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DATE: February 19, 2002

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION INNOVATION
ANALYSIS**

BILL #: CS/HB 1229
RELATING TO: Charter Technical Career Centers
SPONSOR(S): Committee on Education Innovation and Representative Arza
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION INNOVATION YEAS 13 NAYS 0
 - (2) EDUCATION APPROPRIATIONS
 - (3) COUNCIL FOR LIFELONG LEARNING
 - (4)
 - (5)
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I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

CS/HB 1229 changes the deadline for submitting an application to establish a charter technical career center from February 1 to October 1 of the year preceding the academic year in which the center will begin to operate. Additionally, the committee substitute requires the sponsor to issue a decision on the charter application within 60 days of its submission, rather than by March 1.

The committee substitute requires an application for the establishment of a charter technical career center to include information required by the school board or community college board of trustees that is adopted through written policy prior to the date of application.

Lastly, the committee substitute allows a charter technical career center to be sponsored by a school district or community college in cooperation with a registered apprenticeship program. When a charter technical career center is sponsored by a school district or community college in cooperation with a registered apprenticeship program, all provisions of law that govern charter technical career centers apply except:

- The application must be signed and approved by only the applicant and the sponsor.
- The denial of an application must be based on a finding that the application does not meet the purpose or any other applicable requirement provided in current law.
- The applicant must receive at least 95 percent of funds appropriated for the charter technical career center or subsequently increased or reduced through the Workforce Development Education funding formula.

The committee substitute has an effective date of July 1, 2002.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE COMMITTEE SUBSTITUTE SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

B. PRESENT SITUATION:

The Legislature established charter technical career centers in 1998 to assist in promoting advances and innovations in workforce preparation and economic development. Pursuant to s. 228.505(2), F.S., their purpose serves to:

- Develop a competitive workforce to support local business and industry and economic development.
- Create a training and education model that is reflective of marketplace realities.
- Offer a continuum of career educational opportunities using a school-to-work, tech-prep, technical, academy, and magnet school model.
- Provide career pathways for lifelong learning and career mobility.
- Enhance career and technical training.

Presently, s. 228.505, F.S., authorizes a sponsor (school board, community college board of trustees, or a consortium of one or more of each) to designate charter technical career centers. Provisions in s. 228.505(4), F.S., require an applicant who wishes to establish a charter technical career center to submit an application to the school board, community college board of trustees, or a consortium of one or more of each, that includes:

- The name of the proposed center.
- The proposed structure of the center, including a list of proposed members of the board of directors or a description of the qualifications for and method of their appointment or election.
- The workforce development goals of the center, the curriculum to be offered, and the outcomes and the methods of assessing the extent to which the outcomes are met.
- The admissions policy and criteria for evaluating the admission of students.
- A description of the staff responsibilities and the proposed qualifications of the teaching staff.
- A description of the procedures to be implemented to ensure significant involvement of representatives of business and industry in the operation of the center.
- A method for determining whether a student has satisfied the requirements for high school graduation and for completion of a postsecondary certificate or degree.
- A method for granting secondary and postsecondary diplomas, certificates, and degrees.
- A description of and address for the physical facility in which the center will be located.

- A method of resolving conflicts between the board of directors of the center and the sponsor and between consortium members, if applicable.
- A method for reporting student data as required by law and rule.
- Other information required by the school board or community college board of trustees.

According to s. 228.505(5), F.S., an application to establish a charter technical career center must be submitted to the sponsor by February 1 of the year preceding the academic year in which the center will begin to operate. The sponsor must review the application and issue a final decision on whether to approve the application and grant the charter by March 1.

According to s. 228.505(6) F.S., if an application is denied, the sponsor must, within 10 days, notify the applicant in writing of the specific reasons for denial, which must be based upon good cause. An applicant may appeal any denial of its application to the State Board of Education within 30 days after the sponsor's denial and must notify the sponsor of its appeal. The State Board of Education must, by majority vote, accept or reject the decision of the sponsor no later than 60 days after an appeal is filed, pursuant to State Board of Education rule. The State Board of Education must remand the application to the sponsor with a written recommendation that the sponsor approve or deny the application, consistent with its decision. The sponsor must act upon the recommendation of the State Board of Education within 30 days after it is received, unless the sponsor determines by competent substantial evidence that approving the recommendation would be contrary to law or to the best interests of the students or the community. The sponsor must notify the applicant in writing concerning the specific reasons for its failure to follow the State Board of Education's recommendation. The sponsor's action on the recommendation is a final action, subject to judicial review.

According to s. 228.505(4), F.S., if an initial application is approved, the school board and community college board of trustees, in whose geographic region the center will be located, must approve the charter.

Once a charter technical career center is approved and operational, s. 228.505(11)(a), F.S., requires each sponsor to pay the center an amount stated in the charter. State funding must be generated for the center for its student enrollment and program outcomes as provided in law. A center is eligible for funding from the Florida Workforce Development Education Fund, the Florida Education Finance Program, and the Community College Program Fund, depending upon the programs conducted by the center.

C. EFFECT OF PROPOSED CHANGES:

CS/HB 1229 changes the deadline for submitting an application to establish a charter technical career center from February 1 to October 1 of the year preceding the academic year in which the center will begin to operate. Additionally, the committee substitute requires the sponsor to issue a decision on the charter application within 60 days of its submission, rather than by March 1.

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Lastly, the committee substitute allows a charter technical career center to be sponsored by a school district or community college in cooperation with a registered apprenticeship program. When a charter technical career center is sponsored by a school district or community college in cooperation with a registered apprenticeship program, all provisions of law that govern charter technical career centers (s. 228.505, F.S.) apply except:

- The application must be signed and approved by only the applicant and the sponsor.
- The denial of an application must be based on a finding that the application does not meet the purpose or any other applicable requirement provided in s. 228.505, F.S.
- The applicant must receive at least 95 percent of funds appropriated for the charter technical career center or subsequently increased or reduced through the Workforce Development Education funding formula.

D. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Please see fiscal comments.

2. Expenditures:

Please see fiscal comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Please see fiscal comments.

2. Expenditures:

Please see fiscal comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Please see fiscal comments.

D. FISCAL COMMENTS:

The committee substitute requires a charter technical career center that is sponsored by a school district or community college in cooperation with a registered apprenticeship program to receive at least 95 percent of funds appropriated for the charter technical career center or subsequently increased or reduced through the Workforce Development Education funding formula.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

The committee substitute does not require counties or municipalities to spend funds or take action that requires the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The committee substitute does not reduce the authority that counties and municipalities have to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

The committee substitute does not reduce the percentage of a state tax shared with counties and municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

This committee substitute does not appear to violate any constitutional provisions.

B. RULE-MAKING AUTHORITY:

This committee substitute does not grant any additional rule-making authority.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On February 19, 2002, the Committee on Education Innovation adopted a strike-everything amendment without objection. The amendment primarily differs from the original bill in the following ways:

- It no longer revises provisions relating to the funding of **all** charter technical career centers.
- It authorizes a school district or community college in cooperation with a registered apprenticeship program to sponsor a charter technical career center.

The Committee on Education Innovation reported the bill favorably as a committee substitute.

VII. SIGNATURES:

COMMITTEE ON EDUCATION INNOVATION:

Prepared by:

Staff Director:

Alex Amengual

Daniel Furman