysis is drafted to the committee substitute adopted by the Education Committee