

LEGISLATIVE ACTION House Senate Comm: RCS 03/02/2021

The Committee on Education (Hutson) recommended the following:

Senate Amendment (with title amendment)

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Delete everything after the enacting clause and insert:

5 6 read:

Section 1. Section 446.011, Florida Statutes, is amended to

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446.011 Legislative intent regarding apprenticeship training.-

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(1) It is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their

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abilities. It is the intent of this act to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills. The Legislature further intends to broaden By broadening job training opportunities by and providing for increased coordination between secondary and postsecondary educational institutions and businesses and industries participating in public school academic programs, career programs, and registered apprenticeship programs so that τ the residents of this state will benefit from an additional avenue to a postsecondary credential or degree when on-the-job training is combined with related technical and theoretical instruction provided by a school district or any accredited postsecondary educational institution. Therefore, this act encourages apprenticeship programs to lead to a postsecondary credential the valuable training opportunities developed when on the job training is combined with academic-related classroom experiences. Moreover, this act is intended to develop the apparent potentials in apprenticeship training by assisting in the establishment of preapprenticeship programs in the public school system and elsewhere and by expanding presently registered programs as well as promoting new registered programs in jobs that lend themselves to apprenticeship training.

(2) It is the intent of the Legislature that the Department of Education have responsibility for the development of the registered apprenticeship and registered preapprenticeship uniform minimum standards for the apprenticeable occupations trades and that the department have responsibility for assisting approved program sponsors pursuant to s. 446.071 district school

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boards and Florida College System institution boards of trustees in developing preapprenticeship programs.

- (3) It is the further intent of ss. 446.011-446.092 that the department ensure quality training through the adoption and enforcement of uniform minimum standards and that the department promote, register, monitor, and service apprenticeship and preapprenticeship training programs and ensure that the programs adhere to the standards.
- (4) It is the intent of the Legislature that this act not require the use of apprentices or preapprentices on construction projects financed by the state or any county, municipality, town or township, public authority, special district, municipal service taxing unit, or other agency of state or local government. Notwithstanding this intent, whenever any government or agency of government employs, of its own choice, apprentices or preapprentices or employs contractors who employ apprentices or preapprentices, the behavior of the government and the contractors employed by the government shall be governed by the provisions of this act.

Section 2. Section 446.021, Florida Statutes, is amended to read:

(Substantial rewording of section. See

s. 446.021, F.S., for present text.)

446.021 Definitions of terms used in ss. 446.011-446.092.-

65 As used in ss. 446.011-446.092, the term:

(1) "Apprentice" means a person at least 16 years of age who has entered into an apprenticeship agreement with a registered apprenticeship program sponsor, is engaged in learning an apprenticeable occupation through actual work

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experience under the supervision of journeyworkers, and is enrolled in the apprenticeship program, thereby receiving an organized and systematic form of instruction designed to provide theoretical and technical knowledge related to the occupation.

- (2) "Apprenticeship program" means a program that is registered with the department on the basis of a plan submitted to the department which contains the terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, including requirements for a written apprenticeship agreement.
- (3) "Cancellation" means the termination or deregistration of an apprenticeship program at the request of the program sponsor or the termination of an apprenticeship agreement at the request of the apprentice.
 - (4) "Department" means the Department of Education.
- (5) "Journeyworker" means a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.
- (6) "On-the-job training" means a structured system of work processes under the supervision of a journeyworker which provides the experience and knowledge necessary to meet the training objective of learning a specific skill, trade, or occupation.
- (7) "Preapprentice" means a person at least 16 years of age who enters into a preapprenticeship agreement with a preapprenticeship program sponsor approved by the department and who engages in learning an apprenticeable occupation in any

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course of instruction in the public school system or elsewhere.

- (8) "Preapprenticeship program" means a program sponsored by an apprenticeship program in the same occupation which is registered with the department on the basis of a plan submitted to the department which contains the terms and conditions of instruction in the public school system or elsewhere and is designed to prepare a registered preapprentice to become an apprentice in an apprenticeship program.
- (9) "Related instruction" means an organized and systematic form of instruction designed to provide an apprentice or a preapprentice with the knowledge of theoretical subjects related to a specific trade or occupation.
- (10) "Uniform minimum standards" means the minimum requirements established for each occupation under which an apprenticeship or preapprenticeship program is administered. The term includes standards of admission, training objectives, curriculum outlines, objective standards to measure successful completion of the apprenticeship or preapprenticeship program, and the percentage of credit which may be given to an apprentice or preapprentice.

Section 3. Subsection (1), paragraphs (b), (d), and (e) of subsection (2), and subsection (3) of section 446.032, Florida Statutes, are amended to read:

446.032 General duties of the department for apprenticeship training.—The department shall:

(1) Establish uniform minimum standards and policies governing apprenticeship apprentice programs and agreements. The standards and policies shall govern the terms and conditions of the apprentice's employment and training, including the quality

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training of the apprentice for, but not limited to, such matters as ratios of apprentices to journeyworkers, safety, related technical instruction, and on-the-job training; but these standards and policies may not include rules, standards, or guidelines that require the use of apprentices and job trainees on state, county, or municipal contracts. Uniform minimum standards must be uniform across all occupations The department may adopt rules necessary to administer the standards and policies.

- (2) By September 1 of each year, publish an annual report on apprenticeship and preapprenticeship programs. The report must be published on the department's website and, at a minimum, include all of the following:
- (b) A detailed summary of each local educational agency's expenditure of funds for apprenticeship and preapprenticeship programs, including:
- 1. The total amount of funds received for apprenticeship and preapprenticeship programs;
- 2. The total amount of funds allocated to each apprenticeable trade or occupation;
- 3. The total amount of funds expended for administrative costs per apprenticeable trade or occupation; and
- 4. The total amount of funds expended for instructional costs per apprenticeable trade and occupation.
- (d) The percentage of apprentices and preapprentices who complete their respective programs in the appropriate timeframe.
- (e) Information and resources related to applications for new apprenticeship programs and preapprenticeship programs and technical assistance and requirements for potential

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apprenticeship programs and preapprenticeship programs applicants.

- (3) Provide assistance to district school boards, postsecondary educational institutions, Florida College System institution boards of trustees, approved program sponsors under s. 446.071, and local workforce development boards in notifying students, parents, and members of the community of the availability of apprenticeship and preapprenticeship opportunities, including data provided in the economic security report pursuant to s. 445.07.
- Section 4. Subsections (2) through (8), (10), (11), and (12) of section 446.041, Florida Statutes, are amended to read: 446.041 Apprenticeship program, duties of the department. The department shall:
- (2) Regularly review and evaluate the uniform minimum Administer the standards established by the department for registered apprenticeship and preapprenticeship programs.
- (3) Register, in accordance with this chapter, any apprenticeship or preapprenticeship program that, regardless of affiliation, which meets the uniform minimum standards established by the department.
- (4) Investigate complaints concerning the failure of any registered program to meet the uniform minimum standards established by the department.
- (5) Cancel the registration of any program that fails to comply with the uniform minimum standards and policies of the department or that unreasonably fails or refuses to cooperate with the department in monitoring and enforcing compliance with the uniform minimum standards.

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- (6) Encourage potential sponsors to develop and encourage apprenticeship and preapprenticeship programs.
- (7) Lead and coordinate outreach efforts to educate veterans about apprenticeship programs and career opportunities.
- (8) Cooperate with and assist local apprenticeship sponsors in the development of the uniform minimum their apprenticeship standards and training requirements.
- (10) Monitor registered apprenticeship programs to ensure that they are being operated in compliance with all applicable uniform minimum standards.
- (11) Supervise all apprenticeship programs that are registered with the department.
- (12) Ensure that equal opportunity for apprentices, preapprentices, and applicants for apprenticeships and preapprenticeships is provided for the apprenticeship and preapprenticeship programs and that minority and gender diversity are considered in administering this program.

Section 5. Paragraphs (a), (b), and (c) of subsection (2) of section 446.045, Florida Statutes, are amended to read:

446.045 State Apprenticeship Advisory Council.-

- (2) (a) There is created a State Apprenticeship Advisory Council to be composed of 10 voting members appointed by the Governor and two ex officio nonvoting members. The purpose of the advisory council is to advise the department on matters relating to apprenticeship and preapprenticeship. The advisory council may not establish policy, adopt rules, or consider whether particular apprenticeship or preapprenticeship programs should be approved by the department.
 - (b) The Commissioner of Education or the commissioner's

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designee shall serve ex officio as chair of the State Apprenticeship Advisory Council, but may not vote. A representative The state director of the Office of Apprenticeship of the United States Department of Labor shall serve ex officio as a nonvoting member of the council. The Governor shall appoint to the council four members representing employee organizations and four members representing employer organizations. Each of these eight members shall represent industries that have registered apprenticeship programs. The Governor shall also appoint two public members who are knowledgeable about registered apprenticeship and apprenticeable occupations and who are independent of any joint or nonjoint organization. Members shall be appointed for 4-year staggered terms. The Governor $\frac{1}{2}$ vacancy shall fill any vacancy $\frac{1}{2}$ be filled for the remainder of the unexpired term.

(c) The council shall meet at the call of the chair or the chair's designee or at the request of a majority of its voting membership, but at least twice a year. A majority of the voting members shall constitute a quorum, and the affirmative vote of a majority of a quorum is necessary to take action.

Section 6. Section 446.051, Florida Statutes, is amended to read:

446.051 Related instruction for apprentices.-

(1) The administration and supervision of related and supplemental instruction for apprentices, the coordination of such instruction with job experiences, and the selection and training of teachers, instructors, and coordinators for such instruction, all as approved by the department registered program sponsor, are shall be the responsibility of the

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apprenticeship and preapprenticeship program sponsors appropriate career education institution.

(2) District school boards and postsecondary educational institutions are The appropriate career education institution shall be 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 apprenticeship or preapprenticeship registered program.

Section 7. Subsections (1), (2), and (3) of section 446.052, Florida Statutes, are amended to read:

446.052 Preapprenticeship program.-

- (1) There is created and established a preapprenticeship education program, as defined in s. 446.021.
- (2) The department, under regulations established by the State Board of Education, may administer the provisions of ss. 446.011-446.092 which relate to preapprenticeship programs in cooperation with district school boards and Florida College System institution boards of trustees. District school boards, postsecondary educational institutions Florida College System institution boards of trustees, and registered program sponsors are encouraged to shall cooperate in developing and establishing programs that include career instruction and general education courses required to obtain a high school diploma.
- (3) The department, the district school boards, and postsecondary educational institutions the Florida College System institution boards of trustees shall work together with existing registered apprenticeship programs in order that individuals completing the preapprenticeship programs may be

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able to receive credit toward towards completing a registered apprenticeship program. In addition, postsecondary educational institutions are encouraged to work together with existing associate of science programs, associate of applied science programs, career certification programs, or degree programs to ensure that individuals completing a registered apprenticeship program may be able to receive college credit toward a technical degree.

Section 8. Section 446.071, Florida Statutes, is amended to read:

446.071 Apprenticeship sponsors.-

- (1) One or more local apprenticeship sponsors must shall be approved in any apprenticeable occupation trade or multiple apprenticeable occupations group of trades by the department, upon a determination of need, if the apprenticeship sponsor meets all of the uniform minimum standards established by the department. The term "need" refers to the need of state residents for apprenticeship training. In the absence of proof to the contrary, it shall be presumed that there is need for apprenticeship and preapprenticeship training in each county in this state.
- (2) An A local apprenticeship sponsor may be a committee, a group of employers, an employer, or a group of employees, an educational institution, a local workforce board, a community or faith-based organization, or any entity preapproved by the department as being in accordance with the requirements of this chapter combination thereof.
- (3) The department may grant a variance from the uniform minimum standards upon a showing of good cause for the variance

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by program sponsors in nonconstruction trades. The purpose of this subsection is to recognize the unique and varying training requirements in nontraditional apprenticeable occupations and to authorize the department to adapt the standards to the needs of the programs.

Section 9. Subsection (4) of section 446.081, Florida Statutes, is amended to read:

446.081 Limitation.-

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

Section 10. Section 446.091, Florida Statutes, is repealed. Section 11. Section 446.092, Florida Statutes, is amended to read:

446.092 Criteria for apprenticeship occupations.—At a minimum, an apprenticeable occupation must possess is a skilled trade which possesses all of the following characteristics:

- (1) It is customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training.
- (2) It is clearly identified and commonly recognized throughout an industry.
- (3) It involves manual, mechanical, or technical skills and knowledge which, in accordance with the industry standards for the occupation, require would require a minimum of 2,000 hours

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of on-the-job training, which hours are excluded from the time spent at related technical or supplementary instruction.

(4) It requires related technical instruction to supplement on-the-job training. 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.

Section 12. Section 446.54, Florida Statutes, is created to read:

446.54 Work-based learning.

- (1) It is the intent of the Legislature that, to the extent possible, school districts place students in paid work experiences, including apprenticeships and preapprenticeships, for purposes of educational training and work-based learning.
- (2) For purposes of this section, "work-based learning" includes "on-the-job training" as defined in s. 446.021 and means sustained interactions with industry or community professionals in off-campus workplace settings that foster indepth firsthand engagement with the tasks required in a given career or field and are aligned to curriculum and instruction.
- (3) (a) A student in grades 6 through 12 who is enrolled in a course identified in the Course Code Directory which incorporates a work-based learning component or an activity that is unpaid and who suffers a work-related injury in the course of his or her enrollment is deemed to be an employee of the state for purposes of workers' compensation coverage. Such coverage applies only to medically necessary care rendered as a direct result of that injury.

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(b) An individual 18 years of age or younger who is enrolled in a preapprenticeship program as defined in s. 446.021 which requires work-based learning and who suffers a workrelated injury in the course of his or her enrollment is deemed to be an employee of the state for purposes of workers' compensation coverage. Such coverage applies only to medically necessary care rendered as a direct result of that injury. Section 13. Subsection (17) is added to section 1003.01, Florida Statutes, to read: 1003.01 Definitions.—As used in this chapter, the term: (17) "Work-based learning" means sustained interactions with industry or community professionals in workplace settings, to the extent practicable, or simulated environments that foster in-depth, firsthand engagement with the tasks required in a given career field, that align with curriculum and instruction, and that are provided in partnership with an educational institution. Work-based learning may be paid or unpaid and may be delivered in a stand-alone, work-based learning course that results in high school credit or may be a component of an existing course which may use the cooperative method of instruction as defined in s. 1004.02(27). Section 14. Subsection (6) is added to section 1003.491, Florida Statutes, to read: 1003.491 Florida Career and Professional Education Act.-The Florida Career and Professional Education Act is created 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.



389 (6) The Department of Education may adopt rules to 390 administer this section. 391 Section 15. Subsection (27) is added to section 1004.02, 392 Florida Statutes, to read: 393 1004.02 Definitions.—As used in this chapter: 394 (27) "Cooperative method of instruction" means an 395 instructional methodology that provides students enrolled in 396 career education programs an opportunity to extend their 397 employment preparation beyond the classroom through 398 participation in concurrent career education instruction through 399 regularly scheduled on-the-job training experiences. 400 Section 16. Present subsections (3) through (8) of section 401 1007.23, Florida Statutes, are redesignated as subsections (4) 402 through (9), respectively, and a new subsection (3) is added to 403 that section, to read: 404 1007.23 Statewide articulation agreement. 405 (3) To facilitate seamless transfer of credits, reduce excess credit hours, and ensure that students are taking the 406 407 courses needed for their future careers, the articulation 408 agreement must establish three mathematics pathways for students 409 by aligning mathematics courses to programs, meta-majors, and 410 careers. A representative committee of State University System, 411 career centers established under s. 1001.44, and Florida College 412 System faculty shall collaborate to identify the three 413 mathematics pathways and the mathematics course sequence within 414 each pathway which align to the mathematics skills needed for 415 success in the corresponding academic programs and careers. 416 Section 17. Subsection (1) and paragraph (a) of subsection

(2) of section 1007.263, Florida Statutes, are amended to read:

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1007.263 Florida College System institutions; admissions of students. - Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

- (1) Admissions counseling shall be provided to all students entering college or career credit programs. For students who are not otherwise exempt from testing under s. 1008.30, counseling must use the tests or alternative methods established by the State Board of Education pursuant to s. 1008.30 to measure achievement of college-level communication and computation competencies by students entering college credit programs or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91. Counseling must measure achievement of basic skills for career education programs under s. 1004.91 and include includes providing developmental education options for students whose assessment results, determined under s. 1008.30, indicate that they need to improve communication or computation skills that are essential to perform college-level work.
- (2) Admission to associate degree programs is subject to minimum standards adopted by the State Board of Education and shall require:
- (a) A standard high school diploma; τ a State of Florida high school equivalency diploma awarded under s. 1003.435(2); a high school equivalency diploma issued by another state which is recognized as equivalent by State Board of Education rule and is based on an assessment recognized by the United States Department of Education; as prescribed in s. 1003.435,



previously demonstrated competency in college credit postsecondary coursework; τ or, in the case of a student who is home educated, a signed affidavit submitted by the student's parent or legal quardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41. Students who are enrolled in a dual enrollment or early admission program pursuant to s. 1007.271 are exempt from this requirement.

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Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses, adult basic education, adult secondary education, or private provider instruction.

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Section 18. Subsection (3) and paragraph (b) of subsection (13) of section 1007.271, Florida Statutes, are amended to read: 1007.271 Dual enrollment programs.

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(3) Student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a 3.0 unweighted high school grade point average and a demonstrated level of achievement of college-level communication and computation skills as provided under s. 1008.30(1) or (2) the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. Student eligibility requirements for continued enrollment in college credit dual enrollment courses must include the maintenance of a 3.0 unweighted high school

grade point average and the minimum postsecondary grade point

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average established by the postsecondary institution. Regardless of meeting student eligibility requirements for continued enrollment, a student may lose the opportunity to participate in a dual enrollment course if the student is disruptive to the learning process such that the progress of other students or the efficient administration of the course is hindered. Student eligibility requirements for initial and continued enrollment in career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. Exceptions to the required grade point averages may be granted on an individual student basis if the educational entities agree and the terms of the agreement are contained within the dual enrollment articulation agreement established pursuant to subsection (21). Florida College System institution boards of trustees may establish additional initial student eligibility requirements, which shall be included in the dual enrollment articulation agreement, to ensure student readiness for postsecondary instruction. Additional requirements included in the agreement may not arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses or limit the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.

(13)

(b) Each public postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a home education articulation agreement with each home education student seeking enrollment in

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a dual enrollment course and the student's parent. By August 1 of each year, the eligible postsecondary institution shall complete and submit the home education articulation agreement to the Department of Education. The home education articulation agreement must include, at a minimum:

- 1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution. Any course or program limitations may not exceed the limitations for other dually enrolled students.
- 2. The initial and continued eligibility requirements for home education student participation, not to exceed those required of other dually enrolled students. A high school grade point average may not be required for home education students who demonstrate achievement of college-level communication and computation skills as provided under s. 1008.30(1) or (2) meet the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework; however, home education student eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.
- 3. The student's responsibilities for providing his or her own transportation.
- 4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).
 - Section 19. Section 1008.30, Florida Statutes, is amended to read:

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1008.30 Common placement testing for public postsecondary education.-

- (1) The State Board of Education, in conjunction with the Board of Governors, shall develop and implement a common placement test for the purpose of assessing the basic computation and communication skills of students who intend to enter a degree program at any public postsecondary educational institution. Alternative assessments that may be accepted in lieu of the common placement test shall also be identified in rule. Public postsecondary educational institutions shall provide appropriate modifications of the test instruments or test procedures for students with disabilities.
- (2) By January 31, 2022, the State Board of Education shall adopt rules to develop and implement alternative methods for assessing the basic computation and communication skills of students who intend to enter a degree program at a Florida College System institution. Florida College System institutions may use these alternative methods in lieu of common placement tests as described in subsection (1) to assess student readiness for college-level work in computation and communication The common placement testing program shall include the capacity to diagnose basic competencies in the areas of English, reading, and mathematics which are essential for success in meta-majors and to provide test information to students on the specific skills the student needs to attain.
- (3) By October 31, 2013, the State Board of Education shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work, and The rules required by subsection (2) must specify the following:

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- (a) A student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma or a student who is serving as an active duty member of any branch of the United States Armed Services shall not be required to be assessed for readiness for college-level work in computation and communication take the common placement test and shall not be required to enroll in developmental education instruction in a Florida College System institution. However, a student who is not required to be assessed for readiness for college-level work in computation and communication take the common placement test and is not required to enroll in developmental education under this paragraph may opt to be assessed and to enroll in developmental education instruction, and the college shall provide such assessment and instruction upon the student's request.
- (b) A student who is assessed for readiness for collegelevel computation and communication and whose assessment results indicate takes the common placement test and whose score on the test indicates a need for developmental education must be advised of all the developmental education options offered at the institution and, after advisement, shall be allowed to enroll in the developmental education option of his or her choice.
- (c) A student who demonstrates readiness by achieving or exceeding the test scores established by the state board and enrolls in a Florida College System institution within 2 years after achieving such scores shall not be required to retest or complete developmental education when admitted to any Florida



College System institution.

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(4) (a) By December 31, 2013, the State Board of Education, in consultation with the Board of Governors, shall approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. Florida College System institutions shall use placement test results to determine the extent to which each student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major.

(5) (a) Each Florida College System institution board of trustees shall develop a plan to implement the developmental education strategies defined in s. 1008.02 and rules established by the State Board of Education. The plan must be submitted to the Chancellor of the Florida College System for approval no later than March 1, 2014, for implementation no later than the fall semester 2014. Each plan must include, at a minimum, local policies that outline:

1. Documented student achievements such as grade point averages, work history, military experience, participation in juried competitions, career interests, degree major declaration, or any combination of such achievements that the institution may consider, in addition to common placement test scores, for advising students regarding enrollment options.

- 2. Developmental education strategies available to students.
 - 3. A description of student costs and financial aid

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opportunities associated with each option.

- 4. Provisions for the collection of student success data.
- 5. A comprehensive plan for advising students into appropriate developmental education strategies based on student success data.
- (b) Beginning October 31, 2015, Each Florida College System institution shall use placement test results or alternative methods as established by the State Board of Education to determine the extent to which each student demonstrates sufficient computation and communication skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major annually prepare an accountability report that includes student success data relating to each developmental education strategy implemented by the institution. The report shall be submitted to the Division of Florida Colleges by October 31 in a format determined by the Chancellor of the Florida College System. By December 31, the chancellor shall compile and submit the institutional reports to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education.
- (c) A university board of trustees may contract with a Florida College System institution board of trustees for the Florida College System institution to provide developmental education on the state university campus. Any state university in which the percentage of incoming students requiring developmental education equals or exceeds the average percentage

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of such students for the Florida College System may offer developmental education without contracting with a Florida College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide developmental education instruction as defined in s. 1008.02(1).

(5) (6) A student may not be enrolled in a college credit mathematics or English course on a dual enrollment basis unless the student has demonstrated adequate precollegiate preparation in on the section of the basic computation and communication skills assessment required pursuant to subsection (1) that is appropriate for successful student participation in the course.

Section 20. Paragraph (a) of subsection (1) and paragraph (b) of subsection (4) of section 1008.44, Florida Statutes, are amended, and paragraph (f) is added to subsection (1) of that section, to read:

1008.44 CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List .-

- (1) Pursuant to ss. 1003.4203 and 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, and the Commissioner of Education may at any time recommend adding the following certificates, certifications, and courses:
- (a) CAPE industry certifications identified on the CAPE Industry Certification Funding List that must be applied in the distribution of funding to school districts pursuant to s. 1011.62(1)(o). The CAPE Industry Certification Funding List shall incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE

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Vocational Scholars award. In addition, by August 1 of each year, the not-for-profit corporation established pursuant to s. 445.004 may annually select one industry certification, that does not articulate for college credit, for inclusion on the CAPE Industry Certification Funding List for a period of 3 years unless otherwise approved by the curriculum review committee pursuant to s. 1003.491. Such industry certifications, if earned by a student, shall be eligible for additional full-time equivalent membership, pursuant to s. 1011.62(1)(0)1.

(f) The Commissioner of Education shall identify industry certifications as those leading to occupations in critical industry sectors which, if earned by a student, are eligible for additional full-time equivalent student membership pursuant to s. 1011.62(1)(0)1.e. The commissioner shall identify such industry certifications on the CAPE Industry Certification Funding List.

(4)

(b) For the purpose of calculating additional full-time equivalent membership pursuant to s. 1011.62(1)(o)1.e., the Commissioner of Education 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.

Section 21. Paragraphs (b) and (f) of subsection (1) of section 1009.25, Florida Statutes, are amended to read:

1009.25 Fee exemptions.

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System

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institution, or state university:

- (b) A student enrolled in an approved apprenticeship program, as defined in s. 446.021. A technical center operated by a school district, a Florida College System institution, or a state university may enter into an agreement with another entity to cover the approved apprenticeship program student tuition and fees, including lab fees.
- (f) A student who lacks a fixed, regular, and adequate nighttime residence or whose primary nighttime residence is a public or private shelter designed to provide temporary residence, a public or private transitional living program, or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This includes a student who would otherwise meet the requirements of this paragraph, as determined by a college or university, but for his or her residence in college or university dormitory housing. The State Board of Education may adopt rules and the Board of Governors may adopt regulations regarding documentation and procedures to implement this paragraph.

Section 22. Paragraph (o) of subsection (1) of section 1011.62, Florida Statutes, is amended to read:

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

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in

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determining the annual allocation to each district for operation:

- (o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.-
- 1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.
- b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. For a CAPE industry certification that has a statewide articulation agreement for 4 to 14 college credits and for a CAPE industry certification that has a statewide articulation agreement for 1 to 3 college credits and that is deemed by the department to be of sufficient rigor and to be linked to a high-skill occupation, a value of 0.2 fulltime equivalent membership shall be calculated. For all other CAPE industry certifications with \underline{a} statewide articulation

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agreement for 1 to 3 college credits, a value of 0.1 full-time equivalent membership shall be calculated A value of 0.2 fulltime equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall calculate assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to subsubparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. 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. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80. However, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification on the postsecondary certification funding list, or the dual enrollment certification is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications. In such cases, the

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school district may provide for an agreement between the high school and the technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

- c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.
- d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.
- e. In addition to the full-time equivalent student membership calculated under paragraphs (a)-(d), a supplemental value of 0.2 full-time equivalent student membership shall be calculated for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in occupations in critical industry sectors.
- 2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. The remaining 20 percent may be used for other CAPE program expenses, such as administrative costs and new industry certification programs; however, administrative costs may not

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exceed 5 percent of the total funds provided for CAPE industry certification. Funds provided for CAPE industry certification may not be used for any other purpose and, specifically, 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 funded for other courses with non-CAPE funds.

- 3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:
- a. A bonus of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.
- b. A bonus of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2.
- c. A bonus of \$75 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3.
- d. A bonus of \$100 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0.

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Bonuses awarded pursuant to this paragraph must shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher pursuant to this paragraph is in addition to any regular wage or other bonus the teacher received or is scheduled to receive. A bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher under this paragraph.

Section 23. Paragraph (b) of subsection (7) and paragraph (a) of subsection (8) of section 1011.80, Florida Statutes, are amended to read:

1011.80 Funds for operation of workforce education programs.-

(7)

- (b) Performance funding for industry certifications for school district workforce education programs is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:
- 1. Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate

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grants provided to Florida educational institutions.

- 2. The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the CAPE Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.
- 3.a. Except as provided in sub-subparagraph b., each school district shall be provided \$1,000 for each industry certification earned by a workforce education student. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.
- b. For each industry certification earned by a workforce education student which is identified as leading to employment in occupations in critical industry sectors, each school district shall be provided a total of \$3,000. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.
- (8) (a) A school district or Florida College System institution that receives workforce education funds must use the money to benefit the workforce education programs it provides. The money may be used for equipment upgrades, program expansions, or any other use that would result in workforce education program improvement. The district school board or Florida College System institution board of trustees may not withhold any portion of the performance funding for indirect costs. A district school board or Florida College System institution board of trustees that receives workforce performance funding must use at least 70 percent of the funds

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received to directly support the program that generated the funds.

Section 24. Present subsection (4) of section 1011.802, Florida Statutes, is redesignated as subsection (5), a new subsection (4) is added to that section, and subsection (3) of that section is amended, to read:

1011.802 Florida Pathways to Career Opportunities Grant Program.-

- (3) The department shall give priority to apprenticeship programs with demonstrated regional demand. Grant funds may be used for instructional equipment, supplies, instructional 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. Grant recipients must submit quarterly reports in a format prescribed by the department.
- (4) Up to \$200,000 of the total amount allocated may be used by the department to administer the grant program.

Section 25. Paragraph (c) of subsection (2) of section 1011.81, Florida Statutes, is amended to read:

- 1011.81 Florida College System Program Fund.-
- (2) Performance funding for industry certifications for Florida College System institutions is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:
- (c) 1. Except as provided in subparagraph 2., each Florida College System institution shall be provided \$1,000 for each industry certification earned by a student. If funds are insufficient to fully fund the calculated total award, such



funds shall be prorated.

2. For each industry certification earned by a workforce education student which is identified as leading to employment in occupations in critical industry sectors, each Florida College System institution shall be provided a total of \$3,000. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.

Section 26. This act shall take effect July 1, 2021.

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> ======== T I T L E A M E N D M E N T ============ And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to educational opportunities leading to employment; amending s. 446.011, F.S.; revising legislative intent related to apprenticeship training; amending s. 446.021, F.S.; defining and redefining terms; amending s. 446.032, F.S.; revising the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs; amending s. 446.041, F.S.; requiring the department to regularly review and evaluate its uniform minimum standards for apprenticeship and preapprenticeship programs; conforming provisions to changes made by the act; requiring the department to ensure that equal opportunity for apprentices, preapprentices, and applicants for apprenticeship and preapprenticeship is provided for the apprenticeship and preapprenticeship

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programs; amending s. 446.045, F.S.; conforming provisions to changes made by the act; revising the membership of the State Apprenticeship Advisory Council; revising meeting requirements; amending 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 postsecondary educational institutions to cooperate in providing certain equipment, supplies, and instructor salaries; amending s. 446.052, F.S.; encouraging specified entities to cooperate in developing and establishing apprenticeship and preapprenticeship programs that include career instruction; encouraging specified entities to work together toward specified goals relating to apprenticeship programs; amending s. 446.071, F.S.; providing that certain entities may be approved as apprenticeship sponsors if they meet certain uniform minimum standards; removing the definition of the term "need"; conforming provisions to changes made by the act; amending s. 446.081, F.S.; revising construction; repealing s. 446.091, F.S., relating to the adaptation and applicability of certain provisions to on-the-job training programs; amending s. 446.092, F.S.; revising criteria for apprenticeship occupations; creating s. 446.54, F.S.; providing legislative intent; defining the term "workbased learning"; providing that certain individuals

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enrolled in work-based learning are deemed to be employees of the state for purposes of receiving certain medically necessary care under workers' compensation coverage; amending s. 1003.01, F.S.; defining the term "work-based learning"; amending s. 1003.491, F.S.; authorizing the department to adopt rules; amending s. 1004.02, F.S.; defining the term "cooperative method of instruction"; amending s. 1007.23, F.S.; requiring that the statewide articulation agreement specify three mathematics pathways that meet a certain requirement upon which degree-seeking students must be placed; amending s. 1007.263, F.S.; requiring admissions counseling to use certain tests or alternative methods to measure achievement of college-level communication and computation by students entering college programs; requiring that such counseling measure achievement of certain basic skills; revising requirements for admission to associate degree programs; amending s. 1007.271, F.S.; revising eligibility requirements for initial enrollment in college-level dual enrollment courses; revising requirements for home education students seeking dual enrollment in certain postsecondary institutions; amending s. 1008.30, F.S.; requiring the State Board of Education to adopt, by a specified date, rules establishing alternative methods for assessing computation and communication skills of certain students; authorizing Florida College System institutions to use such alternative methods in lieu

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of the common placement test to assess a student's readiness to perform college-level work in computation and communication; deleting obsolete provisions; requiring Florida College System institutions to use placement test results or alternative methods to determine the extent to which certain students demonstrate sufficient computation and communication skills to indicate readiness for their meta-major; requiring Florida College System institutions to counsel and place certain students in specified college courses; limiting students' developmental education to content needed for success in their metamajor; conforming provisions to changes made by the act; making technical changes; amending s. 1008.44, F.S.; requiring the Commissioner of Education to identify certain certifications as those leading to occupations in specified industry sectors; requiring the commissioner to identify such certifications on the CAPE Industry Certification Funding List; authorizing the commissioner to limit certain certifications for the purpose of specified calculations; amending s. 1009.25, F.S.; authorizing technical centers operated by school districts, Florida College System institutions, or state universities to enter into specified agreements with other entities; authorizing the State Board of Education to adopt specified rules and the Board of Governors to adopt specified regulations; amending s. 1011.62, F.S.; revising the calculation of certain

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additional full-time equivalent membership relating to funding for the operation of schools; deleting a provision relating to full-time equivalent membership calculation for elementary and middle grades students; requiring that a specified supplemental value for full-time equivalent student membership be calculated for certain industry certifications leading to employment in critical industry sectors; authorizing the use of a specified percentage of certain funds for CAPE program expenses; limiting the amount of funds that may be used for administrative costs; prohibiting the use of CAPE funding to supplant funds provided for basic operation of the CAPE program; amending s. 1011.80, F.S.; providing for an appropriation to a school district or Florida College System institution from the General Appropriations Act for certain industry certifications; requiring a district school board or Florida College System institution board of trustees that receives certain funding to use the funding in a specified manner; amending s. 1011.802, F.S.; specifying that Florida Pathways to Career Opportunities Grant Program funds may be used for instructional personnel; specifying the maximum amount of funds that may be used by the department to administer the Florida Pathways to Career Opportunities Grant Program; amending s. 1011.81, F.S.; providing for an appropriation to each Florida College System institution from the General Appropriations Act for certain industry



1085 certifications; providing an effective date.