

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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

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BILL: SB 622

INTRODUCER: Senator Simon

SUBJECT: Requirements for Career Education Program Basic Skills

DATE: January 8, 2024

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brick</u>	<u>Bouck</u>	<u>HE</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>AED</u>	_____
3.	_____	_____	<u>FP</u>	_____

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**I. Summary:**

SB 622 removes the requirement that students who enroll in a career and technical education program that is at least 450 hours must complete an examination of basic skills within the first six weeks of admission to the program. The bill also authorizes district school boards and Florida College System institutions to report for workforce and performance funding students in a career dual enrollment program who have not completed the basic skills assessment.

The bill is effective July 1, 2024.

**II. Present Situation:**

**Requirements for Career Education Basic Skills**

Each career and technical education (CTE) career certificate program, 450 clock hours or longer, includes associated basic academic skills (reading, mathematics, and language) that are required for completion from each CTE program. For the purpose of CTE and basic skills requirements, completion is accomplished when a student has demonstrated mastery of the entire program's standards and benchmarks and receives a Career Certificate of Completion.<sup>1</sup>

Students who enroll in a program offered for career credit of 450 hours or more must complete an entry-level examination within the first six weeks after admission into the program.<sup>2</sup> The State Board of Education (SBE) designates examinations to assess student mastery of basic skills, which include the following:<sup>3</sup>

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<sup>1</sup> Florida Department of Education, *Career and Technical Education, 2019-2020 Technical Assistance Paper, CTE Basic Skills Assessment Requirements* (Mar. 2020), available at <https://www.fldoe.org/core/fileparse.php/5398/urlt/basic-skill-tap-att1.pdf>, at 2. The basic skills are exit, not entry requirements.

<sup>2</sup> Section 1004.91(2), F.S.

<sup>3</sup> Rule 6A-10.040(1), F.A.C.

- Tests of Adult Basic Education (TABE), Forms 11 and 12, 2017;
- Demonstration of basic communication and computation skills;<sup>4</sup>
- Comprehensive Adult Student Assessment System (CASAS), GOALS 900 Series, 2019;
- 2014 GED® Tests: Reasoning through Language Arts and Mathematical Reasoning where a minimum score as determined by the SBE has been attained on each test;<sup>5</sup> and
- A test adopted by the Criminal Justice Standards and Training Commission, used for admission into law enforcement or corrections training programs.<sup>6</sup>

Any student who lacks the required level of basic skills for the career program must be provided with a structured program of basic skills instruction to correct deficiencies.<sup>7</sup> A student may not receive a career or technical certificate of completion without first demonstrating the basic skills required in the state curriculum frameworks for the career education program.<sup>8</sup>

An adult with a disability<sup>9</sup> may be exempted from the basic skills assessment requirement. In addition, the following students are exempt from taking the initial basic skills assessment:<sup>10</sup>

- A student who possesses a college degree at the associate in applied science level or higher.
- A student who demonstrates readiness for public postsecondary education in communication and computation specified in SBE rule.<sup>11</sup>
- A student who passes a specified state, national or industry certification or licensure examination that is aligned to the career education program.<sup>12</sup>
- An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education.

### **Funding for Workforce Education Programs**

Workforce education means adult general education or career education and may consist of a continuing workforce education course or a program of study leading to an occupational

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<sup>4</sup> The SBE determines the acceptable methods of demonstrating basic communication and computation skills. Methods include, but are not limited to, achieving a specified score on a common placement test such as the Postsecondary Education Readiness Test, the SAT, and the ACT, or specified performance in high school coursework. *See* Rule 6A-10.0315, F.A.C.

<sup>5</sup> A student must attain a minimum score of 145 on Reasoning through Language Arts and Mathematical Reasoning. Rule 6A-6.0201, F.A.C.

<sup>6</sup> Applicants who apply for entry into a Commission-approved Basic Recruit Training Program are required to obtain a passing score on a Commission-approved Basic Abilities Test for the law enforcement or correctional disciplines, prior to entering a program. Rule 11B-35.0011, F.A.C.

<sup>7</sup> Section 1004.91(2), F.S. *See also* Rule 6A-10.040, F.A.C.

<sup>8</sup> Section 1004.91(2), F.S.

<sup>9</sup> An adult with disability means an individual who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment, and who requires modifications in the educational program, adaptive equipment, or specialized instructional methods and services in order to participate in workforce development programs that lead to competitive employment. Section 1004.02(6), F.S.

<sup>10</sup> Section 1004.91(3), F.S.

<sup>11</sup> Rule 6A-10.0315, F.A.C.

<sup>12</sup> Section 943.17(1)(g), F.S., requires students in a career certificate program in law enforcement and corrections to complete a basic skills examination, based on FDLE rather than SBE standards, prior to entrance into the program. Law enforcement and correctional officer students are exempt from the basic skills requirement in s. 1004.91, F.S., because such students are required to pass the State Officer Certification Examination. Florida Department of Law Enforcement, *2024 FDLE Legislative Bill Analysis of SB 622* (Dec. 8, 2023), at 2.

completion point,<sup>13</sup> a career certificate, an applied technology diploma, a career degree, or a registered apprenticeship certificate of completion.<sup>14</sup> Workforce education includes:<sup>15</sup>

- Adult general education programs.<sup>16</sup>
- Career certificate programs.<sup>17</sup>
- Applied technology diploma programs.<sup>18</sup>
- Continuing workforce education courses.<sup>19</sup>
- Degree career education programs.<sup>20</sup>
- Apprenticeship and preapprenticeship programs.<sup>21</sup>

Any workforce education program may be conducted by a Florida College System institution or a school district career center, as approved by the SBE.<sup>22</sup>

State funding for workforce education programs is calculated based on weighted student enrollment and program costs, minus tuition and fee revenues, and including various supplemental cost factors.<sup>23</sup> Performance funding for workforce education programs in school districts and Florida College System institutions is established in the General Appropriations Act.<sup>24</sup> Workforce education performance funding is based on student completion of postsecondary industry certifications identified on the CAPE Industry Certification Funding List.<sup>25</sup>

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<sup>13</sup> An occupational completion point is the occupational competencies that qualify a person to enter an occupation that is linked to a career and technical program.

<sup>14</sup> Section 1004.02(25), F.S.

<sup>15</sup> Section 1011.80(1), F.S.

<sup>16</sup> “Adult general education” means comprehensive instructional programs designed to improve the employability of the state’s workforce through adult basic education, adult secondary education, English for Speakers of Other Languages, applied academics for adult education instruction, and instruction for adults with disabilities. Section 1004.02(3), F.S.

<sup>17</sup> “Career certificate program” means a course of study that leads to at least one occupational completion point. The program may also confer credit that may articulate with a diploma or career degree education program Section 1004.02(20), F.S.

<sup>18</sup> Applied technology diploma program means a course of study that is part of a technical degree program, is less than 60 credit hours, and leads to employment in a specific occupation. An applied technology diploma program may consist of either technical credit or college credit. Section 1004.02(7), F.S.

<sup>19</sup> “Continuing workforce education” means instruction that does not result in a registered apprenticeship certificate of completion, technical certificate, diploma, associate in applied science degree, or associate in science degree. Section 1004.02(12), F.S.

<sup>20</sup> A degree career education program is a course of study that leads to an associate in applied science degree or an associate in science degree. Section 1004.02(13), F.S.

<sup>21</sup> Preapprentice means any person 16 years of age or over engaged in any course of instruction in the public school system or elsewhere, which course is registered as a preapprenticeship program with the department. Apprentice means a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journeyworker craftspersons, which training should be combined with properly coordinated studies of related technical and supplementary subjects, and who has entered into a written agreement, which may be cited as an apprentice agreement, with a registered apprenticeship sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee. Section 446.021(1)-(2), F.S.

<sup>22</sup> Section 1011.80(2), F.S.

<sup>23</sup> Section 1011.80(6)(b), F.S. Continuing workforce education programs provided by district school boards or Florida College System institutions must be fully supported by fees. Section 1011.80(6)(a), F.S. For fee-exempt students (e.g., students in an apprenticeship program), state funding is 100 percent of the average cost of instruction. Section 1011.80(6)(c), F.S.

<sup>24</sup> Section 1011.80(7)(b), F.S.

<sup>25</sup> *Id.* The CAPE Industry Certification Funding List is annually adopted by the SBE pursuant to s. 1008.44, F.S.

A high school student dually enrolled<sup>26</sup> in a workforce education program operated by a Florida College System institution or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school.<sup>27</sup> However, a student may not be reported for funding in a dual enrollment workforce education program unless the student has completed the basic skills assessment required in law.<sup>28</sup>

### III. Effect of Proposed Changes:

The bill modifies s. 1004.91, F.S., to remove the requirement that students who enroll in a career and technical education program that is at least 450 hours must complete an examination of basic skills within the first six weeks of admission to the program. The bill, however, does not remove the specified exemptions from the basic skills assessment requirements.

The bill modifies s. 1011.80, F.S., to authorize a district school board and Florida College System institution to report for workforce and performance funding a student in a career dual enrollment program who has not completed the basic skills assessment.

The bill is effective July 1, 2024.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

#### D. State Tax or Fee Increases:

None.

#### E. Other Constitutional Issues:

None.

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<sup>26</sup> The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. Section 1007.271(1), F.S.

<sup>27</sup> Section 1011.80(10), F.S.

<sup>28</sup> *Id.*

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill does not require appropriation of additional state funds. However, the bill may reallocate funds to those school districts and Florida College System institutions with relatively more students who are unable to complete a basic skills assessment but successfully complete dual enrollment coursework in workforce education programs.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 1004.91 and 1011.80.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.