

LEGISLATIVE ACTION

Senate Comm: RCS 03/02/2021 House

The Committee on Education (Hutson) recommended the following: Senate Amendment (with title amendment) Delete everything after the enacting clause and insert: Section 1. Section 446.011, Florida Statutes, is amended to read: 446.011 Legislative intent regarding apprenticeship training.-(1) It is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their

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12 abilities. It is the intent of this act to promote the mode of 13 training known as apprenticeship in occupations throughout 14 industry in the state that require physical manipulative skills. 15 The Legislature further intends to broaden By broadening job training opportunities by and providing for increased 16 17 coordination between secondary and postsecondary educational institutions and businesses and industries participating in 18 public school academic programs, career programs, and registered 19 apprenticeship programs so that τ the residents of this state 20 21 will benefit from an additional avenue to a postsecondary 22 credential or degree when on-the-job training is combined with 23 related technical and theoretical instruction provided by a 24 school district or any accredited postsecondary educational 25 institution. Therefore, this act encourages apprenticeship 26 programs to lead to a postsecondary credential the valuable 27 training opportunities developed when on-the-job training is 28 combined with academic-related classroom experiences. Moreover, 29 this act is intended to develop the apparent potentials in 30 apprenticeship training by assisting in the establishment of 31 preapprenticeship programs in the public school system and 32 elsewhere and by expanding presently registered programs as well as promoting new registered programs in jobs that lend themselves to apprenticeship training.

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(2) It is the intent of the Legislature that the Department of Education have responsibility for the development of the <u>registered</u> apprenticeship and <u>registered</u> preapprenticeship uniform minimum standards for the apprenticeable <u>occupations</u> trades and that the department have responsibility for assisting approved program sponsors pursuant to s. 446.071 district school

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41 boards and Florida College System institution boards of trustees
42 in developing preapprenticeship programs.

(3) It is the further intent of ss. 446.011-446.092 that the department ensure quality training through the adoption and enforcement of uniform minimum standards and that the department promote, register, monitor, and service apprenticeship and <u>preapprenticeship</u> training programs and ensure that the programs adhere to the standards.

49 (4) It is the intent of the Legislature that this act not 50 require the use of apprentices or preapprentices on construction 51 projects financed by the state or any county, municipality, town 52 or township, public authority, special district, municipal 53 service taxing unit, or other agency of state or local 54 government. Notwithstanding this intent, whenever any government 55 or agency of government employs, of its own choice, apprentices 56 or preapprentices or employs contractors who employ apprentices 57 or preapprentices, the behavior of the government and the 58 contractors employed by the government shall be governed by the 59 provisions of this act.

60 Section 2. Section 446.021, Florida Statutes, is amended to 61 read:

(Substantial rewording of section. See

s. 446.021, F.S., for present text.)

<u>446.021 Definitions of terms used in ss. 446.011-446.092.-</u> <u>As used in ss. 446.011-446.092, the term:</u>

(1) "Apprentice" means a person at least 16 years of age
 who has entered into an apprenticeship agreement with a
 registered apprenticeship program sponsor, is engaged in
 learning an apprenticeable occupation through actual work

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70	experience under the supervision of journeyworkers, and is
71	enrolled in the apprenticeship program, thereby receiving an
72	organized and systematic form of instruction designed to provide
73	theoretical and technical knowledge related to the occupation.
74	(2) "Apprenticeship program" means a program that is
75	registered with the department on the basis of a plan submitted
76	to the department which contains the terms and conditions for
77	the qualification, recruitment, selection, employment, and
78	training of apprentices, including requirements for a written
79	apprenticeship agreement.
80	(3) "Cancellation" means the termination or deregistration
81	of an apprenticeship program at the request of the program
82	sponsor or the termination of an apprenticeship agreement at the
83	request of the apprentice.
84	(4) "Department" means the Department of Education.
85	(5) "Journeyworker" means a person working in an
86	apprenticeable occupation who has successfully completed a
87	registered apprenticeship program or who has worked the number
88	of years required by established industry practices for the
89	particular trade or occupation.
90	(6) "On-the-job training" means a structured system of work
91	processes under the supervision of a journeyworker which
92	provides the experience and knowledge necessary to meet the
93	training objective of learning a specific skill, trade, or
94	occupation.
95	(7) "Preapprentice" means a person at least 16 years of age
96	who enters into a preapprenticeship agreement with a
97	preapprenticeship program sponsor approved by the department and
98	who engages in learning an apprenticeable occupation in any

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99 course of instruction in the public school system or elsewhere. 100 (8) "Preapprenticeship program" means a program sponsored by an apprenticeship program in the same occupation which is 101 102 registered with the department on the basis of a plan submitted 103 to the department which contains the terms and conditions of 104 instruction in the public school system or elsewhere and is 105 designed to prepare a registered preapprentice to become an 106 apprentice in an apprenticeship program. (9) "Related instruction" means an organized and systematic 107 108 form of instruction designed to provide an apprentice or a 109 preapprentice with the knowledge of theoretical subjects related 110 to a specific trade or occupation. 111 (10) "Uniform minimum standards" means the minimum 112 requirements established for each occupation under which an 113 apprenticeship or preapprenticeship program is administered. The 114 term includes standards of admission, training objectives, curriculum outlines, objective standards to measure successful 115 116 completion of the apprenticeship or preapprenticeship program, 117 and the percentage of credit which may be given to an apprentice 118 or preapprentice. 119 Section 3. Subsection (1), paragraphs (b), (d), and (e) of 120 subsection (2), and subsection (3) of section 446.032, Florida 121 Statutes, are amended to read: 122 446.032 General duties of the department for apprenticeship 123 training.-The department shall: 124 (1) Establish uniform minimum standards and policies 125 governing apprenticeship apprentice programs and agreements. The 126 standards and policies shall govern the terms and conditions of 127 the apprentice's employment and training, including the quality

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128 training of the apprentice for, but not limited to, such matters 129 as ratios of apprentices to journeyworkers, safety, related 130 technical instruction, and on-the-job training; but these 131 standards and policies may not include rules, standards, or 132 guidelines that require the use of apprentices and job trainces 133 on state, county, or municipal contracts. Uniform minimum 134 standards must be uniform across all occupations The department 135 may adopt rules necessary to administer the standards and 136 policies.

(2) By September 1 of each year, publish an annual report 137 on apprenticeship and preapprenticeship programs. The report 138 139 must be published on the department's website and, at a minimum, 140 include all of the following:

(b) A detailed summary of each local educational agency's expenditure of funds for apprenticeship and preapprenticeship 143 programs, including:

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

2. The total amount of funds allocated to each apprenticeable trade or occupation;

3. The total amount of funds expended for administrative costs per apprenticeable trade or occupation; and

4. The total amount of funds expended for instructional costs per apprenticeable trade and occupation.

(d) The percentage of apprentices and preapprentices who 153 complete their respective programs in the appropriate timeframe.

154 (e) Information and resources related to applications for 155 new apprenticeship programs and preapprenticeship programs and 156 technical assistance and requirements for potential

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157 <u>apprenticeship programs and preapprenticeship programs</u> 158 applicants.

(3) Provide assistance to district school boards, 159 160 postsecondary educational institutions, Florida College System 161 institution boards of trustees, approved program sponsors under 162 s. 446.071, and local workforce development boards in notifying students, parents, and members of the community of the 163 164 availability of apprenticeship and preapprenticeship 165 opportunities, including data provided in the economic security 166 report pursuant to s. 445.07.

Section 4. Subsections (2) through (8), (10), (11), and (12) of section 446.041, Florida Statutes, are amended to read: 446.041 Apprenticeship program, duties of the department.-The department shall:

(2) <u>Regularly review and evaluate the uniform minimum</u> Administer the standards established by the department for registered apprenticeship and preapprenticeship programs.

(3) Register, in accordance with this chapter, any apprenticeship or preapprenticeship program <u>that</u>, regardless of affiliation, which meets <u>the uniform minimum</u> standards established by the department.

178 (4) Investigate complaints concerning the failure of any
179 registered program to meet the <u>uniform minimum</u> standards
180 established by the department.

(5) Cancel the registration of any program that fails to comply with the <u>uniform minimum</u> standards and policies of the department or that unreasonably fails or refuses to cooperate with the department in monitoring and enforcing compliance with the <u>uniform minimum</u> standards.

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186 (6) <u>Encourage potential sponsors to</u> develop and encourage
187 apprenticeship <u>and preapprenticeship</u> programs.

(7) Lead and coordinate outreach efforts to educate veterans about apprenticeship programs and career opportunities.

(8) Cooperate with and assist local apprenticeship sponsors in the development of <u>the uniform minimum</u> their apprenticeship standards and training requirements.

(10) Monitor registered apprenticeship programs to ensure that they are being operated in compliance with all applicable uniform minimum standards.

(11) Supervise all apprenticeship programs that are registered with the department.

(12) Ensure that <u>equal opportunity for apprentices</u>, <u>preapprentices</u>, and <u>applicants for apprenticeships and</u> <u>preapprenticeships is provided for the apprenticeship and</u> <u>preapprenticeship programs and that</u> minority and gender diversity are considered in administering this program.

Section 5. Paragraphs (a), (b), and (c) of subsection (2) of section 446.045, Florida Statutes, are amended to read:

446.045 State Apprenticeship Advisory Council.-

206 (2) (a) There is created a State Apprenticeship Advisory 207 Council to be composed of 10 voting members appointed by the 208 Governor and two ex officio nonvoting members. The purpose of 209 the advisory council is to advise the department on matters 210 relating to apprenticeship and preapprenticeship. The advisory 211 council may not establish policy, adopt rules, or consider 212 whether particular apprenticeship or preapprenticeship programs 213 should be approved by the department.

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(b) The Commissioner of Education or the commissioner's



215 designee shall serve ex officio as chair of the State 216 Apprenticeship Advisory Council, but may not vote. A 217 representative The state director of the Office of 218 Apprenticeship of the United States Department of Labor shall 219 serve ex officio as a nonvoting member of the council. The 220 Governor shall appoint to the council four members representing 221 employee organizations and four members representing employer 222 organizations. Each of these eight members shall represent 223 industries that have registered apprenticeship programs. The 224 Governor shall also appoint two public members who are 225 knowledgeable about registered apprenticeship and apprenticeable 226 occupations and who are independent of any joint or nonjoint 227 organization. Members shall be appointed for 4-year staggered 228 terms. The Governor A vacancy shall fill any vacancy be filled 229 for the remainder of the unexpired term.

(c) The council shall meet at the call of the chair or the <u>chair's designee</u> or at the request of a majority of its <u>voting</u> membership, but at least twice a year. A majority of the voting members shall constitute a quorum, and the affirmative vote of a majority of a quorum is necessary to take action.

235 Section 6. Section 446.051, Florida Statutes, is amended to 236 read:

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446.051 Related instruction for apprentices.-

(1) The administration and supervision of related and
supplemental instruction for apprentices, <u>the</u> coordination of
such instruction with job experiences, and <u>the</u> selection and
training of teachers, <u>instructors</u>, and coordinators for such
instruction, all as approved by the <u>department</u> registered
program sponsor, <u>are</u> shall be the responsibility of the

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apprenticeship and preapprenticeship program sponsors 244 245 appropriate career education institution.

(2) District school boards and postsecondary educational institutions are The appropriate career education institution shall be encouraged to cooperate with and assist in providing to 249 any registered program sponsor facilities, equipment and 250 supplies, and instructors' salaries for the performance of related and supplemental instruction associated with the apprenticeship or preapprenticeship registered program.

Section 7. Subsections (1), (2), and (3) of section 446.052, Florida Statutes, are amended to read:

446.052 Preapprenticeship program.-

(1) There is created and established a preapprenticeship education program, as defined in s. 446.021.

(2) The department, under regulations established by the State Board of Education, may administer the provisions of ss. 446.011-446.092 which relate to preapprenticeship programs in cooperation with district school boards and Florida College System institution boards of trustees. District school boards, postsecondary educational institutions Florida College System institution boards of trustees, and registered program sponsors are encouraged to shall cooperate in developing and establishing programs that include career instruction and general education courses required to obtain a high school diploma.

268 (3) The department, the district school boards, and 269 postsecondary educational institutions the Florida College 270 System institution boards of trustees shall work together with 271 existing registered apprenticeship programs in order that 272 individuals completing the preapprenticeship programs may be

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273 able to receive credit toward towards completing a registered 274 apprenticeship program. In addition, postsecondary educational 275 institutions are encouraged to work together with existing 276 associate of science programs, associate of applied science 277 programs, career certification programs, or degree programs to 278 ensure that individuals completing a registered apprenticeship 279 program may be able to receive college credit toward a technical 280 degree.

Section 8. Section 446.071, Florida Statutes, is amended to 2.81 282 read:

446.071 Apprenticeship sponsors.-

284 (1) One or more local apprenticeship sponsors must shall be 285 approved in any apprenticeable occupation trade or multiple apprenticeable occupations group of trades by the department, upon a determination of need, if the apprenticeship sponsor meets all of the uniform minimum standards established by the 289 department. The term "need" refers to the need of state residents for apprenticeship training. In the absence of proof 290 to the contrary, it shall be presumed that there is need for 291 292 apprenticeship and preapprenticeship training in each county in 293 this state.

294 (2) An A local apprenticeship sponsor may be a committee, a 295 group of employers, an employer, or a group of employees, an 296 educational institution, a local workforce board, a community or 297 faith-based organization, or any entity preapproved by the 298 department as being in accordance with the requirements of this 299 chapter combination thereof.

300 (3) The department may grant a variance from the uniform 301 minimum standards upon a showing of good cause for the variance

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302 by program sponsors in nonconstruction trades. The purpose of 303 this subsection is to recognize the unique and varying training 304 requirements in nontraditional apprenticeable occupations and to 305 authorize the department to adapt the standards to the needs of 306 the programs. 307 Section 9. Subsection (4) of section 446.081, Florida 308 Statutes, is amended to read: 309 446.081 Limitation.-(4) Nothing in ss. 446.011-446.092 or in any rules adopted 310 311 or contained in any approved apprentice agreement under such 312 sections invalidates any special provision for veterans, 313 minority persons, or women in the standards, qualifications, or 314 operation of the apprenticeship program which is not otherwise 315 prohibited by any applicable general law, executive order, rule, 316 or regulation. 317 Section 10. Section 446.091, Florida Statutes, is repealed. Section 11. Section 446.092, Florida Statutes, is amended 318 319 to read: 320 446.092 Criteria for apprenticeship occupations.-At a 321 minimum, an apprenticeable occupation must possess is a skilled 322 trade which possesses all of the following characteristics: 323 (1) It is customarily learned in a practical way through a 324 structured, systematic program of on-the-job, supervised 325 training. 326 (2) It is clearly identified and commonly recognized 327 throughout an industry. 328 (3) It involves manual, mechanical, or technical skills and 329 knowledge which, in accordance with the industry standards for 330 the occupation, require would require a minimum of 2,000 hours

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331 of on-the-job training, which hours are excluded from the time 332 spent at related technical or supplementary instruction.

333 (4) It requires related technical instruction to supplement 334 on-the-job training. Such instruction may be given in a 335 classroom, through occupational or industrial courses or 336 correspondence courses of equivalent value, through electronic 337 media, or through other forms of self-study approved by the 338 department.

Section 12. Section 446.54, Florida Statutes, is created to 339 340 read:

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446.54 Work-based learning.-

(1) It is the intent of the Legislature that, to the extent possible, school districts place students in paid work experiences, including apprenticeships and preapprenticeships, for purposes of educational training and work-based learning. (2) For purposes of this section, "work-based learning" includes "on-the-job training" as defined in s. 446.021 and means sustained interactions with industry or community professionals in off-campus workplace settings that foster indepth firsthand engagement with the tasks required in a given 351 career or field and are aligned to curriculum and instruction. (3) (a) A student in grades 6 through 12 who is enrolled in a course identified in the Course Code Directory which incorporates a work-based learning component or an activity that is unpaid and who suffers a work-related injury in the course of his or her enrollment is deemed to be an employee of the state 357 for purposes of workers' compensation coverage. Such coverage 358 applies only to medically necessary care rendered as a direct 359 result of that injury.

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360 (b) An individual 18 years of age or younger who is 361 enrolled in a preapprenticeship program as defined in s. 446.021 362 which requires work-based learning and who suffers a work-363 related injury in the course of his or her enrollment is deemed 364 to be an employee of the state for purposes of workers' 365 compensation coverage. Such coverage applies only to medically 366 necessary care rendered as a direct result of that injury. 367 Section 13. Subsection (17) is added to section 1003.01, 368 Florida Statutes, to read: 369 1003.01 Definitions.-As used in this chapter, the term: 370 (17) "Work-based learning" means sustained interactions 371 with industry or community professionals in workplace settings, 372 to the extent practicable, or simulated environments that foster 373 in-depth, firsthand engagement with the tasks required in a 374 given career field, that align with curriculum and instruction, 375 and that are provided in partnership with an educational 376 institution. Work-based learning may be paid or unpaid and may be delivered in a stand-alone, work-based learning course that 377 378 results in high school credit or may be a component of an 379 existing course which may use the cooperative method of 380 instruction as defined in s. 1004.02(27). Section 14. Subsection (6) is added to section 1003.491, 381 Florida Statutes, to read: 382 1003.491 Florida Career and Professional Education Act.-The 383 384 Florida Career and Professional Education Act is created to 385 provide a statewide planning partnership between the business 386 and education communities in order to attract, expand, and 387 retain targeted, high-value industry and to sustain a strong, 388 knowledge-based economy.

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389	(6) The Department of Education may adopt rules to
390	administer this section.
391	Section 15. Subsection (27) is added to section 1004.02,
392	Florida Statutes, to read:
393	1004.02 DefinitionsAs used in this chapter:
394	(27) "Cooperative method of instruction" means an
395	instructional methodology that provides students enrolled in
396	career education programs an opportunity to extend their
397	employment preparation beyond the classroom through
398	participation in concurrent career education instruction through
399	regularly scheduled on-the-job training experiences.
400	Section 16. Present subsections (3) through (8) of section
401	1007.23, Florida Statutes, are redesignated as subsections (4)
402	through (9), respectively, and a new subsection (3) is added to
403	that section, to read:
404	1007.23 Statewide articulation agreement
405	(3) To facilitate seamless transfer of credits, reduce
406	excess credit hours, and ensure that students are taking the
407	courses needed for their future careers, the articulation
408	agreement must establish three mathematics pathways for students
409	by aligning mathematics courses to programs, meta-majors, and
410	careers. A representative committee of State University System,
411	career centers established under s. 1001.44, and Florida College
412	System faculty shall collaborate to identify the three
413	mathematics pathways and the mathematics course sequence within
414	each pathway which align to the mathematics skills needed for
415	success in the corresponding academic programs and careers.
416	Section 17. Subsection (1) and paragraph (a) of subsection
417	(2) of section 1007.263, Florida Statutes, are amended to read:

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418 1007.263 Florida College System institutions; admissions of 419 students.-Each Florida College System institution board of 420 trustees is authorized to adopt rules governing admissions of 421 students subject to this section and rules of the State Board of 422 Education. These rules shall include the following: 423 (1) Admissions counseling shall be provided to all students entering college or career credit programs. For students who are 424 425 not otherwise exempt from testing under s. 1008.30, counseling 426 must use the tests or alternative methods established by the 427 State Board of Education pursuant to s. 1008.30 to measure 428 achievement of college-level communication and computation 429 competencies by students entering college credit programs or 430 tests to measure achievement of basic skills for career 431 education programs as prescribed in s. 1004.91. Counseling must 4.32 measure achievement of basic skills for career education 433 programs under s. 1004.91 and include includes providing 434 developmental education options for students whose assessment results, determined under s. 1008.30, indicate that they need to 435 436 improve communication or computation skills that are essential 437 to perform college-level work. 438 (2) Admission to associate degree programs is subject to 439 minimum standards adopted by the State Board of Education and 440 shall require: 441 (a) A standard high school diploma; τ a State of Florida high school equivalency diploma awarded under s. 1003.435(2); a 442 443 high school equivalency diploma issued by another state which is 444 recognized as equivalent by State Board of Education rule and is 445 based on an assessment recognized by the United States 446 Department of Education; as prescribed in s. 1003.435,

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447 previously demonstrated competency in college credit 448 postsecondary coursework; τ or, in the case of a student who is home educated, a signed affidavit submitted by the student's 449 450 parent or legal guardian attesting that the student has 451 completed a home education program pursuant to the requirements 452 of s. 1002.41. Students who are enrolled in a dual enrollment or 453 early admission program pursuant to s. 1007.271 are exempt from 454 this requirement.

456 Each board of trustees shall establish policies that notify 457 students about developmental education options for improving 458 their communication or computation skills that are essential to 459 performing college-level work, including tutoring, extended time 460 in gateway courses, free online courses, adult basic education, 461 adult secondary education, or private provider instruction.

Section 18. Subsection (3) and paragraph (b) of subsection (13) of section 1007.271, Florida Statutes, are amended to read: 1007.271 Dual enrollment programs.-

465 (3) Student eligibility requirements for initial enrollment 466 in college credit dual enrollment courses must include a 3.0 467 unweighted high school grade point average and a demonstrated 468 level of achievement of college-level communication and 469 computation skills as provided under s. 1008.30(1) or (2) the 470 minimum score on a common placement test adopted by the State 471 Board of Education which indicates that the student is ready for 472 college-level coursework. Student eligibility requirements for 473 continued enrollment in college credit dual enrollment courses 474 must include the maintenance of a 3.0 unweighted high school 475 grade point average and the minimum postsecondary grade point

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476 average established by the postsecondary institution. Regardless 477 of meeting student eligibility requirements for continued 478 enrollment, a student may lose the opportunity to participate in 479 a dual enrollment course if the student is disruptive to the 480 learning process such that the progress of other students or the 481 efficient administration of the course is hindered. Student 482 eligibility requirements for initial and continued enrollment in 483 career certificate dual enrollment courses must include a 2.0 unweighted high school grade point average. Exceptions to the 484 485 required grade point averages may be granted on an individual 486 student basis if the educational entities agree and the terms of 487 the agreement are contained within the dual enrollment 488 articulation agreement established pursuant to subsection (21). 489 Florida College System institution boards of trustees may 490 establish additional initial student eligibility requirements, 491 which shall be included in the dual enrollment articulation 492 agreement, to ensure student readiness for postsecondary 493 instruction. Additional requirements included in the agreement 494 may not arbitrarily prohibit students who have demonstrated the 495 ability to master advanced courses from participating in dual 496 enrollment courses or limit the number of dual enrollment 497 courses in which a student may enroll based solely upon 498 enrollment by the student at an independent postsecondary 499 institution.

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(b) Each public postsecondary institution eligible to participate in the dual enrollment program pursuant to s. 1011.62(1)(i) must enter into a home education articulation agreement with each home education student seeking enrollment in

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505 a dual enrollment course and the student's parent. By August 1 506 of each year, the eligible postsecondary institution shall 507 complete and submit the home education articulation agreement to 508 the Department of Education. The home education articulation agreement must include, at a minimum: 509

1. A delineation of courses and programs available to dually enrolled home education students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution. Any course or program limitations may not exceed the limitations for other dually enrolled students.

515 2. The initial and continued eligibility requirements for 516 home education student participation, not to exceed those 517 required of other dually enrolled students. A high school grade point average may not be required for home education students 519 who demonstrate achievement of college-level communication and 520 computation skills as provided under s. 1008.30(1) or (2) meet 521 the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is 522 523 ready for college-level coursework; however, home education 524 student eligibility requirements for continued enrollment in 525 dual enrollment courses must include the maintenance of the 526 minimum postsecondary grade point average established by the 527 postsecondary institution.

528 3. The student's responsibilities for providing his or her 529 own transportation.

4. A copy of the statement on transfer guarantees developed by the Department of Education under subsection (15).

Section 19. Section 1008.30, Florida Statutes, is amended 532 533 to read:

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534 1008.30 Common placement testing for public postsecondary 535 education.-

(1) The State Board of Education, in conjunction with the 536 537 Board of Governors, shall develop and implement a common 538 placement test for the purpose of assessing the basic 539 computation and communication skills of students who intend to 540 enter a degree program at any public postsecondary educational 541 institution. Alternative assessments that may be accepted in 542 lieu of the common placement test shall also be identified in 543 rule. Public postsecondary educational institutions shall 544 provide appropriate modifications of the test instruments or 545 test procedures for students with disabilities.

(2) By January 31, 2022, the State Board of Education shall adopt rules to develop and implement alternative methods for assessing the basic computation and communication skills of students who intend to enter a degree program at a Florida College System institution. Florida College System institutions may use these alternative methods in lieu of common placement tests as described in subsection (1) to assess student readiness for college-level work in computation and communication The common placement testing program shall include the capacity to diagnose basic competencies in the areas of English, reading, and mathematics which are essential for success in meta-majors and to provide test information to students on the specific skills the student needs to attain.

(3) By October 31, 2013, the State Board of Education shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work, and The rules required by subsection (2) must specify the following:

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563 (a) A student who entered 9th grade in a Florida public 564 school in the 2003-2004 school year, or any year thereafter, and 565 earned a Florida standard high school diploma or a student who 566 is serving as an active duty member of any branch of the United 567 States Armed Services shall not be required to be assessed for 568 readiness for college-level work in computation and 569 communication take the common placement test and shall not be 570 required to enroll in developmental education instruction in a 571 Florida College System institution. However, a student who is 572 not required to be assessed for readiness for college-level work 573 in computation and communication take the common placement test 574 and is not required to enroll in developmental education under 575 this paragraph may opt to be assessed and to enroll in 576 developmental education instruction, and the college shall 577 provide such assessment and instruction upon the student's 578 request. 579 (b) A student who is assessed for readiness for college-580

<u>level computation and communication and whose assessment results</u> <u>indicate</u> takes the common placement test and whose score on the <u>test indicates</u> a need for developmental education must be advised of all the developmental education options offered at the institution and, after advisement, shall be allowed to enroll in the developmental education option of his or her choice.

(c) A student who demonstrates readiness by achieving or exceeding the test scores established by the state board and enrolls in a Florida College System institution within 2 years after achieving such scores shall not be required to retest or complete developmental education when admitted to any Florida

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592 College System institution.

(4) (a) By December 31, 2013, the State Board of Education, in consultation with the Board of Governors, shall approve a series of meta-majors and the academic pathways that identify the gateway courses associated with each meta-major. Florida College System institutions shall use placement test results to determine the extent to which each student demonstrates sufficient communication and computation skills to indicate readiness for his or her chosen meta-major. Florida College System institutions shall counsel students into college credit courses as quickly as possible, with developmental education limited to that content needed for success in the meta-major.

(5) (a) Each Florida College System institution board of trustees shall develop a plan to implement the developmental education strategies defined in s. 1008.02 and rules established by the State Board of Education. The plan must be submitted to the Chancellor of the Florida College System for approval no later than March 1, 2014, for implementation no later than the fall semester 2014. Each plan must include, at a minimum, local policies that outline:

612 1. Documented student achievements such as grade point 613 averages, work history, military experience, participation in 614 juried competitions, career interests, degree major declaration, 615 or any combination of such achievements that the institution may 616 consider, in addition to common placement test scores, for 617 advising students regarding enrollment options.

5182. Developmental education strategies available to519students.

3. A description of student costs and financial aid

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621 opportunities associated with each option.
622 4. Provisions for the collection of student success data.
623 5. A comprehensive plan for advising students into
624 appropriate developmental education strategies based on student
625 success data.

626 (b) Beginning October 31, 2015, Each Florida College System 627 institution shall use placement test results or alternative 628 methods as established by the State Board of Education to 62.9 determine the extent to which each student demonstrates 630 sufficient computation and communication skills to indicate 631 readiness for his or her chosen meta-major. Florida College 632 System institutions shall counsel students into college credit 633 courses as quickly as possible, with developmental education 634 limited to that content needed for success in the meta-major 635 annually prepare an accountability report that includes student 636 success data relating to each developmental education strategy 637 implemented by the institution. The report shall be submitted to the Division of Florida Colleges by October 31 in a format 638 639 determined by the Chancellor of the Florida College System. By 640 December 31, the chancellor shall compile and submit the 641 institutional reports to the Governor, the President of the 642 Senate, the Speaker of the House of Representatives, and the 643 State Board of Education.

(c) A university board of trustees may contract with a
Florida College System institution board of trustees for the
Florida College System institution to provide developmental
education on the state university campus. Any state university
in which the percentage of incoming students requiring
developmental education equals or exceeds the average percentage

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650 of such students for the Florida College System may offer 651 developmental education without contracting with a Florida 652 College System institution; however, any state university 653 offering college-preparatory instruction as of January 1, 1996, 654 may continue to provide developmental education instruction as 655 defined in s. 1008.02(1).

(5) (6) A student may not be enrolled in a college credit 657 mathematics or English course on a dual enrollment basis unless 658 the student has demonstrated adequate precollegiate preparation 659 in on the section of the basic computation and communication 660 skills assessment required pursuant to subsection (1) that is 661 appropriate for successful student participation in the course.

Section 20. Paragraph (a) of subsection (1) and paragraph (b) of subsection (4) of section 1008.44, Florida Statutes, are amended, and paragraph (f) is added to subsection (1) of that section, to read:

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

(1) Pursuant to ss. 1003.4203 and 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, and the Commissioner of Education may at any time recommend adding the following certificates, certifications, and courses:

673 (a) CAPE industry certifications identified on the CAPE 674 Industry Certification Funding List that must be applied in the 675 distribution of funding to school districts pursuant to s. 676 1011.62(1)(o). The CAPE Industry Certification Funding List 677 shall incorporate by reference the industry certifications on the career pathways list approved for the Florida Gold Seal CAPE 678

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679 Vocational Scholars award. In addition, by August 1 of each 680 year, the not-for-profit corporation established pursuant to s. 681 445.004 may annually select one industry certification, that 682 does not articulate for college credit, for inclusion on the 683 CAPE Industry Certification Funding List for a period of 3 years 684 unless otherwise approved by the curriculum review committee pursuant to s. 1003.491. Such industry certifications, if earned 685 686 by a student, shall be eliqible for additional full-time 687 equivalent membership, pursuant to s. 1011.62(1)(0)1.

(f) The Commissioner of Education shall identify industry certifications as those leading to occupations in critical industry sectors which, if earned by a student, are eligible for additional full-time equivalent student membership pursuant to s. 1011.62(1)(0)1.e. The commissioner shall identify such industry certifications on the CAPE Industry Certification Funding List.

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(b) For the purpose of calculating additional full-time equivalent membership pursuant to s. 1011.62(1)(0)1.e., the Commissioner of Education may limit CAPE industry certifications and CAPE Digital Tool certificates to students in certain grades based on formal recommendations by providers of CAPE industry certifications and CAPE Digital Tool certificates.

Section 21. Paragraphs (b) and (f) of subsection (1) of section 1009.25, Florida Statutes, are amended to read:

1009.25 Fee exemptions.-

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System

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708	institution, or state university:
709	(b) A student enrolled in an approved apprenticeship
710	program, as defined in s. 446.021. <u>A technical center operated</u>
711	by a school district, a Florida College System institution, or a
712	state university may enter into an agreement with another entity
713	to cover the approved apprenticeship program student tuition and
714	fees, including lab fees.
715	(f) A student who lacks a fixed, regular, and adequate
716	nighttime residence or whose primary nighttime residence is a
717	public or private shelter designed to provide temporary
718	residence, a public or private transitional living program, or a
719	public or private place not designed for, or ordinarily used as,
720	a regular sleeping accommodation for human beings. This includes
721	a student who would otherwise meet the requirements of this
722	paragraph, as determined by a college or university, but for his
723	or her residence in college or university dormitory housing. The
724	State Board of Education may adopt rules and the Board of
725	Governors may adopt regulations regarding documentation and
726	procedures to implement this paragraph.
727	Section 22. Paragraph (o) of subsection (1) of section
728	1011.62, Florida Statutes, is amended to read:
729	1011.62 Funds for operation of schoolsIf the annual
730	allocation from the Florida Education Finance Program to each
731	district for operation of schools is not determined in the
732	annual appropriations act or the substantive bill implementing
733	the annual appropriations act, it shall be determined as
734	follows:
735	(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
736	OPERATIONThe following procedure shall be followed in



737 determining the annual allocation to each district for738 operation:

(o) Calculation of additional full-time equivalent 739 740 membership based on successful completion of a career-themed 741 course pursuant to ss. 1003.491, 1003.492, and 1003.493, or 742 courses with embedded CAPE industry certifications or CAPE 743 Digital Tool certificates, and issuance of industry 744 certification identified on the CAPE Industry Certification 745 Funding List pursuant to rules adopted by the State Board of 746 Education or CAPE Digital Tool certificates pursuant to s. 747 1003.4203.-

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

752 b. A value of 0.1 or 0.2 full-time equivalent student 753 membership shall be calculated for each student who completes a 754 course as defined in s. 1003.493(1)(b) or courses with embedded 755 CAPE industry certifications and who is issued an industry 756 certification identified annually on the CAPE Industry 757 Certification Funding List approved under rules adopted by the 758 State Board of Education. For a CAPE industry certification that 759 has a statewide articulation agreement for 4 to 14 college 760 credits and for a CAPE industry certification that has a 761 statewide articulation agreement for 1 to 3 college credits and 762 that is deemed by the department to be of sufficient rigor and to be linked to a high-skill occupation, a value of 0.2 full-763 764 time equivalent membership shall be calculated. For all other CAPE industry certifications with <u>a statewide articulation</u> 765

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766 agreement for 1 to 3 college credits, a value of 0.1 full-time 767 equivalent membership shall be calculated A value of 0.2 full-768 time equivalent membership shall be calculated for each student 769 who is issued a CAPE industry certification that has a statewide 770 articulation agreement for college credit approved by the State 771 Board of Education. For CAPE industry certifications that do not 772 articulate for college credit, the Department of Education shall 773 calculate assign a full-time equivalent value of 0.1 for each 774 certification. Middle grades students who earn additional FTE 775 membership for a CAPE Digital Tool certificate pursuant to sub-776 subparagraph a. may not use the previously funded examination to 777 satisfy the requirements for earning an industry certification 778 under this sub-subparagraph. Additional FTE membership for an 779 elementary or middle grades student may not exceed 0.1 for 780 certificates or certifications earned within the same fiscal 781 year. The State Board of Education shall include the assigned 782 values on the CAPE Industry Certification Funding List under 783 rules adopted by the state board. Such value shall be added to 784 the total full-time equivalent student membership for grades 6 785 through 12 in the subsequent year. CAPE industry certifications 786 earned through dual enrollment must be reported and funded 787 pursuant to s. 1011.80. However, if a student earns a 788 certification through a dual enrollment course and the certification is not a fundable certification on the 789 790 postsecondary certification funding list, or the dual enrollment 791 certification is earned as a result of an agreement between a 792 school district and a nonpublic postsecondary institution, the 793 bonus value shall be funded in the same manner as other nondual 794 enrollment course industry certifications. In such cases, the

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795 school district may provide for an agreement between the high 796 school and the technical center, or the school district and the 797 postsecondary institution may enter into an agreement for 798 equitable distribution of the bonus funds.

799 c. A value of 0.3 full-time equivalent student membership 800 shall be calculated for student completion of the courses and 801 the embedded certifications identified on the CAPE Industry 802 Certification Funding List and approved by the commissioner 803 pursuant to ss. 1003.4203(5)(a) and 1008.44.

804 d. A value of 0.5 full-time equivalent student membership 805 shall be calculated for CAPE Acceleration Industry 806 Certifications that articulate for 15 to 29 college credit 807 hours, and 1.0 full-time equivalent student membership shall be 808 calculated for CAPE Acceleration Industry Certifications that 809 articulate for 30 or more college credit hours pursuant to CAPE 810 Acceleration Industry Certifications approved by the 811 commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

e. In addition to the full-time equivalent student membership calculated under paragraphs (a)-(d), a supplemental value of 0.2 full-time equivalent student membership shall be calculated for industry certifications identified on the CAPE Industry Certification Funding List as leading to employment in occupations in critical industry sectors.

818 2. Each district must allocate at least 80 percent of the 819 funds provided for CAPE industry certification, in accordance 820 with this paragraph, to the program that generated the funds. 821 <u>The remaining 20 percent may be used for other CAPE program</u> 822 <u>expenses, such as administrative costs and new industry</u> 823 <u>certification programs; however, administrative costs may not</u>

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824 <u>exceed 5 percent of the total funds provided for CAPE industry</u> 825 <u>certification. Funds provided for CAPE industry certification</u> 826 <u>may not be used for any other purpose and, specifically, This</u> 827 <u>allocation</u> may not be used to supplant funds provided for basic 828 operation of the program, such as teacher salaries and other 829 costs that are funded for other courses with non-CAPE funds.

830 3. For CAPE industry certifications earned in the 2013-2014 831 school year and in subsequent years, the school district shall 832 distribute to each classroom teacher who provided direct 833 instruction toward the attainment of a CAPE industry 834 certification that qualified for additional full-time equivalent 835 membership under subparagraph 1.:

a. A bonus of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus of \$50 for each student taught by a teacher who
provided instruction in a course that led to the attainment of a
CAPE industry certification on the CAPE Industry Certification
Funding List with a weight of 0.2.

c. A bonus of \$75 for each student taught by a teacher who
provided instruction in a course that led to the attainment of a
CAPE industry certification on the CAPE Industry Certification
Funding List with a weight of 0.3.

d. A bonus of \$100 for each student taught by a teacher who
provided instruction in a course that led to the attainment of a
CAPE industry certification on the CAPE Industry Certification
Funding List with a weight of 0.5 or 1.0.

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COMMITTEE AMENDMENT

Florida Senate - 2021 Bill No. SB 366



853 Bonuses awarded pursuant to this paragraph must shall be 854 provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is 855 856 included in the calculation. Bonuses shall be calculated based 857 upon the associated weight of a CAPE industry certification on 858 the CAPE Industry Certification Funding List for the year in 859 which the certification is earned by the student. Any bonus 860 awarded to a teacher pursuant to this paragraph is in addition 861 to any regular wage or other bonus the teacher received or is 862 scheduled to receive. A bonus may not be awarded to a teacher 863 who fails to maintain the security of any CAPE industry 864 certification examination or who otherwise violates the security 865 or administration protocol of any assessment instrument that may 866 result in a bonus being awarded to the teacher under this 867 paragraph.

Section 23. Paragraph (b) of subsection (7) and paragraph (a) of subsection (8) of section 1011.80, Florida Statutes, are amended to read:

1011.80 Funds for operation of workforce education programs.-

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(b) Performance funding for industry certifications for
school district workforce education programs is contingent upon
specific appropriation in the General Appropriations Act and
shall be determined as follows:

878 1. Occupational areas for which industry certifications may 879 be earned, as established in the General Appropriations Act, are 880 eligible for performance funding. Priority shall be given to the 881 occupational areas emphasized in state, national, or corporate

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grants provided to Florida educational institutions.

883 2. The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the 884 885 CAPE Postsecondary Industry Certification Funding List approved 886 by the State Board of Education pursuant to s. 1008.44, based on 887 the occupational areas specified in the General Appropriations 888 Act. 889 3.a. Except as provided in sub-subparagraph b., each school district shall be provided \$1,000 for each industry 890 891 certification earned by a workforce education student. If funds 892 are insufficient to fully fund the calculated total award, such 893 funds shall be prorated. 894 b. For each industry certification earned by a workforce 895 education student which is identified as leading to employment 896 in occupations in critical industry sectors, each school 897 district shall be provided a total of \$3,000. If funds are 898 insufficient to fully fund the calculated total award, such 899 funds shall be prorated. 900 (8) (a) A school district or Florida College System 901 institution that receives workforce education funds must use the 902 money to benefit the workforce education programs it provides. The money may be used for equipment upgrades, program 903 904 expansions, or any other use that would result in workforce 905 education program improvement. The district school board or 906 Florida College System institution board of trustees may not 907 withhold any portion of the performance funding for indirect 908 costs. A district school board or Florida College System 909 institution board of trustees that receives workforce 910 performance funding must use at least 70 percent of the funds

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911 received to directly support the program that generated the 912 <u>funds.</u> 913 Section 24. Present subsection (4) of section 1011.802,

914 Florida Statutes, is redesignated as subsection (4) of section (5), a new 915 subsection (4) is added to that section, and subsection (3) of 916 that section is amended, to read:

917 1011.802 Florida Pathways to Career Opportunities Grant 918 Program.-

(3) The department shall give priority to apprenticeship 919 920 programs with demonstrated regional demand. Grant funds may be used for instructional equipment, supplies, instructional 921 922 personnel, student services, and other expenses associated with 923 the creation or expansion of an apprenticeship program. Grant 924 funds may not be used for recurring instructional costs or for 925 indirect costs. Grant recipients must submit quarterly reports 926 in a format prescribed by the department.

(4) Up to \$200,000 of the total amount allocated may be used by the department to administer the grant program.

Section 25. Paragraph (c) of subsection (2) of section 1011.81, Florida Statutes, is amended to read:

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1011.81 Florida College System Program Fund.-

932 (2) Performance funding for industry certifications for
933 Florida College System institutions is contingent upon specific
934 appropriation in the General Appropriations Act and shall be
935 determined as follows:

936 (c)<u>1. Except as provided in subparagraph 2.</u>, each Florida 937 College System institution shall be provided \$1,000 for each 938 industry certification earned by a student. If funds are 939 insufficient to fully fund the calculated total award, such

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940	funds shall be prorated.
941	2. For each industry certification earned by a workforce
942	education student which is identified as leading to employment
943	in occupations in critical industry sectors, each Florida
944	College System institution shall be provided a total of \$3,000.
945	If funds are insufficient to fully fund the calculated total
946	award, such funds shall be prorated.
947	Section 26. This act shall take effect July 1, 2021.
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949	========== T I T L E A M E N D M E N T =================================
950	And the title is amended as follows:
951	Delete everything before the enacting clause
952	and insert:
953	A bill to be entitled
954	An act relating to educational opportunities leading
955	to employment; amending s. 446.011, F.S.; revising
956	legislative intent related to apprenticeship training;
957	amending s. 446.021, F.S.; defining and redefining
958	terms; amending s. 446.032, F.S.; revising the general
959	duties of the Department of Education with regard to
960	apprenticeship and preapprenticeship programs;
961	amending s. 446.041, F.S.; requiring the department to
962	regularly review and evaluate its uniform minimum
963	standards for apprenticeship and preapprenticeship
964	programs; conforming provisions to changes made by the
965	act; requiring the department to ensure that equal
966	opportunity for apprentices, preapprentices, and
967	applicants for apprenticeship and preapprenticeship is
968	provided for the apprenticeship and preapprenticeship

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969 programs; amending s. 446.045, F.S.; conforming 970 provisions to changes made by the act; revising the 971 membership of the State Apprenticeship Advisory 972 Council; revising meeting requirements; amending s. 973 446.051, F.S.; providing that apprenticeship or 974 preapprenticeship program sponsors are responsible for 975 the selection and training of certain personnel, as 976 approved by the department; encouraging district 977 school boards and postsecondary educational 978 institutions to cooperate in providing certain 979 equipment, supplies, and instructor salaries; amending 980 s. 446.052, F.S.; encouraging specified entities to 981 cooperate in developing and establishing 982 apprenticeship and preapprenticeship programs that 983 include career instruction; encouraging specified 984 entities to work together toward specified goals 985 relating to apprenticeship programs; amending s. 986 446.071, F.S.; providing that certain entities may be 987 approved as apprenticeship sponsors if they meet 988 certain uniform minimum standards; removing the 989 definition of the term "need"; conforming provisions 990 to changes made by the act; amending s. 446.081, F.S.; 991 revising construction; repealing s. 446.091, F.S., relating to the adaptation and applicability of 992 993 certain provisions to on-the-job training programs; 994 amending s. 446.092, F.S.; revising criteria for 995 apprenticeship occupations; creating s. 446.54, F.S.; 996 providing legislative intent; defining the term "work-997 based learning"; providing that certain individuals



998 enrolled in work-based learning are deemed to be 999 employees of the state for purposes of receiving 1000 certain medically necessary care under workers' 1001 compensation coverage; amending s. 1003.01, F.S.; 1002 defining the term "work-based learning"; amending s. 1003 1003.491, F.S.; authorizing the department to adopt 1004 rules; amending s. 1004.02, F.S.; defining the term 1005 "cooperative method of instruction"; amending s. 1006 1007.23, F.S.; requiring that the statewide 1007 articulation agreement specify three mathematics 1008 pathways that meet a certain requirement upon which 1009 degree-seeking students must be placed; amending s. 1010 1007.263, F.S.; requiring admissions counseling to use 1011 certain tests or alternative methods to measure 1012 achievement of college-level communication and 1013 computation by students entering college programs; 1014 requiring that such counseling measure achievement of 1015 certain basic skills; revising requirements for 1016 admission to associate degree programs; amending s. 1017 1007.271, F.S.; revising eligibility requirements for 1018 initial enrollment in college-level dual enrollment courses; revising requirements for home education 1019 1020 students seeking dual enrollment in certain 1021 postsecondary institutions; amending s. 1008.30, F.S.; 1022 requiring the State Board of Education to adopt, by a 1023 specified date, rules establishing alternative methods 1024 for assessing computation and communication skills of 1025 certain students; authorizing Florida College System institutions to use such alternative methods in lieu 1026



1027 of the common placement test to assess a student's 1028 readiness to perform college-level work in computation 1029 and communication; deleting obsolete provisions; 1030 requiring Florida College System institutions to use 1031 placement test results or alternative methods to 1032 determine the extent to which certain students demonstrate sufficient computation and communication 1033 1034 skills to indicate readiness for their meta-major; 1035 requiring Florida College System institutions to 1036 counsel and place certain students in specified 1037 college courses; limiting students' developmental 1038 education to content needed for success in their meta-1039 major; conforming provisions to changes made by the 1040 act; making technical changes; amending s. 1008.44, 1041 F.S.; requiring the Commissioner of Education to 1042 identify certain certifications as those leading to 1043 occupations in specified industry sectors; requiring 1044 the commissioner to identify such certifications on 1045 the CAPE Industry Certification Funding List; 1046 authorizing the commissioner to limit certain 1047 certifications for the purpose of specified calculations; amending s. 1009.25, F.S.; authorizing 1048 1049 technical centers operated by school districts, 1050 Florida College System institutions, or state 1051 universities to enter into specified agreements with 1052 other entities; authorizing the State Board of 1053 Education to adopt specified rules and the Board of 1054 Governors to adopt specified regulations; amending s. 1055 1011.62, F.S.; revising the calculation of certain



1056 additional full-time equivalent membership relating to 1057 funding for the operation of schools; deleting a 1058 provision relating to full-time equivalent membership 1059 calculation for elementary and middle grades students; 1060 requiring that a specified supplemental value for 1061 full-time equivalent student membership be calculated 1062 for certain industry certifications leading to 1063 employment in critical industry sectors; authorizing 1064 the use of a specified percentage of certain funds for 1065 CAPE program expenses; limiting the amount of funds 1066 that may be used for administrative costs; prohibiting 1067 the use of CAPE funding to supplant funds provided for 1068 basic operation of the CAPE program; amending s. 1069 1011.80, F.S.; providing for an appropriation to a 1070 school district or Florida College System institution 1071 from the General Appropriations Act for certain 1072 industry certifications; requiring a district school 1073 board or Florida College System institution board of 1074 trustees that receives certain funding to use the 1075 funding in a specified manner; amending s. 1011.802, 1076 F.S.; specifying that Florida Pathways to Career 1077 Opportunities Grant Program funds may be used for 1078 instructional personnel; specifying the maximum amount 1079 of funds that may be used by the department to 1080 administer the Florida Pathways to Career 1081 Opportunities Grant Program; amending s. 1011.81, 1082 F.S.; providing for an appropriation to each Florida 1083 College System institution from the General 1084 Appropriations Act for certain industry

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1085 certifications; providing an effective date.