

**SB 1076 by Senator Legg**

**Section 1. Short title: cited as “Career and Professional Education Act (CAPE).**

**Section 2. Amends s. 1001.42, F.S., relating to the powers and duties of district school boards** and establishes a technical center governing board. Each district school board may appoint a governing board for a school district technical center or a system of technical centers for the purpose of aligning the educational programs of the technical center with the needs of local businesses and responding quickly to local businesses’ needs for employees holding industry certifications. A technical center governing board must be comprised of seven members, three of whom must be members of the school board or their designees and four of whom must be local business leaders. The district school board shall delegate to the technical center governing board decisions regarding entrance requirements for students, curriculum, program development, budget and funding allocations, and the development of partnership agreements and appropriate industry certifications with local businesses in order to meet local and regional economic needs. A technical center governing board may approve only courses and programs that contain industry certifications. A course may be continued if at least 25 percent of the students enrolled in the course attain an industry certification. If fewer than 25 percent of the students enrolled in a course attain an industry certification, the course must be discontinued the following year.

**Section 3. Amends s. 1001.706, F.S., relating to the powers and duties of the Board of Governors.** The Board of Governors must develop a strategic plan for the State University System and each university. The bill adds new provisions for the strategic plan to include criteria for designating baccalaureate degree and master’s degree programs at specified universities as high-demand programs. Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance measures and performance outcome thresholds determined by the Board of Governors, and 50 percent of the criteria must be based on achievement of performance measures and performance outcome thresholds specifically linked to:

1. Job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation, based in part on data provided in the economic security report of employment and earnings outcomes produced annually pursuant to s. 445.07; and
2. Data-driven gap analyses, conducted by the board, of the state’s job market demands and outlook for jobs that require a baccalaureate degree or a higher degree.

**Section 4. Amends s. 1002.3105, F.S., relating to Academically Challenging Curriculum to Enhance Learning (ACCEL) Options.** Additional options are to include acceleration options and pathways such as rigorous industry certifications that are articulated to college credit and approved pursuant to statutory requirements and work-related internships or apprenticeships.

**Section 5. Amends s. 1003.41, F.S., relating to Sunshine State Standards.** Transfers requirement of “financial literacy in mathematic standards to social studies standards.

**Section 6. Amends s. 1003.4156, F.S., relating to general requirements for middle grades promotion** to require that the middle school courses in English emphasize reading in addition to literature,

composition and technical text. The career and education planning course must also emphasize the importance of entrepreneurship skills.

**Section 7. Amends s. 1003.423, F.S., relating to digital technology materials, certificates, and technical assistance.** Requires each school board, in consultation with the superintendent, to make available digital materials for students in PreK-12<sup>th</sup> grade to enable student to attain digital skills. Deletes prescriptive language describing digital curriculum. Digital materials may be integrated into subject area curricula, offered as a separate course, made available through open-access options, or deployed through online or digital computer applications, subject to available funding.

Beginning with the 2013-2014, F.S., school year, each school board, in consultation with the school superintendent, shall make available digital instructional materials, including software applications, for students with disabilities who are in prekindergarten through grade 12.

Subject to available funding, the department shall contract by December 1, 2013, with one of the technology companies or affiliated nonprofit organizations that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, for the development of a Florida Cyber Security Recognition and a Florida Digital Arts Recognition to indicate a student's attainment of knowledge and skills in digital technology. The recognitions shall be made available to all public elementary school students, at no cost to the districts.

Targeted knowledge and skills to be mastered for each recognition shall be identified by the department. Knowledge and skills may be demonstrated through student attainment of recognitions in particular content areas. The Florida Cyber Security Recognition must be based on understanding of computer processing operations and, in most part, on cyber security skills that increase a student's cyber-safe practices. The Florida Digital Arts Recognition must reflect a balance of skills in technology and the arts. The companies that provide the recognitions must provide open access to materials for teaching and assessing the skills necessary to earn the recognitions. Each elementary school advisory council shall be notified of the methods of delivery of the open-access content and assessments for the recognitions.

Subject to available funding, the department shall contract, by December 1, 2013, with one of the technology companies that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, to develop a Florida Digital Tools Certificate to indicate a student's technology skills. The certificate shall be made available to all public middle school students, at no cost to school districts.

Targeted skills to be mastered for the certificate must be digital technology skills that are necessary in the student's academic work and digital technology skills the student may need in future employment. The skills must include, but need not be limited to, word processing, spreadsheet display, and the creation of presentations, including sound, text, and graphic presentations, consistent with industry certifications that are listed on the Industry Certification Funding List.

The companies that provide the certificate must provide open access to materials for teaching and assessing the skills necessary to earn the certificate. Each middle school advisory council shall be notified of the methods of delivery of the open-access content and assessments for the recognitions.

The Legislature intends that at least 75 percent of public middle school students earn the certificate by July 1, 2018.

DOE or the contracted companies must provide technical assistance to school boards in implementing this section. Assistance to district shall include, but not be limited to: identification of digital technology resources, primarily open-access resources, including digital curriculum, instructional materials, media assets, and other digital tools and applications; training mechanisms for teachers and others to facilitate integration of digital technologies into instructional strategies; and model policies and procedures that support sustainable implementation practices.

A school board may seek partnerships with other district, businesses, colleges, universities or consultants to assist in providing digital materials and certifications.

SBE is required to adopt rules to administer the requirements of this section.

**Section 8. Amends s. 1003.428, F.S., relating to general requirements for high school graduation.**

Beginning with the 2013-2014 school year, a student may meet high school graduation requirements through a rigorous industry certification program of study approved by the State Board of Education; however, the student must pass the Algebra I end-of-course assessment and the high school English/Language Arts assessment adopted pursuant to s. 1008.22 before high school graduation.

The 24 credits required for high school graduation may be earned through rigorous industry certifications.

The math requirements are modified to say that beginning with the 2013-2014 school year, a student may repeat Algebra I courses and count those courses toward satisfying the credit requirements of this subparagraph if the student passes the Algebra I end-of-course assessment before high school graduation.

The one-half credit in economics must include financial literacy.

**Section 9. Amends s. 1003.429, F.S., relating to accelerated high school graduation options.**

Conforming language.

**Section 10. Adds subsection to s. 1003.4295, F.S., relating to acceleration options.** By July 1, 2014, DOE shall develop, the SBE shall approve, and each school district shall provide alternative pathways for students to earn a high school diploma and demonstrate mastery of standards that satisfy the credit requirements for the core curricula established in ss. 1003.428, 1003.4281, 1003.429, and 1003.43 for high school graduation.

The pathways must include, but are not limited to, integrating course content with practical applications; designating rigorous pathways that result in one or more industry certifications, including high school junior and senior year work-related internships or apprenticeships; course and credit options; and segmenting assessments and end-of-course assessments.

Course, credit, and industry certification options shall be considered to satisfy credit requirements of s. 1003.436, F.S., for purposes of awarding credit for high school graduation, with an emphasis on credit

based on competencies, rather than the number of instructional hours required for credit regardless of student enrollment in a class. At a minimum, the State Board of Education shall identify and approve rigorous options under which a student may satisfy course or credit requirements for high school graduation under s. 1003.428(2) , F.S., or s. 1003.429, F.S., with the exception of Algebra I assessment and high school English/Language Arts assessment requirements pursuant to s. 1008.22, by selecting the following options:

1. A student who earns an industry certification, identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, of sufficient rigor to earn articulated college credit, as approved by the SBE, may substitute the industry certification for one or more courses or credits in mathematics and science, including, but not limited to, Algebra II, chemistry, and physics.
2. A student who earns an industry certification or bundles of industry certifications from the Industry Certification Funding List or the Postsecondary Industry Certification Funding List which demonstrate attainment of standards associated with digital composition, word processing, and presentation skills, may satisfy one or more core curricular credits in English.
3. A student who earns industry certifications that articulate to at least 15 college credits shall satisfy three core curriculum credit requirements for a standard high school diploma, except Algebra I or high school English/Language Arts.
4. A middle school student may complete Algebra I requirements through coursework that is offered in two or more discrete instructional segments with corresponding end-of-segment assessments such that, when combined, they are equivalent to the Algebra I end-of-course assessment.

**Section 11. Amends s. 1003.433, F.S., relating to learning opportunities for out-of-state and out-of-country transfer student and students needing additional instruction to meet high school graduation requirements.** Deletes language exempting students attending adult basic, adult secondary, or vocational-preparatory instruction from paying tuition and fees.

**Section 12. Repeals 1003.4935(4), F.S., relating to SBE rulemaking authority for middle school career and professional academy courses and career-themed courses.**

**Section 13. Amends s. 1004.02, F.S., relating to definitions.**

Vocational preparatory instruction is renamed “applied academics for adult education” or “applied academics.”

**Section 14. Creates s. 1004.082, F.S., relating to talent retention program.** The Chancellor of the State University System must cooperate with the Commissioner to support talent retention programs that encourage middle school and high school students who indicate an interest in or aptitude for physics or mathematics to continue their 84 education at a state university that has excellent departments in selected fields. The commissioner and chancellor shall work with state university department chairs to enable department chairs of outstanding state university departments to send letters to students who indicate an interest in and aptitude for those subjects. At a minimum, the letter should provide an open invitation for the student to communicate with the department, at least annually, and to schedule a tour of the department and the campus.

**Section 15. Amends s. 1004.91, F.S., relating to requirements for career education program basic skills.** Amends language to emphasize completion of programs, technical certificates and applied academics. Students may not receive a career certificate of completion without first demonstrating basic skills required for the career education program. Revises language relating to students exempt

from the requirements and adds students who demonstrate readiness for public postsecondary education and a student who passes a state or national industry certification or licensure exam that is identified by SBE and aligned to career education program in which student is enrolled.

**Section 16. Amends s. 1004.93, F.S., relating to adult general education.** Deletes lifelong learning courses and recreational or leisure pursuit courses.

Adds a new subsection (8). To accelerate the employment of adult education students, students entering adult general education programs after July 1, 2013, must complete the following action-steps-to-employment activities before the completion of the first term:

1. Identify employment opportunities using market-driven tools.
2. Create a personalized employment goal.
3. Conduct a personalized skill and knowledge inventory.
4. Compare the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal.
5. Upgrade skills and knowledge needed through adult general education programs and additional educational pursuits based on the personalized employment goal.

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

**Section 17. Amends s. 1006.73, F.S., relating to the Florida Virtual Campus.** Incorporates industry certification into the requirements of the Florida Virtual Campus.

**Section 18. Amends s. 1007.263, F.S., relating to Florida College System institutions, etc.**

Conforming language.

**Section 19. Amends s. 1007.271, F.S., relating to dual enrollment programs.** Conforming language. Also requires that career dual enrollment must be provided for students to earn industry certification which count as credits towards a high school diploma.

**Section 20. Amends s. 1008.25, F.S., and adds to the Comprehensive Student Progression Plan.** The plan must provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and the demonstration of competence of standards through attainment of industry certifications and other means of demonstrating credit requirements.

**Section 21. Amends s. 1008.37, F.S., relating to postsecondary feedback of information to high schools.**

Conforming language.

**Section 22. Creates s. 1008.44, F.S., relating to industry certifications; Industry Certification Funding List and Postsecondary Industry Certification Funding List.** DOE shall, at least annually, identify, under rules approved by the SBE, the Industry Certification Funding List that must be applied in the distribution of funding to school districts pursuant to s. 1011.62, F.S.

The SBE shall adopt, at least annually, the Postsecondary Industry Certification Funding List pursuant to this section. The commissioner shall recommend, at least annually, the Postsecondary Industry Certification Funding List to the SBE and may at any time recommend adding certifications. The Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education shall recommend 108 to the commissioner industry certifications to be placed on the funding list. The list shall be used in determining annual performance funding distributions to school districts and Florida College System institutions as specified in ss. 1011.80 and 1011.81, F.S., respectively. The chancellors shall consider results of the economic security report of employment and earnings outcomes produced annually pursuant to s. 445.07, F.S., when recommending certifications for the list.

In the case of rigorous industry certifications that have embedded prerequisite minimum age, grade level, diploma or degree, post-graduation period of work experience of at least 12 months, or other reasonable requirements that may limit the extent to which a student can complete all requirements of the certification recognized by industry for employment purposes, the commissioner shall differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding pursuant to ss. 1011.62, 1011.80, and 1011.81, , F.S., notwithstanding attainment of prerequisite requirements necessary for recognition by industry for employment purposes. The differentiated requirements established by the commissioner shall be included in the Industry Certification Funding List at the time the certification is adopted.

**Section 23. Amends s. 1009.22, F.S., relating to workforce education postsecondary student fees.**

Conforming language.

**Section 24. Amends s. 1009.25, F.S., relating to fee exemptions.**

Conforming language.

**Section 25. Amends s. 1011.62, F.S., relating to funds for operation of schools.**

Requires that the cost factor for secondary career education programs and basic programs grades 9 through 12 shall be equal.

The AP bonus is modified and is tied to the percentage of students scoring 3 or higher. So, in order to receive the \$50 bonus, at least 50 percent of the students enrolled in the course must earn a score of 3 or higher on the examination. An additional \$1,000 (rather than \$500) bonus may be earned by an AP teacher in a school designated with a grade of "D" or "F" who has at least 25 percent of the students enrolled in the class scoring 3 or higher on the examination. The annual bonus cap is increased to \$3,000.

Calculation of FTE is modified for successful completion of a career-themed course and issuance of industry certification identified in the Industry Certification Funding List. A value of 0.15 or 0.3 FTE shall be calculated for each student who completes a career-themed course and who is issued an industry certification listed in the funding list. Maximum FTE value of any student in grades 9-12 is 0.3. A value of 0.3 FTE shall be calculated for each student who is issued an industry certification that has a statewide articulation agreement for college credit approved by the SBE. For industry certifications that do not articulate for college credit, DOE shall assign a FTE value of 0.15 for each certification. Language explaining "rigor" and "employment value" is deleted. Industry certifications earned through dual enrollment must be reported and funded pursuant to ss. 1011.0 and 1011.81. Weighted funding for students promoted to the 9<sup>th</sup> grade for completion in career-themed course/career is deleted. Each district must allocate at least 80 percent of the funds provided for industry certification to the program that generated the funds and the allocation may not be used to supplant funds provided for basic operation. The appropriation for this calculation is limited to \$60 million annually (increased from \$15 million).

For industry certifications earned in the 2012-2013 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of an industry certification that qualified for additional FTE:

A bonus in the amount of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.15.

A bonus in the amount of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.3.

For the 2013-14 fiscal year, the additional FTE membership calculation must include the additional FTE for any student who earned a certification in the 2009-2010, 2010-2011, and 2011-2012 fiscal years, who was not previously funded and was enrolled in 2012-2013.

Bonuses awarded shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of an industry certification on the Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph may not exceed \$2,000 in any given school year and is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tools Certificate established pursuant to s. 1003.4203, F.S.

1. Each public elementary school shall receive \$50 for each student who earns, annually, the Florida Cyber Security Recognition or the Florida Digital Arts Recognition established pursuant to s. 1003.4203, F.S. The maximum award per student is \$100 per year. The minimum award per school shall be \$1,000 and the maximum \$15,000 annually. This performance payment shall be calculated in the FEFP as a full-time equivalent student.

2. Each middle school shall receive \$50 for each student who earns the Florida Digital Tools Certificate established pursuant to s. 1003.4203, F.S., with a minimum award per school of \$1,000 annually and a

maximum of \$15,000 annually. This performance payment shall be calculated in the FEFP as a full-time equivalent student.

**Section 26. Amends s. 1011.80, F.S., relating to funds for operation of workforce education programs.**

Deletes language relating to performance output measure for career education programs. Deletes specific language outlining the measures of placement and retention of employment.

Performance funding for industry certifications for school district workforce education programs shall be determined as follows:

1. The General Appropriations Act must specify occupational areas for which industry certifications may be earned for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.
2. The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the Postsecondary Industry Certification Funding List adopted pursuant to s. 1008.44, F.S., based on the occupational areas specified in the General Appropriations Act.
3. Each school district shall be provided \$1,000 for each industry certification earned by a workforce education student. The maximum amount of funding appropriated for performance funding pursuant to this paragraph shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, they shall be prorated.

**Section 27. New subsection added to s. 1011.81 , F.S., relating to Florida College System Program Fund.**

Performance funding for industry certifications for Florida College System institutions shall be determined as follows:

1. The General Appropriations Act must specify occupational areas for which industry certifications may be earned for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.
2. The Chancellor of the Florida College System shall identify the industry certifications eligible for funding on the Postsecondary Industry Certification Funding List adopted pursuant to s. 1008.44, F.S., based on the occupational areas specified in the General Appropriations Act.
3. Each Florida College System institution shall be provided \$1,000 for each industry certification earned by a student. The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, they shall be prorated.

**Section 28. Amends s. 1011.905, F.S., relating to performance funding for state universities.** The Legislature intends that state performance funds be based on indicators of system and institutional attainment of performance expectations. The bill establishes performance funding for the 2012-2013 thorough at least 2016-2017 fiscal years and additional funding criteria.

**Section 29. Provides an effective date upon become a law.**