

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Post-Secondary Education &
2 Lifelong Learning Subcommittee
3 Representative Yarborough offered the following:

Amendment (with directory amendment)

Remove lines 2036-2222 and insert:

7 Section 25. Subsections (10), (11), and (12), of section
8 1011.80, Florida Statutes, are renumbered as subsections (9),
9 (10), and (11), respectively, and subsection (2), paragraph (a)
10 of subsection (6), paragraph (b) of subsection (7), and
11 subsection (9) of that section are amended, to read:

12 1011.80 Funds for operation of workforce education
13 programs.—

14 (2) Upon approval by the State Board of Education, any
15 workforce education program may be conducted by a Florida
16 College System institution or a school district, except that

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17 college credit in an associate in applied science or an
18 associate in science degree may be awarded only by a Florida
19 College System institution. However, if an associate in applied
20 science or an associate in science degree program contains
21 within it an occupational completion point that confers a
22 certificate or an applied technology diploma, that portion of
23 the program may be conducted by a school district career center.
24 Any instruction designed to articulate to a degree program is
25 subject to guidelines and standards adopted by the State Board
26 of Education under ~~pursuant to~~ s. 1007.25.

27 (a) The State Board of Education shall establish criteria
28 for review and approval of new workforce education programs by a
29 Florida College System institution or a school district that
30 considers local demand as well as local program offerings at
31 public and private institutions to avoid wasteful duplication of
32 programs. Priority shall be given to institutions that have
33 implemented the money-back-guarantee program in excess of the
34 minimum number of programs required by s. 1011.803. The criteria
35 must include, but is not limited to, the following:

36 1. A notice of intent to propose a new workforce education
37 program that includes all of the following:

38 a. A brief description of the program.

39 b. An analysis of workforce demand and unmet need for
40 graduates of the program on a district, regional, or statewide
41 basis, as appropriate, including evidence from entities

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42 independent of the technical center or institution.
43 c. The geographic region to be served.
44 d. An estimated timeframe for implementation.
45 2. Documentation of collaboration among technical centers
46 and institutions serving the same students in a geographical or
47 service area that enhances program offerings and prevents
48 program duplication. Unnecessary duplication of programs offered
49 by public and private institutions must be avoided.
50 3. Beginning with the 2022-2023 academic year, alignment
51 of program offering with offerings identified on the Master
52 Credential List under s. 445.004(4).
53 4. Articulation agreements between technical centers and
54 Florida College System institutions for the enrollment of
55 graduates in related workforce education programs.
56 5. Documentation of alignment between the exit
57 requirements of a technical center and the admissions
58 requirements of a Florida College System institution into which
59 students typically transfer.
60 6. Performance and compliance indicators that will be used
61 in determining the program's success.
62 (b) The State Board of Education, upon review of the
63 workforce education program, may require a school district
64 postsecondary technical career center, charter technical career
65 center, or Florida College System institution, to modify or
66 terminate a program authorized under this section.

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67 (6) State funding and student fees for workforce education
68 instruction shall be established as follows:

69 (a) Expenditures for the continuing workforce education
70 programs, except apprenticeship and preapprenticeship programs
71 defined under s. 446.021, provided by the Florida College System
72 institutions or school districts must be fully supported by
73 fees. Enrollments in continuing workforce education courses,
74 except apprenticeship and preapprenticeship programs defined
75 under s. 446.021, shall not be counted for purposes of funding
76 full-time equivalent enrollment.

77 (b) For all other workforce education programs, state
78 funding shall be calculated based on a weighted enrollment and
79 program cost minus fee revenues generated to offset program
80 operational costs, including any supplemental cost factors
81 recommended by the District Workforce Education Funding Steering
82 Committee. Fees for courses within a program shall not vary
83 according to the cost of the individual program, but instead
84 shall be as provided in s. 1009.22, unless otherwise specified
85 in the General Appropriations Act.

86 (c) For fee-exempt students pursuant to s. 1009.25, unless
87 otherwise provided for in law, state funding shall equal 100
88 percent of the average cost of instruction.

89 (d) For a public educational institution that has been
90 fully funded by an external agency for direct instructional
91 costs of any course or program, the FTE generated shall not be

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92 reported for state funding.

93 (7)

94 (b) Performance funding for industry certifications for
95 school district workforce education programs is contingent upon
96 specific appropriation in the General Appropriations Act and
97 shall be determined as follows:

98 ~~1. Occupational areas for which industry certifications~~
99 ~~may be earned, as established in the General Appropriations Act,~~
100 ~~are eligible for performance funding. Priority shall be given to~~
101 ~~the occupational areas emphasized in state, national, or~~
102 ~~corporate grants provided to Florida educational institutions.~~

103 ~~1.2. The Chancellor of Career and Adult Education shall~~
104 ~~identify the Industry certifications identified eligible for~~
105 ~~funding on the CAPE ~~Postsecondary~~ Industry Certification Funding~~
106 ~~List approved by the State Board of Education under pursuant to~~
107 ~~s. 1008.44, are eligible for performance funding based on the~~
108 ~~occupational areas specified in the General Appropriations Act.~~

109 ~~2.3.~~ Each school district shall be provided \$1,000 for
110 each industry certification earned by a workforce education
111 student. If funds are insufficient to fully fund the calculated
112 total award, such funds shall be prorated. Beginning with the
113 2022-2023 fiscal year, the Credentials Review Committee
114 established in s. 445.004 shall develop a returned-value funding
115 formula to allocate school district performance funds that
116 rewards student job placements and wages for students earning

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117 industry certifications. One-third of the performance funds
118 shall be allocated based on student job placements. The
119 remaining two-thirds shall be allocated using a three tiered
120 weighted system based on aggregate student wages that exceed
121 minimum wage with the highest weight applied to the highest wage
122 tier. Student wages above minimum wage are considered to be the
123 value added by the institution's training.

124 ~~(9) The State Board of Education and the state board as~~
125 ~~defined in s. 445.002 shall provide the Legislature with~~
126 ~~recommended formulas, criteria, timeframes, and mechanisms for~~
127 ~~distributing performance funds. The commissioner shall~~
128 ~~consolidate the recommendations and develop a consensus proposal~~
129 ~~for funding. The Legislature shall adopt a formula and~~
130 ~~distribute the performance funds to the State Board of Education~~
131 ~~for Florida College System institutions and school districts~~
132 ~~through the General Appropriations Act. These recommendations~~
133 ~~shall be based on formulas that would discourage low-performing~~
134 ~~or low-demand programs and encourage through performance funding~~
135 ~~awards:~~

136 ~~(a) Programs that prepare people to enter high-wage~~
137 ~~occupations identified by the Workforce Estimating Conference~~
138 ~~created by s. 216.136 and other programs as approved by the~~
139 ~~state board as defined in s. 445.002. At a minimum, performance~~
140 ~~incentives shall be calculated for adults who reach completion~~
141 ~~points or complete programs that lead to specified high-wage~~

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142 ~~employment and to their placement in that employment.~~

143 ~~(b) Programs that successfully prepare adults who are~~
144 ~~eligible for public assistance, economically disadvantaged,~~
145 ~~disabled, not proficient in English, or dislocated workers for~~
146 ~~high wage occupations. At a minimum, performance incentives~~
147 ~~shall be calculated at an enhanced value for the completion of~~
148 ~~adults identified in this paragraph and job placement of such~~
149 ~~adults upon completion. In addition, adjustments may be made in~~
150 ~~payments for job placements for areas of high unemployment.~~

151 ~~(c) Programs that are specifically designed to be~~
152 ~~consistent with the workforce needs of private enterprise and~~
153 ~~regional economic development strategies, as defined in~~
154 ~~guidelines set by the state board as defined in s. 445.002. The~~
155 ~~state board as defined in s. 445.002 shall develop guidelines to~~
156 ~~identify such needs and strategies based on localized research~~
157 ~~of private employers and economic development practitioners.~~

158 ~~(d) Programs identified by the state board as defined in~~
159 ~~s. 445.002 as increasing the effectiveness and cost efficiency~~
160 ~~of education.~~

161 Section 26. Subsection (3) of section 1011.801, Florida
162 Statutes, is amended to read:

163 1011.801 Workforce Development Capitalization Incentive
164 Grant Program.—The Legislature recognizes that the need for
165 school districts and Florida College System institutions to be
166 able to respond to emerging local or statewide economic

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167 development needs is critical to the workforce development
168 system. The Workforce Development Capitalization Incentive Grant
169 Program is created to provide grants to school districts and
170 Florida College System institutions on a competitive basis to
171 fund some or all of the costs associated with the creation or
172 expansion of workforce development programs that serve specific
173 employment workforce needs.

174 (3) The State Board of Education shall give highest
175 priority to programs that train people to enter high-skill,
176 high-wage occupations identified by the Labor Market Workforce
177 Estimating Conference and other programs approved by the state
178 board as defined in s. 445.002, programs that train people to
179 enter occupations under the welfare transition program, or
180 programs that train for the workforce adults who are eligible
181 for public assistance, economically disadvantaged, disabled, not
182 proficient in English, or dislocated workers. The State Board of
183 Education shall consider the statewide geographic dispersion of
184 grant funds in ranking the applications and shall give priority
185 to applications from education agencies that are making maximum
186 use of their workforce development funding by offering high-
187 performing, high-demand programs.

188 Section 27. Subsection (4) of section 1011.802, Florida
189 Statutes, is renumbered as subsection (6), subsection (3) of
190 that section is amended, and new subsections (4) and (5) are
191 added to that section, to read:

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192 1011.802 Florida Pathways to Career Opportunities Grant
193 Program.—

194 (3) (a) The department shall award grants for
195 preapprenticeship or ~~give priority to~~ apprenticeship programs
196 with demonstrated regional demand that:

197 1. Address a critical statewide or regional shortage as
198 identified by the Labor Market Estimating Conference created in
199 s. 216.136 and that are industry sectors not adequately
200 represented throughout the state, such as health care;

201 2. Address a critical statewide or regional shortage as
202 identified by the Labor Market Estimating Conference created in
203 s. 216.136; or

204 3. Expand existing programs that exceed the median
205 completion rate and employment rate 1 year after completion of
206 similar programs in the region, or the state if there are no
207 similar programs in the region.

208 (b) Grant funds may be used for instructional equipment,
209 supplies, instructional personnel, student services, and other
210 expenses associated with the creation or expansion of an
211 apprenticeship program. Grant funds may not be used for
212 ~~recurring instructional costs or for~~ indirect costs. Grant
213 recipients must submit quarterly reports in a format prescribed
214 by the department.

215 (4) The department shall annually report on its website:

216 (a) The number of programs funded and represented

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217 throughout the state under this section.

218 (b) Retention, completion, and employment rates,
219 categorized by program and provider.

220 (c) Starting and ending salaries, as categorized by
221 program and provider, for participants who complete the program.

222 (5) Up to \$200,000 of the total amount allocated may be
223 used by the department to administer the grant program.

224 (6)-(4) The State Board of Education shall ~~may~~ adopt rules
225 to administer this section.

226

227

228 **D I R E C T O R Y A M E N D M E N T**

229 Remove lines 164-166 and insert:

230 meet certain criteria; authorizing grant funds to be used on
231 instructional personnel; requiring the department to report
232 certain information annually on its website; authorizing the
233 department to use funds to administer the grant; requiring the
234 State Board of Education to adopt rules;