

# 2021 Workforce Education Legislation

**GET THERE**

Florida's Workforce Education Initiative

Tuesday, July 27, 2021  
1:00 – 2:30 p.m. EDT

# Meeting Logistics

*Participants will be on the mute for the duration of the webinar.*

*You may submit questions using the Questions function.*

# Agenda

1. Discussion of Workforce Education Topics from the 2021 Legislative Session
2. Additional Question and Answer

*Please feel free to ask questions throughout this discussion!*

# Workers Compensation for Minors in Work-Based Learning

- Senate Bill 366 creates s. 446.54 F.S., to reimburse employers, including school districts and FCS institutions, the workers' compensation insurance premium for students in paid work-based learning opportunities. The bill specifies that the institution is considered an employer when the student is 18 years or younger and providing unpaid services under a work-based learning opportunity.
  - Specifically, students in grades 6-12 who are enrolled in a course in the Course Code Directory which incorporates a work-based learning component that is unpaid is deemed to be an employee of the state for purpose of workers' compensation coverage. Individuals 18 years of age or younger who are enrolled in a FDOE registered preapprenticeship program which requires work-based learning is deemed to be an employee of the state for purposes of workers' compensation coverage.

# Workers Compensation for Minors in Work-Based Learning Continued

- FDOE is working on additional guidance about institution requirements for compensation premiums for students 18 years of age and younger in an unpaid work-based learning opportunity as well as forthcoming rules and guidance which will establish application and reimbursement protocol, based on the \$2 million appropriation.

# Mathematics Pathways

- Senate Bill (SB) 366 modifies s. 1007.23, F.S., to require the Statewide Articulation Agreement to establish three mathematics pathways for students by aligning mathematics courses to programs, meta-majors and careers.
- The bill stipulates a representative committee composed of SUS, FCS, and career center faculty shall collaborate to identify the three pathways and the mathematics course sequence within each pathway.
- The Florida Student Success Center (center) will facilitate implementation of this provision on behalf of the Office of Articulation, building on the work of the Florida Mathematics Re-Design Initiative.

# Mathematics Pathways

Activity	Expected Timeline
1. FDOE/Board of Governors (BOG) team establishes and convenes the representative committee	Summer/Fall 2021
2. Committee finalizes mathematics pathways and course sequences	December 2021
3. Articulation Coordinating Committee (ACC) considers proposed mathematics pathways and course sequences	February 2022
4. FDOE initiates rule development process to add the mathematics pathways to Rule 6A-10.024 and Rule 6A-14.065	March-July 2022
5. State Board of Education considers mathematics pathways rule revisions	August 2022
6. FDOE notifies institutions and provides technical assistance	August 2022
7. Mathematics pathways effective for entering students in associate and baccalaureate degree programs	2023-24 academic year

# Mathematics Pathways Continued

- The committee will be composed of eight members representing the SUS, eight members representing the FCS, two members representing the career centers, and a non-voting member who serves on the ACC.
- On July 20, 2021, Chancellors Mack and Hebda issued a memo soliciting nominations for career center and FCS faculty and administrators who represent mathematics and those who have experience with common transfer majors: business, education, psychology and criminal justice.
  - The center will provide a \$500 stipend for service on the committee and reimburse travel if travel is required up to \$250.
- Please complete the form found at this link to submit your nominations: <https://www.research.net/r/mathnominations>
- Note that faculty from other disciplines will be engaged in the process, and we will provide updates to institutions as the work progresses.



# Alternative Methods to Assess College-Level Computation and Communication

- SB 366 also amends multiple Florida statutes to expand the mechanisms institutions may use to assess readiness for college-level work. In addition to identifying approved common placement tests, SB 366 requires the SBOE to adopt rules to develop and implement alternative methods for assessing communication and computation skills.
- *College Credit Admissions Counseling*: SB 366 amends s. 1007.263, F.S., to add alternative methods for measuring achievement in college-level computation and communication for admissions counseling in college credit programs. The bill specifies that career education program advising must measure achievement in basic skills pursuant to s. 1004.91, F.S.

# Alternative Methods to Assess College-Level Computation and Communication Continued

- *College Credit Dual Enrollment Eligibility:* SB 366 amends s. 1007.271, F.S., revising eligibility requirements to specify that students must demonstrate achievement in college-level communication and computation as provided in s. 1008.30, F.S. In effect, this revision allows approved alternative methods to be used in eligibility determinations. The usage of alternative methods includes public, private and home education students.
- *Developmental Education and Meta-Majors:* SB 366 amends s. 1008.30, F.S., authorizing FCS institutions to use alternative methods to assess student readiness as it relates to meta-majors and developmental education placement. Also related to developmental education, SB 366 eliminates annual developmental education accountability reporting requirements.

# Civic Literacy

- SB 1108 amends s. 1007.25, F.S., to require students initially entering an FCS institution in 2021-22 and thereafter to complete a course and pass an assessment to demonstrate competency in civic literacy.
- Rule 6A-10.02413, F.A.C., currently identifies approved courses and assessments:
  - Currently Approved Courses
    - POSX041 American Government
    - AMHX020 Introductory Survey Since 1877
  - Currently Approved Assessments and Passing Scores
    - AP Government and Politics: United States 3
    - AP United States History 4
    - CLEP: American Government 50

# Civic Literacy Continued

- The bill specifies credits earned through authorized acceleration mechanisms in s. 1007.27, F.S., will count toward the civic literacy requirement.
- In other words, credit received for courses in Rule 6A-10.02413, F.A.C., (AMHX020 and POSX041) via [credit-by-exam](#) will count toward the course requirement.
  - If the exam used as the basis of awarding of credit is in Rule 6A-10.02413, F.A.C., (e.g., AP and CLEP) the student would be considered as having met both the course and the assessment civic literacy competency.
  - If the exam used as the basis of awarding of credit is not in rule (e.g., AICE and IB), the student would be considered as having met only the course requirement. These students would need to be assessed using an approved assessment in rule.

# Civic Literacy Continued

- SB 1108 added a requirement that high school students in U.S. Government take a civic literacy assessment.
- The bill specified that high school students who pass the civic literacy assessment will be exempt from the civic literacy competency assessment requirement when they matriculate to postsecondary.
- FCS institutions may need to update current policies and/or create new ones related to the civic literacy requirements to comply with the provisions outlined in SB 1108. In fall 2021, FDOE will begin rule development to align the current rule with the new provisions.
- Effective Date: July 1, 2021.

# Charter School Sponsorship

- SB 1028 modifies s. 1002.33(5), F.S., to authorize FCS institutions to solicit applications and sponsor a charter school, upon approval from FDOE.
- If approved, an FCS institution may sponsor a charter school within its service district with the purpose of meeting workforce demands and may offer postsecondary programs leading to industry certifications. FCS institutions may not enter into a sponsorship with an existing charter school until the school's current charter with the local school district has expired.
- FDOE will work with charter school sponsors and operators to develop a sponsor evaluation framework that must address: the sponsor's strategic vision, policies and practices, and the academic and financial performance. Additional information regarding the process for institutions to sponsor charter schools will be forthcoming.
- Effective Date: July 1, 2021.

# Dual Enrollment Scholarship

- SB 52 creates s. 1009.30, F.S., to reimburse postsecondary institutions for tuition and related instructional materials for dual enrolled students beginning in fall 2021.
- The appropriation provides \$15.5 million to public postsecondary institutions for private and home education students in the fall or spring terms and all dual enrolled students during the summer term.
- The bill also requires biannual reporting by the institutions for FDOE to reimburse by the bill's deadline.
- FDOE will open the rule for development and continue to provide technical assistance on the implementation of this section.
- Effective Date: July 1, 2021.

# Foreign Gifts and Contracts

- HB 7017 creates s. 286.101, F.S., to require institutions that receive a \$50,000 gift or grant from a foreign source to report the gift or grant to the Department of Financial Services (DFS). Institutions that fail to report these gifts or grants may receive financial penalties and a referral to remove the responsible officer for the noncompliance.
- DFS will open rule development to implement the new requirements by December 31, 2021.



# Other Topics of Interest

- SB 1028 creates s. 1006.205, F.S., to maintain fairness for women as it relates to participation in interscholastic, intercollegiate, intramural or club athletic teams or sports.
- SB 366 amends s. 1007.263, F.S., revising the requirements for admission to associate degree programs. The amendment allows for acceptance of a high school equivalency diploma that is issued by another state, is recognized as equivalent by SBOE rule and is based on an assessment recognized by the U.S. Department of Education.
- HB 1159 modifies s. 1004.04, F.S., to remove the requirement that an applicant for a teacher preparation program pass the general knowledge test (GKT).
- HB 847 amends s. 1006.73, F.S., by directing the Board of Governors and SBOE to oversee the chosen host entity who will deliver the services of the postsecondary library network, statewide internet-based catalog of distance learning courses and online student advising services.

## Other Topics of Interest

- SB 366 amends s. 1009.25, F.S., to grant SBOE the authority to adopt rules regarding documentation and procedures to implement the fee exemption for students experiencing homelessness.
- HB 1261 creates s. 768.39, F.S., to provide liability protection against lawsuits seeking tuition or fee reimbursements resulting from the campus wide changes during the pandemic.

# House Bill 1507 – Education Related Provisions

- Student Career Services
- Healthcare and Nursing Education Study
- WIOA Eligible Training Provider List
- Money Back Guarantee Program
- Open Door Grant Program
- Associate in Science General Education
- Career Readiness Digital Credential
- Credentials Review Committee & Master Credential List
- Career and Professional Education (CAPE)
- Education Meets Opportunity Platform
- Apprenticeship
- Work-Based Learning

# Student Career Services

- Creates s. 1006.75, F.S., to require each FCS institution and career center ensure their respective student career centers prepare students for employment. Institutions must, to the extent possible, use state career planning resources to assist students with:
  - Career exploration and identification;
  - Distinguishing in-demand jobs and the expected earnings;
  - Understanding specific job skills and credentials;
  - Discovering on-the-job experience opportunities; and
  - Creating digital resumes.

**Action by institutions:** review the new requirements to ensure their current student career services centers offer the mandatory resource.

# WIOA Eligible Training Provider List

- For the 2021-2022 program year, DEO and FDOE shall establish the minimum criteria an eligible WIOA training provider must achieve for completion, earnings and employment rates of eligible participants.
- For the 2022-2023 program year, each program offered by a training provider must meet certain minimum requirements.

# Money Back Guarantee

- Creates s. 1011.803, F.S., to require each school district and FCS institution to create a money-back guarantee program that will refund tuition to students who are unable to find employment in their field of study within six months of completion of certain workforce education programs.
- Labor Market Estimating Conference (LMEC) to identify a statewide needs list that includes programs leading to in-demand and middle-level to high-level wage occupations. Institutions will need to create a money-back guarantee for:
  1. A minimum of three workforce education programs on the LMEC statewide needs list, or at least 50 percent of workforce education programs if the institution offers six or fewer programs.
  2. All workforce education programs that are not on the LMEC statewide needs list but are established to meet a critical local economic industry need.

# Money Back Guarantee

## Action by institutions:

- Review program offerings against the statewide needs list to determine the programs that will be offered with a money-back guarantee.
- Establish student eligibility requirements, including student attendance, career service attendance, participation in internships or work-study, job search documentation and development of a student career plan.

The money-back guarantee program begins in the 2022-2023 academic year. By July 1, 2022, each institution must notify SBOE of the money back guarantee programs they offer and include information about these programs on their respective website(s).

# Open-Door Grant Program

- HB 1507 creates s. 1009.895, F.S., to establish the Open Door Grant Program (Open Door), which will provide funds to support student completion of short-term, high-demand credit and non-credit career and technical education (CTE) programs at:
  - School district postsecondary technical career centers under s. 1001.44, F.S.
  - Charter technical career centers under s. 1002.34, F.S.
  - Florida College System (FCS) institutions s. 1000.21(3), F.S.
- To support implementation of Open Door, the Florida Legislature appropriated:
  - \$15,000,000 for school district career centers.
  - \$20,000,000 for FCS institutions.



# Open-Door Grant Program Continued

The Open Door Grant Program was established for the purpose of:

- Creating and sustaining a demand-driven supply of credentialed workers for high-demand occupations by addressing and closing the gap between the skills needed by workers in the state and the skills of the available workforce in the state.
- Expanding the affordability of workforce training and credentialing.
- Increasing the interest of current and future workers in short-term, high-demand career and technical education credentialing and certificate programs.

## Open-Door Grant Program Continued

- Awards to institutions are available on a first-come, first-serve basis.
- No more than one-quarter of the appropriated funds may be disbursed annually to any one institution.
- At least one-quarter of the funds are prioritized for rural institutions.
- Also prioritized is funding for integrated education and training programs in which institutions establish partnerships with local workforce development boards to provide basic skills instruction, contextually and concurrently, with workforce training that results in the award of credentials under s. 445.004(4), F.S.
- Students must complete the Free Application for Federal Student Aid (FAFSA) to be eligible for the program.

## Open-Door Grant Program Continued

- Subject to the availability of funds, if an eligible student enrolled in an eligible program is:
  - In receipt of state or federal aid, grant funds are awarded to cover the unmet need after all eligible aid is applied to the student's account. ("Last Dollar")
  - Not in receipt of state or federal aid at the time of enrollment, the student is responsible for paying one-third of the cost of the program up front. The institution is then eligible to receive the remaining program costs once the student completes the certificate or degree and associated industry certification. ("Student Investment")
- The award amount may not exceed \$3,000 per student per eligible program.
- The State Board of Education is required to adopt rules to implement this program.

## Open-Door Grant Program Continued

- FDOE held a rule workshop on July 16, 2021. This rule is being considered by the SBOE at its August 2021 meeting.
- The rule includes sections on:
  - Definitions
  - Student eligibility criteria
  - Student investment grants
  - Last dollar grants
  - Application process
  - Institutional requirements
  - Required reporting

# Associate in Science General Education

- Modifies s. 1007.25, F.S., to amend the general education degree requirements for students completing a technical degree, which is defined in s. 1004.02(13), F.S., as a course of study that leads to an Associate in Science/Associate in Applied Science (AS/AAS) degree.
- Beginning in the 2022-2023 academic year and thereafter, students entering an AS/AAS program must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded.

# Associate in Science General Education Continued

- Will take effect for students entering an AS/AAS program at the start of the 2022-2023 academic year.
  - In August 2021, FDOE will begin rule development to specify that students in AS/AAS programs must complete at least one (1) course from each of the general education subject areas listed in Rule 6A-14.0303, F.A.C.

**Action by institutions:** Redesign program maps and course sequencing, as well as update degree audit software, websites, catalogs and other student-facing resources to reflect the new general education requirements for AS/AAS programs.

# Career Readiness Digital Credential

- Modifies s. 1007.25, F.S., to require public postsecondary institutions to award students a nationally recognized digital credential upon completion of general education core courses that demonstrate career readiness, beginning with students who initially enter a postsecondary institution in the 2022-2023 academic year.
- The FDOE, in partnership with BOG, will develop guidance and an implementation plan, and will communicate with colleges once information is available. Once in effect, institutions will be required to update institutional catalogs to reflect which general education core courses are linked to earning a digital credential. HB 1507 takes effect on July 1, 2021; however, the provisions in this amendment will take effect for students initially entering a postsecondary institution in the 2022-2023 academic year.

# Credentials Review Committee & Master Credential List

- Amends s. 445.004, F.S., to require the CareerSource Florida state board (state board) to appoint a Credentials Review Committee (CRC) to identify nondegree and degree credentials of value for approval by the state board and inclusion in the Master Credentials List (MCL). Their duties include:
  - Establishing a definition for credentials of value and create a framework of quality which shall undergo biennial review.
  - Establishing a process for linking Classifications of Instructional Programs (CIP) to Standard Occupational Code (SOC) for all new credentials of value identified on the MCL.
  - Developing a returned-value funding formula as provided under ss. 1011.80(7)(b) and 1011.81(2)(b).
  - Establishing policy direction for a uniform funding system that prioritizes evidence-based, results-driven solutions by providing incentives to improve the outcomes of career education, registered apprenticeship and work-based learning programs, and focuses resources on occupations related to new or emerging industries that add greatly to the value of the state's economy.



# Career and Professional Education (CAPE)

- The formation of the Credential Review Committee for the review and identification of industry certifications and licensures will affect the development of the CAPE Industry Certification Funding List beginning with the 2022-23 lists.
- For the 2021-2022 school year, the Master Credentials List shall be comprised of the CAPE (secondary & postsecondary) Industry Certification Funding List under ss. 1008.44 and 1011.62(1) and adopted by SBOE before October 1, 2021.
  - NOTE: The secondary and postsecondary lists are scheduled for adoption at the August State Board of Education meeting.

# Career and Professional Education (CAPE) Continued

- Additional Provisions for K-12 additional FTE membership:
  - Requires the Commissioner to conduct a review of the methodology used to determine additional FTE weights assigned in s. 1011.62(1)(o), F.S., and, if necessary, recommend revised weights by December 1, 2021.
  - amends s. 1003.4203, F.S., to remove the cap on CAPE digital tool certificates and CAPE innovation courses.
  - Amends s. 1003.491, F.S. requiring districts to update their strategic 3-year plan developed jointly by the school district, local workforce development boards, economic development agencies and state-approved postsecondary institutions to be constructed based upon labor projections as identified by the Labor Market Estimating Conference, rather than the US Department of Labor and DEO.

# Career and Professional Education (CAPE) Continued

- Additional Provisions:
  - Eliminates the separate CAPE Postsecondary Industry Certification Funding List is from the statute and combines it with the current K-12 CAPE Industry Certification Funding List beginning with the 2022-23 adoption.
  - Amends the annual CTE Audit and requires SBOE to adopt rules to administer the section.
  - Removes occupational areas for CAPE industry certifications for postsecondary funding.

# Education Meets Opportunity Platform

- Amends s. 1008.40, F.S., to require the FDOE to work with DEO, the Department of Children and Families and other entities to develop a workforce development metrics dashboard that should do the following:
  - Use statistically rigorous methodologies to estimate, assess and isolate the impact of programs on participant outcomes.
  - Display the impact of workforce related programs, as defined in statute, on credential attainment, training completion, degree attainment and participant wages.
  - Provide demographic breakdowns, including race, ethnicity, age, gender, veteran status, wage, student loan debt, barriers to employment credential or degree outcomes and information on workforce outcomes in different industry sectors.
  - Measure the return on investment in workforce related programs.

# Education Meets Opportunity Platform Continued

- The Education Meets Opportunity Platform is in its initial development to provide an interoperable data analytics tool for all of Florida's workforce education and training programs (degree and non-degree) through the state's selected vendor, PAIRIN Inc.
- Aims to secure real-time, accurate and comprehensive data capabilities to provide persistent and reliable analytics.
- Interactive, interoperable data analytics tool/solution will function as a business intelligence tool, with the ability to ingest and integrate large volumes of data, aggregate, analyze, and summarize the data in the form of lucid, clear, and user friendly key performance indicators.

# Apprenticeship

- Amends s. 446.032, F.S., to require FDOE to adopt rules to establish and administer uniform minimum standards governing apprenticeship and preapprenticeship programs. The uniform minimum standards must require training providers to submit data necessary to determine program performance, including wage progression of participants.
- Modifies the Pathways to Career Opportunities Grant in s. 1011.802, F.S., to require FDOE to award grants to programs with demonstrated demand that address a critical statewide or regional shortage or to programs that exceed the median completion rate and employment rate. Additionally, grant funds may now be used for instructional personnel and recurring instructional costs.

# Work-Based Learning

- Creates s. 446.0915, F.S., to define a work-based learning opportunity as an interaction with industry or community professionals that occurs in a workplace setting, to the extent possible, or a simulated environment at an educational institution that allows firsthand experience with tasks required in a given career field, is aligned to curriculum and instruction, and is provided in partnership with an educational institution.

# Work-Based Learning Continued

- Statute indicates a work-based learning opportunity should prioritize paid experiences such as apprenticeship and preapprenticeship programs
- Requires SBOE to set requirements through rule regarding student eligibility, obligations of employers, and requirements of institutions that offer work-based learning opportunities.



# Other Bills

- **HB 7061: Internship Tax Credit**
  - Creates s. 220.198, F.S., to establish the internship tax credit program. Up to \$2.5 million dollars have been allocated to provide an internship tax credit to employers of postsecondary interns.
  - The fund allows employers to receive \$2,000 per intern with a cap at \$10,000 per employer. The Department of Revenue will develop additional rules governing this program.

# Q&A



## Resources

State Board Rules Under Review

<https://web02.fldoe.org/Rules/Default.aspx>

Memo with Summary of Workforce Education related  
summary

<https://www.fldoe.org/core/fileparse.php/7671/urlt/2021LegislationAffectingCTE-Partners.pdf>

Open Door Grant Workshop Webinar Recording

<https://www.gotostage.com/channel/160535c1bdb84db88c27a16d288cc212>