

By Senator Albritton

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1                                   A bill to be entitled  
2       An act relating to workforce related programs and  
3       services; amending s. 216.136, F.S.; renaming the  
4       Workforce Estimating Conference as the Labor Market  
5       Estimating Conference; removing requirements for the  
6       Workforce Estimating Conference; providing  
7       requirements for the Labor Market Estimating  
8       Conference; amending s. 445.002, F.S.; redefining the  
9       term "for cause"; amending s. 445.004, F.S.; expanding  
10      the membership of the state workforce development  
11      board; specifying entities that can authorize certain  
12      expenditures; providing and revising requirements for  
13      the state board in order to achieve certain purposes;  
14      requiring the state board, in consultation with the  
15      department, to submit a report to the Governor and  
16      Legislature; providing and revising reporting  
17      requirements; requiring the state board to assign  
18      letter grades to local workforce development boards;  
19      requiring local performance accountability measures to  
20      be based on identified local area needs; amending s.  
21      445.007, F.S.; removing authority for a local board to  
22      review a decision by the department to deny a  
23      contract; requiring a local board to disclose certain  
24      compensation information to the department; providing  
25      term limits for local board members; providing an  
26      exception; requiring actions of the local board to be  
27      consistent with federal and state law; providing  
28      requirements for certain contracts between a local  
29      board and certain entities; providing an exception;

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30 requiring the department to review certain  
31 documentation when considering whether to approve a  
32 contract; removing authority for a local board to  
33 review a decision by the department to deny a  
34 contract; requiring a local board to disclose certain  
35 compensation information to the department; requiring  
36 local boards to publish specified information;  
37 requiring the department to review certain information  
38 provided by a local board in reviewing contracts;  
39 amending s. 445.009, F.S.; requiring a certain final  
40 payment amount to Individual Training Accounts;  
41 conforming provisions to changes made by the act;  
42 amending s. 445.038, F.S.; conforming provisions to  
43 changes made by the act; amending s. 446.021, F.S.;  
44 revising the definition of the term "uniform minimum  
45 preapprenticeship standards"; expanding the definition  
46 to include apprenticeship programs; amending s.  
47 446.032, F.S.; requiring certain standards and  
48 policies established by the Department of Education to  
49 include a specified requirement for training  
50 providers; requiring, rather than authorizing, the  
51 department to adopt rules; providing requirements for  
52 a certain annual report; requiring the department to  
53 provide data from certain resources to specified  
54 persons and entities; amending s. 446.045, F.S.;  
55 specifying that the Governor shall fill vacancies on  
56 the State Apprenticeship Advisory Council for the  
57 remainder of a term; amending s. 1003.4156, F.S.;  
58 requiring a career and education planning course to

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59 include certain resources; amending s. 1003.4203,  
60 F.S.; specifying the sections under which the  
61 Department of Education must identify certain CAPE  
62 Digital Tool certificates; removing the deadline for  
63 such identification; removing specified skills that  
64 must be mastered; authorizing courses identified in  
65 the CAPE Industry Certification Funding List to  
66 articulate for college credit; removing the course  
67 limit; amending s. 1003.491, F.S.; requiring certain  
68 strategic plans to use labor projections identified by  
69 the Labor Market Estimating Conference; amending s.  
70 1003.4935, F.S.; requiring that middle grades career  
71 and professional academies and career-themed courses  
72 lead to careers in occupations aligned with the CAPE  
73 Industry Certification Funding List; amending s.  
74 1008.41, F.S.; adding the Labor Market Estimating  
75 Conference as a source of workforce data; amending s.  
76 1008.44, F.S.; requiring the Commissioner of Education  
77 to conduct a review of the methodology used to  
78 determine certain full-time equivalent membership  
79 weights and, if necessary, recommend revised weights;  
80 requiring that the recommendations be provided to the  
81 Governor and the Legislature by a specified date;  
82 amending s. 1011.801, F.S.; conforming a provision to  
83 changes made by the act; amending s. 1011.802, F.S.;  
84 requiring the department to prioritize programs  
85 identified by the Labor Market Estimating Conference;  
86 providing requirements for awards under the Florida  
87 Pathways to Career Opportunities Grant Program;

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88 amending s. 445.011, F.S.; conforming a cross-  
89 reference; amending s. 1011.80, F.S.; conforming a  
90 provision to changes made by the act; providing an  
91 effective date.

92

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

94

95 Section 1. Subsection (7) of section 216.136, Florida  
96 Statutes, is amended to read:

97 216.136 Consensus estimating conferences; duties and  
98 principals.—

99 (7) LABOR MARKET ~~WORKFORCE~~ ESTIMATING CONFERENCE.—

100 (a) The Labor Market ~~Workforce~~ Estimating Conference shall  
101 develop such official information with respect to real-time  
102 supply and demand in Florida's statewide, regional, and local  
103 labor markets ~~on the workforce development system planning~~  
104 ~~process as it relates to the personnel needs of current, new,~~  
105 ~~and emerging industries~~ as the conference determines is needed  
106 by the state planning and budgeting system. Such information  
107 must include labor supply by education level, analyses of labor  
108 demand by occupational groups and occupations compared to labor  
109 supply, a ranking of critical areas of concern, and  
110 identification of in-demand, high-skill, high-wage occupations.  
111 The Office of Economic and Demographic Research is designated as  
112 the official lead for the United States Census Bureau's State  
113 Data Center Program or its successor. All state agencies must  
114 provide the Office of Economic and Demographic Research with the  
115 necessary data to accomplish the goals of the conference. In  
116 accordance with s. 216.135, state agencies shall ensure that any

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117 work product regarding labor demand and supply is consistent  
118 with the official information developed by the Labor Market  
119 Estimating Conference,~~using quantitative and qualitative~~  
120 ~~research methods, must include at least: short-term and long-~~  
121 ~~term forecasts of employment demand for jobs by occupation and~~  
122 ~~industry; entry and average wage forecasts among those~~  
123 ~~occupations; and estimates of the supply of trained and~~  
124 ~~qualified individuals available or potentially available for~~  
125 ~~employment in those occupations, with special focus upon those~~  
126 ~~occupations and industries which require high skills and have~~  
127 ~~high entry wages and experienced wage levels. In the development~~  
128 ~~of workforce estimates, the conference shall use, to the fullest~~  
129 ~~extent possible, local occupational and workforce forecasts and~~  
130 ~~estimates.~~

131 (b) ~~The Workforce Estimating Conference shall review data~~  
132 ~~concerning local and regional demands for short-term and long-~~  
133 ~~term employment in High Skills/High Wage Program jobs, as well~~  
134 ~~as other jobs, which data is generated through surveys conducted~~  
135 ~~as part of the state's Internet-based job matching and labor~~  
136 ~~market information system authorized under s. 445.011. The~~  
137 ~~conference shall consider this data in developing its forecasts~~  
138 ~~for statewide employment demand, including reviewing local and~~  
139 ~~regional data for common trends and conditions among localities~~  
140 ~~or regions which may warrant inclusion of a particular~~  
141 ~~occupation on the statewide occupational forecasting list~~  
142 ~~developed by the conference. Based upon its review of such~~  
143 ~~survey data, the conference shall also make recommendations~~  
144 ~~semiannually to CareerSource Florida, Inc., on additions or~~  
145 ~~deletions to lists of locally targeted occupations approved by~~

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146 ~~CareerSource Florida, Inc.~~

147 ~~(e) The Labor Market Workforce Estimating Conference, for~~  
148 ~~the purposes described in paragraph (a), shall meet at least~~  
149 ~~twice a year for the purposes described in paragraph (a) no less~~  
150 ~~than 2 times in a calendar year. The first meeting shall be held~~  
151 ~~in February, and the second meeting shall be held in August.~~  
152 ~~Other meetings may be scheduled as needed.~~

153 Section 2. Subsection (2) of section 445.002, Florida  
154 Statutes, is amended to read:

155 445.002 Definitions.—As used in this chapter, the term:

156 (2) "For cause" includes, but is not limited to, engaging  
157 in fraud or other criminal acts, incapacity, unfitness, neglect  
158 of duty, official incompetence and irresponsibility,  
159 misfeasance, malfeasance, nonfeasance, gross mismanagement, or  
160 lack of performance.

161 Section 3. Present subsections (8) through (13) of section  
162 445.004, Florida Statutes, are redesignated as subsections (9)  
163 through (14), respectively, a new subsection (8) is added to  
164 that section, and paragraph (d) of subsection (3), subsections  
165 (6) and (7), paragraph (b) of present subsection (9), and  
166 present subsection (11) of that section are amended, to read:

167 445.004 CareerSource Florida, Inc., and the state board;  
168 creation; purpose; membership; duties and powers.—

169 (3)

170 (d) The state board must include the vice chairperson of  
171 the board of directors of Enterprise Florida, Inc., and one  
172 member representing each of the Workforce Innovation and  
173 Opportunity Act partners, including the Division of Career and  
174 Adult Education, the Division of Vocational Rehabilitation, the

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175 Department of Children and Families, and other entities  
176 representing programs identified in the Workforce Innovation and  
177 Opportunity Act, as determined necessary.

178 (6) The state board shall ~~may take action that it deems~~  
179 ~~necessary to~~ achieve the purposes of this section by, ~~including,~~  
180 ~~but not limited to:~~

181 (a) Creating a state employment, education, and training  
182 policy that ensures that workforce-related programs ~~to prepare~~  
183 ~~workers~~ are responsive to present and future business and  
184 industry needs and complement the initiatives of Enterprise  
185 Florida, Inc.

186 (b) Establishing policy direction for a uniform funding  
187 system that prioritizes evidence-based, results-driven solutions  
188 by providing ~~provides~~ incentives to improve the outcomes of  
189 career education, registered apprenticeship, and work-based  
190 learning programs and that focuses resources on occupations  
191 related to new or emerging industries that add greatly to the  
192 value of the state's economy.

193 (c) Establishing a comprehensive policy related to the  
194 education and training of target populations such as those who  
195 have disabilities, are economically disadvantaged, receive  
196 public assistance, are not proficient in English, or are  
197 dislocated workers. This approach should ensure the effective  
198 use of federal, state, local, and private resources in reducing  
199 the need for public assistance by combining two or more sources  
200 of funding to support workforce-related programs or activities  
201 for vulnerable populations when appropriate or authorized.

202 (d) Identifying barriers to coordination and alignment  
203 among workforce-related programs and activities and developing

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204 ~~solutions to remove such barriers Designating Institutes of~~  
205 ~~Applied Technology composed of public and private postsecondary~~  
206 ~~institutions working together with business and industry to~~  
207 ~~ensure that career education programs use the most advanced~~  
208 ~~technology and instructional methods available and respond to~~  
209 ~~the changing needs of business and industry.~~

210 (e) Providing policy direction for a system to project and  
211 evaluate labor market supply and demand using the results of the  
212 Labor Market Workforce Estimating Conference created in s.  
213 216.136 and the career education performance standards  
214 identified under s. 1008.43.

215 (f) Reviewing the performance of public programs that are  
216 responsible for economic development, education, employment, and  
217 training. The review must include an analysis of the return on  
218 investment of these programs.

219 (g) Expanding the occupations identified by the Labor  
220 Market Workforce Estimating Conference to meet needs created by  
221 local emergencies or plant closings or to capture occupations  
222 within emerging industries.

223 (7) By December 1 of each year, the state board, in  
224 consultation with the department, shall submit to the Governor,  
225 the President of the Senate, the Speaker of the House of  
226 Representatives, the Senate Minority Leader, and the House  
227 Minority Leader a complete and detailed annual report setting  
228 forth:

229 (a) All audits and investigations, including any audit or  
230 investigation conducted under subsection (9) ~~(8)~~.

231 (b) The operations and accomplishments of the state board,  
232 including the programs or entities specified in subsection (6).



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233 (c) The number of mandatory partners located within one-  
234 stop centers.

235 (d) The amount of progress made toward implementing  
236 solutions to address barriers to coordination and alignment  
237 among programs and activities identified under paragraph (6) (d).

238 (8) Beginning July 1, 2022, the state board shall annually  
239 assign a letter grade for each local workforce development  
240 board.

241 (10)~~(9)~~ The state board, in collaboration with the local  
242 workforce development boards and appropriate state agencies and  
243 local public and private service providers, shall establish  
244 uniform performance accountability measures that apply across  
245 the core programs to gauge the performance of the state and  
246 local workforce development boards in achieving the workforce  
247 development strategy.

248 (b) The performance accountability measures for each local  
249 area consist of the primary indicators of performance, any  
250 additional indicators of performance, and a local level of  
251 performance for each indicator pursuant to Pub. L. No. 113-128.  
252 The local level of performance is determined by the local board,  
253 the chief elected official, and the Governor pursuant to Pub. L.  
254 No. 113-128, Title I, s. 116(c). Any local performance  
255 accountability measures that are established must be based on  
256 identified local area needs.

257 (12)~~(11)~~ The workforce development system must use local  
258 design and control of service delivery and targeted activities.  
259 The state board, in consultation with the department, is  
260 responsible for ensuring that local workforce development boards  
261 have a membership consistent with the requirements of federal

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262 and state law and have developed a plan consistent with the  
263 state's workforce development strategy. The plan must specify  
264 methods for allocating the resources and programs in a manner  
265 that eliminates unwarranted duplication, minimizes  
266 administrative costs, meets the existing job market demands and  
267 the job market demands resulting from successful economic  
268 development activities, ensures access to quality workforce  
269 development services for all Floridians, allows for pro rata or  
270 partial distribution of benefits and services, prohibits the  
271 creation of a waiting list or other indication of an unserved  
272 population, serves as many individuals as possible within  
273 available resources, and maximizes successful outcomes. The  
274 state board shall establish incentives for effective alignment  
275 ~~coordination~~ of federal and state programs, outline rewards for  
276 achieving the long-term self-sufficiency of participants  
277 ~~successful job placements~~, and institute collaborative  
278 approaches among local service providers.

279 Section 4. Subsection (1), paragraph (a) of subsection (2),  
280 and subsections (6), (11), and (12) of section 445.007, Florida  
281 Statutes, are amended, and subsections (13) and (14) are added  
282 to that section, to read:

283 445.007 Local workforce development boards.—

284 (1) One local workforce development board shall be  
285 appointed in each designated service delivery area and shall  
286 serve as the local workforce development board pursuant to Pub.  
287 L. No. 113-128. The membership of the local board must be  
288 consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a  
289 public education or training provider is represented on the  
290 local board, a representative of a private education provider

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291 must also be appointed to the local board. The state board may  
292 waive this requirement if requested by a local workforce  
293 development board if it is demonstrated that such  
294 representatives do not exist in the region. The importance of  
295 minority and gender representation shall be considered when  
296 making appointments to the local board. The local board, its  
297 committees, subcommittees, and subdivisions, and other units of  
298 the workforce system, including units that may consist in whole  
299 or in part of local governmental units, may use any method of  
300 telecommunications to conduct meetings, including establishing a  
301 quorum through telecommunications, provided that the public is  
302 given proper notice of the telecommunications meeting and  
303 reasonable access to observe and, when appropriate, participate.  
304 Local workforce development boards are subject to chapters 119  
305 and 286 and s. 24, Art. I of the State Constitution. ~~If the~~  
306 ~~local workforce development board enters into a contract with an~~  
307 ~~organization or individual represented on the local board, the~~  
308 ~~contract must be approved by a two thirds vote of the local~~  
309 ~~board, a quorum having been established, and the local board~~  
310 ~~member who could benefit financially from the transaction must~~  
311 ~~abstain from voting on the contract. A local board member must~~  
312 ~~disclose any such conflict in a manner that is consistent with~~  
313 ~~the procedures outlined in s. 112.3143.~~ Each member of a local  
314 workforce development board who is not otherwise required to  
315 file a full and public disclosure of financial interests under  
316 s. 8, Art. II of the State Constitution or s. 112.3144 shall  
317 file a statement of financial interests under s. 112.3145. The  
318 executive director or designated person responsible for the  
319 operational and administrative functions of the local workforce

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320 development board who is not otherwise required to file a full  
321 and public disclosure of financial interests under s. 8, Art. II  
322 of the State Constitution or s. 112.3144 shall file a statement  
323 of financial interests under s. 112.3145. The local workforce  
324 development board's website, or the department's website if the  
325 local board does not maintain a website, must inform the public  
326 that each disclosure or statement has been filed with the  
327 Commission on Ethics and provide information as to how each  
328 disclosure or statement may be reviewed. The notice to the  
329 public must remain on the website throughout the term of office  
330 or employment of the filer and until 1 year after his or her  
331 term on the local board or employment, as applicable, ends.

332 (2) (a) The local workforce development board shall elect a  
333 chair from among the representatives described in Pub. L. No.  
334 113-128, Title I, s. 107(b) (2) (A) to serve for a term of no more  
335 than 2 years and may not ~~shall~~ ~~serve~~ ~~no~~ more than two terms as  
336 chair. A member of a local workforce development board may not  
337 serve as a member of the board for more than 6 consecutive  
338 years, unless such member is a representative of a governmental  
339 entity.

340 (6) Consistent with federal and state law, the local  
341 workforce development board shall designate all local service  
342 providers and may not transfer this authority to a third party.  
343 Consistent with the intent of the Workforce Innovation and  
344 Opportunity Act, local workforce development boards should  
345 provide the greatest possible choice of training providers to  
346 those who qualify for training services. A local ~~workforce~~  
347 ~~development~~ board may not restrict the choice of training  
348 providers based upon cost, location, or historical training

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349 arrangements. However, a local board may restrict the amount of  
350 training resources available to any one client. Such  
351 restrictions may vary based upon the cost of training in the  
352 client's chosen occupational area. The local workforce  
353 development board may be designated as a one-stop operator and  
354 direct provider of intake, assessment, eligibility  
355 determinations, or other direct provider services except  
356 training services. Such designation may occur only with the  
357 agreement of the chief elected official and the Governor as  
358 specified in 29 U.S.C. s. 2832(f)(2). The state board shall  
359 establish procedures by which a local workforce development  
360 board may request permission to operate under this section and  
361 the criteria under which such permission may be granted. The  
362 criteria shall include, but need not be limited to, a reduction  
363 in the cost of providing the permitted services. Such permission  
364 shall be granted for a period not to exceed 3 years for any  
365 single request submitted by the local workforce development  
366 board.

367 (11) (a) To increase transparency and accountability, a  
368 local workforce development board must comply with the  
369 requirements of this section before contracting with a member of  
370 the local board; ~~or~~ a relative, as defined in s. 112.3143(1)(c),  
371 of a local board member; an organization or individual  
372 represented on the local board; or of an employee of the local  
373 board. Such contracts may not be executed before or without the  
374 prior approval of the department. Such contracts, as well as  
375 documentation demonstrating adherence to this section as  
376 specified by the department, must be submitted to the department  
377 for review and approval. Such a contract must be approved by a

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378 two-thirds vote of the local board, a quorum having been  
379 established; all conflicts of interest must be disclosed before  
380 the vote in a manner that is consistent with the procedures  
381 outlined in s. 112.3143(4); and any member who may benefit from  
382 the contract, or whose organization or relative may benefit from  
383 the contract, must abstain from the vote. A contract subject to  
384 the requirements of this subsection may not be included on a  
385 consent agenda.

386 (b) A contract under \$10,000 ~~\$25,000~~ between a local  
387 workforce development board and ~~a member of that board or~~  
388 ~~between~~ a relative, as defined in s. 112.3143(1)(c), of a local  
389 board member or of an employee of the local board is not  
390 required to have the prior approval of the department, but must  
391 be approved by a two-thirds vote of the local board, a quorum  
392 having been established, and must be reported to the department  
393 and the state board within 30 days after approval.

394 (c) All contracts between a local board and a member of the  
395 local board; a relative, as defined in s. 112.3143(1)(c), of a  
396 local board member; an organization or individual represented on  
397 the local board; or an employee of the local board, approved on  
398 or after July 1, 2021, also must be published on the local  
399 board's website, or on the department's website if the local  
400 board does not maintain a website, within 10 days after approval  
401 by the local board or department, whichever is later. Such  
402 contracts must remain published on the website for at least 1  
403 year after termination of the contract.

404 (d) In considering whether to approve a contract under this  
405 subsection, the department shall review and consider all  
406 documentation provided to the department by the local board,

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407 including the performance rating of the entity with which the  
408 local board is proposing to contract, if applicable, and the  
409 nature, size, and makeup of the business community served by the  
410 local board, including whether the entity with which the local  
411 board is proposing to contract is the only provider of the  
412 desired goods or services within the area served by the local  
413 board ~~If a contract cannot be approved by the department, a~~  
414 ~~review of the decision to disapprove the contract may be~~  
415 ~~requested by the local workforce development board or other~~  
416 ~~parties to the disapproved contract.~~

417 (12) Each local workforce development board shall develop a  
418 budget for the purpose of carrying out the duties of the local  
419 board under this section, subject to the approval of the chief  
420 elected official. Each local workforce development board shall  
421 submit its annual budget for review to the department no later  
422 than 2 weeks after the chair approves the budget. The local  
423 board shall publish the budget on its website, or the  
424 department's website if the local board does not maintain a  
425 website, within 10 days after approval by the department. The  
426 budget shall remain published on the website for the duration of  
427 the fiscal year for which it accounts for the expenditure of  
428 funds.

429 (13) Each local workforce development board annually,  
430 within 30 days after the end of the fiscal year, shall disclose  
431 to the department, in a manner determined by the department, the  
432 amount and nature of compensation paid to all executives,  
433 officers, directors, trustees, key employees, and highest  
434 compensated employees, as defined for purposes of the Internal  
435 Revenue Service Form 990, Return of Organization Exempt from

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436 Income Tax, including salary, bonuses, present value of vested  
437 benefits, including, but not limited to, retirement, accrued  
438 leave and paid time off, cashed-in leave, cash equivalents,  
439 severance pay, pension plan accruals and contributions, deferred  
440 compensation, real property gifts, and any other liability owed  
441 to such persons. The disclosure must be accompanied by a written  
442 declaration, as provided for under s. 92.525(2), from the Chief  
443 Financial Officer, or his or her designee, stating that he or  
444 she has read the foregoing document and the facts stated in it  
445 are true. Such information also must be published on the local  
446 board's website, or the department's website if the local board  
447 does not maintain a website, for a period of 3 years after it is  
448 first published.

449 (14) Each local workforce development board shall annually  
450 publish its most recent Internal Revenue Service Form 990,  
451 Return of Organization Exempt from Income Tax, on its website,  
452 or the department's website if the local board does not maintain  
453 a website. The form must be posted on the local board's website  
454 within 60 calendar days after it is filed with the Internal  
455 Revenue Service and remain posted for 3 years after it is filed.

456 Section 5. Paragraphs (a) and (e) of subsection (8) of  
457 section 445.009, Florida Statutes, are amended to read:

458 445.009 One-stop delivery system.—

459 (8) (a) Individual Training Accounts must be expended on  
460 programs that prepare people to enter ~~high-wage~~ occupations  
461 identified by the Labor Market Workforce Estimating Conference  
462 created by s. 216.136, and on other programs recommended and  
463 approved by the state board following a review by the department  
464 to determine the program's compliance with federal law.



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465 (e) Training services provided through Individual Training  
 466 Accounts must be performance-based, with successful job  
 467 placement triggering final full payment of at least 10 percent.

468 Section 6. Section 445.038, Florida Statutes, is amended to  
 469 read:

470 445.038 Digital media; job training.—CareerSource Florida,  
 471 Inc., through the Department of Economic Opportunity, may use  
 472 funds dedicated for incumbent worker training for the digital  
 473 media industry. Training may be provided by public or private  
 474 training providers for broadband digital media jobs listed on  
 475 the ~~targeted~~ occupations list developed by the Labor Market  
 476 ~~Workforce~~ Estimating Conference ~~or CareerSource Florida, Inc.~~  
 477 Programs that operate outside the normal semester time periods  
 478 and coordinate the use of industry and public resources should  
 479 be given priority status for funding.

480 Section 7. Subsection (8) of section 446.021, Florida  
 481 Statutes, is amended to read:

482 446.021 Definitions of terms used in ss. 446.011-446.092.—  
 483 As used in ss. 446.011-446.092, the term:

484 (8) "~~Uniform minimum preapprenticeship~~ Standards" means the  
 485 minimum requirements established uniformly for each occupation  
 486 ~~craft~~ under which an apprenticeship or a preapprenticeship  
 487 program is administered. ~~The term and~~ includes standards of  
 488 admission, training goals, training objectives, curriculum  
 489 outlines, objective standards to measure successful completion  
 490 of the apprenticeship or preapprenticeship program, and the  
 491 percentage of credit which may be given to an apprentice or a  
 492 preapprentice ~~preapprenticeship graduates upon acceptance into~~  
 493 ~~the apprenticeship program.~~

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494 Section 8. Subsections (1), (2), and (3) of section  
495 446.032, Florida Statutes, are amended to read:

496 446.032 General duties of the department for apprenticeship  
497 training.—The department shall:

498 (1) Establish uniform minimum standards and policies  
499 governing apprenticeship ~~apprentice~~ programs and agreements  
500 which must require training providers to submit data necessary  
501 to determine program performance consistent with state and  
502 federal law. The standards and policies shall govern the terms  
503 and conditions of the apprentice's employment and training,  
504 including the quality training of the apprentice for, but not  
505 limited to, such matters as ratios of apprentices to  
506 journeyworkers, safety, related instruction, and on-the-job  
507 training; but these standards and policies may not include  
508 rules, standards, or guidelines that require the use of  
509 apprentices and job trainees on state, county, or municipal  
510 contracts. The department shall ~~may~~ adopt rules necessary to  
511 administer the standards and policies.

512 (2) By September 1 of each year, publish an annual report  
513 on apprenticeship and preapprenticeship programs. The report  
514 must be published on the department's website and, at a minimum,  
515 include all of the following:

516 (a) A list of registered apprenticeship and  
517 preapprenticeship programs, sorted by local educational agency,  
518 as defined in s. 1004.02(18), and apprenticeship sponsor, under  
519 s. 446.071.

520 (b) A detailed summary of each local educational agency's  
521 expenditure of funds for apprenticeship and preapprenticeship  
522 programs, including:

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523 1. The total amount of funds received for apprenticeship  
524 and preapprenticeship programs;

525 2. The total amount of funds allocated by training  
526 provider, program, and to each trade or occupation;

527 3. The total amount of funds expended for administrative  
528 costs by training provider, program, and per trade or  
529 occupation; and

530 4. The total amount of funds expended for instructional  
531 costs by training provider, program, per trade and occupation.

532 (c) The number of apprentices and preapprentices per trade  
533 and occupation.

534 (d) The percentage of apprentices and preapprentices who  
535 complete their respective programs in the appropriate timeframe.

536 (e) Information and resources related to applications for  
537 new apprenticeship programs and technical assistance and  
538 requirements for potential applicants.

539 (f) Documentation of activities conducted by the department  
540 to promote apprenticeship and preapprenticeship programs through  
541 public engagement, community-based partnerships, and other  
542 initiatives and the outcomes of such activities and their impact  
543 on establishing or expanding apprenticeship and  
544 preapprenticeship programs.

545 (g) Retention and completion rates of participants  
546 aggregated by training provider, program, and occupation.

547 (h) Wage progression of participants as demonstrated by  
548 starting, exit, and postapprenticeship wages.

549 (3) Provide assistance to district school boards, Florida  
550 College System institution boards of trustees, program sponsors,  
551 and local workforce development boards in notifying students,

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552 parents, and members of the community of the availability of  
553 apprenticeship and preapprenticeship opportunities, including  
554 data provided in the economic security report under ~~pursuant to~~  
555 s. 445.07 and other state career planning resources.

556 Section 9. Paragraph (b) of subsection (2) of section  
557 446.045, Florida Statutes, is amended to read:

558 446.045 State Apprenticeship Advisory Council.—

559 (2)

560 (b) The Commissioner of Education or the commissioner's  
561 designee shall serve ex officio as chair of the State  
562 Apprenticeship Advisory Council, but may not vote. The state  
563 director of the Office of Apprenticeship of the United States  
564 Department of Labor shall serve ex officio as a nonvoting member  
565 of the council. The Governor shall appoint to the council four  
566 members representing employee organizations and four members  
567 representing employer organizations. Each of these eight members  
568 shall represent industries that have registered apprenticeship  
569 programs. The Governor shall also appoint two public members who  
570 are knowledgeable about registered apprenticeship and  
571 apprenticeable occupations and who are independent of any joint  
572 or nonjoint organization. Members shall be appointed for 4-year  
573 staggered terms. The Governor ~~A vacancy~~ shall fill any vacancy  
574 ~~be filled~~ for the remainder of the unexpired term.

575 Section 10. Paragraph (e) of subsection (1) of section  
576 1003.4156, Florida Statutes, is amended to read:

577 1003.4156 General requirements for middle grades  
578 promotion.—

579 (1) In order for a student to be promoted to high school  
580 from a school that includes middle grades 6, 7, and 8, the

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581 student must successfully complete the following courses:  
582 (e) One course in career and education planning to be  
583 completed in grades 6, 7, or 8, which may be taught by any  
584 member of the instructional staff. The course must be Internet-  
585 based, customizable to each student, and include research-based  
586 assessments to assist students in determining educational and  
587 career options and goals. In addition, the course must result in  
588 a completed personalized academic and career plan for the  
589 student that may be revised as the student progresses through  
590 middle school and high school; must emphasize the importance of  
591 entrepreneurship and employability skills; and must include  
592 information from the Department of Economic Opportunity's  
593 economic security report under s. 445.07 and other state career  
594 planning resources. The required personalized academic and  
595 career plan must inform students of high school graduation  
596 requirements, including a detailed explanation of the  
597 requirements for earning a high school diploma designation under  
598 s. 1003.4285; the requirements for each scholarship in the  
599 Florida Bright Futures Scholarship Program; state university and  
600 Florida College System institution admission requirements;  
601 available opportunities to earn college credit in high school,  
602 including Advanced Placement courses; the International  
603 Baccalaureate Program; the Advanced International Certificate of  
604 Education Program; dual enrollment, including career dual  
605 enrollment; and career education courses, including career-  
606 themed courses, preapprenticeship and apprenticeship programs,  
607 and course sequences that lead to industry certification  
608 pursuant to s. 1003.492 or s. 1008.44. The course may be  
609 implemented as a stand-alone course or integrated into another

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610 course or courses.

611 Section 11. Subsections (3) and (5) of section 1003.4203,  
612 Florida Statutes, are amended to read:

613 1003.4203 Digital materials, CAPE Digital Tool  
614 certificates, and technical assistance.—

615 (3) CAPE DIGITAL TOOL CERTIFICATES.—The department shall  
616 identify, in the CAPE Industry Certification Funding List under  
617 ss. 1003.492 and 1008.44 ~~by June 15 of each year~~, CAPE Digital  
618 Tool certificates that indicate a student's digital skills. The  
619 department shall notify each school district when the  
620 certificates are available. The certificates shall be made  
621 available to all public elementary and middle grades students.

622 (a) Targeted skills to be mastered for the certificate  
623 include digital skills that are necessary to the student's  
624 academic work and skills the student may need in future  
625 employment. ~~The skills must include, but are not limited to,~~  
626 ~~word processing; spreadsheets; presentations, including sound,~~  
627 ~~motion, and color presentations; digital arts; cybersecurity;~~  
628 ~~and coding consistent with CAPE industry certifications that are~~  
629 ~~listed on the CAPE Industry Certification Funding List, pursuant~~  
630 ~~to ss. 1003.492 and 1008.44.~~ CAPE Digital Tool certificates  
631 earned by students are eligible for additional full-time  
632 equivalent membership under ~~pursuant to~~ s. 1011.62(1)(o)1.a.

633 (b) The school district shall notify each middle school  
634 advisory council of the methods of delivery of the open-access  
635 content and assessments for the certificates. If there is no  
636 middle school advisory council, notification must be provided to  
637 the district advisory council.

638 (c) The Legislature intends that by July 1, 2018, on an

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639 annual basis, at least 75 percent of public middle grades  
640 students earn at least one CAPE Digital Tool certificate.

641 (5) CAPE INNOVATION AND CAPE ACCELERATION.—

642 (a) *CAPE Innovation.*—~~Up to five Courses, identified in the~~  
643 CAPE Industry Certification Funding List, which annually  
644 ~~approved by the commissioner that~~ combine academic and career  
645 content, and performance outcome expectations that, if achieved  
646 by a student, must ~~shall~~ articulate for college credit and be  
647 eligible for additional full-time equivalent membership under  
648 ~~pursuant to~~ s. 1011.62(1)(o)1.c. Such approved courses must  
649 incorporate at least two third-party assessments that, if  
650 successfully completed by a student, must ~~shall~~ articulate for  
651 college credit. At least one of the two third-party assessments  
652 must be associated with an industry certification that is  
653 identified on the CAPE Industry Certification Funding List. Each  
654 course that is approved by the commissioner must be specifically  
655 identified in the Course Code Directory as a CAPE Innovation  
656 Course.

657 (b) *CAPE Acceleration.*—Industry certifications, ~~annually~~  
658 ~~approved by the commissioner,~~ that articulate for 15 or more  
659 college credit hours ~~and~~, if successfully completed, are ~~shall~~  
660 ~~be~~ eligible for additional full-time equivalent membership under  
661 ~~pursuant to~~ s. 1011.62(1)(o)1.d. Each approved industry  
662 certification must be specifically identified in the CAPE  
663 Industry Certification Funding List as a CAPE Acceleration  
664 Industry Certification.

665 Section 12. Subsection (3) and paragraph (b) of subsection  
666 (5) of section 1003.491, Florida Statutes, are amended to read:  
667 1003.491 Florida Career and Professional Education Act.—The

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668 Florida Career and Professional Education Act is created to  
669 provide a statewide planning partnership between the business  
670 and education communities in order to attract, expand, and  
671 retain targeted, high-value industry and to sustain a strong,  
672 knowledge-based economy.

673 (3) The strategic 3-year plan developed jointly by the  
674 local school district, local workforce development boards,  
675 economic development agencies, and state-approved postsecondary  
676 institutions shall be constructed and based on:

677 (a) Research conducted to objectively determine local and  
678 regional workforce needs for the ensuing 3 years, using labor  
679 projections as identified by the Labor Market Estimating  
680 Conference created in s. 216.136 of the United States Department  
681 of Labor and the Department of Economic Opportunity;

682 (b) Strategies to develop and implement career academies or  
683 career-themed courses based on occupations identified by the  
684 Labor Market Estimating Conference created in s. 216.136 ~~those~~  
685 ~~careers determined to be high-wage, high-skill, and high-demand;~~

686 (c) Strategies to provide shared, maximum use of private  
687 sector facilities and personnel;

688 (d) Strategies that ensure instruction by industry-  
689 certified faculty and standards and strategies to maintain  
690 current industry credentials and for recruiting and retaining  
691 faculty to meet those standards;

692 (e) Strategies to provide personalized student advisement,  
693 including a parent-participation component, and coordination  
694 with middle grades to promote and support career-themed courses  
695 and education planning;

696 (f) Alignment of requirements for middle school career



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697 planning, middle and high school career and professional  
698 academies or career-themed courses leading to industry  
699 certification or postsecondary credit, and high school  
700 graduation requirements;

701 (g) Provisions to ensure that career-themed courses and  
702 courses offered through career and professional academies are  
703 academically rigorous, meet or exceed appropriate state-adopted  
704 subject area standards, result in attainment of industry  
705 certification, and, when appropriate, result in postsecondary  
706 credit;

707 (h) Plans to sustain and improve career-themed courses and  
708 career and professional academies;

709 (i) Strategies to improve the passage rate for industry  
710 certification examinations if the rate falls below 50 percent;

711 (j) Strategies to recruit students into career-themed  
712 courses and career and professional academies which include  
713 opportunities for students who have been unsuccessful in  
714 traditional classrooms but who are interested in enrolling in  
715 career-themed courses or a career and professional academy.  
716 School boards shall provide opportunities for students who may  
717 be deemed as potential dropouts or whose cumulative grade point  
718 average drops below a 2.0 to enroll in career-themed courses or  
719 participate in career and professional academies. Such students  
720 must be provided in-person academic advising that includes  
721 information on career education programs by a certified school  
722 counselor or the school principal or his or her designee during  
723 any semester the students are at risk of dropping out or have a  
724 cumulative grade point average below a 2.0;

725 (k) Strategies to provide sufficient space within academies

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726 to meet workforce needs and to provide access to all interested  
727 and qualified students;

728 (l) Strategies to implement career-themed courses or career  
729 and professional academy training that lead to industry  
730 certification in juvenile justice education programs;

731 (m) Opportunities for high school students to earn weighted  
732 or dual enrollment credit for higher-level career and technical  
733 courses;

734 (n) Promotion of the benefits of the Gold Seal Bright  
735 Futures Scholarship;

736 (o) Strategies to ensure the review of district pupil-  
737 progression plans and to amend such plans to include career-  
738 themed courses and career and professional academy courses and  
739 to include courses that may qualify as substitute courses for  
740 core graduation requirements and those that may be counted as  
741 elective courses;

742 (p) Strategies to provide professional development for  
743 secondary certified school counselors on the benefits of career  
744 and professional academies and career-themed courses that lead  
745 to industry certification; and

746 (q) Strategies to redirect appropriated career funding in  
747 secondary and postsecondary institutions to support career  
748 academies and career-themed courses that lead to industry  
749 certification.

750 (5) (b) Using the findings from the annual review required  
751 in paragraph (a), the commissioner shall phase out career and  
752 technical education offerings that are not aligned with the  
753 needs of the state ~~employers or do not provide program~~  
754 ~~completers with a middle wage or high wage occupation~~ and

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755 encourage school districts and Florida College System  
756 institutions to offer programs that are not ~~offered~~ currently  
757 offered.

758 Section 13. Subsections (2) and (3) of section 1003.4935,  
759 Florida Statutes, are amended to read:

760 1003.4935 Middle grades career and professional academy  
761 courses and career-themed courses.—

762 (2) Each middle grades career and professional academy or  
763 career-themed course must be aligned with at least one high  
764 school career and professional academy or career-themed course  
765 offered in the district and maintain partnerships with local  
766 business and industry and economic development boards. Middle  
767 grades career and professional academies and career-themed  
768 courses must:

769 (a) Lead to careers in occupations aligned with ~~designated~~  
770 ~~as high-skill, high-wage, and high-demand~~ in the CAPE Industry  
771 Certification Funding List approved under rules adopted by the  
772 State Board of Education;

773 (b) Integrate content from core subject areas;

774 (c) Integrate career and professional academy or career-  
775 themed course content with intensive reading, English Language  
776 Arts, and mathematics pursuant to s. 1003.4282;

777 (d) Coordinate with high schools to maximize opportunities  
778 for middle grades students to earn high school credit;

779 (e) Provide access to virtual instruction courses provided  
780 by virtual education providers legislatively authorized to  
781 provide part-time instruction to middle grades students. The  
782 virtual instruction courses must be aligned to state curriculum  
783 standards for middle grades career and professional academy

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784 courses or career-themed courses, with priority given to  
785 students who have required course deficits;

786 (f) Provide instruction from highly skilled professionals  
787 who hold industry certificates in the career area in which they  
788 teach;

789 (g) Offer externships; and

790 (h) Provide personalized student advisement that includes a  
791 parent-participation component.

792 (3) Beginning with the 2012-2013 school year, if a school  
793 district implements a middle school career and professional  
794 academy or a career-themed course, the Department of Education  
795 shall collect and report student achievement data pursuant to  
796 performance factors identified under s. 1003.492(3) ~~s.~~  
797 ~~1003.492(5)~~ for students enrolled in an academy or a career-  
798 themed course.

799 Section 14. Subsection (3) of section 1008.41, Florida  
800 Statutes, is amended to read:

801 1008.41 Workforce education; management information  
802 system.—

803 (3) Planning and evaluation of job-preparatory programs  
804 shall be based on standard sources of data and use standard  
805 occupational definitions and coding structures, including, but  
806 not limited to:

807 (a) The Florida Occupational Information System.†

808 (b) The Florida Education and Training Placement  
809 Information Program.†

810 (c) The Department of Economic Opportunity.†

811 (d) The United States Department of Labor.†~~and~~

812 (e) The Labor Market Estimating Conference created under s.

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813 216.136.814 (f) Other sources of data developed using statistically  
815 valid procedures.816 Section 15. Paragraph (f) is added to subsection (1) of  
817 section 1008.44, Florida Statutes, to read:818 1008.44 CAPE Industry Certification Funding List and CAPE  
819 Postsecondary Industry Certification Funding List.—820 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department  
821 of Education shall, at least annually, identify, under rules  
822 adopted by the State Board of Education, and the Commissioner of  
823 Education may at any time recommend adding the following  
824 certificates, certifications, and courses:825 (f) The Commissioner of Education shall conduct a review of  
826 the methodology used to determine additional full-time  
827 equivalent membership weights assigned in s. 1011.62(1)(o) and,  
828 if necessary, recommend revised weights. The results of the  
829 review and the commissioner's recommendations must be submitted  
830 to the Governor, the President of the Senate, and the Speaker of  
831 the House of Representatives no later than December 31, 2021.832 Section 16. Subsection (3) of section 1011.801, Florida  
833 Statutes, is amended to read:834 1011.801 Workforce Development Capitalization Incentive  
835 Grant Program.—The Legislature recognizes that the need for  
836 school districts and Florida College System institutions to be  
837 able to respond to emerging local or statewide economic  
838 development needs is critical to the workforce development  
839 system. The Workforce Development Capitalization Incentive Grant  
840 Program is created to provide grants to school districts and  
841 Florida College System institutions on a competitive basis to

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842 fund some or all of the costs associated with the creation or  
843 expansion of workforce development programs that serve specific  
844 employment workforce needs.

845 (3) The State Board of Education shall give highest  
846 priority to programs that train people to enter high-skill,  
847 high-wage occupations identified by the Labor Market Workforce  
848 Estimating Conference and other programs approved by the state  
849 board as defined in s. 445.002, programs that train people to  
850 enter occupations under the welfare transition program, or  
851 programs that train for the workforce adults who are eligible  
852 for public assistance, economically disadvantaged, disabled, not  
853 proficient in English, or dislocated workers. The State Board of  
854 Education shall consider the statewide geographic dispersion of  
855 grant funds in ranking the applications and shall give priority  
856 to applications from education agencies that are making maximum  
857 use of their workforce development funding by offering high-  
858 performing, high-demand programs.

859 Section 17. Subsection (3) of section 1011.802, Florida  
860 Statutes, is amended to read:

861 1011.802 Florida Pathways to Career Opportunities Grant  
862 Program.—

863 (3) The department shall give priority to apprenticeship  
864 programs with demonstrated regional demand identified by the  
865 Labor Market Estimating Conference, such as health care  
866 programs. Grant funds may be used for instructional equipment,  
867 supplies, personnel, student services, and other expenses  
868 associated with the creation or expansion of an apprenticeship  
869 program. The department may award grants to expand only those  
870 existing programs that exceed the median completion rate and

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871 employment rate 1 year after completion for similar programs in  
872 the region, or in the state if there are no similar programs in  
873 the region. Grant funds may not be used for recurring  
874 instructional costs or for indirect costs. Grant recipients must  
875 submit quarterly reports in a format prescribed by the  
876 department.

877 Section 18. Paragraph (a) of subsection (1) of section  
878 445.011, Florida Statutes, is amended to read:

879 445.011 Workforce information systems.—

880 (1) The department, in consultation with the state board,  
881 shall implement, subject to legislative appropriation, automated  
882 information systems that are necessary for the efficient and  
883 effective operation and management of the workforce development  
884 system. These information systems shall include, but need not be  
885 limited to, the following:

886 (a) An integrated management system for the one-stop  
887 service delivery system, which includes, at a minimum, common  
888 registration and intake, screening for needs and benefits, case  
889 planning and tracking, training benefits management, service and  
890 training provider management, performance reporting, executive  
891 information and reporting, and customer-satisfaction tracking  
892 and reporting.

893 1. The system should report current budgeting, expenditure,  
894 and performance information for assessing performance related to  
895 outcomes, service delivery, and financial administration for  
896 workforce programs pursuant to s. 445.004(5) and (10) ~~(9)~~.

897 2. The information system should include auditable systems  
898 and controls to ensure financial integrity and valid and  
899 reliable performance information.

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900           3. The system should support service integration and case  
901 management by providing for case tracking for participants in  
902 welfare transition programs.

903           Section 19. Paragraph (a) of subsection (9) of section  
904 1011.80, Florida Statutes, is amended to read:

905           1011.80 Funds for operation of workforce education  
906 programs.—

907           (9) The State Board of Education and the state board as  
908 defined in s. 445.002 shall provide the Legislature with  
909 recommended formulas, criteria, timeframes, and mechanisms for  
910 distributing performance funds. The commissioner shall  
911 consolidate the recommendations and develop a consensus proposal  
912 for funding. The Legislature shall adopt a formula and  
913 distribute the performance funds to the State Board of Education  
914 for Florida College System institutions and school districts  
915 through the General Appropriations Act. These recommendations  
916 shall be based on formulas that would discourage low-performing  
917 or low-demand programs and encourage through performance-funding  
918 awards:

919           (a) Programs that prepare people to enter high-wage  
920 occupations identified by the Labor Market ~~Workforce~~ Estimating  
921 Conference created by s. 216.136 and other programs as approved  
922 by the state board as defined in s. 445.002. At a minimum,  
923 performance incentives shall be calculated for adults who reach  
924 completion points or complete programs that lead to specified  
925 high-wage employment and to their placement in that employment.

926           Section 20. This act shall take effect July 1, 2021.