

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1505 Workforce Programs and Services

**SPONSOR(S):** Melo

**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 98

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Secondary Education & Career Development Subcommittee	18 Y, 0 N	Sleap	Sanchez
2) Post-Secondary Education & Lifelong Learning Subcommittee			
3) Appropriations Committee			
4) Education & Employment Committee			

### SUMMARY ANALYSIS

To meet the needs of students, job seekers, and employers, the bill creates a consumer-centered workforce system that fosters greater collaboration across all partners, integrates services delivery, reports on program outcomes, and leverages state resources to inform individuals as they prepare and plan to enter the workforce.

The bill:

- Creates a consumer-first workforce system requiring the Department of Economic Opportunity (DEO) to consult with the Department of Education (DOE) and the Department of Children and Families (DCF) to implement a single automated consumer-first workforce system that improves coordination among the required one-stop partners to efficiently and effectively provide workforce and education programs and services in Florida.
- Requires any contract to implement the consumer-first workforce system to be performance based.
- Requires the consumer-first workforce system to support service integration and case management across programs and agencies and requires DEO to develop training for required one-stop partners on the use of the system and how all partners can prequalify individuals for benefits and services.
- Requires state career planning resources to be provided to students as they progress along their educational experience, beginning in the middle grades career and education planning course, in the character development curriculum for grades 9 through 12, and within student life skills and career planning courses at the postsecondary level.
- Requires public postsecondary student career service centers to utilize state career planning resources as they prepare students for future employment.
- Creates a definition and establishes criteria for work-based learning opportunity, requiring it to be developmentally appropriate, develop workplace skills, link to next steps in career planning and preparation on a student's career pathway, be provided in an equal and fair manner, and prioritize paid experiences.
- Requires that students entering a public postsecondary institution in 2022-2023, and thereafter, must be able to earn nationally recognized digital credentials for competencies within the general education core courses which demonstrate career readiness. The digital credentials will be identified by a faculty committee appointed by the State Board of Education and the Board of Governors.
- Requires DOE to establish minimum standards and policies governing apprenticeship and preapprenticeship programs which must require training providers to submit data to determine program performance.
- Requires that DOE's annual report on apprenticeship and preapprenticeship programs also include retention and completion rates of participants, wage progression of participants, and expenditure data by training provider, program, and occupation.

The bill has no fiscal impact. See Fiscal Comments, *infra*.

The bill provides an effective date of July 1, 2021.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Consumer-Centered Workforce Strategy**

##### Present Situation

##### *Federal Guidance*

In a Training and Employment Notice (TEN) to states, the United States Department of Labor emphasized the promotion of a *One Workforce Strategy* by state workforce agencies, state and local workforce development boards, American Job Centers, and Workforce Innovation and Opportunity Act (WIOA) partner programs and stakeholders.<sup>1</sup> The notice mentioned that the true vision of WIOA, aligned and seamless service delivery, has not yet been realized as individual jobseekers are still not able to easily access services from multiple programs in one physical or virtual location and from one case manager.<sup>2</sup> In a truly integrated service delivery model, as described in the TEN, “workforce system partners must work to align and connect their operations and systems” ensuring that case managers are not “constrained by the services available in one program, but must have the training and ability to offer customers the services they need from multiple programs.”<sup>3</sup>

The TEN highlighted the Utah Department of Workforce Services (DWS) as an example of the utilization of an integrated case management system.<sup>4</sup> Through their integrated case management system, DWS shares employment plans, milestones, counselor notes, and customer information between all WIOA programs as well as the Temporary Assistance for Needy Families (TANF) program, Vocational Rehabilitation, Corrections, Juvenile Justice, and Child and Family Services.<sup>5</sup>

##### *Florida’s Current Workforce Service Delivery Strategy*

Florida’s workforce system is made up of several entities which partner to provide workforce services. Florida’s workforce system includes CareerSource Florida, the state’s principal workforce policy and investment board; the Department of Economic Opportunity (DEO), the designated state agency for receipt of federal workforce development funds; and the 24 local workforce development boards, who provide employer and job seeker services.<sup>6</sup>

Florida’s 24 local workforce development boards administer workforce programs at the local level through a one-stop delivery system.<sup>7</sup> The system provides individuals with direct access or referrals to workforce development services through 100 one-stop career centers across the state.<sup>8</sup> WIOA requires the following partners in the one-stop delivery system:

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<sup>1</sup> United States Department of Labor, Training and Employment Notice No. 13-20, *Advancing a One Workforce Vision and Strategy* (Jan. 4, 2021), available at [https://wdr.doleta.gov/directives/attach/TEN/TEN\\_13-20.pdf](https://wdr.doleta.gov/directives/attach/TEN/TEN_13-20.pdf).

<sup>2</sup> *Id.* at 1.

<sup>3</sup> *Id.* at 4.

<sup>4</sup> *Id.* at 10.

<sup>5</sup> *Id.*

<sup>6</sup> CareerSource Florida, *Workforce Innovation and Opportunity Act Annual Statewide Performance Report-Program Year 2019-2020*, at 3, available at <https://careersourceflorida.com/wp-content/uploads/2020/12/2019-20-USDOL-Annual-Report.pdf>; See also CareerSource Florida, Presentation to the Education & Employment Committee (Feb. 16, 2021), at 25, available at <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3105&Session=2021&DocumentType=Meeting%20Packets&FileName=eec%202-16-21.pdf>.

<sup>7</sup> Office of Program Policy Analysis and Government Accountability (OPPAGA), Presentation to the Committee on Education & Employment (Feb. 9, 2020), at 14, available at <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3105&Session=2021&DocumentType=Meeting%20Packets&FileName=eec%202-9-21.pdf>.

<sup>8</sup> *Id.* at 15.

- WIOA Title I programs (Adult, Dislocated Worker, Youth, Job Corps, YouthBuild, Native American, and Migrant Seasonal Farmworker);
- Title II Adult Education and Family Literacy activities;
- Wagner-Peyser Act employment services programs;
- The Vocational Rehabilitation program under Title I of the Rehabilitation Act;
- The Senior Community Service Employment Program authorized under Title V of the Older Americans Act;
- Postsecondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act (Perkins);
- Trade Adjustment Assistance authorized under the Trade Act;
- Jobs for Veterans State Grants programs authorized under chapter 41 of title 38, U.S.C.;
- Employment and training activities under the Community Services Block Grant;
- Employment and training activities of the Department of Housing and Urban Development;
- State unemployment compensation program;
- Ex-offender programs authorized under section 212 of the Second Chance Act; and
- Temporary Assistance to Needy Families (TANF) authorized under the Social Security Act, unless exempt by the Governor.<sup>9</sup>

A one-stop career center provides workforce development services such as career counseling, job search, employability skills training, and temporary income, health, nutritional, and housing assistance, in addition to other services.<sup>10</sup> A job seeker arriving at a one-stop career center goes through multiple steps to determine need and receive WIOA training or placement services, or to obtain referrals to other service providers.<sup>11</sup>

While Florida operates one-stop career centers, they are not the only locations that serve as a point of entry for Florida's students, job seekers and workers.<sup>12</sup> Individuals may enter the system through a postsecondary institution or a training center, and depending on that point of entry, the individual may not have all workforce services available or provided to them as current workforce service availability varies depending on the core functions of the entity.<sup>13</sup> Additionally, individuals might be dually served through other programs such as Temporary Assistance for Needy Families (TANF)<sup>14</sup> or the Supplemental Nutrition Assistance Program (SNAP),<sup>15</sup> which are provided through the Department of Children and Families (DCF).<sup>16</sup>

Currently, the DEO is charged with implementing multiple automated information systems to deliver and manage one-stop services and to provide the federally required online labor exchange which

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<sup>9</sup> 20 C.F.R. s. 678.400.

<sup>10</sup> OPPAGA Presentation, *supra* note 7, at 15.

<sup>11</sup> *Id.* at 16.

<sup>12</sup> Nicole Washington, Presentation to the Committee on Education & Employment (Feb. 9, 2020), at 30, *available at* <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3105&Session=2021&DocumentType=Meeting%20Packets&FileName=eec%202-9-21.pdf>.

<sup>13</sup> *Id.* at 30-31.

<sup>14</sup> The Temporary Assistance for Needy Families (TANF) program provides grant funds to states and territories to provide families with financial assistance and related support services. State-administered programs may include childcare assistance, job preparation, and work assistance. U.S. Department of Health & Human Services, Office of Family Assistance, *About TANF*, <https://www.acf.hhs.gov/ofa/programs/tanf/about> (last visited Feb. 25, 2021).

<sup>15</sup> The Supplemental Nutrition Assistance Program (SNAP) Education and Training program helps SNAP participants gain skills and find work that moves them forward to self-sufficiency. Through SNAP E&T, SNA participants have access to training and support services to help them enter or move up in the workforce. These programs also help to reduce barriers to work by providing support services – such as transportation and childcare – as participants prepare for and obtain employment. Each state is required to operate a SNAP Education and Training program and receives federal funding annually to operate and administer the program. U.S. Department of Agriculture, Food and Nutrition Service, *SNAP Employment and Training*, <https://www.fns.usda.gov/snap/et> (last visited Feb. 25, 2021).

<sup>16</sup> Florida Department of Children and Families (DCF), *Information About Assistance Programs*, <http://www.myflorida.com/accessflorida/> (last visited Feb. 25, 2021).

connects jobseekers and employers known as Employ Florida.<sup>17</sup> Florida's current online labor exchange system and case management system, Employ Florida, does not integrate with the state's SNAP or TANF case management system.<sup>18</sup> Coordination of service delivery by Florida's one-stop program partners is hindered by fragmented case management systems and siloed data collection.<sup>19</sup>

### Effect of Proposed Changes

To meet the goals of WIOA and transform Florida's workforce system into a unified one workforce system which focuses on the consumer, the bill creates a consumer-first workforce system, requiring the DEO to consult with the Department of Education (DOE) and the DCF to implement one state automated system that improves coordination among the required one-stop partners to efficiently and effectively provide workforce and education programs and services in Florida.

The consumer-first workforce system requires an integrated service delivery system that includes common registration and intake for required one-stop partners and support service integration and case management across programs and agencies. The bill requires the DEO to develop training for required one-stop partners on the use of the system and prequalifying individuals for workforce programs. The bill requires any contract to implement the consumer-first workforce system, entered into or renewed on or after July 1, 2021, to be performance based.

The bill makes conforming changes to reflect the implementation of one consumer-first workforce system.

## **Career Planning for Florida's Students**

### Present Situation

#### *Middle Grades*

Before a middle grades student can successfully be promoted to high school, one of the required courses a student must complete is a career and education planning course during grades 6, 7, or 8.<sup>20</sup> The required course must be Internet-based and result in a personalized academic and career plan for the student that may be revised as the student progresses; must emphasize the importance of entrepreneurship and employability skills; and must include information from the DEO's economic security report.<sup>21</sup> The required personalized academic and career plan must inform students of high school graduation requirements, the requirements for each scholarship in the Florida Bright Futures

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<sup>17</sup> Section 445.011, F.S.; Florida Department of Economic Opportunity (DEO), Presentation to Post-Secondary Education & Lifelong Learning Subcommittee (Jan. 27, 2021), at 8, *available at* <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3109&Session=2021&DocumentType=Meeting%20Packets&FileName=pe1%201-27-21.pdf>.

<sup>18</sup> Florida Department of Economic Opportunity, Presentation to Post-Secondary Education & Lifelong Learning Subcommittee (Jan. 27, 2021), at 5, 11, and 13, *available at* <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3109&Session=2021&DocumentType=Meeting%20Packets&FileName=pe1%201-27-21.pdf>.

<sup>19</sup> Florida Department of Economic Opportunity, Presentation to Education & Employment Committee (Feb. 16, 2021), at 17-18, *available at* <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3105&Session=2021&DocumentType=Meeting%20Packets&FileName=eec%202-16-21.pdf>.

<sup>20</sup> Section 1003.4156(1)(e), F.S.

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

Scholarship Program; State University System (SUS) and Florida College System (FCS) institution admission requirements; and available opportunities to earn college credit in high school.<sup>22</sup> The course may be implemented as a stand-alone course or integrated into another course or courses.<sup>23</sup>

The DOE, outlines the eight course standards of the career and education planning course which ensures that a student is able to do the following:

1. Describe the influences that societal, economic, and technological changes have on employment trends and future training.
2. Develop skills to locate, evaluate, and interpret career information.
3. Identify and demonstrate processes for making short and long term goals.
4. Demonstrate employability skills such as working in a group, problem-solving and organizational skills, and the importance of entrepreneurship.
5. Understand the relationship between educational achievement and career choices/postsecondary options.
6. Identify a career cluster and related pathways through an interest assessment that match career and education goals.
7. Develop a career and education plan that includes short and long-term goals, high school program of study, and postsecondary/career goals.
8. Demonstrate knowledge of technology and its application in career fields/clusters.<sup>24</sup>

For the 2020-2021 school year, the DOE identified 79 approved middle grades courses for career and education planning.<sup>25</sup> In addition, the DOE publishes an educator's toolkit, providing resources such as classroom activities, lesson plans, and additional resources to assist teachers in career and education course planning.<sup>26</sup>

### *High School*

Current law requires each district school board to provide appropriate instruction to ensure that students meet state board of education (SBE) adopted standards<sup>27</sup> in specified subject areas.<sup>28</sup> Additionally, public school teachers are required to provide instruction on specified topics and each school district must submit a report to the Commissioner of Education that describes how instruction was provided during the previous school year.<sup>29</sup> One of the required instructional topics is a character development program required in kindergarten through grade 12.<sup>30</sup>

In grades 9 through 12, the character development curriculum, at a minimum, must include instruction on developing leadership skills, interpersonal skills, organization skills, and research skills; creating a

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<sup>22</sup> To include Advanced Placement courses, the International Baccalaureate Program, the Advanced International Certificate of Education Program, dual enrollment, including career dual enrollment and career education courses, including career-themed courses, preapprenticeship and apprenticeship programs, and course sequences that lead to industry certifications. Section 1003.4156(1)(e), F.S.

<sup>23</sup> Section 1003.4156(1)(e), F.S.

<sup>24</sup> Florida Department of Education, *Career & Education Planning Course Standards*, available at <http://www.fldoe.org/core/fileparse.php/3/urlt/ceplanningcoursecompetencies.pdf>.

<sup>25</sup> Florida Department of Education, *Approved Middle School Courses for Career & Education Planning 2020-2021 School Year* (Jan. 31, 2020), available at <http://www.fldoe.org/core/fileparse.php/7531/urlt/approved-courses.pdf>.

<sup>26</sup> Florida Department of Education, *Educator's Toolkit*, <http://www.fldoe.org/academics/college-career-planning/educators-toolkit/> (last visited Feb. 25, 2021).

<sup>27</sup> In 2020, the State Board of Education adopted new standards for English language arts and mathematics, called the Benchmarks for Excellent Student Thinking (BEST) standards. The English language arts standards implementation begins with the 2021-2022 school year and implementation of the math standards begin in the 2022-2023 school year.

<sup>28</sup> Section 1003.42(1), F.S.; The required subject areas include: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.

<sup>29</sup> Section 1003.42(2), F.S.; Rule 6A-1.094124(1), F.A.C.

<sup>30</sup> Section 1003.42(2)(s), F.S.

resume; developing and practicing the skills necessary for employment interviews; conflict resolution, workplace ethics, and workplace law; managing stress and expectations; and developing skills that enable students to become more resilient and self-motivated.<sup>31</sup>

### *Postsecondary*

Florida's postsecondary institutions provide students with opportunities to explore and prepare for their future careers through services available at their career centers and courses on life skills and career planning.<sup>32</sup> The career centers provide students with opportunities to create a resume, prepare for job interviews, and search for jobs among other services.<sup>33</sup>

### *State Career Planning Resources*

The MyCareerShines website is a career planning system available to Florida's middle and high school students to assist in exploring career options and developing an academic and career plan.<sup>34</sup> Some school districts use the system to help satisfy the middle grades course requirements.<sup>35</sup> Effective September 1, 2020, school districts became responsible for their own career planning and advisement platform allowing districts to continue to utilize MyCareerShines via contract or to explore alternative options.<sup>36</sup>

The DEO in consultation with the DOE, prepares an annual economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions.<sup>37</sup> The report must be easy to read and accessible by the public and must be made available online.<sup>38</sup> 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.<sup>39</sup> At the postsecondary level, each SUS and FCS institution must provide students, prior to registration, electronic access to the report.<sup>40</sup>

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

- 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.<sup>41</sup>

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<sup>31</sup> *Id.*

<sup>32</sup> See Florida State University, Division of Student Affairs, The Career Center, Presentation to Post-Secondary Education & Lifelong Learning Subcommittee (Jan. 27, 2021), at 31, *available at* <https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3109&Session=2021&DocumentType=Meeting%20Packets&FileName=pe1%201-27-21.pdf>; Atlantic Technical College, Career Center, <https://www.atlantitechnicalcollege.edu/atccareercenter/> (last visited Feb. 25, 2021).; Tallahassee Community College, Career Center, <https://www.tcc.fl.edu/student-life/career-center/> (last visited Feb. 25, 2021).; DOE Statewide Course Numbering System, *Browse Statewide Course-Prefix- SLS Student Life Skills*, <https://flscns.fldoe.org/TaxonomyList.aspx> (last visited Feb. 25, 2021).

<sup>33</sup> *Id.*

<sup>34</sup> Florida Department of Education, Educator's Toolkit, *MyCareerShines powered by Kuder*, <http://www.fldoe.org/academics/college-career-planning/educators-toolkit/> (last visited Feb. 25, 2021).

<sup>35</sup> Florida Department of Education, Memo, *Update on Career Planning and Advisement Platform* (Aug. 12, 2020), *available at* <https://info.fldoe.org/docushare/dsweb/Get/Document-8937/dps-2020-94.pdf>.

<sup>36</sup> *Id.*

<sup>37</sup> Section 445.07(1), F.S.; *See also* Outcomes for Graduates of Florida's Public Postsecondary Educational Institutions, *Economic Security Report 2019* (Feb. 2020), *available at* [https://floridajobs.org/docs/default-source/state-program-reports/2020-state-program-report/2019-esr-\(final\)143322a4cbbb61cbb02aff01004f56df.pdf?sfvrsn=3a8843b0\\_0](https://floridajobs.org/docs/default-source/state-program-reports/2020-state-program-report/2019-esr-(final)143322a4cbbb61cbb02aff01004f56df.pdf?sfvrsn=3a8843b0_0).

<sup>38</sup> Section 445.07(2), F.S.

<sup>39</sup> Section 1002.20(24), F.S.; *See also* Measuring the Economic Success of Florida's Graduates, *2019 Economic Security Report- Executive Summary* (Feb. 2020), *available at* [https://floridajobs.org/docs/default-source/2020-state-program-reports/economic-security-report-summary.pdf?sfvrsn=ebc4bb0\\_2](https://floridajobs.org/docs/default-source/2020-state-program-reports/economic-security-report-summary.pdf?sfvrsn=ebc4bb0_2).

<sup>40</sup> Section 1001.02(2)(w), F.S. and s. 1001.706(5)(d), F. S.

<sup>41</sup> Section 445.07(2)(c), F.S.

- 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.<sup>42</sup>

Launch My Career Florida serves as an on-line tool which provides students, parents, and the public with a preliminary view of the type of information that is available within the annual Economic Security Report.<sup>43</sup> The tool allows users to explore wage information, current and projected job growth, and search for public postsecondary schools that offer a degree in a selected career path.<sup>44</sup>

Employ Florida serves as Florida's online labor exchange system and case management system.<sup>45</sup> The site serves job seekers looking to find a job or receive additional training, employers seeking to post job openings and find qualified candidates, and individuals looking to explore career fields, build a resume, or access labor market information.<sup>46</sup>

Additional state career planning tools include Get There, Florida's Workforce Education Initiative to raise awareness and rebrand career and technical education.<sup>47</sup> The site highlights the 17 career pathways offered at Florida's 28 state colleges and 48 technical colleges, providing alternatives to the traditional university pathway.<sup>48</sup> As well as, Apprentice Florida, an initiative to expand apprenticeship opportunities in several targeted sectors in Florida as well as expanding apprenticeship and pre-apprenticeship opportunities to underrepresented populations.<sup>49</sup>

### Effect of Proposed Changes

To provide students with the information necessary to explore and make decisions as they plan for their future and embark on a career pathway, the bill requires secondary and postsecondary career and education planning courses, curriculum, and career services to utilize state career planning resources as a student progresses along their educational experience.

At the secondary level, the bill requires the middle grades career and education planning course to include information from state career planning resources. In the character development curriculum for grades 9 through 12, the bill requires students to explore career pathways using state career planning resources and to create a digital resume.

At the postsecondary level, the bill requires courses that provide instruction in student life skills, including career planning and exploration, or similar, to use state career planning resources within the course and provide students with the opportunity to create a digital resume. For postsecondary student career service centers, the bill requires centers to prepare students for employment upon completion of their academic work. Career service centers, to the extent possible, are required to use state career planning resources to assist students in: exploring and identifying career opportunities; identifying in-demand jobs and associated earnings outcomes; understanding the skills and credentials needed for specific jobs; identifying opportunities to gain on-the-job experiences; and creating a digital resume.

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<sup>42</sup> Section 445.07(2)(d), F.S.

<sup>43</sup> Launch My Career Florida, *About the Program*, <http://launchmycareerfl.org/pages/florida/about.html> (last visited Feb. 25, 2021).

<sup>44</sup> Launch My Career Florida, *Accountants and Auditors*, <http://launchmycareerfl.org/jobs/13-2011-00?area=415> (last visited Feb. 25, 2021).

<sup>45</sup> Florida Department of Economic Opportunity, *supra* note 18, at 5.

<sup>46</sup> *Id.* at 9-10; *See also* EmployFlorida, <https://www.employflorida.com/vosnet/Default.aspx> (last visited Feb. 25, 2021).

<sup>47</sup> Florida Department of Education, Statewide Email- Get There- Florida's Workforce Education Initiative Unveiled (Sept. 23, 2020), available at <http://www.fldoe.org/core/fileparse.php/7671/urlt/swe-GET-THERE-FL-WorkforceEduInitiativeUnveiled.pdf>.

<sup>48</sup> *Id.*

<sup>49</sup> Florida Department of Economic Opportunity, *Apprenticeship FLA*, <https://floridajobs.org/office-directory/division-of-workforce-services/workforce-programs/apprenticeship-fla> (last visited Feb. 25, 2021).

## Developing Workplace Readiness

### Present Situation

#### *Employability Skills*

In a 2018, CareerSource and DEO Florida Skills Gap and Job Vacancy Report, employers identified communication skills, reliability/time management, leadership, and problem-solving as the most significant soft skills gaps.<sup>50</sup> In 2019, the Society for Human Resource Management (SHRM) found that 51 percent of its members responding to a survey said that education systems have done little or nothing to help address the skills shortage.<sup>51</sup> SHRM members found the top three missing soft skills to be: problem solving, critical thinking, innovation and creativity; the ability to deal with complexity and ambiguity; and communication.<sup>52</sup> As business and industry indicate difficulty in finding skilled employees, postsecondary students express concern with their readiness to enter the workforce. A 2019 survey of undergraduate students found that about 34 percent of students strongly agreed that they will graduate with the knowledge and skills needed to be successful in the job market, while an additional 37 percent somewhat agreed.<sup>53</sup>

Thinking ahead to Florida's future in 2030, the Florida Chamber Foundation (chamber) identified employability skills as universally valuable work competencies that are essential to adapting to shifting demands within and between careers.<sup>54</sup> The chamber found employability skills to be future proof as they are comprised of a set of key attributes which are highly valued in the workplace, they are general in nature, rather than job-specific, and are common to all work roles across industry types.<sup>55</sup> The chamber identified 15 foundational employability skills in three core areas of workplace skills, effective relationships, and applied knowledge.<sup>56</sup> Skills such as problem solving, critical thinking, communication, and teamwork, were identified among others.<sup>57</sup> One strategy to advance Florida's talent pipeline identified by the chamber is to strengthen curriculum options to ensure graduates are prepared with competencies necessary for employment.<sup>58</sup>

Recognizing the importance of preparing career ready graduates, postsecondary institutions, such as the University of South Florida<sup>59</sup> and Florida State University,<sup>60</sup> have developed career readiness digital credential programs. The programs are based on the eight career readiness competencies researched and identified by the National Association of Colleges and Employers.<sup>61</sup> Upon completion, students earn a digital credential, a badge, to demonstrate their skills to potential employers.

#### *Providing on-the-job experiences*

Work-based learning is an educational strategy that connects classroom education with on-the-job experience and is comprised of three key components: the alignment of classroom and workplace

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<sup>50</sup> CareerSource Florida and Department of Economic Opportunity, *Statewide Skills Gap and Job Vacancy Survey* (2018), at 14, available at [http://lmsresources.labormarketinfo.com/skills\\_gap/skills\\_gap\\_report.pdf](http://lmsresources.labormarketinfo.com/skills_gap/skills_gap_report.pdf).

<sup>51</sup> The Society for Human Resource Management, *2019 State of the Workplace* (2019), at 7, available at [https://www.shrm.org/about-shrm/Documents/SHRM%20State%20of%20Workplace\\_Bridging%20the%20Talent%20Gap.pdf](https://www.shrm.org/about-shrm/Documents/SHRM%20State%20of%20Workplace_Bridging%20the%20Talent%20Gap.pdf).

<sup>52</sup> *Id.* at 5.

<sup>53</sup> Gallup, Inc., *Six College Experiences Linked to Student Confidence on Jobs*, <https://news.gallup.com/poll/246170/six-college-experiences-linked-student-confidence-jobs.aspx> (last visited Feb. 25, 2021).

<sup>54</sup> Florida Chamber Foundation, *Florida 2030-Employability Skills Framework* (2019), at 3, available at <http://www.flchamber.com/wp-content/uploads/2019/09/2019-Employability-Skills-Report.pdf>.

<sup>55</sup> *Id.*

<sup>56</sup> *Id.* at 7.

<sup>57</sup> *Id.*

<sup>58</sup> *Id.* at 5.

<sup>59</sup> University of South Florida, Career Services, Career Readiness Badging Program, <https://www.usf.edu/career-services/career-ready/index.aspx> (last visited Feb. 25, 2021).

<sup>60</sup> Florida State University, The Career Center, ProfessiNole Pathways, <https://www.career.fsu.edu/professionolepathways> (last visited Feb. 25, 2021).

<sup>61</sup> National Association of Colleges and Employers, *Career Readiness Defined*, <https://www.naceweb.org/career-readiness/competencies/career-readiness-defined/> (last visited Feb. 25, 2021).

learning; application of academic, technical, and employability skills in a work setting; and support from classroom or workplace mentors.<sup>62</sup> Some examples of work-based learning include pre-apprenticeship, apprenticeship, on-the-job training, internships, and job shadowing.<sup>63</sup> As the nature of work and careers change, work-based learning serves as an important opportunity to prepare students and adult learners for college and the workforce.

Work-based learning is supported at the federal level through the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act (Perkins V), the Every Student Succeeds Act, and the Workforce Innovation and Opportunity Act (WIOA).<sup>64</sup>

In Florida's 2020-2024 Perkins V State Plan, all programs which use Perkins funds must "provide students an opportunity for work-based learning, career and technical student organizations, or capstone experiences that engage students learning inside or outside the classroom."<sup>65</sup>

Adult, dislocated worker, and youth programs under WIOA provide different types of work-based learning opportunities available to each population.<sup>66</sup> For example, work experience and internships for youth or adults with barriers to employment or dislocated workers needing exposure to new industries or occupations, or on-the-job training for adults and dislocated workers in need of new employer-based skills.<sup>67</sup>

A key component of scaling work-based learning identified by the National Governors Association is the development of a statewide definition for the term.<sup>68</sup> While Florida's students and adult learners are engaged in work-based learning opportunities across our state, a statewide definition does not exist to ensure minimum expectations and safe guards.

### *General Education Program*

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the regional accrediting body for Florida's public post-secondary institutions, describes general education as an integral component of an undergraduate degree program and the component of a degree program where students encounter the basic content and methodology of the principal areas of knowledge: humanities and fine arts, social and behavioral sciences, natural sciences and mathematics.<sup>69</sup>

Current law requires an associate in arts degree at a FCS or SUS institution to be no more than 60 semester hours of college credit and include 36 semester hours of general education course work.<sup>70</sup> For the baccalaureate degree, it must be no more than 120 semester hours of college credit, unless otherwise approved, and include 36 semester hours of general education coursework.<sup>71</sup>

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<sup>62</sup> RTI International Inc., *Work-based Learning Tool Kit*, <https://cte.ed.gov/wbltoolkit/index.html> (last visited Feb. 25, 2021).

<sup>63</sup> Jobs for the Future, *About Work-Based Learning*, <https://www.jff.org/what-we-do/impact-stories/center-for-apprenticeship-and-work-based-learning/about-work-based-learning/> (last visited Feb. 25, 2021).

<sup>64</sup> *Id.*

<sup>65</sup> Florida Department of Education, *Perkins V- Florida's 2020-2024 State Plan for The Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act (Perkins V)*, at 36, available at <http://www.fldoe.org/core/fileparse.php/18818/urlt/FloridaDraftStatePlanPerkinsV.pdf>. Florida's Perkins V Four-Year State Plan was approved by the U.S. Department of Education in June of 2020.; See also, Florida Department of Education, *Florida's Experiential Learning Framework for Perkins Size, Scope, and Quality*, available at <http://www.fldoe.org/core/fileparse.php/18815/urlt/PerkinsV-ExperientialLearningFramework.pdf>.

<sup>66</sup> U.S. Department of Labor, Employment and Training Administration, *Work-Based Learning Desk Reference* (Aug. 2020), available at <https://ion.workforcegps.org/resources/2017/03/09/12/20/~link.aspx?id=8C050EABF6134F16886864C550493B9E&z=z>.

<sup>67</sup> *Id.*

<sup>68</sup> National Governors Association, *State Strategies to Scale Work-Based Learning* (2020), at 8, available at [https://www.nga.org/wp-content/uploads/2020/02/NGA\\_Work-Based-Learning\\_Guide\\_final\\_web.pdf](https://www.nga.org/wp-content/uploads/2020/02/NGA_Work-Based-Learning_Guide_final_web.pdf).

<sup>69</sup> Southern Association of Colleges and Schools Commission on Colleges, *Resource Manual for the Principles of Accreditation: Foundations for Quality Enhancement* (2020), at 81, available at <https://sacscoc.org/app/uploads/2019/08/2018-POA-Resource-Manual.pdf>.

<sup>70</sup> Section 1007.25(8), F.S.

<sup>71</sup> Section 1007.25(9), F.S.

Since academic year 2015-2016, students entering a FCS or SUS institution are required to complete at least one identified core course in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.<sup>72</sup> All public postsecondary educational institutions are required to accept these courses as meeting general education core course requirements.<sup>73</sup> After completing the general education core course requirement, the remaining courses and credits that fulfill the total 36-hour general education requirement for an associate in arts or baccalaureate degree are at the discretion of the FCS or SUS institution.<sup>74</sup>

### Effect of Proposed Changes

To provide opportunities for students to experience and develop the skills necessary to enter the workforce and distinguish their unique skills to employers, the bill:

#### *Work-based Learning*

Creates a definition for work-based learning opportunity to mean an interaction with industry or community professionals that occurs in a workplace setting, to the extent possible, or a simulated environment at an educational institution that allows firsthand experience with tasks that are aligned to the institution's curriculum.

The bill requires work-based learning to be developmentally appropriate, identify learning objectives for the experience, explore multiple aspects of an industry, develop workplace skills and competencies, assess performance, provide opportunities for work-based reflection, link to next steps in career planning and preparation in a student's chosen career pathway, be provided in an equal and fair manner, and be documented and reported in compliance with state and federal labor law. The bill prioritizes paid experiences, to the extent possible, for a work-based learning opportunity.

The bill requires the SBE to adopt rules to implement work-based learning opportunities. The adopted rules must include uniform minimum standards and guidelines for determining student eligibility, obligations of employers, and requirements of institutions that offer work-based learning opportunities.

#### *Career Readiness Credential*

Beginning with students initially entering a public postsecondary institution in 2022-2023, and thereafter, the bill requires each student to be able to earn a nationally recognized digital credential from competencies within the general education core courses which demonstrate career readiness.

The bill requires the digital credentials to be identified by a faculty committee appointed by the chair of the SBE and the chair of the Board of Governors. The faculty committee must identify the competencies within the general education core courses which demonstrate career readiness and will result in the award of a verifiable and interoperable nationally recognized digital credential.

In order to ensure students pursuing an associate in applied science or associate in science degree may earn a digital credential, the bill requires, beginning in the 2022-2023 academic year, students entering such degree programs to complete at least one identified core course in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

The bill requires all public postsecondary institutions to distinguish in their course catalog the general education core courses linked to earning a digital credential, and requires institutions to grant and accept the identified digital credential. The bill establishes students pursuing an associate in applied science, associate in science, associate in arts, and baccalaureate degree, as eligible to obtain the digital credential.

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<sup>72</sup> Section 1007.25(3), F.S.

<sup>73</sup> *Id.*

<sup>74</sup> Florida Board of Governors, General Education Core Course Options, Regulation 8.005(1) and Rule 6A-14.0303(5), F.A.C.

The bill requires the DOE to identify in the state course numbering system the digital credentials that may be earned through the general education core courses.

The bill provides conforming changes.

## **Apprenticeship and Preapprenticeship Programs in Florida**

### Present Situation

In Florida, the DOE is authorized to implement and oversee apprenticeship and preapprenticeship programs.<sup>75</sup> The DOE is charged with establishing uniform minimum standards and policies governing apprenticeship programs and agreements.<sup>76</sup>

Florida's registered apprenticeship programs require five core components: business involvement; structured on-the-job training; related technical instruction; rewards for skill gains; and a national recognized credential upon completion.<sup>77</sup>

To be eligible for an apprenticeship, a person must be at least 16 years of age;<sup>78</sup> however, individuals must usually be 18 to be an apprentice in hazardous occupations.<sup>79</sup> Admission requirements relating to education, physical ability, work experience, and other criteria vary based on the program's training needs.<sup>80</sup>

A pre-apprenticeship program is an organized course of instruction designed to prepare a person 16 years of age or older to become an apprentice.<sup>81</sup> The program must be registered with the DOE and sponsored by a registered apprenticeship program.<sup>82</sup> The program's purpose is to provide training that will enable students, upon completion, to obtain entrance into a registered apprenticeship program.<sup>83</sup>

The DOE must publish, annually by September 1, a report on apprenticeship and preapprenticeship programs on its website.<sup>84</sup> The report must include, at a minimum, the following:

- A list of registered apprenticeship and preapprenticeship programs, by local educational agency<sup>85</sup> and training sponsor.<sup>86</sup>
- A detailed summary of each local educational agency's expenditure of funds for apprenticeship and preapprenticeship programs, to include:
  - The total amount of funding received for apprenticeship and preapprenticeship programs.
  - The total number of funds allocated to each trade or occupation.
  - The total amount of funds expended for administrative costs per trade or occupation.

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<sup>75</sup> Section 446.041, F.S.; *See also* Florida Department of Education, What is Registered Apprenticeship, <http://www.fldoe.org/academics/career-adult-edu/apprenticeship-programs/what-is-apprenticeship.stml> (last visited Feb. 25, 2021).

<sup>76</sup> Section 446.032(1), F.S.

<sup>77</sup> Florida Department of Education, *Florida's Annual Apprenticeship and Preapprenticeship Report (2019-2020)*, at 3-4, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/2020appr-rpt.pdf>.

<sup>78</sup> Section 446.021(2), F.S.

<sup>79</sup> United States Department of Labor, Wage and Hour Child Labor Fact Sheets and FAQs, *Child Labor Provisions of the Fair Labor Standards Act (FLSA) for Nonagricultural Occupations* (Dec. 2016), available at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/whdfs43.pdf>.

<sup>80</sup> United States Department of Labor, Apprenticeship Toolkit-Frequently Asked Questions, *What are the basic qualifications for workers to begin a Apprenticeship program*, <https://www.dol.gov/apprenticeship/toolkit/toolkitfaq.htm#1g> (last visited Feb. 25, 2021).

<sup>81</sup> Section 446.021(5), F.S.

<sup>82</sup> *Id.*

<sup>83</sup> Rule 6A-23.010(1), F.A.C.

<sup>84</sup> Section 446.032(2), F.S.

<sup>85</sup> Section 1004.02(18), F.S. "Local educational agency" means a Florida College System institution or school district.

<sup>86</sup> Section 1004.02(19), F.S. "Local sponsor" means a district school board, Florida College System institution board of trustees, public library, other public entity, or private nonprofit entity, or any combination of these entities, that provides adult literacy instruction.

- The total amount of funds expended for instructional costs per trade and occupation.
- The number of apprentices and preapprentices per trade and occupation.
- The percent 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 for potential applicants.
- Documentation of activities conducted by the DOE to promote apprenticeship and preapprenticeship programs through public engagement, community-based partnerships, and other initiatives.<sup>87</sup>

In 2019-2020, the DOE registered 29 new apprenticeship programs, for a total of 251, and 4,196 new apprentices for a total of 20,018.<sup>88</sup> For preapprenticeship programs, the DOE reported a total of 37 registered programs.<sup>89</sup>

Examining program outcomes, for the 2019-2020 program year, 1,603 apprentices completed their program and received an apprenticeship certificate with an average median exit wage of \$21.27 per hour or an annual salary of \$44,241.<sup>90</sup> For those completing, 825 apprentices, or 51.5% completed their program during the expected timeframe.<sup>91</sup> For preapprenticeship programs, a total of 1,090 preapprentices were enrolled in the 2019-2020 program year, with 275 completers, for a 54% completion rate.<sup>92</sup>

Operating funds provided to school districts and FCS institutions may be used to support registered apprenticeship programs, but this is not a required expenditure of funds.<sup>93</sup> Based on local demands and current resources, school districts and FCS institutions enter into local agreements with apprenticeship program sponsors. The agreements are not standardized statewide, but reflect the contributions of the school district or FCS institution and the program sponsor towards the costs of supporting the apprenticeship program.<sup>94</sup> If a school district or FCS institution partners with the apprenticeship program, they must report the total amount of funds expended for the program in an annual cost report. Total expenditures for registered apprenticeship and preapprenticeship programs for both school districts and FCS institutions for the 2018-2019 fiscal year was \$22.8 million.<sup>95</sup>

### Effect of Proposed Changes

To determine the impact of apprenticeship and preapprenticeship programs on participants, the bill requires the DOE to establish uniform minimum standards and policies governing apprenticeship and preapprenticeship programs and agreements which must require apprenticeship training providers to submit data which is necessary to determine program performance. The bill clarifies that uniform minimum standards are the requirements established for each occupation under which an apprenticeship or preapprenticeship program is administered. The bill requires the DOE to adopt rules to administer such standards and policies.

The bill requires the DOE to provide the following additional information in the annual report on apprenticeship and preapprenticeship programs:

- detailed summary of each local educational agency's expenditure of total funds allocated, expended for administrative costs, and expended for instructional costs by training provider, program, and occupation;

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<sup>87</sup> Section 446.032(2)(a)-(f), F.S.

<sup>88</sup> Florida's Annual Apprenticeship and Preapprenticeship Report, *supra* note 77, at 20.

<sup>89</sup> *Id.*

<sup>90</sup> Florida's Annual Apprenticeship and Preapprenticeship Report, *supra* note 77, at 23.

<sup>91</sup> *Id.*

<sup>92</sup> *Id.*

<sup>93</sup> Florida's Annual Apprenticeship and Preapprenticeship Report, *supra* note 77, at 24.

<sup>94</sup> *Id.*

<sup>95</sup> *Id.*

- documentation of the outcomes of activities conducted to promote apprenticeship and preapprenticeship programs and their impact on establishing or expanding such programs;
- retention and completion rates of participants disaggregated by training provider, program, and occupation; and
- wage progression of participants as demonstrated by starting, exit, and postapprenticeship wages.

The bill requires the DOE to notify partners of Florida's career planning resources, such as Apprentice Florida.

## B. SECTION DIRECTORY:

**Section 1.** Amends s. 445.011, F.S.; establishing an automated consumer-first workforce system; requiring the Department of Education and the Department of Children and Families, in consultation with the Department of Economic Opportunity, to implement such system; requiring that such system improve coordination among specified partners; revising requirements for such system; requiring that certain contracts be performance based; requiring the Department of Economic Opportunity to develop training for specified partners.

**Section 2.** Amends s. 446.021, F.S.; revising a definition.

**Section 3.** Amends s. 446.032, F.S.; requiring certain standards and policies established by the Department of Education to include a specified requirement for training providers; requiring, rather than authorizing, the department to adopt rules; revising provisions relating to a certain summary of expenditures for apprenticeship and preapprenticeship programs; providing requirements for a certain annual report; requiring the department to provide data from certain resources to specified persons and entities.

**Section 4.** Amends s. 446.041, F.S.; revising a catchline relating to the department's duties regarding apprenticeship and preapprenticeship programs.

**Section 5.** Creates s. 446.090, F.S.; providing a definition for the term "work-based learning opportunity"; specifying the required criteria for such opportunity; requiring that such opportunity prioritizes paid experiences; requiring the State Board of Education to adopt rules.

**Section 6.** Amends s. 1003.4156, F.S.; requiring a career and education planning course to include certain resources.

**Section 7:** Amends s. 1003.42, F.S.; requiring a specified character development curriculum to include certain instruction and resources.

**Section 8.** Creates s. 1006.75, F.S.; requiring specified educational centers and institutions to ensure that certain services and resources prepare students for employment; requiring student career service centers to use specified resources to assist students with certain activities.

**Section 9.** Amends s. 1007.25, F.S.; requiring specified students to complete certain courses before a certain degree is awarded; requiring the chairs of the State Board of Education and the Board of Governors, or their designees, to jointly appoint faculty committees to identify competencies which will result in a digital credential; requiring specified institutions to grant and accept such credential; requiring the department to identify certain courses in which such credential may be earned; requiring certain courses to use specified resources and provide students with the opportunity to create a digital resume.

**Section 10.** Amends s. 443.151, F.S.; conforming provisions to changes made by the act.

**Section 11.** Amends s. 445.010, F.S.; conforming provisions to changes made by the act.

**Section 12.** Amends s. 445.045, F.S.; conforming provisions to changes made by the act.

**Section 13.** Amends s. 943.22, F.S.; conforming cross-references.

**Section 14.** Amends s. 1001.64, F.S.; conforming cross-references.

**Section 15.** Provides an effective date of July 1, 2021.

## **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:**

None.

### **D. FISCAL COMMENTS:**

No additional funding is required for implementation of a consumer-first workforce information system as any costs associated with system implementation can be absorbed within existing federal funds provided under the Workforce Innovation and Opportunity Act (WIOA).

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

### **B. RULE-MAKING AUTHORITY:**

The bill requires the State Board of Education to adopt rules to implement work-based learning opportunities.

### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

#### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.