

By the Committee on Appropriations; and Senator Legg

576-04191-16

20161060c1

1 A bill to be entitled
2 An act relating to education; amending s. 446.021,
3 F.S.; redefining and reordering terms; conforming
4 provisions to changes made by the act; amending s.
5 446.032, F.S.; conforming provisions to changes made
6 by the act; amending s. 446.045, F.S.; revising the
7 membership requirements for the State Apprenticeship
8 Advisory Council; amending s. 446.081, F.S.; providing
9 for construction; amending s. 446.091, F.S.;
10 conforming provisions to changes made by the act;
11 amending s. 446.092, F.S.; revising the attributes
12 that characterize apprenticeable occupations; amending
13 s. 1003.4295, F.S.; revising the purpose of the Credit
14 Acceleration Program; requiring students to earn
15 passing scores on specified assessments or
16 examinations to earn course credit; amending s.
17 1004.015, F.S.; revising the membership of the Higher
18 Education Coordinating Council; amending s. 1004.92,
19 F.S.; revising the Department of Education's
20 responsibility for the development of program
21 standards for career, adult, and community education
22 programs; providing for rulemaking; amending s.
23 1004.93, F.S.; revising provisions relating to adult
24 general education; providing that adult education
25 programs may only provide academic services to
26 specified students under certain circumstances;
27 deleting duties of the State Board of Education
28 relating to adult general education programs; deleting
29 a requirement that specific expenditures be reported
30 separately; revising allocation requirements for
31 developmental education; amending s. 1007.273, F.S.;
32 providing additional options for students

576-04191-16

20161060c1

33 participating in a structured high school acceleration
34 program; prohibiting a district school board from
35 limiting the number of public school students who may
36 enroll in a structured high school acceleration
37 program; revising requirements relating to contracts
38 establishing structured high school acceleration
39 programs; requiring each district school board to
40 notify students in certain grades about the program;
41 revising provisions relating to program funding;
42 providing reporting requirements; amending s. 1008.44,
43 F.S.; increasing the maximum number of certain CAPE
44 Digital Tool certificates that the Commissioner of
45 Education may recommend be added to the CAPE Industry
46 Certification Funding List; deleting the requirement
47 that certain digital tool certificates be updated
48 solely by the Chancellor of Career and Adult
49 Education; amending s. 1009.42, F.S.; expanding the
50 financial aid appeals process to other school
51 entities; amending s. 1011.80, F.S.; conforming
52 provisions; requiring school districts and Florida
53 College System institutions to maintain certain
54 records; revising operational and performance funding
55 calculation and allocation for workforce education
56 programs; deleting provisions relating to a program to
57 assist in responding to the needs of new and expanding
58 businesses and a requirement that the State Board of
59 Education and CareerSource Florida, Inc., provide the
60 Legislature with certain formulas and mechanisms for
61 distributing performance funds; creating s. 1011.802,

576-04191-16

20161060c1

62 F.S.; creating the Florida Apprenticeship Grant (FLAG)
63 program; providing for the purpose, requirements, and
64 administration of the program; requiring certain
65 career centers and Florida College System institutions
66 to provide quarterly reports; creating s. 1011.803,
67 F.S.; creating the Rapid Response Grant program;
68 providing for the purpose, requirements, and
69 administration of the program; requiring certain
70 career centers and Florida College System institutions
71 to provide quarterly reports; requiring the department
72 to administer the program and conduct an annual
73 program analysis; providing an effective date.

74

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

76

77 Section 1. Present subsections (2), (4), (5), (6), and (9)
78 of section 446.021, Florida Statutes, are amended, and present
79 subsections (1), (3), (8), (10), (11), and (12) of that section
80 are redesignated as subsections (8), (11), (12), (3), (6), and
81 (4), respectively, to read:

82 446.021 Definitions of terms used in ss. 446.011-446.092.-
83 As used in ss. 446.011-446.092, the term:

84 (1)~~(2)~~ "Apprentice" means a person at least 16 years of age
85 who is engaged in learning a recognized skilled trade through
86 actual work experience under the supervision of a journeyworker
87 ~~journeymen-craftsmen~~, which training should be combined with
88 properly coordinated studies of related technical and
89 supplementary subjects, and who has entered into a written
90 agreement, which may be cited as an apprentice agreement, with a

576-04191-16

20161060c1

91 registered apprenticeship sponsor who may be ~~either~~ an employer,
92 an association of employers, or a local joint apprenticeship
93 committee.

94 (5)-(4) "Journeyworker Journeyman" means a worker recognized
95 within an industry as having mastered the skills and
96 competencies required for a specific trade or occupation. The
97 term includes a mentor, technician, or specialist or other
98 skilled worker who has documented sufficient skills and
99 knowledge of an occupation through formal apprenticeship,
100 attainment of a nationally recognized industry certification, or
101 practical on-the-job experience and formal training ~~person~~
102 ~~working in an apprenticeable occupation who has successfully~~
103 ~~completed a registered apprenticeship program or who has worked~~
104 ~~the number of years required by established industry practices~~
105 ~~for the particular trade or occupation.~~

106 (9)-(5) "Preapprenticeship program" means an organized
107 course of instruction, including, but not limited to, industry
108 certifications identified under s. 1008.44, in the public school
109 system or elsewhere, which course is designed to prepare a
110 person 16 years of age or older to become an apprentice and
111 which course is approved by and registered with the department
112 and sponsored by a registered apprenticeship program.

113 (2)-(6) "Apprenticeship program" means an organized course
114 of instruction, including, but not limited to, CAPE industry
115 certifications identified under s. 1008.44, registered and
116 approved by the department, which course shall contain all terms
117 and conditions for the qualifications, recruitment, selection,
118 employment, and training of apprentices including such matters
119 as the requirements for a written apprenticeship agreement.

576-04191-16

20161060c1

120 ~~(10)(9)~~ "Related instruction" means an organized and
121 systematic form of instruction designed to provide the
122 apprentice with knowledge of the theoretical and technical
123 subjects related to a specific trade or occupation. Such
124 instruction may be given in a classroom through occupational or
125 industrial courses or outside of a classroom through
126 correspondence courses of equivalent value, electronic media, or
127 other forms of self-study approved by the department.

128 Section 2. Subsection (1) of section 446.032, Florida
129 Statutes, is amended to read:

130 446.032 General duties of the department for apprenticeship
131 training.—The department shall:

132 (1) Establish uniform minimum standards and policies
133 governing apprentice programs and agreements. The standards and
134 policies shall govern the terms and conditions of the
135 apprentice's employment and training, including the quality
136 training of the apprentice for, but not limited to, such matters
137 as ratios of apprentices to journeymen ~~journeymen~~, safety,
138 related instruction, and on-the-job training; but these
139 standards and policies may not include rules, standards, or
140 guidelines that require the use of apprentices and job trainees
141 on state, county, or municipal contracts. The department may
142 adopt rules necessary to administer the standards and policies.

143 Section 3. Paragraph (b) of subsection (2) of section
144 446.045, Florida Statutes, is amended to read:

145 446.045 State Apprenticeship Advisory Council.—

146 (2)

147 (b) The Commissioner of Education or the commissioner's
148 designee shall serve ex officio as chair of the State

576-04191-16

20161060c1

149 Apprenticeship Advisory Council, but may not vote. The state
150 director of the Office of Apprenticeship of the United States
151 Department of Labor shall serve ex officio as a nonvoting member
152 of the council. The Governor shall appoint to the council four
153 members representing employee organizations and four members
154 representing employer organizations. Each of these eight members
155 shall represent industries that have registered apprenticeship
156 programs. The Governor shall also appoint two public members who
157 are knowledgeable about registered apprenticeship and
158 apprenticeable occupations and who are independent of any joint
159 or nonjoint organization, ~~one of whom shall be recommended by~~
160 ~~joint organizations, and one of whom shall be recommended by~~
161 ~~nonjoint organizations.~~ Members shall be appointed for 4-year
162 staggered terms. A vacancy shall be filled for the remainder of
163 the unexpired term.

164 Section 4. Subsection (4) is added to section 446.081,
165 Florida Statutes, to read:

166 446.081 Limitation.—

167 (4) Nothing in ss. 446.011-446.092, in any rules adopted
168 under those sections, or in any apprentice agreement approved
169 under those sections shall operate to invalidate any special
170 provision for veterans, minority persons, or women relating to
171 the standards, apprentice qualifications, or operation of the
172 program which is not otherwise prohibited by law, executive
173 order, or authorized regulation.

174 Section 5. Section 446.091, Florida Statutes, is amended to
175 read:

176 446.091 On-the-job training program.—All provisions of ss.
177 446.011-446.092 relating to apprenticeship and

576-04191-16

20161060c1

178 preapprenticeship, including, but not limited to, programs,
179 agreements, standards, administration, procedures, definitions,
180 expenditures, local committees, powers and duties, limitations,
181 grievances, and ratios of apprentices and job trainees to
182 journeyworkers ~~journeymen~~ on state, county, and municipal
183 contracts, shall be appropriately adapted and made applicable to
184 a program of on-the-job training authorized under those
185 provisions for persons other than apprentices.

186 Section 6. Section 446.092, Florida Statutes, is amended to
187 read:

188 446.092 Criteria for apprenticeship occupations.—An
189 apprenticeable occupation is a skilled trade that ~~which~~
190 possesses all of the following characteristics:

191 (1) It is customarily learned in a practical way through a
192 structured, systematic program of on-the-job, supervised
193 training.

194 (2) It is clearly identified and commonly recognized
195 throughout an the industry and may be associated with a
196 nationally recognized industry certification ~~or recognized with a~~
197 ~~positive view towards changing technology.~~

198 (3) It involves manual, mechanical, or technical skills and
199 knowledge that, in accordance with the industry standards for
200 that occupation, requires ~~which require~~ a minimum of 2,000 hours
201 of on-the-job work and training, which hours are excluded from
202 the time spent at related instruction.

203 (4) It requires related instruction to supplement on-the-
204 job training. Such instruction may be given in a classroom
205 through occupational or industrial courses or outside of a
206 classroom through correspondence courses of equivalent value,

576-04191-16

20161060c1

207 electronic media, or other forms of self-study approved by the
208 department.

209 ~~(5) It involves the development of skill sufficiently broad~~
210 ~~to be applicable in like occupations throughout an industry,~~
211 ~~rather than of restricted application to the products or~~
212 ~~services of any one company.~~

213 ~~(6) It does not fall into any of the following categories:~~

214 ~~(a) Selling, retailing, or similar occupations in the~~
215 ~~distributive field.~~

216 ~~(b) Managerial occupations.~~

217 ~~(c) Professional and scientific vocations for which~~
218 ~~entrance requirements customarily require an academic degree.~~

219 Section 7. Subsection (3) of section 1003.4295, Florida
220 Statutes, is amended to read:

221 1003.4295 Acceleration options.—

222 (3) The Credit Acceleration Program (CAP) is created for
223 the purpose of allowing a student to earn high school credit in
224 Algebra I, Algebra II, geometry, United States history, ~~or~~
225 biology, or a course under s. 1003.4285 if the student passes
226 the corresponding statewide, standardized assessment
227 administered under s. 1008.22 or Advanced Placement Examination.
228 Notwithstanding s. 1003.436, a school district shall award
229 course credit to a student who is not enrolled in the course, or
230 who has not completed the course, if the student attains a
231 passing score on the corresponding statewide, standardized
232 assessment or Advanced Placement Examination. The school
233 district shall permit a student who is not enrolled in the
234 course, or who has not completed the course, to take the
235 assessment or examination during the regular administration of

576-04191-16

20161060c1

236 the assessment or examination.

237 Section 8. Subsection (2) of section 1004.015, Florida
238 Statutes, is amended to read:

239 1004.015 Higher Education Coordinating Council.—

240 (2) Members of the council shall include:

241 (a) One member of the Board of Governors, appointed by the
242 chair of the Board of Governors.

243 (b) The Chancellor of the State University System.

244 (c) The Chancellor of the Florida College System.

245 (d) The Chancellor of Career and Adult Education.

246 (e)~~(d)~~ One member of the State Board of Education,
247 appointed by the chair of the State Board of Education.

248 (f)~~(e)~~ The Executive Director of the Florida Association of
249 Postsecondary Schools and Colleges.

250 (g)~~(f)~~ The president of the Independent Colleges and
251 Universities of Florida.

252 (h)~~(g)~~ The president of CareerSource Florida, Inc., or his
253 or her designee.

254 (i)~~(h)~~ The president of Enterprise Florida, Inc., or a
255 designated member of the Stakeholders Council appointed by the
256 president.

257 (j)~~(i)~~ Three representatives of the business community, one
258 appointed by the President of the Senate, one appointed by the
259 Speaker of the House of Representatives, and one appointed by
260 the Governor, who are committed to developing and enhancing
261 world class workforce infrastructure necessary for Florida's
262 citizens to compete and prosper in the ever-changing economy of
263 the 21st century.

264 Section 9. Paragraph (b) of subsection (2) of section

576-04191-16

20161060c1

265 1004.92, Florida Statutes, is amended, and subsection (4) is
266 added to that section, to read:

267 1004.92 Purpose and responsibilities for career education.—

268 (2)

269 (b) Department of Education accountability for career
270 education includes, but is not limited to:

271 1. The provision of timely, accurate technical assistance
272 to school districts and Florida College System institutions.

273 2. The provision of timely, accurate information to the
274 State Board of Education, the Legislature, and the public.

275 3. The development of policies, rules, and procedures that
276 facilitate institutional attainment of the accountability
277 standards and coordinate the efforts of all divisions within the
278 department.

279 4. The development of program standards and industry-driven
280 benchmarks for career, adult, and community education programs,
281 which must be updated every 3 years. The standards must reflect
282 the quality components of a career and technical education
283 program and include career, academic, and workplace skills;
284 viability of distance learning for instruction; and work/learn
285 cycles that are responsive to business and industry.

286 5. Overseeing school district and Florida College System
287 institution compliance with the provisions of this chapter.

288 6. Ensuring that the educational outcomes for the technical
289 component of career programs are uniform and designed to provide
290 a graduate who is capable of entering the workforce on an
291 equally competitive basis regardless of the institution of
292 choice.

293 (4) The State Board of Education shall adopt rules to

576-04191-16

20161060c1

294 administer this section.

295 Section 10. Section 1004.93, Florida Statutes, is reordered
296 and amended to read:

297 1004.93 Adult general education.—

298 (1) (a) The intent of this section is to encourage the
299 provision of educational services that will enable adults to
300 acquire:

301 1. The basic skills necessary to attain basic and
302 functional literacy.

303 2. A high school diploma or successfully complete the high
304 school equivalency examination.

305 3. An educational foundation that will enable them to
306 become more employable, productive, and self-sufficient
307 citizens.

308 (b) It is further intended that educational opportunities
309 be available for adults who have earned a diploma or high school
310 equivalency diploma but who lack the basic skills necessary to
311 function effectively in everyday situations, to enter the job
312 market, or to enter career certificate instruction.

313 (2) The adult education program must provide academic
314 services to ~~students in the following priority:~~

315 (a) Students who ~~demonstrate skills at less than a fifth~~
316 ~~grade level, as measured by tests approved for this purpose by~~
317 ~~the State Board of Education, and who~~ are studying to achieve
318 basic literacy.

319 (b) Students who ~~demonstrate skills at the fifth grade~~
320 ~~level or higher, but below the ninth grade level, as measured by~~
321 ~~tests approved for this purpose by the State Board of Education,~~
322 ~~and who~~ are studying to achieve functional literacy.

576-04191-16

20161060c1

323 (c) Students who are earning credit required for a high
324 school diploma or ~~who are~~ preparing for the high school
325 equivalency examination. By July 1, 2017, each school district
326 or Florida College System institution with an adult high school
327 or offering a high school equivalency examination preparation
328 program must offer at least one online program option that
329 enables students to earn a high school diploma or its
330 equivalent.

331 (d) Students who have earned high school diplomas and
332 require specific improvement in order to:

- 333 1. Obtain or maintain employment or benefit from
334 certificate career education programs;
335 2. Pursue a postsecondary degree; or
336 3. Develop competence in the English language to qualify
337 for employment.

338 (3) If all students meeting the criteria of subsection (2)
339 are provided academic services, the adult education program may
340 provide academic services to:

341 (a)~~(e)~~ Students who enroll in lifelong learning courses or
342 activities that seek to address community social and economic
343 issues that consist of health and human relations, government,
344 parenting, consumer economics, and senior citizens.

345 (b)~~(f)~~ Students who enroll in courses that relate to the
346 recreational or leisure pursuits of the students. The cost of
347 courses conducted pursuant to this paragraph shall be borne by
348 the enrollees.

349 (4)~~(3)~~(a) Each district school board or Florida College
350 System institution board of trustees shall negotiate with the
351 regional workforce board for basic and functional literacy

576-04191-16

20161060c1

352 skills assessments for participants in the welfare transition
353 employment and training programs. Such assessments shall be
354 conducted at a site mutually acceptable to the district school
355 board or Florida College System institution board of trustees
356 and the regional workforce board.

357 (b) State employees who are employed in local or regional
358 offices of state agencies shall inform clients of the
359 availability of adult basic and secondary programs in the
360 region. The identities of clients who do not possess high school
361 diplomas or who demonstrate skills below the level of functional
362 literacy shall be conveyed, with their consent, to the local
363 school district or Florida College System institution, or both.

364 (c) To the extent funds are available, the Department of
365 Children and Families shall provide for day care and
366 transportation services to clients who enroll in adult basic
367 education programs.

368 (5)~~(4)~~ (a) Adult general education shall be evaluated and
369 funded as provided in s. 1011.80.

370 (b) Fees for adult basic instruction are to be charged in
371 accordance with chapter 1009.

372 ~~(c) The State Board of Education shall define, by rule, the~~
373 ~~levels and courses of instruction to be funded through the~~
374 ~~developmental education program. The state board shall~~
375 ~~coordinate the establishment of costs for developmental~~
376 ~~education courses, the establishment of statewide standards that~~
377 ~~define required levels of competence, acceptable rates of~~
378 ~~student progress, and the maximum amount of time to be allowed~~
379 ~~for completion of developmental education. Developmental~~
380 ~~education is part of an associate in arts degree program and may~~

576-04191-16

20161060c1

381 ~~not be funded as an adult career education program.~~

382 ~~(d) Expenditures for developmental education and lifelong~~
383 ~~learning students shall be reported separately. Allocations for~~
384 ~~developmental education shall be based on proportional full-time~~
385 ~~equivalent enrollment. Program review results shall be included~~
386 ~~in the determination of subsequent allocations. A student shall~~
387 ~~be funded to enroll in the same developmental education class~~
388 ~~within a skill area only twice, after which time the student~~
389 ~~shall pay 100 percent of the full cost of instruction to support~~
390 ~~the continuous enrollment of that student in the same class;~~
391 ~~however, students who withdraw or fail a class due to~~
392 ~~extenuating circumstances may be granted an exception only once~~
393 ~~for each class, provided approval is granted according to policy~~
394 ~~established by the board of trustees. Each Florida College~~
395 ~~System institution shall have the authority to review and reduce~~
396 ~~payment for increased fees due to continued enrollment in a~~
397 ~~developmental education class on an individual basis contingent~~
398 ~~upon the student's financial hardship, pursuant to definitions~~
399 ~~and fee levels established by the State Board of Education.~~
400 ~~Developmental education and lifelong learning courses do not~~
401 ~~generate credit toward an associate or baccalaureate degree.~~

402 ~~(c)(e)~~ (c) A district school board or a Florida College System
403 institution board of trustees may negotiate a contract with the
404 regional workforce board for specialized services for
405 participants in the welfare transition program, beyond what is
406 routinely provided for the general public, to be funded by the
407 regional workforce board.

408 ~~(6)(5)~~ (6) If students who have been determined to be adults
409 with disabilities are enrolled in workforce development

576-04191-16

20161060c1

410 programs, the funding formula must provide additional incentives
411 for their achievement of performance outputs and outcomes.

412 (7)~~(6)~~ The commissioner shall recommend the level of
413 funding for public school and Florida College System institution
414 adult education within the legislative budget request and make
415 other recommendations and reports considered necessary or
416 required by rules of the State Board of Education.

417 (8)~~(7)~~ Buildings, land, equipment, and other property owned
418 by a district school board or Florida College System institution
419 board of trustees may be used for the conduct of the adult
420 education program. Buildings, land, equipment, and other
421 property owned or leased by cooperating public or private
422 agencies, organizations, or institutions may also be used for
423 the purposes of this section.

424 (9)~~(8)~~ In order to accelerate the employment of adult
425 education students, students entering adult general education
426 programs after July 1, 2013, must complete the following action-
427 steps-to-employment activities before the completion of the
428 first term:

429 (a) Identify employment opportunities using market-driven
430 tools.

431 (b) Create a personalized employment goal.

432 (c) Conduct a personalized skill and knowledge inventory.

433 (d) Compare the results of the personalized skill and
434 knowledge inventory with the knowledge and skills needed to
435 attain the personalized employment goal.

436 (e) Upgrade skills and knowledge needed through adult
437 general education programs and additional educational pursuits
438 based on the personalized employment goal.

576-04191-16

20161060c1

439

440 The action-steps-to-employment activities may be developed
441 through a blended approach with assistance provided to adult
442 general education students by teachers, employment specialists,
443 guidance counselors, business and industry representatives, and
444 online resources. Students may be directed to online resources
445 and provided information on financial literacy, student
446 financial aid, industry certifications, and occupational
447 services and a listing of job openings.

448 ~~(10)(9)~~ The State Board of Education may adopt rules
449 necessary for the implementation of this section.

450 Section 11. Section 1007.273, Florida Statutes, is amended
451 to read:

452 1007.273 Structured high school acceleration programs
453 ~~Collegiate high school program.~~

454 ~~(1)~~ Each Florida College System institution shall work with
455 each district school board in its designated service area to
456 establish one or more structured high school acceleration
457 programs, including, but not limited to, collegiate high school
458 programs.

459 ~~(1)(2)~~ PURPOSE.—At a minimum, structured ~~collegiate~~ high
460 school acceleration programs must include an option for public
461 school students in grade 11 or grade 12 participating in the
462 program, for at least 1 full school year, to earn CAPE industry
463 certifications pursuant to s. 1008.44 and to successfully
464 complete 30 credit hours toward general education core
465 curriculum or common prerequisite course requirements pursuant
466 to s. 1007.25 through the dual enrollment program under s.
467 1007.271, a mechanism pursuant to s. 1007.27, or a CAPE industry

576-04191-16

20161060c1

468 certification pursuant to s. 1008.44 toward the first year of
469 college for an associate degree or baccalaureate degree while
470 enrolled in the program. A district school board may not limit
471 the number of public school students who may enroll in such
472 programs.

473 (2) ~~(3)~~ REQUIRED PROGRAM CONTRACTS.—Each district school
474 board and its local Florida College System institution shall
475 execute a contract to establish one or more structured
476 ~~collegiate~~ high school acceleration programs at a mutually
477 agreed upon location or locations. ~~Beginning with the 2015-2016~~
478 ~~school year,~~ If the institution does not establish a program
479 with a district school board in its designated service area,
480 another Florida College System institution may execute a
481 contract with that district school board to establish the
482 program. Beginning with the 2016-2017 school year, the contract
483 must be executed by January 1 of each school year for
484 implementation of the program during the next school year. The
485 contract must:

486 (a) Identify the grade levels to be included in the
487 ~~collegiate high school~~ program ~~which must, at a minimum, include~~
488 ~~grade 12.~~

489 (b) Describe the ~~collegiate high school~~ program, including
490 the delineation of courses that must, at a minimum, include
491 general education core curriculum or common prerequisite course
492 requirements pursuant to s. 1007.25 and industry certifications
493 offered, including online course availability; the high school
494 and college credits earned for each postsecondary course
495 completed and industry certification earned; student eligibility
496 criteria; and the enrollment process and relevant deadlines.

576-04191-16

20161060c1

497 (c) Describe the methods, medium, and process by which
498 students and their parents are annually informed about the
499 availability of the ~~collegiate high school~~ program, the return
500 on investment associated with participation in the program, and
501 the information described in paragraphs (a) and (b).

502 (d) Identify the delivery methods for instruction and the
503 instructors for all courses.

504 (e) Identify student advising services and progress
505 monitoring mechanisms.

506 (f) Establish a program review and reporting mechanism
507 regarding student performance outcomes.

508 (g) Describe the terms of funding arrangements to implement
509 the ~~collegiate high school~~ program pursuant to paragraph (5) (a).

510 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.—

511 (a) ~~(4)~~ Each student participating in a structured
512 ~~collegiate~~ high school acceleration program must enter into a
513 student performance contract which must be signed by the
514 student, the parent, and a representative of the school district
515 and the applicable Florida College System institution, state
516 university, or other institution participating pursuant to
517 subsection (4) ~~(5)~~. The performance contract must, at a minimum,
518 specify ~~include~~ the schedule of courses, by semester, and
519 industry certifications to be taken by the student, student
520 attendance requirements, ~~and~~ course grade requirements, and the
521 applicability of such courses to an associate degree or a
522 baccalaureate degree.

523 (b) By September 1 of each school year, each district
524 school board must notify each student enrolled in grades 9, 10,
525 11, and 12 in a public school within the school district about

576-04191-16

20161060c1

526 the structured high school acceleration program including, but
527 not limited to:

528 1. The method for earning college credit through
529 participation in the program. Such methods must include a
530 website link to the dual enrollment course equivalency list
531 approved by the Department of Education and the credit-by-
532 examination equivalency list adopted by the State Board of
533 Education in rule.

534 2. The estimated cost savings to students and their
535 families resulting from students successfully completing 30
536 credit hours toward general education core or common
537 prerequisite course requirements and earning industry
538 certifications before graduating from high school versus the
539 cost of earning such credit hours and industry certifications
540 after graduating from high school.

541 (4) ~~(5)~~ AUTHORIZED PROGRAM CONTRACTS.—In addition to
542 executing a contract with the local Florida College System
543 institution under this section, a district school board may
544 execute a contract to establish a structured ~~collegiate~~ high
545 school acceleration program with a state university or an
546 institution that is eligible to participate in the William L.
547 Boyd, IV, Florida Resident Access Grant Program, that is a
548 nonprofit independent college or university located and
549 chartered in this state, and that is accredited by the
550 Commission on Colleges of the Southern Association of Colleges
551 and Schools to grant baccalaureate degrees. Such university or
552 institution must meet the requirements specified under
553 subsections (2) ~~(3)~~ and (3) ~~(4)~~. A charter school may execute a
554 contract directly with the local Florida College System

576-04191-16

20161060c1

555 institution or another institution as authorized under this
556 section to establish a structured high school acceleration
557 program at a mutually agreed upon location.

558 (5) FUNDING.—

559 (a) ~~(6)~~ The structured collegiate high school acceleration
560 program shall be funded pursuant to ss. 1007.271 and 1011.62.
561 The State Board of Education shall enforce compliance with this
562 section by withholding the transfer of funds for the school
563 districts and the Florida College System institutions in
564 accordance with s. 1008.32.

565 (b) A student who enrolls in the structured high school
566 acceleration program and successfully completes 30 credit hours
567 toward fulfilling general education core curriculum or common
568 prerequisite course requirements pursuant to s. 1007.25, which
569 may include attaining one or more industry certifications,
570 generates a 0.5 full-time equivalent (FTE) bonus. A student who
571 enrolls in the structured high school acceleration program and
572 successfully completes 60 credit hours toward fulfilling the
573 requirements for an associate in arts or an associate in science
574 degree pursuant to the student performance contract under
575 subsection (3), which may include attaining one or more industry
576 certifications, before graduating from high school, generates an
577 additional 0.5 FTE bonus. Each district school board that is a
578 contractual partner with a Florida College System institution
579 shall report to the commissioner the total FTE bonus for each
580 structured high school acceleration program for the students
581 from that district school board. The total FTE bonus shall be
582 added to each school district's total weighted FTE for funding
583 in the subsequent fiscal year.

576-04191-16

20161060c1

584 (6) REPORTING REQUIREMENTS.-

585 (a) By September 1 of each school year, each district
586 school superintendent must report to the commissioner, at a
587 minimum, the following information for the prior school year:

588 1. Number of students in public schools within the school
589 district who enrolled in the structured high school acceleration
590 program, and the partnering postsecondary institutions pursuant
591 to subsections (2) and (4).

592 2. Average number of courses completed and the number of
593 industry certifications attained by the students who enrolled in
594 the structured high school acceleration program.

595 3. Projected student enrollment in the structured high
596 school acceleration program within the next school year.

597 4. Barriers to executing contracts to establish one or more
598 structured high school acceleration programs.

599 (b) By November 30 of each school year, the commissioner
600 must report to the Governor, the President of the Senate, and
601 the Speaker of the House of Representatives the status of
602 structured high school acceleration programs including, at a
603 minimum, a summary of student enrollment and completion
604 information pursuant to this subsection; barriers, if any, to
605 establishing such programs; and recommendations for expanding
606 access to such programs statewide.

607 Section 12. Paragraph (b) of subsection (1) of section
608 1008.44, Florida Statutes, is amended to read:

609 1008.44 CAPE Industry Certification Funding List and CAPE
610 Postsecondary Industry Certification Funding List.-

611 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department
612 of Education shall, at least annually, identify, under rules

576-04191-16

20161060c1

613 adopted by the State Board of Education, and the Commissioner of
614 Education may at any time recommend adding the following
615 certificates, certifications, and courses:

616 (b) No more than 30 ~~15~~ CAPE Digital Tool certificates
617 limited to the areas of word processing; spreadsheets; sound,
618 motion, and color presentations; digital arts; cybersecurity;
619 and coding pursuant to s. 1003.4203(3) that do not articulate
620 for college credit. Such certificates shall be annually
621 identified on the CAPE Industry Certification Funding List ~~and~~
622 ~~updated solely by the Chancellor of Career and Adult Education.~~
623 The certificates shall be made available to students in
624 elementary school and middle school grades and, if earned by a
625 student, shall be eligible for additional full-time equivalent
626 membership pursuant to s. 1011.62(1)(o)1.

627 Section 13. Subsection (2) of section 1009.42, Florida
628 Statutes, is amended to read:

629 1009.42 Financial aid appeal process.—

630 (2) The president of each state university and each Florida
631 College System institution, each district school board that
632 operates a career center pursuant to s. 1001.44, and each
633 charter technical career center that operates pursuant to s.
634 1002.34 shall establish a procedure for appeal, by students, of
635 grievances related to the award or administration of financial
636 aid at the institution.

637 Section 14. Section 1011.80, Florida Statutes, is reordered
638 and amended to read:

639 1011.80 Funds for operation of workforce education
640 programs.—

641 (1) As used in this section, the terms "workforce

576-04191-16

20161060c1

642 education" and "workforce education program" include:

643 (a) Adult general education programs designed to improve
644 the employability skills of the state's workforce as defined in
645 s. 1004.02(3).

646 (b) Career certificate programs, as defined in s.
647 1004.02(20).

648 (c) Applied technology diploma programs.

649 (d) Continuing workforce education courses.

650 (e) Degree career education programs.

651 (f) Apprenticeship and preapprenticeship programs as
652 defined in s. 446.021.

653 (2) A ~~Any~~ workforce education program may be conducted by a
654 Florida College System institution or a school district, except
655 that ~~college credit in an associate in applied science or an~~
656 ~~associate in science degree may be awarded only by a Florida~~
657 ~~College System institution. However, if an associate in applied~~
658 ~~science or an associate in science degree program contains~~
659 ~~within it an occupational completion point that confers a~~
660 ~~certificate or an applied technology diploma, that portion of~~
661 ~~the program may be offered~~ conducted by a school district career
662 center. ~~Any~~ Instruction designed to articulate to a degree
663 program is subject to guidelines and standards adopted by the
664 State Board of Education pursuant to s. 1007.25.

665 (3) Each school district and Florida College System
666 institution receiving state appropriations for workforce
667 education programs must maintain adequate and accurate records,
668 including a system to record school district workforce education
669 funding and expenditures, in order to maintain separation of
670 postsecondary workforce education expenditures from secondary

576-04191-16

20161060c1

671 workforce education expenditures. These records must be filed
672 with the Department of Education in correct and proper form on
673 or before the date due as provided by law or rule for each
674 annual or periodic report that is required by rules of the State
675 Board of Education.

676 ~~(3) If a program for disabled adults pursuant to s. 1004.93~~
677 ~~is a workforce program as defined in law, it must be funded as~~
678 ~~provided in this section.~~

679 ~~(4) Funding for all workforce education programs must be~~
680 ~~based on cost categories, performance output measures, and~~
681 ~~performance outcome measures.~~

682 ~~(a) The cost categories must be calculated to identify~~
683 ~~high-cost programs, medium-cost programs, and low-cost programs.~~
684 ~~The cost analysis used to calculate and assign a program of~~
685 ~~study to a cost category must include at least both direct and~~
686 ~~indirect instructional costs, consumable supplies, equipment,~~
687 ~~and standard program length.~~

688 ~~(b) The performance output measure for an adult general~~
689 ~~education course of study is measurable improvement in student~~
690 ~~skills. This measure shall include improvement in literacy~~
691 ~~skills, grade level improvement as measured by an approved test,~~
692 ~~or attainment of a State of Florida diploma or an adult high~~
693 ~~school diploma.~~

694 ~~(c) The performance outcome measures for adult general~~
695 ~~education programs are associated with placement and retention~~
696 ~~of students after reaching a completion point or completing a~~
697 ~~program of study. These measures include placement or retention~~
698 ~~in employment. Continuing postsecondary education at a level~~
699 ~~that will further enhance employment is a performance outcome~~

576-04191-16

20161060c1

700 ~~for adult general education programs.~~

701 (5) State funding and student fees for workforce education
702 instruction shall be established as follows:

703 (a) Expenditures for the continuing workforce education
704 programs provided by the Florida College System institutions or
705 school districts must be fully supported by fees. Enrollments in
706 continuing workforce education courses shall not be counted for
707 purposes of funding full-time equivalent enrollment.

708 (b) For all other workforce education programs, state
709 funding shall be calculated based on weighted enrollment and
710 program costs minus fee revenues generated to offset program
711 operational costs equal 75 percent of the average cost of
712 instruction with the remaining 25 percent made up from student
713 fees. Fees for courses within a program shall not vary according
714 to the cost of the individual program, but instead shall be as
715 provided in s. 1009.22 based on a uniform fee calculated and set
716 at the state level, as adopted by the State Board of Education,
717 unless otherwise specified in the General Appropriations Act.

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

721 ~~(c)(d)~~ For a public educational institution that has been
722 fully funded by an external agency for direct instructional
723 costs of any course or program, the FTE generated shall not be
724 reported for state funding.

725 (6) (a) ~~A school district or a Florida College System~~
726 ~~institution that provides workforce education programs shall~~
727 ~~receive funds in accordance with distributions for base and~~
728 ~~performance funding established by the Legislature in the~~

576-04191-16

20161060c1

729 ~~General Appropriations Act.~~ To ensure equitable funding for all
730 school district workforce education programs and to recognize
731 enrollment growth, the Department of Education shall use the
732 funding model developed by the District Workforce Education
733 Funding Steering Committee to determine each district's
734 workforce education funding needs. To assist the Legislature in
735 allocating workforce education funds in the General
736 Appropriations Act, the funding model shall annually be provided
737 to the legislative appropriations committees no later than March
738 1.

739 (b) Operational funding shall be provided to school
740 districts for workforce education programs based on weighted
741 student enrollment and program costs determined by cost
742 categories. The cost categories must be calculated to identify
743 high-cost programs, medium-cost programs, and low-cost programs.
744 The cost analysis used to calculate and assign a program of
745 study to a cost category must include, at a minimum, direct and
746 indirect instructional costs, consumable supplies, equipment,
747 and standard program length.

748 (7) Performance funding for workforce education programs
749 shall be contingent upon specific appropriation in the General
750 Appropriations Act. To assist the Legislature in determining
751 performance funding allocations, the State Board of Education
752 shall annually, by March 1, provide the Legislature with
753 recommended formulas, criteria, timeframes, and mechanisms for
754 distributing performance funds. These recommendations shall
755 reward programs that:

756 (a) Prepare people to enter high-skill and high-wage
757 occupations identified by the Workforce Estimating Conference

576-04191-16

20161060c1

758 pursuant to s. 216.136 and programs approved by CareerSource
759 Florida, Inc. At a minimum, performance incentives shall be
760 calculated for adults who reach completion points or complete
761 programs that lead to their placement in high-skill and high-
762 wage employment.

763 (b) Prepare adults who are eligible for public assistance,
764 economically disadvantaged, disabled, not proficient in English,
765 or dislocated workers for high-wage occupations. At a minimum,
766 performance incentives shall be calculated at an enhanced value
767 for such adults who complete programs that lead to their
768 placement in high-wage employment. In addition, adjustments may
769 be made in performance incentives for such adults who become
770 employed in high-wage occupations in areas with high
771 unemployment rates.

772 (c) Increase student achievement in adult general education
773 courses by measuring performance output and outcome measures.

774 1. The performance output measure for an adult general
775 education course is measurable improvement in student skills.
776 This measure includes improvement in literacy skills, grade-
777 level improvement as measured by an approved test, or attainment
778 of a high school diploma.

779 2. The performance outcome measures for adult general
780 education programs are placement in and retention of employment
781 after reaching a completion point or completing a program. These
782 measures include continuation of postsecondary education at a
783 level that will further enhance employment.

784 (d) ~~(b)~~ Award industry certifications. Performance funding
785 for industry certifications ~~for school district workforce~~
786 education programs is contingent upon specific appropriation in

576-04191-16

20161060c1

787 ~~the General Appropriations Act~~ and shall be determined as
788 follows:

789 1. Occupational areas for which industry certifications may
790 be earned, as established in the General Appropriations Act, are
791 eligible for performance funding. Priority shall be given to the
792 occupational areas emphasized in state, national, or corporate
793 grants provided to Florida educational institutions.

794 2. The Chancellor of Career and Adult Education shall
795 identify the industry certifications eligible for funding on the
796 CAPE Postsecondary Industry Certification Funding List approved
797 by the State Board of Education pursuant to s. 1008.44, based on
798 the occupational areas specified in the General Appropriations
799 Act.

800 3. Each school district shall be provided \$1,000 for each
801 industry certification earned by a workforce education student.
802 The maximum amount of funding appropriated for performance
803 funding pursuant to this paragraph shall be limited to \$15
804 million annually. If funds are insufficient to fully fund the
805 calculated total award, such funds shall be prorated.

806 ~~(c) A program is established to assist school districts and
807 Florida College System institutions in responding to the needs
808 of new and expanding businesses and thereby strengthening the
809 state's workforce and economy. The program may be funded in the
810 General Appropriations Act. The district or Florida College
811 System institution shall use the program to provide customized
812 training for businesses which satisfies the requirements of s.
813 288.047. Business firms whose employees receive the customized
814 training must provide 50 percent of the cost of the training.
815 Balances remaining in the program at the end of the fiscal year~~

576-04191-16

20161060c1

816 shall not revert to the general fund, but shall be carried over
817 for 1 additional year and used for the purpose of serving
818 incumbent worker training needs of area businesses with fewer
819 than 100 employees. Priority shall be given to businesses that
820 must increase or upgrade their use of technology to remain
821 competitive.

822 (8)~~(7)~~(a) A school district or Florida College System
823 institution that receives workforce education funds must use the
824 money to benefit the workforce education programs it provides.
825 The money may be used for equipment upgrades, program
826 expansions, or any other use that would result in workforce
827 education program improvement. The district school board or
828 Florida College System institution board of trustees may not
829 withhold any portion of the performance funding for indirect
830 costs.

831 (b) State funds provided for the operation of postsecondary
832 workforce programs may not be expended for the education of
833 state or federal inmates.

834 ~~(8) The State Board of Education and CareerSource Florida,~~
835 ~~Inc., shall provide the Legislature with recommended formulas,~~
836 ~~criteria, timeframes, and mechanisms for distributing~~
837 ~~performance funds. The commissioner shall consolidate the~~
838 ~~recommendations and develop a consensus proposal for funding.~~
839 ~~The Legislature shall adopt a formula and distribute the~~
840 ~~performance funds to the State Board of Education for Florida~~
841 ~~College System institutions and school districts through the~~
842 ~~General Appropriations Act. These recommendations shall be based~~
843 ~~on formulas that would discourage low-performing or low-demand~~
844 ~~programs and encourage through performance funding awards:~~

576-04191-16

20161060c1

845 ~~(a) Programs that prepare people to enter high-wage~~
846 ~~occupations identified by the Workforce Estimating Conference~~
847 ~~created by s. 216.136 and other programs as approved by~~
848 ~~CareerSource Florida, Inc. At a minimum, performance incentives~~
849 ~~shall be calculated for adults who reach completion points or~~
850 ~~complete programs that lead to specified high-wage employment~~
851 ~~and to their placement in that employment.~~

852 ~~(b) Programs that successfully prepare adults who are~~
853 ~~eligible for public assistance, economically disadvantaged,~~
854 ~~disabled, not proficient in English, or dislocated workers for~~
855 ~~high-wage occupations. At a minimum, performance incentives~~
856 ~~shall be calculated at an enhanced value for the completion of~~
857 ~~adults identified in this paragraph and job placement of such~~
858 ~~adults upon completion. In addition, adjustments may be made in~~
859 ~~payments for job placements for areas of high unemployment.~~

860 ~~(c) Programs that are specifically designed to be~~
861 ~~consistent with the workforce needs of private enterprise and~~
862 ~~regional economic development strategies, as defined in~~
863 ~~guidelines set by CareerSource Florida, Inc. CareerSource~~
864 ~~Florida, Inc., shall develop guidelines to identify such needs~~
865 ~~and strategies based on localized research of private employers~~
866 ~~and economic development practitioners.~~

867 ~~(d) Programs identified by CareerSource Florida, Inc., as~~
868 ~~increasing the effectiveness and cost efficiency of education.~~

869 (4) ~~(9)~~ School districts shall report full-time equivalent
870 students by discipline category for the programs specified in
871 subsection (1). There shall be an annual cost analysis for the
872 school district workforce education programs that reports cost
873 by discipline category consistent with the reporting for full-

576-04191-16

20161060c1

874 time equivalent students. The annual financial reports submitted
875 by the school districts must accurately report on the student
876 fee revenues by fee type according to the programs specified in
877 subsection (1). The Department of Education shall develop a plan
878 for comparable reporting of program, student, facility,
879 personnel, and financial data between the Florida College System
880 institutions and the school district workforce education
881 programs.

882 (9)~~(10)~~ A high school student dually enrolled under s.
883 1007.271 in a workforce education program operated by a Florida
884 College System institution or school district career center
885 generates the amount calculated for workforce education funding,
886 including any payment of performance funding, and the
887 proportional share of full-time equivalent enrollment generated
888 through the Florida Education Finance Program for the student's
889 enrollment in a high school. If a high school student is dually
890 enrolled in a Florida College System institution program,
891 including a program conducted at a high school, the Florida
892 College System institution earns the funds generated for
893 workforce education funding, and the school district earns the
894 proportional share of full-time equivalent funding from the
895 Florida Education Finance Program. If a student is dually
896 enrolled in a career center operated by the same district as the
897 district in which the student attends high school, that district
898 earns the funds generated for workforce education funding and
899 also earns the proportional share of full-time equivalent
900 funding from the Florida Education Finance Program. If a student
901 is dually enrolled in a workforce education program provided by
902 a career center operated by a different school district, the

576-04191-16

20161060c1

903 funds must be divided between the two school districts
904 proportionally from the two funding sources. A student may not
905 be reported for funding in a dual enrollment workforce education
906 program unless the student has completed the basic skills
907 assessment pursuant to s. 1004.91. A student who is coenrolled
908 in a K-12 education program and an adult education program may
909 be reported for purposes of funding in an adult education
910 program. If a student is coenrolled in core curricula courses
911 for credit recovery or dropout prevention purposes and does not
912 have a pattern of excessive absenteeism or habitual truancy or a
913 history of disruptive behavior in school, the student may be
914 reported for funding for up to two courses per year. Such a
915 student is exempt from the payment of the block tuition for
916 adult general education programs provided in s. 1009.22(3)(c).
917 The Department of Education shall develop a list of courses to
918 be designated as core curricula courses for the purposes of
919 coenrollment.

920 ~~(10)-(11)~~ The State Board of Education may adopt rules to
921 administer this section.

922 Section 15. Section 1011.802, Florida Statutes, is created
923 to read:

924 1011.802 Florida Apprenticeship Grant (FLAG) program.—

925 (1) The Florida Apprenticeship Grant (FLAG) program is
926 created to provide grants to career centers, charter technical
927 career centers, and Florida College System institutions on a
928 competitive basis, in an amount provided in the General
929 Appropriations Act, to establish new apprenticeship programs and
930 expand existing apprenticeship programs. The Division of Career
931 and Adult Education within the Department of Education shall

576-04191-16

20161060c1

932 administer the grant program.

933 (2) Applications from career centers, charter technical
934 career centers, and Florida College System institutions must
935 contain projected enrollment and projected costs for the new or
936 expanded apprenticeship program.

937 (3) The Department of Education shall give priority to
938 apprenticeship programs in the areas of information technology,
939 health, and machining and manufacturing. Grant funds may be used
940 for instructional equipment, supplies, personnel, student
941 services, and other expenses associated with the creation or
942 expansion of an apprenticeship program. Grant funds may not be
943 used for recurring instructional costs or for the indirect costs
944 of a center or institution. Grant recipients must submit
945 quarterly reports in a format prescribed by the department.

946 Section 16. Section 1011.803, Florida Statutes, is created
947 to read:

948 1011.803 Rapid Response Grant program.—

949 (1) The Rapid Response Grant program is established to
950 award grants on a competitive basis, in an amount provided in
951 the General Appropriations Act, for the expansion or
952 implementation of high-demand postsecondary programs at career
953 centers and Florida College System institutions.

954 (2) Each career center or Florida College System
955 institution applying for a grant shall submit an application to
956 the Department of Education in the format prescribed by the
957 department. The application must include, but need not be
958 limited to, program expansion or development details, projected
959 enrollment, and projected costs.

960 (3) Each career center or Florida College System

576-04191-16

20161060c1

961 institution that is awarded a grant under this section shall
962 submit quarterly reports to the department in the format
963 prescribed by the department. Grant funds may not be used to
964 supplant current funds and must be used to expand enrollment in
965 existing postsecondary programs or develop new postsecondary
966 programs.

967 (4) The department shall administer the program and conduct
968 an annual analysis and assessment of the effectiveness of the
969 postsecondary programs funded under this section in meeting
970 labor market demand.

971 Section 17. This act shall take effect July 1, 2016.