

By Senator Cruz

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1 A bill to be entitled
2 An act relating to college and career educational
3 pathways; creating s. 446.093, F.S.; establishing the
4 Task Force on Apprenticeship Expansion adjunct to the
5 Department of Economic Opportunity; providing
6 definitions; specifying the duties of the task force;
7 providing for the composition and meetings of the task
8 force; requiring the Department of Economic
9 Opportunity and the Department of Education to provide
10 specified assistance to the task force; requiring the
11 task force to submit a report to the Governor and
12 Legislature by a specified date; providing for
13 termination of the task force; amending s. 464.008,
14 F.S.; authorizing certain persons to take the nursing
15 licensure examination before the Department of Health
16 receives certain documentation for licensure;
17 requiring such persons to complete specified
18 requirements before they are entitled to licensure as
19 a registered nurse or licensed practical nurse;
20 amending s. 464.203, F.S.; authorizing certain persons
21 to take the nursing assistant competency examination
22 before the Board of Nursing receives certain
23 documentation for certification; requiring such
24 persons to complete specified requirements before they
25 are entitled to certification as a certified nursing
26 assistant; amending s. 1008.34, F.S.; requiring the
27 percentage of students engaged in an apprenticeship or
28 preapprenticeship program to be used in determining a
29 school's grade; amending s. 1011.62, F.S.; providing a

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30 specified value to be used in the calculation of full-
31 time equivalent student membership for students who
32 fulfill certain requirements; amending ss. 446.011,
33 446.021, 446.041, 446.052, 446.081, and 446.091, F.S.;
34 conforming cross-references; providing an effective
35 date.

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Section 446.093, Florida Statutes, is created to
40 read:

41 446.093 Task Force on Apprenticeship Expansion.—

42 (1) The Task Force on Apprenticeship Expansion, a task
43 force as defined in s. 20.03, is established adjunct to the
44 Department of Economic Opportunity.

45 (2) As used in this section, the term:

46 (a) "School district" has the same meaning as in s.
47 595.402.

48 (b) "Skill deficit industries" means sectors of advanced
49 manufacturing, construction, health care, agriculture,
50 information technology, and trade industries that are
51 experiencing a severe shortage in skilled individuals in the
52 workforce.

53 (3) Except as otherwise provided in this section, the task
54 force shall operate consistent with s. 20.052. The task force
55 shall:

56 (a) Seek information from representatives of and experts in
57 the state's skill deficit industries regarding unmet workforce
58 needs.

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59 (b) Explore the expansion of preapprenticeship and
60 apprenticeship programs by replicating current effective
61 programs and developing new programs incorporating industry best
62 practices without impacting currently registered programs.

63 (c) Examine and make legislative and administrative
64 recommendations regarding all of the following topics:

65 1. Enhancement of articulation between middle school
66 curriculum; high school and state college career and technical
67 education programs, including registered preapprenticeship
68 programs and registered apprenticeship programs; postsecondary
69 institution associate and baccalaureate degree programs; and
70 workforce needs.

71 2. Effective delivery of information regarding career and
72 technical education opportunities, including registered
73 preapprenticeship and apprenticeship programs, to the general
74 public, school districts, school administrators, school guidance
75 counselors, and students enrolled in grades K-12 and their
76 parents or guardians.

77 3. Implementation of a sustainable model for the funding of
78 registered preapprenticeship and apprenticeship programs,
79 including the development of additional revenue sources,
80 expansion of public-private partnerships, establishment of
81 student scholarships, and replacement of funds lost through
82 remission of tuition and fees.

83 4. Creation of benefits for businesses employing
84 preapprentices or apprentices through a registered
85 preapprenticeship or apprenticeship program and for educational
86 institutions offering registered preapprenticeship and
87 apprenticeship programs.

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88 5. Obstacles to employer engagement in registered
89 preapprenticeship and apprenticeship programs, and solutions to
90 such obstacles.

91 6. Streamlined administrative processes for registered
92 preapprenticeship and apprenticeship programs.

93 7. Means to expedite workforce readiness, job entry, and
94 skill attainment through registered preapprenticeship and
95 apprenticeship programs.

96 8. Increased recruitment of veterans, women, members of
97 minority groups, low-income individuals, and individuals with
98 disabilities into registered preapprenticeship and
99 apprenticeship programs and subsequent potential placement
100 opportunities.

101 (4) The task force is composed of the following 17 members,
102 who shall be appointed no later than July 31, 2019:

103 (a) A member of the Senate appointed by the President of
104 the Senate.

105 (b) A member of the House of Representatives appointed by
106 the Speaker of the House of Representatives.

107 (c) A member appointed by the Florida Farm Bureau
108 Federation.

109 (d) A member appointed by the Florida Home Builders
110 Association.

111 (e) A member appointed by the Florida AFL-CIO.

112 (f) A member appointed by the Manufacturers Association of
113 Florida.

114 (g) A member appointed by the Florida Nurses Association.

115 (h) A member appointed by the Florida Building and
116 Construction Trades Council.

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- 117 (i) A member appointed by the Florida High Tech Corridor
118 Council.
- 119 (j) A member appointed by the Florida Association for
120 Career and Technical Education.
- 121 (k) A member appointed by the Florida Association of
122 Postsecondary Schools and Colleges.
- 123 (l) A member appointed by the executive director of the
124 Department of Economic Opportunity.
- 125 (m) A member appointed by the Commissioner of Education.
- 126 (n) A member appointed by CareerSource Florida.
- 127 (o) A member appointed by the Florida Association of
128 Apprenticeship Administrators.
- 129 (p) A member appointed by the Adult and Community Education
130 School.
- 131 (q) The Chancellor of the Florida College System.
- 132 (5) The task force shall elect a chair from among its
133 members.
- 134 (6) The task force shall meet as often as necessary to
135 fulfill its goals, but not fewer than three times. The first
136 meeting of the task force must be held no later than August 15,
137 2019. Task force meetings may be conducted by conference call,
138 teleconferencing, or similar technology.
- 139 (7) Task force members shall serve without compensation.
- 140 (8) The Department of Economic Opportunity and the
141 Department of Education shall provide such assistance as is
142 reasonably necessary to assist the task force in accomplishing
143 its goals.
- 144 (9) The task force shall submit a report detailing its
145 activities, findings, and specific recommendations for changes

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146 in law, rules, policies, and programs to the Governor, the
147 President of the Senate, and the Speaker of the House of
148 Representatives by March 1, 2020.

149 (10) This section expires July 31, 2020.

150 Section 2. Subsection (1) of section 464.008, Florida
151 Statutes, is amended to read:

152 464.008 Licensure by examination.—

153 (1) Any person desiring to be licensed as a registered
154 nurse or licensed practical nurse shall apply to the department
155 to take the licensure examination. A person who provides proof
156 of meeting the educational requirements specified in this
157 subsection may apply to the department to take the licensure
158 examination before the department receives any other
159 documentation required for licensure under this subsection.
160 However, the person must complete all of the requirements
161 specified in this subsection before he or she is entitled to
162 licensure as a registered nurse or licensed practical nurse. The
163 department shall examine each applicant who:

164 (a) Has completed the application form and remitted a fee
165 set by the board not to exceed \$150 and has remitted an
166 examination fee set by the board not to exceed \$75 plus the
167 actual per applicant cost to the department for purchase of the
168 examination from the National Council of State Boards of Nursing
169 or a similar national organization.

170 (b) Has provided sufficient information on or after October
171 1, 1989, which must be submitted by the department for a
172 statewide criminal records correspondence check through the
173 Department of Law Enforcement.

174 (c) Is in good mental and physical health, is a recipient

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175 of a high school diploma or the equivalent, and has completed
176 the requirements for:

- 177 1. Graduation from an approved program;
- 178 2. Graduation from a prelicensure nursing education program
179 that the board determines is equivalent to an approved program;
- 180 3. Graduation on or after July 1, 2009, from an accredited
181 program; or
- 182 4. Graduation before July 1, 2009, from a prelicensure
183 nursing education program whose graduates at that time were
184 eligible for examination.

185
186 Courses successfully completed in a professional nursing
187 education program that are at least equivalent to a practical
188 nursing education program may be used to satisfy the educational
189 ~~education~~ requirements for licensure as a licensed practical
190 nurse.

191 (d) Has the ability to communicate in the English language,
192 which may be determined by an examination given by the
193 department.

194 Section 3. Subsection (1) of section 464.203, Florida
195 Statutes, is amended to read:

196 464.203 Certified nursing assistants; certification
197 requirement.—

198 (1) The board shall issue a certificate to practice as a
199 certified nursing assistant to any person who demonstrates a
200 minimum competency to read and write and successfully passes the
201 required background screening pursuant to s. 400.215. If the
202 person has successfully passed the required background screening
203 pursuant to s. 400.215 or s. 408.809 within 90 days before

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204 applying for a certificate to practice and the person's
205 background screening results are not retained in the
206 clearinghouse created under s. 435.12, the board shall waive the
207 requirement that the applicant successfully pass an additional
208 background screening pursuant to s. 400.215. A person may apply
209 to the board to take the nursing assistant competency
210 examination before the board receives any other documentation
211 required for certification under this subsection. However, a
212 person must complete all of the requirements specified in this
213 subsection before he or she is entitled to certification as a
214 certified nursing assistant. The person must also meet one of
215 the following requirements:

216 (a) Has successfully completed an approved training program
217 and achieved a minimum score, established by rule of the board,
218 on the nursing assistant competency examination, which consists
219 of a written portion and skills-demonstration portion approved
220 by the board and administered at a site and by personnel
221 approved by the department.

222 (b) Has achieved a minimum score, established by rule of
223 the board, on the nursing assistant competency examination,
224 which consists of a written portion and skills-demonstration
225 portion, approved by the board and administered at a site and by
226 personnel approved by the department and:

- 227 1. Has a high school diploma, or its equivalent; or
- 228 2. Is at least 18 years of age.

229 (c) Is currently certified in another state; is listed on
230 that state's certified nursing assistant registry; and has not
231 been found to have committed abuse, neglect, or exploitation in
232 that state.

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233 (d) Has completed the curriculum developed under the
234 Enterprise Florida Jobs and Education Partnership Grant and
235 achieved a minimum score, established by rule of the board, on
236 the nursing assistant competency examination, which consists of
237 a written portion and skills-demonstration portion, approved by
238 the board and administered at a site and by personnel approved
239 by the department.

240 Section 4. Paragraph (b) of subsection (3) of section
241 1008.34, Florida Statutes, is amended to read:

242 1008.34 School grading system; school report cards;
243 district grade.—

244 (3) DESIGNATION OF SCHOOL GRADES.—

245 (b)1. Beginning with the 2014-2015 school year, a school's
246 grade shall be based on the following components, each worth 100
247 points:

248 a. The percentage of eligible students passing statewide,
249 standardized assessments in English Language Arts under s.
250 1008.22(3).

251 b. The percentage of eligible students passing statewide,
252 standardized assessments in mathematics under s. 1008.22(3).

253 c. The percentage of eligible students passing statewide,
254 standardized assessments in science under s. 1008.22(3).

255 d. The percentage of eligible students passing statewide,
256 standardized assessments in social studies under s. 1008.22(3).

257 e. The percentage of eligible students who make Learning
258 Gains in English Language Arts as measured by statewide,
259 standardized assessments administered under s. 1008.22(3).

260 f. The percentage of eligible students who make Learning
261 Gains in mathematics as measured by statewide, standardized

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262 assessments administered under s. 1008.22(3).

263 g. The percentage of eligible students in the lowest 25
264 percent in English Language Arts, as identified by prior year
265 performance on statewide, standardized assessments, who make
266 Learning Gains as measured by statewide, standardized English
267 Language Arts assessments administered under s. 1008.22(3).

268 h. The percentage of eligible students in the lowest 25
269 percent in mathematics, as identified by prior year performance
270 on statewide, standardized assessments, who make Learning Gains
271 as measured by statewide, standardized Mathematics assessments
272 administered under s. 1008.22(3).

273 i. For schools comprised of middle grades 6 through 8 or
274 grades 7 and 8, the percentage of eligible students passing high
275 school level statewide, standardized end-of-course assessments
276 or attaining national industry certifications identified in the
277 CAPE Industry Certification Funding List pursuant to rules
278 adopted by the State Board of Education.

279
280 In calculating Learning Gains for the components listed in sub-
281 subparagraphs e.-h., the State Board of Education shall require
282 that learning growth toward achievement levels 3, 4, and 5 is
283 demonstrated by students who scored below each of those levels
284 in the prior year. In calculating the components in sub-
285 subparagraphs a.-d., the state board shall include the
286 performance of English language learners only if they have been
287 enrolled in a school in the United States for more than 2 years.

288 2. For a school comprised of grades 9, 10, 11, and 12, or
289 grades 10, 11, and 12, the school's grade shall also be based on
290 the following components, each worth 100 points:

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291 a. The 4-year high school graduation rate of the school as
292 defined by state board rule.

293 b. The percentage of students who were eligible to earn
294 college and career credit through College Board Advanced
295 Placement examinations, International Baccalaureate
296 examinations, dual enrollment courses, or Advanced International
297 Certificate of Education examinations; ~~or~~ who, at any time
298 during high school, earned national industry certification
299 identified in the CAPE Industry Certification Funding List,
300 pursuant to rules adopted by the state board; or who, beginning
301 with the 2019-2020 school year, engaged in an apprenticeship
302 program or preapprenticeship program, as defined in s. 446.021.

303 Section 5. Paragraph (n) of subsection (1) of section
304 1011.62, Florida Statutes, is amended to read:

305 1011.62 Funds for operation of schools.—If the annual
306 allocation from the Florida Education Finance Program to each
307 district for operation of schools is not determined in the
308 annual appropriations act or the substantive bill implementing
309 the annual appropriations act, it shall be determined as
310 follows:

311 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
312 OPERATION.—The following procedure shall be followed in
313 determining the annual allocation to each district for
314 operation:

315 (n) *Calculation of additional full-time equivalent*
316 *membership based on college board advanced placement scores of*
317 *students.*—A value of 0.16 full-time equivalent student
318 membership shall be calculated for each student in each advanced
319 placement course who receives a score of 3 or higher on the

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320 College Board Advanced Placement Examination. A value of 0.3
321 full-time equivalent student membership shall be calculated for
322 each student who receives an Advanced Placement Capstone Diploma
323 in addition to meeting the requirements for a standard high
324 school diploma under s. 1003.4282. Such value shall be ~~for the~~
325 ~~prior year and~~ added to the total full-time equivalent student
326 membership in basic programs for grades 9 through 12 in the
327 subsequent fiscal year. Each district must allocate at least 80
328 percent of the funds provided to the district for advanced
329 placement instruction, in accordance with this paragraph, to the
330 high school that generates the funds. The school district shall
331 distribute to each classroom teacher who provided advanced
332 placement instruction:

333 1. A bonus in the amount of \$50 for each student taught by
334 the Advanced Placement teacher in each advanced placement course
335 who receives a score of 3 or higher on the College Board
336 Advanced Placement Examination.

337 2. An additional bonus of \$500 to each Advanced Placement
338 teacher in a school designated with a grade of "D" or "F" who
339 has at least one student scoring 3 or higher on the College
340 Board Advanced Placement Examination, regardless of the number
341 of classes taught or of the number of students scoring a 3 or
342 higher on the College Board Advanced Placement Examination.

343
344 Bonuses awarded under this paragraph shall be in addition to any
345 regular wage or other bonus the teacher received or is scheduled
346 to receive. For such courses, the teacher shall earn an
347 additional bonus of \$50 for each student who has a qualifying
348 score.

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349 Section 6. Subsection (3) of section 446.011, Florida
350 Statutes, is amended to read:

351 446.011 Legislative intent regarding apprenticeship
352 training.—

353 (3) It is the further intent of ss. 446.011-446.093 ~~ss.~~
354 ~~446.011-446.092~~ that the department ensure quality training
355 through the adoption and enforcement of uniform minimum
356 standards and that the department promote, register, monitor,
357 and service apprenticeship and training programs and ensure that
358 the programs adhere to the standards.

359 Section 7. Section 446.021, Florida Statutes, is amended to
360 read:

361 446.021 Definitions of terms used in ss. 446.011-446.093
362 ~~ss. 446.011-446.092~~.—As used in ss. 446.011-446.093 ~~ss. 446.011-~~
363 ~~446.092~~, the term:

364 (8)~~(1)~~ "Preapprentice" means any person 16 years of age or
365 over engaged in any course of instruction in the public school
366 system or elsewhere, which course is registered as a
367 preapprenticeship program with the department.

368 (1)~~(2)~~ "Apprentice" means a person at least 16 years of age
369 who is engaged in learning a recognized skilled trade through
370 actual work experience under the supervision of journeymen
371 craftsmen, which training should be combined with properly
372 coordinated studies of related technical and supplementary
373 subjects, and who has entered into a written agreement, which
374 may be cited as an apprentice agreement, with a registered
375 apprenticeship sponsor who may be either an employer, an
376 association of employers, or a local joint apprenticeship
377 committee.

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378 (11)~~(3)~~ "Trainee" means a person at least 16 years of age
379 who is engaged in learning a specific skill, trade, or
380 occupation within a formalized, on-the-job training program.

381 (5)~~(4)~~ "Journeyman" means a person working in an
382 apprenticeable occupation who has successfully completed a
383 registered apprenticeship program or who has worked the number
384 of years required by established industry practices for the
385 particular trade or occupation.

386 (9)~~(5)~~ "Preapprenticeship program" means an organized
387 course of instruction in the public school system or elsewhere,
388 which course is designed to prepare a person 16 years of age or
389 older to become an apprentice and which course is approved by
390 and registered with the department and sponsored by a registered
391 apprenticeship program.

392 (2)~~(6)~~ "Apprenticeship program" means an organized course
393 of instruction, registered and approved by the department, which
394 course shall contain all terms and conditions for the
395 qualifications, recruitment, selection, employment, and training
396 of apprentices including such matters as the requirements for a
397 written apprenticeship agreement.

398 (7) "On-the-job training program" means a formalized system
399 of job processes which may be augmented by related instruction
400 that provides the experience and knowledge necessary to meet the
401 training objective of learning a specific skill, trade, or
402 occupation. The training program must be at least 6 months and
403 not more than 2 years in duration and must be registered with
404 the department.

405 (12)~~(8)~~ "Uniform minimum preapprenticeship standards" means
406 the minimum requirements established uniformly for each craft

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407 under which a preapprenticeship program is administered and
408 includes standards of admission, training goals, training
409 objectives, curriculum outlines, objective standards to measure
410 successful completion of the preapprenticeship program, and the
411 percentage of credit which may be given to preapprenticeship
412 graduates upon acceptance into the apprenticeship program.

413 (10)~~(9)~~ "Related instruction" means an organized and
414 systematic form of instruction designed to provide the
415 apprentice with knowledge of the theoretical subjects related to
416 a specific trade or occupation.

417 (3)~~(10)~~ "Cancellation" means the deregistration of an
418 apprenticeship program or the termination of an apprenticeship
419 agreement.

420 (6)~~(11)~~ "Jurisdiction" means the specific geographical area
421 for which a particular program is registered.

422 (4)~~(12)~~ "Department" means the Department of Education.

423 Section 8. Subsections (1) and (13) of section 446.041,
424 Florida Statutes, are amended to read:

425 446.041 Apprenticeship program, duties of the department.—
426 The department shall:

427 (1) Administer ss. 446.011-446.093 ~~ss. 446.011-446.092~~.

428 (13) Adopt rules required to administer ss. 446.011-446.093
429 ~~ss. 446.011-446.092~~.

430 Section 9. Subsection (2) of section 446.052, Florida
431 Statutes, is amended to read:

432 446.052 Preapprenticeship program.—

433 (2) The department, under regulations established by the
434 State Board of Education, may administer the provisions of ss.
435 446.011-446.093 ~~ss. 446.011-446.092~~ which relate to

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436 preapprenticeship programs in cooperation with district school
437 boards and community college district boards of trustees.
438 District school boards, community college district boards of
439 trustees, and registered program sponsors shall cooperate in
440 developing and establishing programs that include career
441 instruction and general education courses required to obtain a
442 high school diploma.

443 Section 10. Subsections (1), (2), and (4) of section
444 446.081, Florida Statutes, are amended to read:

445 446.081 Limitation.—

446 (1) Nothing in ss. 446.011-446.093 ~~ss. 446.011-446.092~~ or
447 in any apprentice agreement approved under those sections shall
448 operate to invalidate any apprenticeship provision in any
449 collective agreement between employers and employees setting up
450 higher apprenticeship standards.

451 (2) No person shall institute any action for the
452 enforcement of any apprentice agreement, or for damages for the
453 breach of any apprentice agreement, made under ss. 446.011-
454 446.093 ~~ss. 446.011-446.092~~, unless he or she has first
455 exhausted all administrative remedies provided by this section.

456 (4) Nothing in ss. 446.011-446.093 ~~ss. 446.011-446.092~~ or
457 in any rules adopted or contained in any approved apprentice
458 agreement under such sections invalidates any special provision
459 for veterans, minority persons, or women in the standards,
460 qualifications, or operation of the apprenticeship program which
461 is not otherwise prohibited by any applicable general law, rule,
462 or regulation.

463 Section 11. Section 446.091, Florida Statutes, is amended
464 to read:

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465 446.091 On-the-job training program.—All provisions of ss.
466 446.011-446.093 ~~ss. 446.011-446.092~~ relating to apprenticeship
467 and preapprenticeship, including, but not limited to, programs,
468 agreements, standards, administration, procedures, definitions,
469 expenditures, local committees, powers and duties, limitations,
470 grievances, and ratios of apprentices and job trainees to
471 journeymen on state, county, and municipal contracts, shall be
472 appropriately adapted and made applicable to a program of on-
473 the-job training authorized under those provisions for persons
474 other than apprentices.

475 Section 12. This act shall take effect July 1, 2019.