

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1837 PCB CCW 05-01 Workforce Education
SPONSOR(S): Community Colleges & Workforce Committee; Patterson
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Community Colleges & Workforce Committee	5 Y, 0 N	Thomas	Ashworth
1) Education Appropriations Committee		Hammock	Hamon
2) Education Council			
3)			
4)			
5)			

SUMMARY ANALYSIS

Chapter 2004-357, L.O.F., (HB 769) created the Career Education Task Force. The task force made recommendations to elevate the status of career education and this bill implements these recommendations. The bill:

- Creates a new chapter of law for Career Education and sets legislative expectations
- Establishes a new position of *Deputy Commissioner of Career Education* to direct the new *Office of Career Education*
- Sets criteria for school districts or the Florida Virtual School to create *career and professional academies* and incite the creation of the academies by providing for the following:
 - A start-up grant program;
 - Allowance for career centers with a Department of Education certified career and professional academy to use the term "career college" in the name of the career center; and
 - Allowance for high schools with a Department of Education certified career and professional academy to consider the career education courses that emphasize reading, writing, mathematics, and science and are offered in the academy as core curricula courses upon the approval of the Commissioner of Education.
- Provides for creative career counseling strategies and an enhanced guidance structure including:
 - An enhanced academic and career education online student advising and guidance system;
 - Promotion in middle school of secondary and postsecondary career education programs through exploratory courses and required hands-on use of the online guidance system;
 - Required hands-on use of the online guidance system in high school;
 - Involvement of the business community;
 - Opportunities for parental involvement; and
 - Professional development programs to assist counselors in using the mentor-teacher model.
- Clarifies tuition for residency determination for assessing postsecondary career education programs offered by school districts.
- Encourages completions in postsecondary career education programs through an exemption from a proportionate share of tuition and fees.

The fiscal impact of the bill is indeterminate at this time. See Fiscal Comments for details.

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

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FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Ensure lower taxes – The bill provides a proportionate exemption from tuition and fees for degree-, certificate-, or diploma-seeking students in postsecondary career education programs.

Promote personal responsibility – The bill provides an opportunity for students to graduate from high school capable of either entering into the workplace, further their career education or continue on to a postsecondary degree program.

Empower families – The bill provides the opportunity for students who complete the career education program to be able to obtain and sustain a job and realize economic self-sufficiency.

B. EFFECT OF PROPOSED CHANGES:

GUIDING PRINCIPLES AND LEGISLATIVE EXPECTATIONS FOR CAREER EDUCATION

Present Situation

Career education (a term often interchangeably used for vocational education, workforce education, or technical education) is critically important to Florida's students and to Florida's economic development. *Of every ten 9th graders, three students drop out and three of the remaining seven do not pursue additional education; six students (60%) do not go to college.* Only four out of the 10 (40%) attend college.¹ Reformed career education programs in the middle and high school years would not only benefit the six students who do not attend college, but has the potential of benefiting *all* students.

Twelve studies have been conducted on the workforce education system since 1998. The most recent study was a result of HB 769 (Chapter 2004-357, L.O.F.) passed by the 2004 Legislature. The Commissioner of Education was directed to convene a Career Education Task Force (Task Force) to investigate issues related to workforce or career education. The Career Education Task Force, chaired by the Lieutenant Governor, held several meetings to discuss workforce related issues. The Task Force determined that greater focus on, and support of, career and professional education represents significant opportunities to make Florida's education system more effective. The Task Force recommendations are summarized as follows:

- Incorporate career academies, institutes, and industry certifications into every Florida middle and high school;
- Redistribute funding within existing resources to initiate and sustain career academies;
- Use teaching methods that allow students to learn through technical publications and math applications applicable to the career program;
- Improve career guidance system;
- Outline career path options for students from middle school through postsecondary education;
- Design a marketing campaign with the business community to communicate the link between career preparation and high academic standards for parents; and
- Include accountability measurements that reflect institutional success in preparing students for both the workplace and further education and result in the grading of high schools.

¹ *Career and Professional Education: Preparing Florida's Students for the Knowledge Economy*, Council for Education Policy, Research and Improvement (CEPRI), September 2004.

Effect of Proposed Changes

The bill creates Chapter 1014, F.S.; relating to career education. As used in the new chapter, "career education" is defined as including career certificate programs, applied technology diploma programs, degree career education programs, apprenticeship and pre-apprenticeship programs, career academy programs and other rigorous career education programs offered by school districts, the Florida Virtual School, and postsecondary educational institutions. The career education system is described as rigorous and will prepare students to succeed in postsecondary education, to obtain and sustain employment, to have the opportunity to realize economic self-sufficiency, and to enter into rewarding careers in areas of critical state need. Additionally, the system is charged with producing skilled employees.

The bill establishes legislative expectations and funding criteria for the career education system as follows:

- Articulation within career education should be seamless both vertically and horizontally;
- Creative career counseling strategies and enhanced guidance structures;
- Development of career and professional academies;
- Significant improvements in coordination and quality of career education data collections, including student follow-up data to determine student outcomes and how the programs are meeting the workforce needs;
- Elimination of waiting lists for rigorous high-quality secondary and postsecondary career education programs;
- Promotion of Bright Futures Florida Gold Seal Vocational Scholarship as a career-enhancing scholarship to all postsecondary career education programs;
- Establishment of secondary and postsecondary career education best practices for relevant student-centered, research-based instructional strategies;
- Regular review of all secondary career education courses to identify those courses equivalent to postsecondary career education courses based on course content for inclusion in dual enrollment programs.;
- A marketing plan to attract high school students into careers of critical state need, that is developed with the business community and Workforce Florida, Inc., and includes direct statewide marketing and professional recruiters to provide information;
- Strong coordination with Workforce Florida, Inc., and the Agency for Workforce Innovation;
- Workforce skills-based training that assesses workforce skills and matches those skills with specific careers;
- Strong criteria and accountability measures for postsecondary career education programs;
- Identification and elimination of low-performing and geographically duplicative career education programs;
- Guidelines for implementation of the new proportionate tuition and fee exemptions for degree-, certificate-, and diploma-seeking students in postsecondary career education programs.;
- Development of a methodology to allow business experts to teach classes within their expertise and guidelines for classes in time segments needed by businesses rather than in semesters;
- Development of career educational regional strategic plans that address articulation agreements, career ladders, and access to programs;
- Conduct a periodic articulation audit that focuses on courses and programs; maximizes credit given to public and private secondary and postsecondary students; and identifies successful articulation agreements that could be replicated statewide;

- Recommendations for changes to the current funding methodology; and
- Annual recommendations for statutory and funding revisions and an annual report on the progress of the implementation of the rigorous career education system.

DEPUTY COMMISSIONER OF CAREER EDUCATION (DCCE)

Present Situation

Section 1001.20(4)(b), F.S., requires DOE to establish an Office of Workforce and Economic Development within the Office of the Commissioner. The current DOE structure places workforce education in the Division of Community Colleges and Workforce Education. Some workforce or career education programs are offered through school districts in career centers and some programs are offered in community colleges. Adult education and career education programs are often offered in the same career centers (also known as technical or vocational centers) operated by school districts. The district often has one director for both programs.

Effect of Proposed Changes

The bill establishes a new position of Deputy Commissioner of Career Education (DCCE) and a new Office of Career Education (OCE) within the organizational structure of DOE. The OCE is required to promote a seamless secondary through postsecondary career education system that is flexible, able to respond in a timely manner to student and workforce needs and not be controlled by any one education sector.

The DCCE must be a person with established business credentials or proven success in collaborating with the private sector in providing successful career education programs. The DCCE is appointed by and reports to the Commissioner of Education. The DCCE has the following responsibilities:

- Evaluating the effectiveness of public and private secondary and postsecondary education program in providing rigorous career education;
- Reporting to the Commissioner of Education the effectiveness of such programs;
- Developing in partnership with business community and Workforce Florida, Inc., a marketing plan to attract high school students into a career determined as a critical state need;
- Promoting seamless articulation throughout the career education system; and
- Administering career and professional academy startup grants.

CAREER AND PROFESSIONAL (CAP) ACADEMY

Present Situation

School districts may establish career education programs; including career academies, career institutes, and industry certification programs, as well as career education courses that are general in nature and explore various occupations.

Effect of Proposed Changes

The bill defines “career and professional (CAP) academy” as a research-based focused and rigorous career education community that combines academic and technical curricula around a career theme and is offered by a school district, collaborating school districts, or the Florida Virtual School for the purposes of providing an instructional delivery system that incorporates rigorous academic standards with industry and business relevancy. This school-within-a-school model creates a structure in which student learning is linked with potential career outcomes, but provides the base knowledge to ensure the success of its students in any number of fields by preparing students for both career and postsecondary educational endeavors.

The bill requires CAP academies to comply with certain standards:

- Provide rigorous and relevant academic curriculum;
- Establish one or more partnerships with businesses, employers, industry economic development agencies or postsecondary institutions;
- Work with high growth, demand and pay careers and industry certifications;
- Deliver academic subjects in ways relevant to the career;
- Establish strong eligibility criteria for student participation; and
- Provide necessary long-range plans for replacing and updating equipment.

The Florida Virtual School (FVS) may offer CAP academy and, if FVS offers a CAP academy, students in a public school in a district that does not have a CAP academy must receive first priority at the FVS CAP academy.

The bill allows students in a CAP academy with a partnership with a postsecondary institution to receive postsecondary credits for career education courses.

The bill allows a school district with a CAP academy to apply to DOE for certification. Once the CAP academy has received certification:

- If the CAP academy is offered in the career center, the career center may use the term “career college” in its name; and
- If the CAP academy is offered in a high school, the career education courses that emphasize reading, writing, mathematics, and science may be considered core curricula courses upon approval of the commissioner.

CAREER AND PROFESSIONAL ACADEMY STARTUP GRANT

Present Situation

The Governor’s budget requested \$24.7 million for “Jobs for Florida’s Future” for competitive grants. This requested appropriation is to provide grants to school districts and community colleges to fund some or all of the cost associated with the creation or expansion of postsecondary workforce education programs that serve critical workforce needs.

Effect of Proposed Changes

The bill allows school boards to partnership with businesses, industries or postsecondary institutions to provide CAP academies. The bill also allows school boards to apply with the Office of Career Education in DOE for a competitive process grant to start CAP academies. Current existing workforce education programs may apply for a grant to redesign their program to comply with the requirements for CAP academies.

CAREER COUNSELING STRATEGIES AND ENHANCED GUIDANCE STRUCTURES

Present Situation

Section 1002.23, F.S., provides that parents are provided specific information about their child’s educational progress; comprehensive information about their choices and opportunities for involvement in their child’s education and a framework for building and strengthening partnerships among parents, teachers, principals, district school superintendent and other personnel. In order to ensure that these steps are accomplished the DOE has developed guidelines for a parent guide.

Section 1003.43, F.S., states that one-half credit in life management skills be required for high school graduation. The life management skills course includes: consumer education, positive emotional development, marriage and relationship skill-based education, nutrition, parenting skills, prevention of human immunodeficiency virus infections and acquired immune deficiency syndrome and other sexually transmissible diseases, benefits of sexual abstinence and consequences of teenage pregnancy, information and instruction on breast cancer detection and breast self-examination, cardiopulmonary resuscitation, drug education, and the hazards of smoking.

Section 1004.85, F.S., requires documentation of how K-12 school districts prepare students to enter in to the workforce, including information regarding career counseling to students.

Section 1007.28, F.S., authorizes the DOE to maintain a statewide computer-assisted student advising system. The DOE established the Florida Academic Counseling and Tracking System (*FACTS*) as the online Florida academic advising system and *Florida Choices* as Florida's online career information system. The two systems are linked allowing students to move between the two systems. The current system provides career descriptions, educational requirements and admission requirements for Florida postsecondary institutions, and information on financial assistance. The system is administered by the Florida Center for Advising and Academic Support (FCAAS). Currently, use of the online student advising system *FACTS* or *Choices* is not required in public schools.

Council for Education Policy, Research and Improvement (CEPRI)

In a September 2004 report, CEPRI stated that a nationwide survey of high school juniors and seniors found only 10 percent of students identified school personnel as playing the primary influence in career guidance. Fifty-one percent of respondents did not perceive any real high school-based career guidance. One of the recommendations made by CEPRI was that “*every student in Florida should be made aware of career options by the start of high school and provided with extensive guidance in order to plan their coursework in accordance with their career aspirations.*”

Career Education Task Force – Final Report

A recommendation made by the Task Force is that beginning in middle school and continuing through high school graduation and postsecondary education, career path options should be outlined for each student to facilitate his or her ability to easily and seamlessly combine academic and career classes throughout the educational experience.

Other States

According to information presented by the Southern Regional Education Board during a recent meeting of the Community Colleges and Workforce Committee, some states have online student advising systems that help students plan and prepare for careers and/or college throughout the nation.

Effect of Proposed Changes

The bill does not eliminate the current on-line student advising system, *FACTS* or *Choices*, but enhances the existing program by requiring the system to provide:

- Access to useful, user-friendly, and personalized information for students, parents, and counselors in understanding options and exploring careers;
- Access to resources through the Southern Regional Education Board (SREB);
- Access to regional workforce boards to provide information on careers that are identified as state critical needs or identify rewarding careers and preparation needed to enter these careers; and
- Continuous secondary and postsecondary career education guidance beginning in middle school, storing student information until completion of the student's education.

The bill requires hands-on use of the enhanced online system for middle and high school students. In high school, the hands-on use will be included in the one-half credit in life management skills course. In middle school the requirements will be met in the 8th grade with a required one-half credit course in secondary and postsecondary career education opportunities, which will include hands-on use of the system. Public K-12 schools must document in a report submitted to DOE that each middle and high school student has used the online system.

The bill requires the DOE to include in the guidelines for a parent's guide to successful student achievement the following:

- Availability of the career education guidance system; and
- Opportunities for parents to learn about career and professional academies.

POSTSECONDARY EDUCATOR PREPARATION INSTITUTES

Present Situation

Section 1004.85, F.S., authorizes postsecondary institutions to create educator preparation institutes for teacher professional development, substitute teachers, paraprofessionals, and an alternative certification program for non-education major baccalaureate degree holders who have an interest in becoming teachers.

Effect of Proposed Changes

The bill moves s. 1004.85, F.S., postsecondary education preparation institutes from Part III relating to community colleges to Part I relating to general provisions of Ch. 1004, F.S.

The bill authorizes the postsecondary education preparation institutes to provide instruction in three new areas:

- Demonstrating teaching competencies to associate in science degree holders with business experience interested in teaching career education courses
- Providing professional development to career education teachers in order to deliver a career education curriculum in a relevant context with a rigorous curriculum.
- Instructing guidance counselors in the use of a mentor-teacher guidance model

RESIDENT STATUS FOR TUITION PURPOSES

Present Situation

Section 1009.21, F.S. requires students taking postsecondary courses to be classified as residents or nonresidents for tuition purposes in community colleges and state universities but does not specify the classification for students when taking postsecondary career education courses in school districts.

Effect of Proposed Changes

The bill requires that students be classified as residents or nonresidents for the purpose of assessing tuition for postsecondary career education programs offered by school districts.

FEE EXEMPTIONS

Present Situation

In June 2004, OPPAGA published Report No. 04-42 that states the majority of students leave the workforce education system without completing their programs, particularly those students taking college credit programs (associate in science and college credit certificate). For example, over three-quarters of Associate in Science enrollees failed to complete their programs and only 8.7% completed an Associate in Science degree. Adult vocational program enrollees had higher completion rates than college credit enrollees, but more than half of these students either left their programs or earned only occupational completion points, which are levels of student accomplishment that are short of program completions.

DOE provided information on the number of students who entered into their workforce education programs for the 2003-2004 school year. The number of students who entered the Postsecondary Adult Vocational Certificate program was 83,966. Of those students 41,156 were completers (28,998 in school district programs and 12,158 in community college programs). Of the 78,100 students enrolled in the AA and AS degree programs 18,659 were completers.

Effect of Proposed Changes

The proposed committee bill provides a proportionate exemption from tuition and fees for degree-, certificate-, or diploma-seeking students in postsecondary career education programs. Once a student has completed $\frac{1}{2}$ of a career education program, $\frac{1}{2}$ of the next half of tuition and fees are exempt. Once a student has completed $\frac{3}{4}$ of a career education program, $\frac{3}{4}$ of the remainder of tuition and fees are exempt.

C. SECTION DIRECTORY:

- Section 1.** Providing a popular name.
- Section 2.** Creates Chapter 1014, F.S., relating to career education; defining the term “career education”; providing elements of rigorous career education system; providing guiding principles for career education; establishing the position of Deputy Commissioner of Career Education to direct the Office of Career Education in the Department of Education; specifying qualifications, responsibilities, and duties for the deputy commissioner; providing legislative expectations and funding criteria for the career education system; defining the term “career and professional academy”; providing elements and duties of a career and professional academy and for certification; authorizing career and professional academy startup grants and providing qualification criteria.
- Section 3.** Creates s. 1006.01, F.S., requiring the department to provide a secondary and postsecondary academic and career education online student advising and guidance system.
- Section 4.** Amends s. 20.15, F.S., providing for appointment of a Deputy Commissioner of Career Education.
- Section 5.** Amends s. 1001.20, F.S., creating the Office of Career Education and providing responsibilities of the office.
- Section 6.** Amends s. 1002.23, F.S., requiring guidelines for parents relating to the availability of the online student advising and guidance system.
- Section 7.** Creates s. 1003.4157, F.S., requiring credit in secondary and postsecondary career education opportunities for middle school promotion; requiring the adoption of rules.
- Section 8.** Amends s. 1003.43, F.S., relating to general requirements for high school graduation; requiring use of the online student advising and guidance system and providing coursework for earning life management skills credit.
- Section 9.** Amends s. 1003.492, F.S., relating to industry-certified career education programs; deleting obsolete provisions relating to studies.
- Section 10.** Amends and renumbers s. 1004.85, F.S., providing additional purposes for creation of educator preparation institutes.
- Section 11.** Amends s. 1006.02, F.S., requiring documentation that students have utilized the online student advising and guidance system.
- Section 12.** Amends s. 1006.025, F.S., requiring such documentation in guidance reports.
- Section 13.** Amends s. 1009.21, F.S., providing for determination of resident status for the purpose of assessing tuition for instruction in workforce education programs offered by school districts.
- Section 14.** Amends s. 1009.25, F.S., providing fee exemptions for students seeking postsecondary career education degrees, certifications, or diplomas, authorizing a position and providing an appropriation.
- Section 15.** Authorizes a position and provides for an appropriation.
- Section 16.** Provides and effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: See Fiscal Comments

2. Expenditures: See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: See Fiscal Comments

2. Expenditures: See Fiscal Comments

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

D. FISCAL COMMENTS:

Although the total fiscal impact is not determined at this time, provisions in the bill that have a fiscal impact include:

- New position of Deputy Commissioner of Career Education in the DOE.
 - According to DOE the current salary range for this position is \$5,170.94 to \$10,547.03 per month. This equates to \$62,051 to \$126,564 annually.
- Enhancement of the online student advising and guidance system.
 - Cost is undetermined at this time. According to DOE, the *Florida Choices* has a contract with Bridges.com for \$249,000 per year for an unlimited statewide license. They are in their first year of a three year contract.
 - In 2004-2005, the Legislature appropriated \$4,342,837 for *FACTS* (Specific Appropriation 145, 2004-2005 General Appropriations Act). Specific Appropriation 135 in the House General Appropriations Bill (HB 1885) for Fiscal Year 2005-2006 provides \$4,277,633 for *FACTS*. The proposed amount for *FACTS* in the Senate budget bill for 2005-2006 is \$4,342,837.
- Start-up grants for the career and professional academies.
 - According to DOE, the CAP academies have the potential of generating expenses and revenue at the local level. Costs cannot be determined at this time. Specific Appropriation 7A of the House General Appropriations Bill (HB1885) for Fiscal Year 2005-2006 provides \$11 million for the SUCCEED, Florida – Future Tech program to establish academies.
- Proportionate tuition and fee exemption to encourage students to complete career programs.
 - According to DOE and information from OPPAGA, the department will have a loss of revenue of \$33,754,745 based on the following information. The loss of tuition from current Postsecondary Adult Vocational (PSAV) enrollees, *if enrollment levels were maintained*, would be \$436 per completer while the loss of tuition for AA/AAS degrees would be \$851 per completer.

The potential impact would be the 2003-04 completers times the loss of tuition above.

PSAV	41,156 x loss of tuition of \$436 = \$17,944,016
AAS and AS	18,579 x loss of tuition of \$851 = \$15,810,729

However, some of this loss could be offset by some portion of those students who typically do not complete due to financial considerations who, under the new diminishing fee schedule, may be financially able to or will otherwise choose to complete their program, encouraging completions, thus generating additional revenue. Some lab fees, which are

charged at varying rates depending on the program, will be lost as well. The net loss of revenue, if any, is indeterminable at this time.

- Determination of residency status for the purpose of assessing tuition.
 - According to DOE, this could have the effect of decreasing enrollment and increasing overall tuition. The change in enrollment and tuition cannot be determined at this time.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: N/A

2. Other: N/A

B. **RULE-MAKING AUTHORITY:** The State Board of Education is required to adopt rules to provide for alternative middle school promotion standards for credit in secondary and postsecondary career education opportunities for students in grades 6, 7, and 8 who are not enrolled in schools with a grade 6 through 8 middle school configuration.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES