

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Postsecondary

BILL: SB 1060

INTRODUCER: Senator Ingoglia

SUBJECT: Apprenticeship and Preapprenticeship Direct Funding Grant Program

DATE: March 21, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	HE	Favorable
2.			AED	
3.			AP	

I. Summary:

SB 1060 creates the Apprenticeship and Preapprenticeship Direct Funding Grant Program to provide state funding directly to apprenticeship or preapprenticeship programs. The grant program is to be administered by the Department of Education.

The grant program established in the bill is subject to an appropriation in the General Appropriations Act.

The bill takes effect July 1, 2023.

II. Present Situation:

Federal and State Administration of Apprenticeships

Federal Apprenticeship Initiatives

The National Apprenticeship Act of 1937 (also known as the Fitzgerald Act in honor of its author, Congressman William J. Fitzgerald)¹ delegates to the U.S. Secretary of Labor the responsibility to formulate and promote labor standards necessary to safeguard the welfare of apprentices.²

Today there are over 23,000 programs in the United States. In an effort to expand the model to new industries, the U.S. Department of Labor in 2015 launched the American Apprenticeship Initiative, awarding \$175 million to “earn-and-learn” partnerships across the country. These partnerships between employers, organized labor, non-profits, local governments, and

¹ U.S. Department of Labor, *History and Fitzgerald Act*, <http://www.doleta.gov/oa/history.cfm> (last visited Feb. 27, 2023). See 29 U.S.C. s. 50 (1937), as amended.

² 29 U.S.C. s. 50.

educational institutions have expanded the registered apprenticeship program model to new sectors, from transportation and advanced manufacturing to health care and information technology, registering over 24,000 new apprentices. Since the launch of the first American Apprenticeship Initiative grants, the Department of Labor has invested in state and competitive grants to continue apprenticeship expansion efforts.³

The Department of Labor awarded Florida an Apprenticeship State Expansion Grant of \$3,078,257 to use by June 30, 2023. In addition, Florida is utilizing the Governor's Emergency Education Relief Fund under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 to provide \$10.5 Million to eligible postsecondary institutions to start new or expand existing apprenticeship or preapprenticeship programs in high-wage and high-demand occupations.⁴

Registered apprenticeship programs are, by definition, eligible training providers of programs funded through the Workforce Innovation and Opportunity Act (WIOA),⁵ which is the primary federal workforce development program.⁶ WIOA funds may be utilized to pay for training apprentices, including:

- Incumbent Worker Training to pay for training and instruction of current apprentices;
- Customized Training for eligible instruction costs;
- On-the-Job Training (OJT) contracts to pay for employer's extraordinary costs of training; and
- Individual Training Accounts to pay for training and instruction of new apprentices.⁷

The federal government also offers other resources to assist with funding registered apprenticeship programs. These resources include:⁸

- Federal Student Aid funds;
- Federal Workforce Funds for Registered Apprenticeship;
- GI Bill and Veterans Programs;
- Supplemental Nutrition Assistance Program;
- Federal Highway Administration On-the-Job Training and Supportive Services Program; and
- Covered Housing and Urban Development Financial Assistance Programs

Preapprenticeship is emphasized under WIOA as a form of work experience for youth.⁹ Other federal programs also support preapprenticeship. Job Corps provides a mostly residential program free of charge to students from 16 to 24 years of age with vocational training and academic experiences to increase opportunities towards gainful employment and career

³ U.S. Department of Labor, Employment and Training Administration, *The Federal Resources Playbook for Registered Apprenticeship*, available at <https://www.doleta.gov/oa/federalresources/playbook.pdf>, at 4.

⁴ Florida Department of Education, *Florida's Annual Apprenticeship and Preapprenticeship Report (2022)*, available at <https://www.fldoe.org/core/fileparse.php/9904/urlt/2122ApprenticeshipReport.pdf>, at 8 and 28.

⁵ Workforce Innovation and Opportunity Act, 29 U.S.C. s. 3101 et seq.

⁶ U.S. Department of Labor, Employment and Training Administration, *The Federal Resources Playbook for Registered Apprenticeship*, available at <https://www.doleta.gov/oa/federalresources/playbook.pdf>, at 5.

⁷ *Id.*

⁸ *Id.*

⁹ 29 U.S.C. s. 3164(c)(2)(C)(ii).

pathways.¹⁰ In addition, the YouthBuild program, which provides disadvantaged youth with opportunities for employment, education, leadership development, and training through the rehabilitation or construction of public facilities and housing for homeless individuals and low-income families, prioritizes preapprenticeship and registered apprenticeship programs.¹¹

Apprenticeship in Florida

The federal government works in cooperation with states to oversee the nation's apprenticeship programs. At least one member of the State Workforce Development Board and every local workforce development board is required to be a representative of an apprenticeship program.¹² The states have the authority to register apprenticeship programs through federally-recognized State Apprenticeship Agencies.¹³ In Florida, the Department of Education (DOE) serves as the registering entity to ensure compliance with federal and state apprenticeship standards, provide technical assistance, and conduct quality assurance assessments.¹⁴

Work-based learning opportunities in Florida are encouraged to prioritize paid experiences, such as apprenticeship and preapprenticeship programs.¹⁵ In addition, there are nine industry certifications for apprenticeship and preapprenticeship certificates on the CAPE Industry Certification Funding List for the 2022-2023 fiscal year, which provides bonus funding to school districts and Florida College System institutions for the attainment by student of credentials included on the list.¹⁶ Apprenticeships and preapprenticeships may also include other CAPE industry certifications that an apprentice or preapprentice earns while progressing toward the certificate for completing the apprenticeship or preapprenticeship program.

Registered Apprenticeship Programs

Florida law defines an apprentice as a person at least 16 years of age who has entered into a written apprentice agreement with an employer, an association of employers, or a local joint apprenticeship committee, to learn a recognized skilled trade through actual work experience under the supervision of another worker who has completed an apprenticeship program or has worked in the field for a minimum number of years established by industry standard. Training for an apprentice should be combined with properly coordinated studies of related technical and supplementary subjects.¹⁷

An apprenticeship program must be registered and approved by the DOE,¹⁸ which is responsible for establishing minimum standards for registered apprenticeship programs and facilitating and

¹⁰ USDOL, *US Department of Labor Announces Nationwide Effort to Prepare Students at Job Corps Centers for Registered Apprenticeship Programs* (Nov. 2022), <https://www.dol.gov/newsroom/releases/eta/eta20221114-0> (last visited Feb. 21, 2023).

¹¹ 29 U.S.C. s. 3226(c)(2)(A).

¹² 29 U.S.C. ss. 3111(b)(1)(C)(ii)(II) and 3122(b)(2)(B)(ii).

¹³ 29 C.F.R. ss. 29.1 and 29.13.

¹⁴ 29 C.F.R. s. 29.2.

¹⁵ Section 446.0915, F.S.

¹⁶ Florida Department of Education, *CAPE Industry Certification Funding List: 2022-23*, available at <https://www.fldoe.org/academics/career-adult-edu/cape-secondary/cape-industry-cert-funding-list-current.stml>.

¹⁷ Section 446.021(2), F.S.

¹⁸ Section 446.021(6), F.S.

supervising registered apprenticeship programs.¹⁹ In the 2021-2022 program year, the DOE registered 27 new apprenticeship programs for a total of 275 programs training 15,479 apprentices. Of these apprentices, 1,917 completed a program and received an apprenticeship certificate and an average exit annual salary of \$49,629.²⁰

Registered Preapprenticeship Programs

A preapprenticeship program is designed to prepare individuals who are at least 16 years of age for an apprenticeship program, and must be sponsored by a registered apprenticeship program and approved by and registered with the DOE.²¹ The DOE administers the state responsibilities related to preapprenticeship programs in cooperation with district school boards and state college boards of trustees.²² Additionally, Florida law requires cooperation between district school boards, community college district boards of trustees, and registered apprenticeship program sponsors.²³

A preapprenticeship program is required to include:

- Training and curriculum that aligns with the skill needs of the workforce;
- Access to educational and career counseling;
- Hands-on, meaningful learning activities that are connected to education and training activities;
- Opportunities to attain at least one industry-recognized credential; and
- A partnership with one or more registered apprenticeship programs.²⁴

In the 2021-2022 program year, the DOE registered 16 new preapprenticeship programs for a total of 53 programs training 1,700 preapprentices.²⁵

Florida Pathways to Career Opportunities Grant Program

The Florida Pathways to Career Opportunities Grant Program provides grants to high schools, state and technical colleges, and other apprenticeship and preapprenticeship program sponsors, on a competitive basis, to establish or expand apprenticeship or preapprenticeship programs. The DOE is authorized to use up to \$200,000 of the total amount allocated to administer the grant program.²⁶

Applications are required to include projected enrollment and projected costs for the new or expanded apprenticeship program. The department is required to award grants for preapprenticeship or apprenticeship programs with demonstrated regional demand that:

¹⁹ Section 446.041, F.S.

²⁰ Florida Department of Education, *Florida's Annual Apprenticeship and Preapprenticeship Report (2022)*, available at <https://www.fldoe.org/core/fileparse.php/9904/urlt/2122ApprenticeshipReport.pdf>, at 7.

²¹ Section 446.021(5), F.S.

²² Section 446.052(2), F.S.

²³ Section 446.052, F.S.

²⁴ 20 C.F.R. s. 681.480.

²⁵ Florida Department of Education, *Florida's Annual Apprenticeship and Preapprenticeship Report (2022)*, available at <https://www.fldoe.org/core/fileparse.php/9904/urlt/2122ApprenticeshipReport.pdf>, at 7.

²⁶ Section 1011.802(5), F.S.

- Address a critical statewide or regional shortage as identified by the Labor Market Estimating Conference and are industry sectors not adequately represented throughout the state, such as health care;
- Address a critical statewide or regional shortage as identified by the Labor Market Estimating Conference; or
- Expand existing programs that exceed the median completion rate and employment rate one year after completion of similar programs in the region, or the state if there are no similar programs in the region.²⁷

Grant funds may be used for instructional equipment, supplies, instructional personnel, student services, and other direct expenses associated with the creation or expansion of an apprenticeship program. Grant recipients must submit quarterly reports in a format prescribed by the DOE, which annually publishes a report on its website.²⁸

For the 2022-2023 program year, the Legislature appropriated \$15 Million, and reappropriated approximately \$2.9 Million, for the Florida Pathways to Career Opportunities Grant Program.²⁹ As of December 5, 2022, the DOE has provided \$16.5 Million in grants to 50 district school boards, state colleges, and registered apprenticeship programs.³⁰

III. Effect of Proposed Changes:

SB 1060 creates s. 1011.8031, F.S., to establish the Apprenticeship and Preapprenticeship Direct Funding Grant Program to provide funding directly to apprenticeship or preapprenticeship programs, rather than funding such programs through a local educational agency. The grant program is to be administered by the Department of Education (DOE).

The bill requires an apprenticeship or a preapprenticeship program to submit an application in a format prescribed by the DOE to receive a grant under the program. The bill specifies that an apprenticeship or a preapprenticeship program is ineligible for a grant if the program uses any school district or Florida College System institution resources for the administration of the program. The bill requires the DOE to give priority to apprenticeship or preapprenticeship programs with demonstrated regional demand.

The bill authorizes the State Board of Education to adopt rules to administer the grant program.

The bill is subject to appropriation provided in the General Appropriations Act.

The bill takes effect July 1, 2023.

²⁷ Sections 1011.802(2) and (3), F.S.

²⁸ Sections 1011.802(3) and (4), F.S.

²⁹ Transparency Florida, *2022-2023 Operating Budget in Ledger Format*, <http://www.transparencyflorida.gov/OperatingBudget/Ledger.aspx?FY=22&BE=48250800&AC=051310&Fund=1000&LI=123&OB=Y&SC=F>, (last visited Feb. 27, 2023).

³⁰ Florida Department of Education, *Pathways to Career Opportunities Grant Program*, PCOG Prioritized Funding List (Statewide Competition), <https://www.fldoe.org/core/fileparse.php/18794/urlt/22-23PCOG-PFLStatewide.pdf>, and PCOG Prioritized Funding List (Space Coast Competition) (last visited Feb. 27, 2023).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Apprenticeship and Preapprenticeship Direct Funding Grant Program is subject to an appropriation provided in the General Appropriations Act.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill creates section 1011.8031 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
