

1 A bill to be entitled
2 An act relating to career and adult education;
3 amending s. 446.021, F.S.; revising definitions
4 relating to state apprenticeship and job-training
5 programs; amending s. 446.032, F.S.; conforming a
6 provision; amending s. 446.045, F.S.; revising
7 criteria for certain appointments to the State
8 Apprenticeship Advisory Council; amending s. 446.081,
9 F.S.; limiting applicability of state apprenticeship
10 and job-training program requirements with respect to
11 certain provisions for veterans, minority persons, and
12 women; amending s. 446.091, F.S.; conforming a
13 provision; amending s. 446.092, F.S.; revising
14 criteria for apprenticeship occupations; amending s.
15 1003.435, F.S.; revising requirements that a 16 year
16 old must meet to be a candidate for the high school
17 equivalency diploma; amending s. 1004.015, F.S.;
18 revising the membership of the Higher Education
19 Coordinating Council; amending s. 1004.02, F.S.;
20 revising the definition of the term "applied
21 technology diploma program"; amending s. 1004.92,
22 F.S.; revising the Department of Education's
23 responsibility for the development of program
24 standards for career, adult, and community education
25 programs; providing for rulemaking; amending s.
26 1004.93, F.S.; revising provisions relating to adult

27 | general education; providing that adult education
 28 | programs may only provide academic services to
 29 | specified students under certain circumstances;
 30 | deleting duties of the State Board of Education
 31 | relating to adult general education programs; deleting
 32 | a requirement that specific expenditures be reported
 33 | separately; revising allocation requirements for
 34 | developmental education; amending s. 1008.44, F.S.;
 35 | revising the number of allowable CAPE Digital Tool
 36 | certificates in certain areas that do not lead to
 37 | college credit; deleting a provision authorizing the
 38 | Chancellor of Career and Adult Education to update the
 39 | list of certificates; amending s. 1009.22, F.S.;
 40 | revising tuition and fees for specific workforce
 41 | education programs; amending s. 1009.42, F.S.;
 42 | requiring district school boards operating a career
 43 | center and governing bodies of charter technical
 44 | career centers to establish a specific appeal
 45 | procedure for students; amending s. 1011.80, F.S.;
 46 | conforming provisions; requiring school districts and
 47 | Florida College System institutions to maintain
 48 | certain records; revising operational and performance
 49 | funding calculation and allocation for workforce
 50 | education programs; deleting provisions relating to a
 51 | program to assist in responding to the needs of new
 52 | and expanding businesses and a requirement that the

53 State Board of Education and CareerSource Florida,
 54 Inc., provide the Legislature with certain formulas
 55 and mechanisms for distributing performance funds;
 56 creating s. 1011.802, F.S.; creating the Florida
 57 Apprenticeship Grant (FLAG) program; providing for the
 58 purpose, requirements, and administration of the
 59 program; requiring certain career centers and
 60 institutions to provide quarterly reports; creating s.
 61 1011.803, F.S.; creating the Rapid Response Grant
 62 program; providing for the purpose, requirements, and
 63 administration of the program; requiring certain
 64 career centers to provide quarterly reports; requiring
 65 the department to administer the program and conduct
 66 an annual program analysis; providing appropriations;
 67 providing an effective date.

68
 69 Be It Enacted by the Legislature of the State of Florida:

70
 71 Section 1. Section 446.021, Florida Statutes, is reordered
 72 and amended to read:

73 446.021 Definitions of terms used in ss. 446.011-446.092.—
 74 As used in ss. 446.011-446.092, the term:

75 (1)~~(2)~~ "Apprentice" means a person at least 16 years of
 76 age who is engaged in learning a recognized skilled trade
 77 through actual work experience under the supervision of a
 78 journeyworker ~~journeymen craftsmen~~, which training should be

79 combined with properly coordinated studies of related technical
 80 and supplementary subjects, and who has entered into a written
 81 agreement, which may be cited as an apprentice agreement, with a
 82 registered apprenticeship sponsor who may be ~~either~~ an employer,
 83 an association of employers, or a local joint apprenticeship
 84 committee.

85 (2)~~(6)~~ "Apprenticeship program" means an organized course
 86 of instruction, registered and approved by the department, which
 87 course shall contain all terms and conditions for the
 88 qualifications, recruitment, selection, employment, and training
 89 of apprentices including such matters as the requirements for a
 90 written apprenticeship agreement.

91 (3)~~(10)~~ "Cancellation" means the deregistration of an
 92 apprenticeship program or the termination of an apprenticeship
 93 agreement.

94 (4)~~(12)~~ "Department" means the Department of Education.

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

105 ~~established industry practices for the particular trade or~~
 106 ~~occupation.~~

107 (6)~~(11)~~ "Jurisdiction" means the specific geographical
 108 area for which a particular program is registered.

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

116 (8)~~(1)~~ "Preapprentice" means any person 16 years of age or
 117 over engaged in any course of instruction in the public school
 118 system or elsewhere, which course is registered as a
 119 preapprenticeship program with the department.

120 (9)~~(5)~~ "Preapprenticeship program" means an organized
 121 course of instruction in the public school system or elsewhere,
 122 which course is designed to prepare a person 16 years of age or
 123 older to become an apprentice and which course is approved by
 124 and registered with the department and sponsored by a registered
 125 apprenticeship program.

126 (10)~~(9)~~ "Related instruction" means an organized and
 127 systematic form of instruction designed to provide the
 128 apprentice with knowledge of the theoretical and technical
 129 subjects related to a specific trade or occupation. Such
 130 instruction may be given in a classroom, through occupational or

131 industrial courses or correspondence courses of equivalent
 132 value, through electronic media, or through other forms of self-
 133 study approved by the department.

134 ~~(11)(3)~~ "Trainee" means a person at least 16 years of age
 135 who is engaged in learning a specific skill, trade, or
 136 occupation within a formalized, on-the-job training program.

137 ~~(12)(8)~~ "Uniform minimum preapprenticeship standards"
 138 means the minimum requirements established uniformly for each
 139 craft under which a preapprenticeship program is administered
 140 and includes standards of admission, training goals, training
 141 objectives, curriculum outlines, objective standards to measure
 142 successful completion of the preapprenticeship program, and the
 143 percentage of credit which may be given to preapprenticeship
 144 graduates upon acceptance into the apprenticeship program.

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

147 446.032 General duties of the department for
 148 apprenticeship training.—The department shall:

149 (1) Establish uniform minimum standards and policies
 150 governing apprentice programs and agreements. The standards and
 151 policies shall govern the terms and conditions of the
 152 apprentice's employment and training, including the quality
 153 training of the apprentice for, but not limited to, such matters
 154 as ratios of apprentices to journeymen ~~journeymen~~, safety,
 155 related instruction, and on-the-job training; but these
 156 standards and policies may not include rules, standards, or

157 guidelines that require the use of apprentices and job trainees
 158 on state, county, or municipal contracts. The department may
 159 adopt rules necessary to administer the standards and policies.

160 Section 3. Paragraph (b) of subsection (2) of section
 161 446.045, Florida Statutes, is amended to read:

162 446.045 State Apprenticeship Advisory Council.—

163 (2) (b) The Commissioner of Education or the commissioner's
 164 designee shall serve ex officio as chair of the State
 165 Apprenticeship Advisory Council, but may not vote. The state
 166 director of the Office of Apprenticeship of the United States
 167 Department of Labor shall serve ex officio as a nonvoting member
 168 of the council. The Governor shall appoint to the council four
 169 members representing employee organizations and four members
 170 representing employer organizations. Each of these eight members
 171 shall represent industries that have registered apprenticeship
 172 programs. The Governor shall also appoint two public members who
 173 are knowledgeable about registered apprenticeship and
 174 apprenticeable occupations and who are independent of any joint
 175 or nonjoint organization, ~~one of whom shall be recommended by~~
 176 ~~joint organizations, and one of whom shall be recommended by~~
 177 ~~nonjoint organizations~~. Members shall be appointed for 4-year
 178 staggered terms. A vacancy shall be filled for the remainder of
 179 the unexpired term.

180 Section 4. Subsection (1) of section 446.081, Florida
 181 Statutes, is amended to read:

182 446.081 Limitation.—

183 (1) Nothing in ss. 446.011-446.092, or in any apprentice
 184 agreement approved under those sections, ~~may shall operate to~~
 185 invalidate:

186 (a) Any apprenticeship provision in any collective
 187 agreement between employers and employees setting up higher
 188 apprenticeship standards.

189 (b) Any special provision for veterans, minority persons,
 190 or women in the standards, apprentice qualifications, or
 191 operation of the program that is not otherwise prohibited by
 192 law, executive order, or authorized regulation.

193 Section 5. Section 446.091, Florida Statutes, is amended
 194 to read:

195 446.091 On-the-job training program.—All provisions of ss.
 196 446.011-446.092 relating to apprenticeship and
 197 preapprenticeship, including, but not limited to, programs,
 198 agreements, standards, administration, procedures, definitions,
 199 expenditures, local committees, powers and duties, limitations,
 200 grievances, and ratios of apprentices and job trainees to
 201 journeyworkers ~~journeymen~~ on state, county, and municipal
 202 contracts, shall be appropriately adapted and made applicable to
 203 a program of on-the-job training authorized under those
 204 provisions for persons other than apprentices.

205 Section 6. Section 446.092, Florida Statutes, is amended
 206 to read:

207 446.092 Criteria for apprenticeship occupations.—An
 208 apprenticeable occupation is a skilled trade which possesses all

209 of the following characteristics:

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

213 (2) It is clearly identified and commonly recognized
 214 throughout an the industry ~~or recognized with a positive view~~
 215 ~~towards changing technology.~~

216 (3) It involves manual, mechanical, or technical skills
 217 and knowledge which, in accordance with the industry standards
 218 for the occupation, would require a minimum of 2,000 hours of
 219 on-the-job work ~~and~~ training, which hours are excluded from the
 220 time spent at related instruction.

221 (4) It requires related instruction to supplement on-the-
 222 job training. Such instruction may be given in a classroom,
 223 through occupational or industrial courses or ~~through~~
 224 correspondence courses of equivalent value, through electronic
 225 media, or through other forms of self-study approved by the
 226 department.

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

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

232 ~~(a) Selling, retailing, or similar occupations in the~~
 233 ~~distributive field.~~

234 ~~(b) Managerial occupations.~~

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

237 Section 7. Subsection (4) of section 1003.435, Florida
 238 Statutes, is amended to read:

239 1003.435 High school equivalency diploma program.—

240 (4) A candidate for a high school equivalency diploma
 241 shall be at least 18 years of age on the date of the
 242 examination, except that ~~in extraordinary circumstances, as~~
 243 ~~provided for in rules of the district school board of the~~
 244 ~~district in which the candidate resides or attends school, a~~
 245 candidate may take the examination after reaching the age of 16
 246 if the student files a formal declaration of intent to terminate
 247 school enrollment pursuant to s. 1003.21.

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

250 1004.015 Higher Education Coordinating Council.—

251 (2) Members of the council shall include:

252 (a) One member of the Board of Governors, appointed by the
 253 chair of the Board of Governors.

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

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

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

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

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

261 (g)~~(f)~~ The president of the Independent Colleges and
 262 Universities of Florida.

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

265 (i)~~(h)~~ The president of Enterprise Florida, Inc., or a
 266 designated member of the Stakeholders Council appointed by the
 267 president.

268 (j)~~(i)~~ Three representatives of the business community,
 269 one appointed by the President of the Senate, one appointed by
 270 the Speaker of the House of Representatives, and one appointed
 271 by the Governor, who are committed to developing and enhancing
 272 world class workforce infrastructure necessary for Florida's
 273 citizens to compete and prosper in the ever-changing economy of
 274 the 21st century.

275 Section 9. Subsection (7) of section 1004.02, Florida
 276 Statutes, is amended to read:

277 1004.02 Definitions.—As used in this chapter:

278 (7) "Applied technology diploma program" means a course of
 279 study that is part of a technical degree program, is less than
 280 60 credit hours, and leads to employment in a specific
 281 occupation. An applied technology diploma program consists ~~may~~
 282 ~~consist of either technical credit or college credit~~ and may be
 283 offered by a public school district or a Florida College System
 284 institution. A public school district may offer an applied
 285 ~~technology diploma program only as technical credit, with~~
 286 ~~college credit awarded to a student upon articulation to a~~

287 ~~Florida College System institution.~~ Statewide articulation among
 288 public schools and Florida College System institutions is
 289 guaranteed by s. 1007.23~~7~~ and is subject to guidelines and
 290 standards adopted by the State Board of Education pursuant to
 291 ss. 1007.24 and 1007.25.

292 Section 10. Paragraph (b) of subsection (2) of section
 293 1004.92, Florida Statutes, is amended, and subsection (4) is
 294 added to that section, to read:

295 1004.92 Purpose and responsibilities for career
 296 education.—

297 (2)

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

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

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

304 3. The development of policies, rules, and procedures that
 305 facilitate institutional attainment of the accountability
 306 standards and coordinate the efforts of all divisions within the
 307 department.

308 4. The development of program standards and industry-
 309 driven benchmarks for career, adult, and community education
 310 programs, which must be updated every 3 years. The standards
 311 must reflect the quality components of a career and technical
 312 education program and include career, academic, and workplace

313 skills; viability of distance learning for instruction; and
 314 work/learn cycles that are responsive to business and industry.

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

317 6. Ensuring that the educational outcomes for the
 318 technical component of career programs are uniform and designed
 319 to provide a graduate who is capable of entering the workforce
 320 on an equally competitive basis regardless of the institution of
 321 choice.

322 (4) The State Board of Education shall adopt rules to
 323 administer this section.

324 Section 11. Section 1004.93, Florida Statutes, is
 325 reordered and amended to read:

326 1004.93 Adult general education.—

327 (1) (a) The intent of this section is to encourage the
 328 provision of educational services that will enable adults to
 329 acquire:

330 1. The basic skills necessary to attain basic and
 331 functional literacy.

332 2. A high school diploma or successfully complete the high
 333 school equivalency examination.

334 3. An educational foundation that will enable them to
 335 become more employable, productive, and self-sufficient
 336 citizens.

337 (b) It is further intended that educational opportunities
 338 be available for adults who have earned a diploma or high school

339 | equivalency diploma but who lack the basic skills necessary to
 340 | function effectively in everyday situations, to enter the job
 341 | market, or to enter career certificate instruction.

342 | (2) The adult education program must provide academic
 343 | services to ~~students in the following priority:~~

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

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

352 | (c) Students who are earning credit required for a high
 353 | school diploma or ~~who~~ are preparing for the high school
 354 | equivalency examination. By July 1, 2017, each school district
 355 | or Florida College System institution with an adult high school
 356 | or offering a high school equivalency examination preparation
 357 | program must offer at least one online program option that
 358 | enables students to earn a high school diploma or its
 359 | equivalent.

360 | (d) Students who have earned high school diplomas and
 361 | require specific improvement in order to:

- 362 | 1. Obtain or maintain employment or benefit from
 363 | certificate career education programs;
 364 | 2. Pursue a postsecondary degree; or

365 3. Develop competence in the English language to qualify
366 for employment.

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

370 (a)-(e) Students who enroll in lifelong learning courses or
371 activities that seek to address community social and economic
372 issues that consist of health and human relations, government,
373 parenting, consumer economics, and senior citizens.

374 (b)-(f) Students who enroll in courses that relate to the
375 recreational or leisure pursuits of the students. The cost of
376 courses conducted pursuant to this paragraph shall be borne by
377 the enrollees.

378 (4)-(3)(a) Each district school board or Florida College
379 System institution board of trustees shall negotiate with the
380 regional workforce board for basic and functional literacy
381 skills assessments for participants in the welfare transition
382 employment and training programs. Such assessments shall be
383 conducted at a site mutually acceptable to the district school
384 board or Florida College System institution board of trustees
385 and the regional workforce board.

386 (b) State employees who are employed in local or regional
387 offices of state agencies shall inform clients of the
388 availability of adult basic and secondary programs in the
389 region. The identities of clients who do not possess high school
390 diplomas or who demonstrate skills below the level of functional

391 literacy shall be conveyed, with their consent, to the local
 392 school district or Florida College System institution, or both.

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

397 (5)~~(4)~~(a) Adult general education shall be evaluated and
 398 funded as provided in s. 1011.80.

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

401 ~~(c) The State Board of Education shall define, by rule,~~
 402 ~~the levels and courses of instruction to be funded through the~~
 403 ~~developmental education program. The state board shall~~
 404 ~~coordinate the establishment of costs for developmental~~
 405 ~~education courses, the establishment of statewide standards that~~
 406 ~~define required levels of competence, acceptable rates of~~
 407 ~~student progress, and the maximum amount of time to be allowed~~
 408 ~~for completion of developmental education. Developmental~~
 409 ~~education is part of an associate in arts degree program and may~~
 410 ~~not be funded as an adult career education program.~~

411 ~~(d) Expenditures for developmental education and lifelong~~
 412 ~~learning students shall be reported separately. Allocations for~~
 413 ~~developmental education shall be based on proportional full-time~~
 414 ~~equivalent enrollment. Program review results shall be included~~
 415 ~~in the determination of subsequent allocations. A student shall~~
 416 ~~be funded to enroll in the same developmental education class~~

417 ~~within a skill area only twice, after which time the student~~
418 ~~shall pay 100 percent of the full cost of instruction to support~~
419 ~~the continuous enrollment of that student in the same class;~~
420 ~~however, students who withdraw or fail a class due to~~
421 ~~extenuating circumstances may be granted an exception only once~~
422 ~~for each class, provided approval is granted according to policy~~
423 ~~established by the board of trustees. Each Florida College~~
424 ~~System institution shall have the authority to review and reduce~~
425 ~~payment for increased fees due to continued enrollment in a~~
426 ~~developmental education class on an individual basis contingent~~
427 ~~upon the student's financial hardship, pursuant to definitions~~
428 ~~and fee levels established by the State Board of Education.~~
429 ~~Developmental education and lifelong learning courses do not~~
430 ~~generate credit toward an associate or baccalaureate degree.~~

431 (c)~~(e)~~ A district school board or a Florida College System
432 institution board of trustees may negotiate a contract with the
433 regional workforce board for specialized services for
434 participants in the welfare transition program, beyond what is
435 routinely provided for the general public, to be funded by the
436 regional workforce board.

437 (6)~~(5)~~ If students who have been determined to be adults
438 with disabilities are enrolled in workforce development
439 programs, the funding formula must provide additional incentives
440 for their achievement of performance outputs and outcomes.

441 (7)~~(6)~~ The commissioner shall recommend the level of
442 funding for public school and Florida College System institution

443 adult education within the legislative budget request and make
 444 other recommendations and reports considered necessary or
 445 required by rules of the State Board of Education.

446 (8)~~(7)~~ Buildings, land, equipment, and other property
 447 owned by a district school board or Florida College System
 448 institution board of trustees may be used for the conduct of the
 449 adult education program. Buildings, land, equipment, and other
 450 property owned or leased by cooperating public or private
 451 agencies, organizations, or institutions may also be used for
 452 the purposes of this section.

453 (9)~~(8)~~ In order to accelerate the employment of adult
 454 education students, students entering adult general education
 455 programs after July 1, 2013, must complete the following action-
 456 steps-to-employment activities before the completion of the
 457 first term:

458 (a) Identify employment opportunities using market-driven
 459 tools.

460 (b) Create a personalized employment goal.

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

462 (d) Compare the results of the personalized skill and
 463 knowledge inventory with the knowledge and skills needed to
 464 attain the personalized employment goal.

465 (e) Upgrade skills and knowledge needed through adult
 466 general education programs and additional educational pursuits
 467 based on the personalized employment goal.

468

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

477 (10)~~(9)~~ The State Board of Education may adopt rules
 478 necessary for the implementation of this section.

479 Section 12. Paragraph (b) of subsection (1) of section
 480 1008.44, Florida Statutes, is amended to read:

481 1008.44 CAPE Industry Certification Funding List and CAPE
 482 Postsecondary Industry Certification Funding List.—

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

488 (b) No more than 30 ~~15~~ CAPE Digital Tool certificates
 489 limited to the areas of word processing; spreadsheets; sound,
 490 motion, and color presentations; digital arts; cybersecurity;
 491 and coding pursuant to s. 1003.4203(3) that do not articulate
 492 for college credit. Such certificates shall be annually
 493 identified on the CAPE Industry Certification Funding List ~~and~~
 494 ~~updated solely by the Chancellor of Career and Adult Education.~~

495 The certificates shall be made available to students in
 496 elementary school and middle school grades and, if earned by a
 497 student, shall be eligible for additional full-time equivalent
 498 membership pursuant to s. 1011.62(1)(o)1.

499 Section 13. Paragraphs (d) and (e) of subsection (3) of
 500 section 1009.22, Florida Statutes, are redesignated as
 501 paragraphs (e) and (f), respectively, paragraph (c) of that
 502 subsection is amended, and a new paragraph (d) is added to that
 503 subsection, to read:

504 1009.22 Workforce education postsecondary student fees.—

505 (3)

506 (c) Effective July 1, 2014, for programs leading to a
 507 career certificate ~~or an applied technology diploma~~, the
 508 standard tuition shall be \$2.33 per contact hour for residents
 509 and nonresidents, and the out-of-state fee shall be \$6.99 per
 510 contact hour. For adult general education programs, a block
 511 tuition of \$45 per half year or \$30 per term shall be assessed.
 512 Each district school board and Florida College System
 513 institution board of trustees shall adopt policies and
 514 procedures for the collection of and accounting for the
 515 expenditure of the block tuition. All funds received from the
 516 block tuition shall be used only for adult general education
 517 programs. Students enrolled in adult general education programs
 518 may not be assessed the fees authorized in subsection (5),
 519 subsection (6), or subsection (7).

520 (d) Effective July 1, 2016, for programs leading to an

521 applied technology diploma, the standard tuition shall be \$71.98
 522 per credit hour for residents and nonresidents, and the out-of-
 523 state fee shall be \$215.94 per credit hour.

524 Section 14. Subsection (2) of section 1009.42, Florida
 525 Statutes, is amended to read:

526 1009.42 Financial aid appeal process.—

527 (2) The president of each state university and each
 528 Florida College System institution, each district school board
 529 operating a career center pursuant to s. 1001.44, and each
 530 governing body of a charter technical career center operating
 531 pursuant to s. 1002.34 shall establish a procedure for appeal,
 532 by students, of grievances related to the award or
 533 administration of financial aid at the institution.

534 Section 15. Section 1011.80, Florida Statutes, is
 535 reordered and amended to read:

536 1011.80 Funds for operation of workforce education
 537 programs.—

538 (1) As used in this section, the terms "workforce
 539 education" and "workforce education program" include:

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

543 (b) Career certificate programs, as defined in s.
 544 1004.02(20).

545 (c) Applied technology diploma programs.

546 (d) Continuing workforce education courses.

547 (e) Degree career education programs.

548 (f) Apprenticeship and preapprenticeship programs as
549 defined in s. 446.021.

550 (2) A ~~Any~~ workforce education program may be conducted by
551 a Florida College System institution or a school district,
552 except that ~~college credit in~~ an associate in applied science or
553 an associate in science degree may be awarded only by a Florida
554 College System institution. However, if an associate in applied
555 science or an associate in science degree program contains
556 within it an occupational completion point that confers a
557 certificate or an applied technology diploma, that portion of
558 the program may be offered ~~conducted~~ by a school district career
559 center. ~~Any~~ Instruction designed to articulate to a degree
560 program is subject to guidelines and standards adopted by the
561 State Board of Education pursuant to s. 1007.25.

562 (3) Each school district and Florida College System
563 institution receiving state appropriations for workforce
564 education programs must maintain adequate and accurate records,
565 including a system to record school district workforce education
566 funding and expenditures, in order to maintain separation of
567 postsecondary workforce education expenditures from secondary
568 workforce education expenditures. These records must be filed
569 with the Department of Education in correct and proper form on
570 or before the date due as provided by law or rule for each
571 annual or periodic report that is required by rules of the State
572 Board of Education.

573 (4)~~(9)~~ School districts shall report full-time equivalent
574 students by discipline category for the programs specified in
575 subsection (1). There shall be an annual cost analysis for the
576 school district workforce education programs that reports cost
577 by discipline category consistent with the reporting for full-
578 time equivalent students. The annual financial reports submitted
579 by the school districts must accurately report on the student
580 fee revenues by fee type according to the programs specified in
581 subsection (1). The Department of Education shall develop a plan
582 for comparable reporting of program, student, facility,
583 personnel, and financial data between the Florida College System
584 institutions and the school district workforce education
585 programs.

586 ~~(3) If a program for disabled adults pursuant to s.~~
587 ~~1004.93 is a workforce program as defined in law, it must be~~
588 ~~funded as provided in this section.~~

589 ~~(4) Funding for all workforce education programs must be~~
590 ~~based on cost categories, performance output measures, and~~
591 ~~performance outcome measures.~~

592 ~~(a) The cost categories must be calculated to identify~~
593 ~~high-cost programs, medium-cost programs, and low-cost programs.~~
594 ~~The cost analysis used to calculate and assign a program of~~
595 ~~study to a cost category must include at least both direct and~~
596 ~~indirect instructional costs, consumable supplies, equipment,~~
597 ~~and standard program length.~~

598 ~~(b) The performance output measure for an adult general~~
 599 ~~education course of study is measurable improvement in student~~
 600 ~~skills. This measure shall include improvement in literacy~~
 601 ~~skills, grade level improvement as measured by an approved test,~~
 602 ~~or attainment of a State of Florida diploma or an adult high~~
 603 ~~school diploma.~~

604 ~~(c) The performance outcome measures for adult general~~
 605 ~~education programs are associated with placement and retention~~
 606 ~~of students after reaching a completion point or completing a~~
 607 ~~program of study. These measures include placement or retention~~
 608 ~~in employment. Continuing postsecondary education at a level~~
 609 ~~that will further enhance employment is a performance outcome~~
 610 ~~for adult general education programs.~~

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

613 (a) Expenditures for the continuing workforce education
 614 programs provided by the Florida College System institutions or
 615 school districts must be fully supported by fees. Enrollments in
 616 continuing workforce education courses shall not be counted for
 617 purposes of funding full-time equivalent enrollment.

618 (b) For all other workforce education programs, state
 619 funding shall be calculated based on weighted enrollment and
 620 program costs minus fee revenues generated to offset program
 621 operational costs ~~equal 75 percent of the average cost of~~
 622 ~~instruction with the remaining 25 percent made up from student~~
 623 ~~fees. Fees for courses within a program shall not vary according~~

624 to the cost of the individual program, but instead shall be as
625 provided in s. 1009.22 ~~based on a uniform fee calculated and set~~
626 ~~at the state level, as adopted by the State Board of Education,~~
627 unless otherwise specified in the General Appropriations Act.

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

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

635 (6) (a) ~~A school district or a Florida College System~~
636 ~~institution that provides workforce education programs shall~~
637 ~~receive funds in accordance with distributions for base and~~
638 ~~performance funding established by the Legislature in the~~
639 ~~General Appropriations Act.~~ To ensure equitable funding for all
640 school district workforce education programs and to recognize
641 enrollment growth, the Department of Education shall use the
642 funding model developed by the District Workforce Education
643 Funding Steering Committee to determine each district's
644 workforce education funding needs. To assist the Legislature in
645 allocating workforce education funds in the General
646 Appropriations Act, the funding model shall annually be provided
647 to the legislative appropriations committees no later than March
648 1.

649 (b) Operational funding shall be provided to school
 650 districts for workforce education programs based on weighted
 651 student enrollment and program costs determined by cost
 652 categories. The cost categories must be calculated to identify
 653 high-cost programs, medium-cost programs, and low-cost programs.
 654 The cost analysis used to calculate and assign a program of
 655 study to a cost category must include, at a minimum, direct and
 656 indirect instructional costs, consumable supplies, equipment,
 657 and standard program length.

658 (7) Performance funding for workforce education programs
 659 shall be contingent upon specific appropriation in the General
 660 Appropriations Act. To assist the Legislature in determining
 661 performance funding allocations, the State Board of Education
 662 shall annually, by March 1, provide the Legislature with
 663 recommended formulas, criteria, timeframes, and mechanisms for
 664 distributing performance funds. These recommendations shall
 665 reward programs that:

666 (a) Prepare people to enter high-skill and high-wage
 667 occupations identified by the Workforce Estimating Conference
 668 pursuant to s. 216.136 and programs approved by CareerSource
 669 Florida, Inc. At a minimum, performance incentives shall be
 670 calculated for adults who reach completion points or complete
 671 programs that lead to their placement in high-skill and high-
 672 wage employment.

673 (b) Prepare adults who are eligible for public assistance,
 674 economically disadvantaged, disabled, not proficient in English,

675 or dislocated workers for high-wage occupations. At a minimum,
676 performance incentives shall be calculated at an enhanced value
677 for such adults who complete programs that lead to their
678 placement in high-wage employment. In addition, adjustments may
679 be made in performance incentives for such adults who become
680 employed in high-wage occupations in areas with high
681 unemployment rates.

682 (c) Increase student achievement in adult general
683 education courses by measuring performance output and outcome
684 measures.

685 1. The performance output measure for an adult general
686 education course is measurable improvement in student skills.
687 This measure includes improvement in literacy skills, grade-
688 level improvement as measured by an approved test, or attainment
689 of a high school diploma.

690 2. The performance outcome measures for adult general
691 education programs are placement in and retention of employment
692 after reaching a completion point or completing a program. These
693 measures include continuation of postsecondary education at a
694 level that will further enhance employment.

695 (d) ~~(b)~~ Award industry certifications. Performance funding
696 for industry certifications ~~for school district workforce~~
697 ~~education programs is contingent upon specific appropriation in~~
698 ~~the General Appropriations Act and shall be determined as~~
699 follows:

700 1. Occupational areas for which industry certifications
 701 may be earned, as established in the General Appropriations Act,
 702 are eligible for performance funding. Priority shall be given to
 703 the occupational areas emphasized in state, national, or
 704 corporate grants provided to Florida educational institutions.

705 2. The Chancellor of Career and Adult Education shall
 706 identify the industry certifications eligible for funding on the
 707 CAPE Postsecondary Industry Certification Funding List approved
 708 by the State Board of Education pursuant to s. 1008.44, based on
 709 the occupational areas specified in the General Appropriations
 710 Act.

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

717 ~~(c) A program is established to assist school districts~~
 718 ~~and Florida College System institutions in responding to the~~
 719 ~~needs of new and expanding businesses and thereby strengthening~~
 720 ~~the state's workforce and economy. The program may be funded in~~
 721 ~~the General Appropriations Act. The district or Florida College~~
 722 ~~System institution shall use the program to provide customized~~
 723 ~~training for businesses which satisfies the requirements of s.~~
 724 ~~288.047. Business firms whose employees receive the customized~~
 725 ~~training must provide 50 percent of the cost of the training.~~

726 ~~Balances remaining in the program at the end of the fiscal year~~
 727 ~~shall not revert to the general fund, but shall be carried over~~
 728 ~~for 1 additional year and used for the purpose of serving~~
 729 ~~incumbent worker training needs of area businesses with fewer~~
 730 ~~than 100 employees. Priority shall be given to businesses that~~
 731 ~~must increase or upgrade their use of technology to remain~~
 732 ~~competitive.~~

733 (8) ~~(7)~~ (a) A school district or Florida College System
 734 institution that receives workforce education funds must use the
 735 money to benefit the workforce education programs it provides.
 736 The money may be used for equipment upgrades, program
 737 expansions, or any other use that would result in workforce
 738 education program improvement. The district school board or
 739 Florida College System institution board of trustees may not
 740 withhold any portion of the performance funding for indirect
 741 costs.

742 (b) State funds provided for the operation of
 743 postsecondary workforce programs may not be expended for the
 744 education of state or federal inmates.

745 ~~(8) The State Board of Education and CareerSource Florida,~~
 746 ~~Inc., shall provide the Legislature with recommended formulas,~~
 747 ~~criteria, timeframes, and mechanisms for distributing~~
 748 ~~performance funds. The commissioner shall consolidate the~~
 749 ~~recommendations and develop a consensus proposal for funding.~~
 750 ~~The Legislature shall adopt a formula and distribute the~~
 751 ~~performance funds to the State Board of Education for Florida~~

752 ~~College System institutions and school districts through the~~
753 ~~General Appropriations Act. These recommendations shall be based~~
754 ~~on formulas that would discourage low-performing or low-demand~~
755 ~~programs and encourage through performance-funding awards:~~

756 ~~(a) Programs that prepare people to enter high-wage~~
757 ~~occupations identified by the Workforce Estimating Conference~~
758 ~~created by s. 216.136 and other programs as approved by~~
759 ~~CareerSource Florida, Inc. At a minimum, performance incentives~~
760 ~~shall be calculated for adults who reach completion points or~~
761 ~~complete programs that lead to specified high-wage employment~~
762 ~~and to their placement in that employment.~~

763 ~~(b) Programs that successfully prepare adults who are~~
764 ~~eligible for public assistance, economically disadvantaged,~~
765 ~~disabled, not proficient in English, or dislocated workers for~~
766 ~~high-wage occupations. At a minimum, performance incentives~~
767 ~~shall be calculated at an enhanced value for the completion of~~
768 ~~adults identified in this paragraph and job placement of such~~
769 ~~adults upon completion. In addition, adjustments may be made in~~
770 ~~payments for job placements for areas of high unemployment.~~

771 ~~(c) Programs that are specifically designed to be~~
772 ~~consistent with the workforce needs of private enterprise and~~
773 ~~regional economic development strategies, as defined in~~
774 ~~guidelines set by CareerSource Florida, Inc. CareerSource~~
775 ~~Florida, Inc., shall develop guidelines to identify such needs~~
776 ~~and strategies based on localized research of private employers~~
777 ~~and economic development practitioners.~~

778 ~~(d) Programs identified by CareerSource Florida, Inc., as~~
 779 ~~increasing the effectiveness and cost efficiency of education.~~
 780 (9) ~~(10)~~ A high school student dually enrolled under s.
 781 1007.271 in a workforce education program operated by a Florida
 782 College System institution or school district career center
 783 generates the amount calculated for workforce education funding,
 784 including any payment of performance funding, and the
 785 proportional share of full-time equivalent enrollment generated
 786 through the Florida Education Finance Program for the student's
 787 enrollment in a high school. If a high school student is dually
 788 enrolled in a Florida College System institution program,
 789 including a program conducted at a high school, the Florida
 790 College System institution earns the funds generated for
 791 workforce education funding, and the school district earns the
 792 proportional share of full-time equivalent funding from the
 793 Florida Education Finance Program. If a student is dually
 794 enrolled in a career center operated by the same district as the
 795 district in which the student attends high school, that district
 796 earns the funds generated for workforce education funding and
 797 also earns the proportional share of full-time equivalent
 798 funding from the Florida Education Finance Program. If a student
 799 is dually enrolled in a workforce education program provided by
 800 a career center operated by a different school district, the
 801 funds must be divided between the two school districts
 802 proportionally from the two funding sources. A student may not
 803 be reported for funding in a dual enrollment workforce education

804 program unless the student has completed the basic skills
805 assessment pursuant to s. 1004.91. A student who is coenrolled
806 in a K-12 education program and an adult education program may
807 be reported for purposes of funding in an adult education
808 program. If a student is coenrolled in core curricula courses
809 for credit recovery or dropout prevention purposes and does not
810 have a pattern of excessive absenteeism or habitual truancy or a
811 history of disruptive behavior in school, the student may be
812 reported for funding for up to two courses per year. Such a
813 student is exempt from the payment of the block tuition for
814 adult general education programs provided in s. 1009.22(3)(c).
815 The Department of Education shall develop a list of courses to
816 be designated as core curricula courses for the purposes of
817 coenrollment.

818 ~~(10)-(11)~~ The State Board of Education may adopt rules to
819 administer this section.

820 Section 16. Section 1011.802, Florida Statutes, is created
821 to read:

822 1011.802 Florida Apprenticeship Grant (FLAG) program.—

823 (1) The Florida Apprenticeship Grant (FLAG) program is
824 created to provide grants to career centers, charter technical
825 career centers, and Florida College System institutions on a
826 competitive basis to establish new apprenticeship programs and
827 expand existing apprenticeship programs. The Division of Career
828 and Adult Education within the department shall administer the
829 grant program.

830 (2) Applications from career centers, charter technical
831 career centers, and Florida College System institutions must
832 contain projected enrollment and projected costs for the new or
833 expanded apprenticeship program.

834 (3) The department shall give priority to apprenticeship
835 programs in the areas of information technology, health, and
836 machining and manufacturing. Grant funds may be used for
837 instructional equipment, supplies, personnel, student services,
838 and other expenses associated with the creation or expansion of
839 an apprenticeship program. Grant funds may not be used for
840 recurring instructional costs or for a center's or an
841 institution's indirect costs. Grant recipients must submit
842 quarterly reports in a format prescribed by the department.

843 Section 17. Section 1011.803, Florida Statutes, is created
844 to read:

845 1011.803 Rapid Response Grant program.—

846 (1) The Rapid Response Grant program is established to
847 competitively award grants for the expansion or implementation
848 of high-demand postsecondary programs at career centers, as
849 defined in ss. 1001.44 and 1002.34.

850 (2) Each career center applying for a grant shall submit
851 an application to the Department of Education in the format
852 prescribed by the department. The application must include, but
853 need not be limited to, program expansion or development
854 details, projected enrollment, and projected costs.

855 (3) Each career center that is awarded a grant under this

856 section shall submit quarterly reports to the department in the
 857 format prescribed by the department. Grant funds may not be used
 858 to supplant current funds and must be used to expand enrollment
 859 in existing postsecondary programs or develop new postsecondary
 860 programs.

861 (4) The department shall administer the program and
 862 conduct an annual analysis and assessment of the effectiveness
 863 of the postsecondary programs funded under this section in
 864 meeting labor market demand.

865 Section 18. For the 2015-2016 fiscal year:

866 (1) The sum of \$3 million in recurring funds is
 867 appropriated from the General Revenue Fund to the Department of
 868 Education to implement the Florida Apprenticeship Grant (FLAG)
 869 program.

870 (2) The sum of \$10 million in recurring funds is
 871 appropriated from the General Revenue Fund to the Department of
 872 Education to implement the Rapid Response Grant program.

873 Section 19. This act shall take effect July 1, 2016.