

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 769 w/CS Career & Technical Education  
**SPONSOR(S):** Jennings  
**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 1452

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Commerce	15 Y, 0 N w/CS	McDonald	Billmeier
2) General Education (Sub)		Aldis	Bohannon
3) Education K-20			
4) Education Appropriations (Sub)			
5) Appropriations			

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### SUMMARY ANALYSIS

The bill creates a high school vocational education program that requires: certification of the technical portions by business and industry; a strong academic component with all required academic courses above level 2; parental involvement in the identification of the appropriate program of study; student participation in work-based learning experiences; student attainment of specific accomplishments in an industry certified career and technical education program; students to take a core course addressing workplace readiness skills; a capstone activity for each student that includes a project related to a career; a passing score on the College Entry Level Placement Test; and articulation with postsecondary education.

By July 1, 2009, all vocational programs in high school must meet these requirements as further specified in rules of the State Board of Education. The bill has no effect on high school programs other than vocational or technical programs, nor does it require a high school to have a vocational or technical component. Technical programs in grades 6 through 12 that meet the requirements will be funded at a level to be determined following the completion of two studies. Beginning in 2009, any technical education course that is not part of such a program will not be funded.

A student who completes the program would receive a "career and technical education certification" that assures an employer of the student's experience with workplace skills and academic competence.

The bill requires additional qualifications for the school personnel who will coordinate with the business partners and assist the students through the program.

The bill specifies how a charter technical career center's student membership enrollment must be calculated. The charter agreement is to specify which delivery system (public school or community college) will determine how student contact hours will be counted to determine a full-time-equivalent (FTE). The bill states that only one method of counting students will be used at a center and both systems will report FTEs using that method.

The bill requires the Office of Program Policy Analysis and Governmental Accountability to conduct a study and report by January 1, 2005.

There is no fiscal impact on state government for FY 2004-05. See Fiscal Analysis Section for details.

The bill takes effect July 1, 2004 unless otherwise provided in the bill.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h0769b.edk.doc  
**DATE:** April 8, 2004

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |   |  |   |
|--------------------------------------|---|--|---|
| 1. Reduce government?                | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| 2. Lower taxes?                      | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/>            |
| 4. Increase personal responsibility? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/>            |
| 5. Empower families?                 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/>            |

For any principle that received a “no” above, please explain:

The bill creates more regulation by requiring all Career and Technical education programs to be industry certified and by requiring the State Board of Education to revise certification requirements to allow substitution of personal work-based experiences and temporary employment in business or industry for required classroom instruction. The bill requires the State Board of Education to promulgate rules to implement provisions of the bill.

#### B. EFFECT OF PROPOSED CHANGES:

##### BACKGROUND:

###### Overview

At least since 1988, the Department of Education and the Legislature have taken an active role in the attempt to improve the outcomes of high school vocational education and to remove from it the stigma of the “vocational track.” Based on studies initiated by the Rand Corporation and the Southern Regional Education Board, the goal of all the reform efforts has been the same: prepare all students for postsecondary education and work. The student should have a choice of

“...two parallel, more equal pathways through high school -- a Tech Prep pathway for career and community college-bound students and a parallel pathway for four-year college and university preparatory students. Both pathways should contain the same basic curriculum of demanding college preparatory level courses and should be flexible enough for students to move from one pathway to another.”<sup>1</sup>

All of the reforms have as their main effort the integration of vocational and academic education, with the following common components:

- Revise and develop vocational courses to teach communication, mathematics, and science.
- Revise and develop academic courses to teach concepts from the college preparatory curriculum through functional and applied strategies.
- Recognize that high school vocational education alone does not result in self-sufficiency, and develop two-plus-two programs that guarantee a smooth transition to postsecondary education or include part of a postsecondary education during the high school years.

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<sup>1</sup>Southern Regional Education Board, 1992. *Making High Schools Work*, p. 7.

Florida's major education reform efforts can be divided into four categories, each of which may emphasize one of these components more than others. Each type of school includes all three components. Following is a brief description of the four categories.

### Blueprint for Career Education – “Blueprint Schools”

These schools were originally funded by the 1988 Legislature and were designed around the Southern Regional Education Board's original “Ten Steps to Improve High School Vocational Education Programs.” All Florida school districts now operate their vocational education programs around those concepts. However, when the Board evaluated several states, it found that Florida's programs still lacked the academic rigor that was associated with success. The Board's report recommended stronger efforts to increase academic proficiency among vocational students, especially to get them to take higher-level courses.

#### Tech Prep

This program, also called two-plus-two, requires an articulation agreement with postsecondary education institutions. In 2000, almost all of Florida's high schools (296 of 298) had at least one tech prep program, and all 28 community colleges and five 4-year universities participated.

#### Career Academies

These schools, created in 1992 by s. 233.068, F.S., are open-enrollment schools-within-schools that prepare students for a common occupational “cluster” -- a group of related occupations that require varying levels of postsecondary education. The Legislature originally funded 30 academies, with an additional 8 funded by the federal School-to-Work program. This section was repealed in the rewrite of the school code in the 2002 Session.

#### High Schools That Work

These schools are the “second generation” of the Blueprint Schools, designed around the findings of the Rand Corporation and the Southern Regional Education Board. The program must agree to an evaluation based on testing by the National Education Assessment Program (NEAP). Their main focus is integration of academic and career education, a 4-year career plan, and continuation in postsecondary education. In 2002 there were 41 high schools designated High Schools That Work that served over 93,000 students.

#### **Task Force**

In the 1998 General Appropriations Act, Specific Appropriation 143 provided funding for a task force to design a comprehensive vocational program that would guarantee academic competency and workforce readiness of all vocational high school graduates. The Commissioner of Education appointed the task force to make recommendations related to a comprehensive vocational program.

#### **1999-2000 Pilot Projects**

The 1999 Legislature appropriated \$2 million for implementation of 10 technical programs in comprehensive high schools as the task force recommended. One difference from the recommended model was that they did not require 2 years of a foreign language to earn the certificate.

#### **Charter Technical Career Centers**

Charter Technical Career Centers currently must provide instruction for at least the number of days required by law for other public schools or community colleges, as appropriate, and may provide instruction for additional days. The number of days of instruction contributes to the determination of the

number of FTE served. Each system counts differently. Public schools count FTE on a 180 day, 900 contact hour basis. This usually translates to 75 hours of instruction within a six period day for ½ high school credit toward graduation. Further, ½ high school credit is usually awarded for a 3 semester credit hour community college course.

Community colleges count FTE on the basis of credits earned. Forty credit hours equal one FTE. Most community college classes last 50 minutes. Each semester lasts 16 weeks. One community college credit therefore equals 13.33 hours of instruction or 40 instructional hours for a 3 credit hour course. This is 35 hours less seat time than the public schools require for the same ½ credit.

The net result is that the public schools usually require students to attend class for the additional time (35 hours) in order to be reported and earn an FTE through the Florida Education Finance Program (FEFP). Either the school district or the community college must provide space and supervision for the additional 35 hours to the high school students in such a class.

### **Effect of Proposed Changes:**

This bill creates a high school career and technical education program with specific requirements as discussed below. The bill has no effect on high school programs other than career or technical programs, nor does it require a high school to have a career or technical component.

By July 1, 2009, the bill requires that a career and technical education program within a comprehensive high school program of study must be certified by the appropriate industry to ensure that all components of the program are relevant and appropriate to prepare the student for further education and employment in that industry, except for courses classified as exploratory, orientation, or practical arts. A student enrolled in a course within a program that is not industry-certified, unless it is one of three exceptions mentioned above, cannot be reported for full-time equivalent funding through the Florida Education Finance Program (FEFP). The Department of Education must not only ensure program certification by July 1, 2009, but must also ensure recertification at least every 5 years.

The State Board of Education must adopt rules to implement the certification process, including procedures for obtaining appropriate business partners and requirements for business and industry involvement in curriculum oversight and equipment procurement.

Subject to appropriation, the goal is to have each full-time equivalent student in an industry-certified program to generate a cost factor as a fraction or a multiple of that provided students enrolled in the basic program for grades 9-12, as determined by a required study by OPPAGA. The study, to be completed by January 1, 2005, is to determine if career and technical education programs should have differentiated funding weights.

By July 1, 2009, each career and technical program offered by a high school that is able to be articulated to a postsecondary level must have an articulation agreement with one or more postsecondary educational institutions to ensure a seamless transition without a loss of credit for the student. A program that is not articulated cannot report its students for full-time equivalent FEFP funding unless the program meets one of the exceptions discussed above or terminates at the high school level.

An industry-certified technical program must enable students to graduate from high school prepared for postsecondary education and employment. Students in these programs have the following requirements:

1. Completion of the academic courses required for graduation. All courses at level 2 or above (no basic courses).
2. Attainment of at least one occupational completion point for industry-certified technical programs, or completion of at least three courses in a technology education program.

3. Completion of a one credit core course addressing workplace readiness skills. This course will meet the graduation requirement for practical or performing arts. The course competencies will be adopted in rule by the Department of Education.

4. Participation in work-based learning experiences as defined by State Board of Education rule.

5. A capstone activity involving a student project related to a career. The State Board of Education may specify by rule the characteristics of a capstone activity.

A student who completes the technical program completes the requirements for high school graduation and passes the college entry-level placement test, earns a "career and technical education certification" upon graduation.

For each student who receives the certification, the school district shall receive incentive funding through the General Appropriations Act. The incentive funds received by the district must be expended on the comprehensive career and technical education program of study.

The bill requires additional qualifications for the guidance counselors and career specialists who will coordinate with the business partners and assist the students through the program. It requires guidance counselors and career specialists in each high school with such a program to complete 12 hours of in-service training in career and technical education every 5 years. The in-service training must emphasize labor-market trends and projections and include a practicum on career awareness.

The bill specifies that a single calculation must be used to report all FTE at a charter technical career center, regardless of whether the student is a public school or community college student.

The bill requires each school board and superintendent to direct the smooth transition of high school vocational programs to industry-certified programs. The bill requires the articulation of career and technical education curriculum programs with corresponding postsecondary programs.

The bill provides that a full-time equivalent student in an industry-certified secondary career and technical education program shall generate funding, subject to appropriation, at a fraction or a multiple of the basic cost factor for grades 9-12 and that, effective July 1, 2009, students in any other job preparatory course generate no state funding unless the course is classified as exploratory, orientation, or practical arts and is also funded in the General Appropriations Act. The bill amends Group 2 calculations for students in exceptional student education programs, English for Speakers of Other Languages programs, and all career and technical programs to be calculated on grades 6-12 rather than 7-12. The "career and technical education certification" authorized for student diplomas is added to the list of programs that may receive categorical funding.

#### C. SECTION DIRECTORY:

**Section 1.** Creates an unnumbered section of law; providing legislative intent.

**Section 2.** Creates an unnumbered section of law requiring industry certification of career and technical programs by July 1, 2009; providing certain exceptions; requiring Department of Education to ensure certification and recertification; requiring State Board of Education to adopt rules; providing objectives relating to funding for each career and technical program student FTE; and, requiring articulation agreement, if appropriate.

**Section 3.** Creates an unnumbered section of law; providing student requirements for program participation; providing for career and technical education certification on high school diploma; and providing for State Board of Education rules; providing for program incentive funding and uses of such funding.

**Section 4.** Creates an unnumbered section of law; providing requirements for training of high school guidance counselors and career specialists.

**Section 5.** Amends s. 1002.34, F.S., relating to charter technical career centers; specifying method of calculating FTE.

**Section 6.** Amends s. 1003.491, F.S., relating to career and technical education; providing responsibilities of school boards and superintendents.

**Section 7.** Amends s. 1011.62, F.S., relating to Florida Education Finance Program; providing determination of program cost factors; provides for certain calculations based upon appropriation; and providing for continued earning of weighted funding for programs not industry-certified during transition period.

**Section 8.** Amends s. 1012.01, F.S., relating to instructional personnel; changing "occupational/placement specialist" to "career specialist".

**Section 9.** Requires OPPAGA study; requires completion by January 1, 2005.

**Section 10.** Provides an effective date of July 1, 2004.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

According to the Department of Education, there is no fiscal impact for FY 2004-05. The impact on future years is dependent on OPPAGA recommendations on weighted FTE, the number of students completing requirements for certification, and the legislative appropriation.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

According to the Department of Education, there is no impact for FY 2004-05. The impact on future years is dependent on OPPAGA recommendation on weighted FTE, performance funding for the number of students completing requirements for certification, and legislative appropriation.

#### 2. Expenditures:

According to the Department of Education, school districts will need to invest in the upgrading of programs, faculty, and equipment to meet industry-certification requirements. If weighted funding is recommended by OPPAGA, the department states that proposed revenue increases should offset the required expenditures.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

This bill does not require municipalities or counties to expend funds, does not reduce their authority to raise revenue, and does not reduce the percentage of a state tax shared with counties or municipalities.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

The bill both requires and provides permissive authority for the State Board of Education to implement rules to effectuate the provisions of the bill.

#### C. DRAFTING ISSUES OR OTHER COMMENTS:

##### **Department of Education**

Funding would be eliminated for courses that do not meet industry certification standards, which would reduce student access. Industry certification may not be necessary in every program and may cause difficulty in some rural areas.

In its review of the original bill, the Department of Education noted that a revision to Section 4 of the bill may need to be considered because the state board rule on certification requirements for career specialists was deleted during the updating of such requirements. Local school boards now have the responsibility for determining the requirements for the career specialists they hire. This was addressed in the committee substitute.

##### **Workforce Florida, Inc.**

Two comments were made concerning the "industry standards":

- Very few industries have such clearly articulated standards and there is no agreed-upon methodology, funding or mandate for industries to have such standards. Many educational institutions have local business/industry advisors and/or focus groups but they normally do not produce a set of standards, and there is obviously no portability to purely local feedback, i.e., local standards.
- Standards that are used should be state or national. There needs to be core universal standards. Minimum standards should be developed and approved statewide by industry professionals with local oversight and input. (Section 2. (1) and (2))

Additional comments:

- Workplace readiness skills training should be reinforced throughout the curricula, especially during the work-based learning and capstone activity. (Section 3. (1)(c))
- School districts must assure that school guidance counselors who have completed the training required under this bill are the ones assigned to students in career and technical education to develop a meaningful educational and career plan that is periodically updated. (Section 1. (1))
- Counselor training on labor trends needs to be taught to all high school guidance counselors.
- A provision for adequately funding career counseling needs to be considered. What they are being required to do, developing a career plan, is very similar to a Individual Educational Plan

(IEP) mandated for all exceptional education students. It appears that there is a proviso for a cost factor that would be determined by a study provided in section 9 where this should be considered.

### **Potential Impact on Existing Programs – Okaloosa County**

While every high school should provide access to career-technical education, the bill requires every high school to be an actual provider of career-technical education. This could unintentionally dilute "centers of excellence" or the CHOICE Institutes that are being developed in Okaloosa County which are joint ventures among high schools and businesses. For example, aerospace is being taught at an aerospace company and an airport. This was one of the programs cited in the "Road Map To Florida's Future" suggested for emulation in meeting the educational and workforce needs described in the report.

### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On March 21, 2004, the Committee on Commerce adopted two amendments and passed the bill as a committee substitute. The differences between the original bill and the committee substitute are as follows:

- Removed the requirement for the State Board of Education to revise rules governing the certification and recertification of guidance counselors in section 4 of the bill.
- Replaced the words "endorsement" and "endorsements" with "certification" and "certifications", respectively.