

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 7051 PCB PEW 24-01 Education

**SPONSOR(S):** Higher Education Appropriations Subcommittee, Postsecondary Education & Workforce Subcommittee, Melo

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 7032

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Postsecondary Education & Workforce Subcommittee	16 Y, 0 N	Kiner	Kiner
1) Higher Education Appropriations Subcommittee	14 Y, 0 N, As CS	Stenson	Smith
2) Education & Employment Committee		Kiner	Hassell

### SUMMARY ANALYSIS

The bill creates the Graduation Alternative to Traditional Education (GATE) Program, GATE Scholarship Program, and GATE Startup Grant Program to provide individuals ages 16 to 21 who have discontinued school enrollment in traditional high school programs the opportunity to earn, at no cost, a standard high school diploma, or equivalent, and a workforce credential. The bill provides eligibility criteria and defines the programs and certificates that may be offered.

The bill requires postsecondary career centers and Florida College System institutions to waive 100 percent of tuition, certain fees, and instructional materials costs after all other federal and state aid is applied and reimburses the institutions for such expenditures. Students participating in the program will also be eligible for a stipend through another student financial aid program.

The bill tasks the Department of Education (DOE) with state-level administration of the new GATE programs, including administering the GATE Startup Grant Program. School districts and institutions without programs that meet GATE Program requirements, and that are within or serve a rural area of opportunity, may apply for grant funds.

The bill provides several provisions to identify and enroll eligible students. First, when students choose to disenroll from school, the bill requires they be made aware of the GATE program and its opportunities. The bill also requires GED candidates be made aware of the program and eligibility requirements. For those who have been separated for longer periods of time and may engage with a one-stop center, the bill requires they be made aware of adult education generally, and the GATE program specifically.

Additionally, DOE will be required to develop and implement a statewide recruitment campaign in conjunction with other entities that interact with the target population. To provide accountability and assess the overall success of the program, the bill requires DOE to annually report certain information.

All funding for new GATE programs is subject to appropriation.

To the extent funds are specifically appropriated, the bill will have an indeterminate fiscal impact on school districts and Florida College System institutions relating to the implementation of the GATE Program. See fiscal comments.

The bill is effective July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Current Situation

##### **Compulsory Age of Attendance**

When a student reaches 16 years of age, he or she is no longer required to attend school if he/she files a formal declaration of intent to terminate school enrollment with the school district.<sup>1</sup> The declaration must be signed by the student and the student's parent.<sup>2</sup>

In signing the declaration, the student must acknowledge that leaving school is likely to reduce earning potential.<sup>3</sup>

The student's school counselor is required to conduct an exit interview with the student to determine reasons for the student's decision and actions that could be taken to keep the student in school.<sup>4</sup> The school counselor is also required to inform the student of opportunities to continue his or her education in a different environment, including, but not limited to, adult education and high school equivalency examination preparation.<sup>5</sup>

##### **High School Graduation in Florida**

##### ***Florida's High School Graduation Requirements***

To earn a standard high school diploma a student must complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.<sup>6</sup>

The 24-credit option for a standard high school diploma includes:<sup>7</sup>

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or career and technical education.
- One credit in physical education which includes the integration of health.
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

All students must pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score, and must pass the statewide, standardized Algebra I end-of-course (EOC) assessment, or earn a comparative score, in order to earn a standard high school diploma.<sup>8</sup>

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<sup>1</sup> s. 1003.21(1)(c), F.S.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> s. 1003.4282(1)(a), F.S.

<sup>7</sup> s. 1003.4282(3)(a)-(g), F.S.

<sup>8</sup> s. 1003.4282(3), F.S. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns a specified score is not required to take the corresponding EOC assessment. *See section 1008.22(3)(b)6., F.S.*

Students who earn the required credits to graduate, but fail to pass the required assessments or achieve a 2.0 grade point average (GPA) are awarded a certificate of completion in a form prescribed by the State Board of Education (SBE)<sup>9</sup>. In the 2022-2023 graduation cohort, 5,818 students earned a certificate of completion.<sup>10</sup>

### **High School Equivalency Diploma Program**

The high school equivalency diploma offers students who are no longer enrolled in high school an opportunity to earn a high school diploma by successfully passing the standard GED tests. To be eligible for the high school equivalency diploma program students must meet the following criteria:<sup>11</sup>

- At least 16 years old and currently enrolled in a prekindergarten-12 program.
- Enrolled in and attending high school courses that meet high school graduation requirements.
- In jeopardy of not graduating with their kindergarten cohort because they are overage for grade, behind in credits, or have a low GPA.
- Assessed at a seventh grade reading level or higher at the time of selection as documented by the Test of Adult Basic Education (TABE) reading component or other assessment to determine grade level proficiency.

Each school district is required to offer and administer the high school equivalency diploma examinations and the subject area examination to candidates.<sup>12</sup> A candidate for a high school equivalency diploma must be at least 18 years of age on the date of the examination, except that in extraordinary circumstances, as provided for in rules of the district school board of the district in which the candidate resides or attends school, a candidate may take the examination after reaching the age of 16.<sup>13</sup> School districts may not require a student who has reached the age of 16 to take any course before taking the examination unless the student fails to achieve a passing score on the GED practice test.<sup>14</sup>

As seen in the tables below, the number of students enrolling in GED programs at both school districts and colleges in the Florida College System (FCS) has increased since the 2020-21 school year.<sup>15</sup>

<b>Students enrolled in a School District GED program</b>		
<b>School Year</b>	<b>Number of Students enrolled in a GED program</b>	<b>Number Students enrolled in a GED program who are 21 years of age or less</b>
2020-2021	5,256	2,851
2021-2022	7,499	4,123
2022-2023	8,888	5,330

<b>Students enrolled in an FCS GED program</b>
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<sup>9</sup> s. 1003.4282(5)(c), F.S.

<sup>10</sup> Florida Department of Education, *Florida's High School Cohort 2022-23 Graduation Rate*, <https://www.fldoe.org/core/fileparse.php/7584/urlt/GradRates2223.pdf> (last visited Feb. 12, 2024).

<sup>11</sup> Rule 6A-6.0212, F.A.C

<sup>12</sup> s. 1003.435(3), F.S.

<sup>13</sup> s. 1003.435(4), F.S.

<sup>14</sup> *Id.*

<sup>15</sup> Data provided by Florida Department of Education.

School Year	Number of Students enrolled in a GED program	Number Students enrolled in a GED program who are 21 years of age or less
2020-2021	780	353
2021-2022	1,034	525
2022-2023	1,166	552

## Existing Initiatives in Adult Secondary and Career Education

### *Workforce Innovation and Opportunity Act of 2014*

In 2014, Congress passed the Workforce Innovation and Opportunity Act (WIOA), which superseded the Workforce Investment Act of 1998.<sup>16</sup> WIOA requires each state to develop a single, unified plan for aligning workforce services through the identification and evaluation of core workforce programs.<sup>17</sup>

WIOA identifies four core programs that coordinate and complement each other to ensure job seekers have access to needed resources.<sup>18</sup> The core programs are:

- Adult, Dislocated Worker and Youth Programs;
- Adult Education and Literacy Activities;
- Employment Services under the Wagner-Peyser Act;<sup>19</sup> and
- Vocational Rehabilitation Services.<sup>20</sup>

In Fiscal Year 2022-2023, CareerSource Florida allocated \$238 million in funding<sup>21</sup> and assisted nearly 64,000 job seekers in obtaining employment.<sup>22</sup>

WIOA includes funding to provide adult education and literacy activities for individuals who are at least 16 years of age, not enrolled in secondary school, and do not have a secondary school diploma or its recognized equivalent.<sup>23</sup> Adult education and family literacy activities include programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.<sup>24</sup> The estimated award for Fiscal Year 2023 for basic adult education and family literacy activities in Florida is \$40,506,044.<sup>25</sup>

<sup>16</sup> Workforce Innovation and Opportunity Act, 29 U.S.C. s. 3101 et seq. (2014).

<sup>17</sup> See 29 U.S.C. s. 3112(a).

<sup>18</sup> See 29 U.S.C. s. 3102(13).

<sup>19</sup> See 29 U.S.C. s. 49 et seq. The Wagner-Peyser Act establishes a system of public employment offices to bring together individuals seeking employment and employers seeking workers.

<sup>20</sup> See 29 U.S.C. s. 720 et. seq.

<sup>21</sup> CareerSource Florida, *2022-2023 CareerSource Florida Annual Report*, <https://careersourceflorida.com/wp-content/uploads/2023/12/CAREERSOURCE-FLORIDA-FY-22-23-ANNUAL-REPORT-DIGITAL.pdf> (last visited Feb. 12, 2024).

<sup>22</sup> CareerSource Florida, *CareerSource Florida Celebrates 2023 Workforce Development Accomplishments*, <https://careersourceflorida.com/2023/12/28/2023-workforce-development-accomplishments/> (last visited Feb. 12, 2024).

<sup>23</sup> 29 U.S.C. s. 3272(4).

<sup>24</sup> 29 U.S.C. s. 3272(2).

<sup>25</sup> USDOE, Office of Career, Technical, and Adult Education, *FY\_2023\_State\_Grant\_Allocations\_Memo*, <https://aefta.ed.gov/state-grants> at 2 (last visited Feb. 12, 2024).

WIOA also provides funds to local workforce boards to provide youth workforce investment activities that provide:<sup>26</sup>

- Activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized postsecondary credential;
- Preparation for postsecondary educational and training opportunities;
- Strong linkages between academic instruction and occupational education that lead to the attainment of recognized postsecondary credentials;
- Preparation for unsubsidized employment opportunities, in appropriate cases; and
- Effective connections to employers, including small employers, in in-demand industry sectors and occupations of the local and regional labor markets.

Florida's allotment for youth workforce investment activities under WIOA is \$39,224,930 for the 2023 Program Year.<sup>27</sup>

### **Perkins V**

The Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Perkins V), assists states and outlying areas in expanding and improving career and technical education (CTE) in secondary schools, technical schools, and community colleges.<sup>28</sup> The term "career and technical education" means organized educational activities that:<sup>29</sup>

- Offer a sequence of courses that provides individuals with rigorous academic content and relevant technical knowledge and skills needed to prepare for further education and careers.
- Include competency-based, work-based, or other applied learning that supports the development of academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.
- To the extent practicable, coordinate between secondary and postsecondary education programs through programs of study that provide postsecondary credit or advanced standing.
- May include career exploration at the high school level or as early as the middle grades.

Florida received \$82,363,333 under Perkins V for Fiscal Year 2023.<sup>30</sup>

### **Florida Workforce Education**

"Workforce education" is adult general education or career education and may consist of a continuing workforce education course or a program of study leading to an occupational completion point, a career certificate, an applied technology diploma, a career degree, or a registered apprenticeship certificate of completion.

At the postsecondary level, the terms "workforce education" and "workforce education program" include:<sup>31</sup>

- Adult general education programs designed to improve the employability skills of the state's workforce.<sup>32</sup>
- Career certificate programs, which are defined as a course of study that leads to one completion point.<sup>33</sup>

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<sup>26</sup> 29 U.S.C. s. 3164(c)(1)(C).

<sup>27</sup> USDOL, ETA, *WIOA Youth Activities State Allotments* (2023), <https://www.dol.gov/sites/dolgov/files/ETA/budget/pdfs/23you%24.pdf> (last visited Feb. 12, 2024).

<sup>28</sup> 20 U.S.C. s. 2301 et seq.

<sup>29</sup> 20 U.S.C. s. 2302(5).

<sup>30</sup> USDOE, Office of Career, Technical, and Adult Education, *Final Program Memo - Estimated FY 2023 Perkins State Allocations*, [https://s3.amazonaws.com/PCRN/docs/Final\\_Program\\_Memo-Estimated\\_FY\\_2023\\_Perkins\\_State\\_Allocations.pdf](https://s3.amazonaws.com/PCRN/docs/Final_Program_Memo-Estimated_FY_2023_Perkins_State_Allocations.pdf) (last visited Feb. 12, 2024).

<sup>31</sup> s. 1011.80(1), F.S.

<sup>32</sup> s. 1011.80(1)(a), F.S.

<sup>33</sup> s. 1004.02(20), F.S.

- Applied technology diploma programs.
- Continuing workforce education courses.
- Degree career education programs.
- Apprenticeship and preapprenticeship programs.

Adult education programs in Florida were established to encourage the provision of educational services that will enable adults to acquire:<sup>34</sup>

- The basic skills necessary to attain basic and functional literacy.
- A high school diploma or successfully complete the high school equivalency examination.
- An educational foundation that will enable them to become more employable, productive, and self-sufficient citizens.

The major program areas are Adult Basic Education Adult High School and GED® Preparation, and English for Speakers of Other Languages (ESOL). These programs emphasize basic skills such as reading, writing, math, and English language competency. Adult education programs also help adult learners gain the knowledge and skills they need to enter and succeed in postsecondary education.<sup>35</sup>

“Adult secondary education” is a course through which a person receives high school credit that leads to the award of a high school diploma or a course of instruction through which a student prepares to take the high school equivalency examination.<sup>36</sup>

An “applied technology diploma program” (ATD) is a course of study that is part of a technical degree program, is less than 60 credit hours, and leads to employment in a specific occupation.<sup>37</sup> An ATD program may consist of either technical credit or college credit. A public school district may offer an ATD program only as technical credit, with college credit awarded to a student upon articulation to an FCS institution. Statewide articulation among public schools and FCS institutions is guaranteed.<sup>38</sup>

To qualify for admission to an ATD program, a student must:<sup>39</sup>

- Have a high school diploma, a high school equivalency diploma, or a certificate of completion; or
- Submit a signed affidavit by the student's parent or legal guardian attesting that the student has completed a home education program that satisfies school attendance requirements.<sup>40</sup>

A “career certificate program” is a course of study that leads to at least one occupational completion point.<sup>41</sup> An “occupational completion point” means the occupational competencies that qualify a person to enter an occupation that is linked to a career and technical program.<sup>42</sup> The career certificate program may also confer credit that may articulate with a diploma or career degree education program.<sup>43</sup> The DOE has established 29 statewide articulation agreements for career certificate programs to career degree education programs.<sup>44</sup>

## Rural Areas of Opportunity

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<sup>34</sup> s. 1004.93(1)(a), F.S.

<sup>35</sup> Florida Department of Education, *Adult Education*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/>, (last visited Feb. 12, 2024).

<sup>36</sup> s. 1004.02(4), F.S.

<sup>37</sup> s. 1004.02(7), F.S.

<sup>38</sup> s. 1007.23(5), F.S.

<sup>39</sup> Rule 6A-10.024(7), F.A.C.

<sup>40</sup> s. 1002.41, F.S.

<sup>41</sup> s. 1004.02(20), F.S.

<sup>42</sup> s. 1004.02(21), F.S.

<sup>43</sup> s. 1004.02(20), F.S.

<sup>44</sup> Florida Department of Education, *Statewide Articulation Agreements: Statewide Career Pathways*, <https://www.fldoe.org/academics/career-adult-edu/career-technical-edu-agreements/psav-to-aas-as-degree.stml> (last visited Feb. 12, 2024).

A rural area of opportunity (RAO) is a rural community, or a region consisting of rural communities, which has been negatively impacted by an extraordinary economic event, severe distress, or a natural disaster or presents a unique development opportunity of regional impact.<sup>45</sup> The Governor designates RAOs by executive order to establish those regions as priority assignments for Rural and Economic Development Initiative (REDI) agencies. The designation allows the Governor to waive criteria of any economic development incentive including:<sup>46</sup>

- The Qualified Target Industry Tax Refund Program under s. 288.106, F.S.
- The Quick Response Training Program and the Quick Response Training Program for participants in the welfare transition program under s. 288.047, F.S.
- Transportation projects under s. 339.2821, F.S.
- The brownfield redevelopment bonus refund under s. 288.107, F.S.
- The rural job tax credit program under s. 212.098, F.S. and s. 220.1895, F.S.

The Governor designates RAOs by executive order. The currently designated RAOs are:<sup>47</sup>

- **Northwest Rural Area of Opportunity:** Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington counties, and the area within the city limits of Freeport and Walton County north of the Choctawhatchee Bay and intercoastal waterway.
- **South Central Rural Area of Opportunity:** DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County), and Immokalee (Collier County).
- **North Central Rural Area of Opportunity:** Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union counties.

### **Funds for Operation of Workforce Education Programs**

State funding for workforce education programs is calculated based on weighted student enrollment and program costs, minus tuition and fee revenues, and including various supplemental cost factors.<sup>48</sup> To ensure equitable funding for all school district workforce education programs and to recognize enrollment growth, the Department of Education uses and submits to the Legislature, a funding model developed by the District Workforce Education Funding Steering Committee to determine each district's workforce education funding needs.<sup>49</sup>

Continuing workforce education programs provided by district school boards or Florida College System institutions must be fully supported by fees.<sup>50</sup> For fee-exempt students, such as students in an apprenticeship program, state funding is 100 percent of the average cost of instruction.<sup>51</sup>

### **Workforce Education Tuition and Fees**

For programs leading to a career certificate or an ATD, the standard tuition is \$2.33 per contact hour for residents.<sup>52</sup> A block tuition of \$45 per half year or \$30 per term is assessed for students enrolled in adult general education, which includes adult secondary education programs.<sup>53</sup> Each district school board and FCS institution may adopt tuition that is within the range of five percent below to five percent

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<sup>45</sup> s. 288.0656(2)(d), F.S.

<sup>46</sup> Florida Department of Commerce, Rural Areas of Opportunity, <https://www.floridajobs.org/community-planning-and-development/rural-community-programs/rural-areas-of-opportunity> (last visited Feb. 12, 2024).

<sup>47</sup> *Id.*

<sup>48</sup> s. 1011.80(6)(b), F.S.

<sup>49</sup> s. 1011.80(7)(a), F.S.

<sup>50</sup> *See* s. 1011.80(6)(a), F.S.

<sup>51</sup> *See* s. 1011.80(6)(c), F.S.

<sup>52</sup> s. 1009.22, F.S.

<sup>53</sup> s. 1009.22(3)(c), F.S.



above the standard tuition.<sup>54</sup> Institutions may also adopt student financial aid,<sup>55</sup> capital improvement,<sup>56</sup> and technology fees<sup>57</sup> for students that are not enrolled in adult general education programs. The student financial aid fee is capped at 10 percent of tuition, while the capital improvement and technology fees are capped at 5 percent of tuition.<sup>58</sup>

Florida College System institution boards of trustees and district school boards are also authorized to establish fee schedules for the following user fees and fines: laboratory fees; parking fees and fines; library fees and fines; fees and fines relating to facilities and equipment use or damage; access or identification card fees; duplicating, photocopying, binding, or microfilming fees; standardized testing fees; diploma replacement fees; transcript fees; application fees; graduation fees; and late fees related to registration and payment. Such user fees and fines may not exceed the cost of the services provided and may only be charged to persons receiving the service.<sup>59</sup>

The total tuition and fee estimate for district career centers for postsecondary certificate and adult general education programs in the 2023-2024 fiscal year is \$40,152,198.<sup>60</sup>

### **Workforce Education Funding for Co-enrollment**

School districts and FCS institutions are permitted to allow students currently enrolled in high school to co-enroll in their Adult High School program.<sup>61</sup> A student who is coenrolled in a K-12 education program and an adult education program may be reported for purposes of funding in an adult education program. If a student is coenrolled in core curricula courses for credit recovery or dropout prevention purposes and does not have a pattern of excessive absenteeism or habitual truancy or a history of disruptive behavior in school, the student may be reported for funding for up to two courses per year. Such a student is exempt from the payment of the block tuition for adult general education programs. The Department of Education is required to develop a list of courses to be designated as core curricula courses for the purposes of coenrollment.<sup>62</sup>

### **State Financial Aid and Grant**

The general requirements for eligibility of students for state financial aid awards and tuition assistance grants consist of the following:<sup>63</sup>

- Achievement of the academic requirements of and acceptance at a state university or state college; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the SBE; a Florida institution the credits of which are acceptable for transfer to state universities; a career center; or a private career institution accredited by an accrediting agency recognized by the SBE.
- Residency in this state for no less than one year preceding the award of aid or a tuition assistance grant.<sup>64</sup> Residency in this state must be for purposes other than to obtain an education.

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<sup>54</sup> s. 1009.22(3)(d), F.S. Florida Department of Education, *State Funding for Districts: 2023-24 District Workforce Education Tuition and Fees (Attachment)*, <https://www.fldoe.org/core/fileparse.php/7529/urlt/2023-24-Workforce-Education-Tuition-and-Fees-Attachment.pdf> at 1 (last visited Feb. 12, 2024).

<sup>55</sup> s. 1009.22(6), F.S.

<sup>56</sup> s. 1009.22(7), F.S.

<sup>57</sup> s. 1009.22(8), F.S.

<sup>58</sup> s. 1009.22(6)-(8), F.S.

<sup>59</sup> s. 1009.22(10), F.S.

<sup>60</sup> Florida Department of Education, *2023-24 District Workforce Education Funding Summary*, <https://www.fldoe.org/core/fileparse.php/7529/urlt/2324-wf-fundingsummary.pdf> at 32 (last visited Feb. 12, 2024).

<sup>61</sup> Florida Department of Education, *Memorandum: 2023-24 Adult High School Co-Enrollment Program Eligible Course List* (May 23, 2023), <https://www.fldoe.org/core/fileparse.php/7522/urlt/2324AdultHSCoEnroll-ProMemo.pdf> (last visited Feb. 12, 2024).

<sup>62</sup> s. 1011.80(10), F.S.

<sup>63</sup> s. 1009.40(1)(a), F.S.

<sup>64</sup> The residency requirement is specific to awards under ss. 1009.50, 1009.505, 1009.51, 1009.52, 1009.53, 1009.60, 1009.62, 1009.72, 1009.73, 1009.75, 1009.77, 1009.89, and 1009.894, F.S.



- Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants.

### ***Open Door Grant Program***

The Open Door Grant Program is a financial aid program for students of a state college or career center to incentivize current and future workers to enroll in an adult education integrated education and training program or a workforce education program on the Master Credentials List that leads to a credential, certificate, or degree.<sup>65</sup>

In order to be eligible for the Open Door Grant Program, a student must:<sup>66</sup>

- Be a resident of Florida for tuition purposes and attest to the accuracy, completeness, and correctness of information provided to demonstrate the student's eligibility to receive state financial aid awards or tuition assistance grants;
- Be enrolled in an integrated education and training program, career certificate, applied technology diploma, continuing workforce education, associate's degree, or apprenticeship and preapprenticeship programs included on the Master Credentials List or lead to a certification on the Master Credentials list;
- Be enrolled at a school district postsecondary technical career center, a state college, or a charter technical career center.

A student is eligible to receive an award equal to the amount needed to cover 100 percent of the cost for the eligible workforce education program after all other federal and state financial aid and any other private or public financial assistance is applied. These costs may include tuition and fees, exam or assessment costs, books, or related materials. Additionally, a student is eligible to receive a stipend up to \$1,500 per academic year to cover other educational expenses related to cost of attendance. The awards are subject to availability of funding and stipend amounts may be specified in the General Appropriations Act.

For the 2023-2024 fiscal year, the Legislature appropriated \$35 million in recurring general revenue funds for the Open Door Grant Program, including \$15 million for District Workforce Education and \$20 million for the Florida College System.<sup>67</sup>

### ***CAPE Industry Certification Funding List***

The State Board of Education is required to adopt, at least annually, based on recommendations by the Commissioner of Education, the CAPE Industry Certification Funding List that assigns additional full-time equivalent membership to certifications identified in the Master Credentials List that meet a statewide, regional, or local demand.<sup>68</sup>

Certifications included on the CAPE Industry Certification Funding List:<sup>69</sup>

- Require at least 150 hours of instruction and
- Can be earned in middle and high school.
- Usually require passage of a subject area examination and some combination of work experience, educational attainment, or on-the-job training.

Unless otherwise specified in the General Appropriations Act, district workforce education programs and FCS institutions may receive \$1,000 in performance funding for each eligible postsecondary

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<sup>65</sup> s. 1009.895, F.S.

<sup>66</sup> *Id.*

<sup>67</sup> Specific Appropriation 59B, ch. 2023-239, L.O.F.

<sup>68</sup> s. 1008.44(1), F.S.

<sup>69</sup> Rule 6A-6.0576(5)-(6), F.S.

industry certification that their students earn in an academic year.<sup>70</sup> If funds are insufficient to fully fund the calculated total award, they will be prorated accordingly.<sup>71</sup>

For the 2023-2024 fiscal year, the Legislature appropriated \$8.5 million in recurring general revenue funds for CAPE incentive funds to district workforce education programs and \$20 million in recurring general revenue funds for CAPE incentive funds for Florida College System institutions.<sup>72</sup>

### **Effect of Proposed Changes**

The bill creates the Graduation Alternative to Traditional Education (GATE) Program, GATE Scholarship Program, and GATE Startup Grant Program to provide individuals ages 16 to 21 who have discontinued school enrollment in traditional high school programs the opportunity to earn, at no cost, a standard high school diploma, or equivalent, and a workforce credential.

### **GATE Program**

The bill provides eligibility criteria for students to enroll in the GATE Program and defines the career education programs and certificates that may be offered through the program. The bill specifies that a student must:

- Not have earned a standard high school diploma or a high school equivalency diploma.
- Be a resident of this state for tuition purposes.
- Be 16 to 21 years of age at the time of initial enrollment.
- Select the adult secondary education program and career education program of his or her choice at the time of admission to the GATE program, provided the program is included on the Master Credentials List. The student may not change the requested pathway after enrollment.
- Maintain a 2.0 grade point average (GPA) for career and technical education coursework.
- Complete the adult secondary education program and the career education program within two years unless the institution determines that an extension is warranted due to extenuating circumstances.

The bill defines a “career education program” as an applied technology diploma program or a career certificate program and defines an “institution” as a school district career center, a charter technical career center, or a Florida College System institution.

Subject to appropriation, the bill also requires institutions to waive 100 percent of the registration, tuition, laboratory, and examination fees and instructional materials costs after all other federal and state aid is applied, including Workforce Innovation and Opportunity Act and Open Door Grant funds. Subject to the eligibility of funds, students participating in the program will also be eligible for a stipend to cover other educational expenses related to the cost of attendance through the Open Door Grant.<sup>73</sup>

The bill provides several provisions to engage eligible students. First, when students choose to disenroll from school, the bill requires they be made aware of the GATE program and the opportunities it offers. The bill also requires GED candidates be made aware of the program and its eligibility requirements. For those who have been separated for longer periods of time and may engage with a one-stop center, the bill requires they be made aware of adult education generally, and the GATE program specifically.

Additionally, the Department of Education will be required to develop and implement a statewide recruitment campaign in conjunction with eligible institutions, local workforce development boards, and other local, regional, or state initiatives that interact with the target population.

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<sup>70</sup> ss. 1011.80(7)(b) and 1011.81(2)(b), F.S.

<sup>71</sup> *Id.*

<sup>72</sup> Specific Appropriations 111 and 120, ch. 2023-239, L.O.F.

<sup>73</sup> s. 1009.895(3), F.S.

To provide accountability and assess the overall success of the program, the bill requires the Department of Education to annually report the number and value of registration, tuition, laboratory, and examination fees and instructional materials costs waived and reimbursed; and the number of students who have obtained a standard high school diploma or high school equivalency diploma, completed an applied technology diploma or career certificate, number of students that receive an Open Door Grant stipend, and earned an industry certificate, while participating in the program.

The bill requires the State Board of Education to adopt rules to implement the GATE Program.

### **GATE Scholarship Program**

The bill creates the GATE Scholarship Program to reimburse eligible institutions for registration, tuition, laboratory, and examination fees and related instructional materials costs for students enrolled in the GATE Program. The bill requires the GATE Scholarship Program to reimburse career centers and Florida College System institutions at their respective in-state resident tuition rates.

Each participating institution is required to report to DOE all students enrolled in the GATE Program during the fall, spring, or summer terms within 30 days after the end of regular registration. For each eligible student, the institution is required to report the total reimbursable expenses by category, which the DOE must consider in determining an institution's GATE Scholarship Program award. The bill requires the DOE to reimburse each participating institution no later than 30 days after the institution has reported enrollment for that term.

The bill provides that reimbursements from the GATE Scholarship Program are contingent upon an annual appropriation in the General Appropriations Act (GAA). If the statewide reimbursement amount is greater than the appropriation, the institutional reimbursement amounts must be prorated among the institutions that have timely reported eligible students.

The bill requires the State Board of Education to adopt rules to implement the GATE Scholarship Program.

### **GATE Startup Grant Program**

The bill establishes the GATE Startup Grant Program (grant program) within the Department of Education (DOE) to fund and support the startup and implementation of new GATE programs. Funding for the grant program is subject to legislative appropriation. The purpose of the grant program is to increase access statewide to programs that support adult learners earning a high school credential and workforce credential aligned to statewide or regional demand.

The bill tasks DOE with administering the grant program, including soliciting and funding proposals. Only school districts and Florida College System institutions in counties that do not have programs that are eligible for the GATE Program may apply for and receive grant program funds. Such school districts and institutions must also be located in or serve a rural area of opportunity. The bill requires the department to prioritize grant proposals that combine adult secondary education and career education programs at one location or allow students to complete programs via distance learning. Pursuant to the bill, an applicant may not receive more than 10 percent of the total amount appropriated by the Legislature.

The bill requires DOE to make the grant application available to potential applicants no later than August 15, 2024. Grant proposals must include the following:

- The institution or institutions that will provide the adult secondary education and career education programs;
- The proposed adult secondary education program or programs the institution or institutions will provide and projected enrollment;
- The proposed career education program or programs and the institution or institutions will provide and projected enrollment;

- The credential or credentials associated with the career education program or programs. Such credential or credentials must be included on the Master Credentials List;
- The cost of instruction for all programs contemplated in the proposal, including costs for tuition, fees, registration, laboratory, examination, and instructional materials costs.
- Outreach strategies including local workforce development boards; and
- A plan or timeline for implementing the provisions of the GATE program and enrolling students.

The bill specifies grant funds may be used for planning activities and other expenses associated with the creation of a new GATE program, such as expenses related to program instruction, instructional equipment, supplies, instructional personnel, and student services. Grant funds may not be used for indirect costs. Grant recipients must submit an annual report in a format prescribed by the department.

The State Board of Education may adopt rules to administer the grant program.

### **Funds for the Operation of Workforce Programs**

The bill increases from two to four the number of courses that may be reported for funding for a student who is coenrolled in a K-12 education program and adult education program. The bill also removes the requirement that the courses funded must be core curricula.

#### **B. SECTION DIRECTORY:**

- Section 1:** Amends s. 445.009, F.S., clarifying the services for which the one-stop delivery system is intended to provide access to include additional specified services.
- Section 2:** Amends s. 1003.21, F.S., requiring a student's certified school counselor or other school personnel to inform the student of opportunities in specified programs, including, but not limited to, adult education, high school equivalency examination preparation, and the Graduation Alternative to Traditional Education Program; requiring district school boards to notify all candidates for the high school equivalency diploma of adult secondary and postsecondary education options.
- Section 3:** Amends s. 1003.435, F.S., requiring district school boards to notify all candidates for the high school equivalency diploma of adult secondary and postsecondary education options.
- Section 4:** Creates s. 1004.933, F.S., defining the terms "career education program" and "institution"; establishing the Graduation Alternative to Traditional Education (GATE) Program; providing the purpose of the program; requiring institutions to waive payments for registration, tuition, laboratory, and examination fees for students enrolled in the program after all other federal aid is applied; providing eligibility requirements; prohibiting an institution from imposing additional eligibility requirements; requiring the State Board of Education to adopt rules
- Section 5:** Creates s. 1009.711, F.S., creating the GATE Scholarship Program; requiring the Department of Education to administer the program; requiring the program to reimburse eligible institutions for student costs; requiring participating institutions to report to the department all students enrolled in the program; providing that reimbursements are contingent on legislative appropriations and may be prorated in the event that total reimbursements owed exceed available funds; requiring the state board to adopt rules
- Section 6:** Amends s. 1011.80, F.S., revising the number of courses certain students may be reported for relating to funding purposes; providing that such courses do not have to be core curricula courses; deleting a requirement for the department to develop a list of courses to be designated as core curricula courses.
- Section 7:** Creates s. 1011.804, F.S., creating the GATE Startup Grant Program; provides the program is established within the Department of Education to fund and support the startup and implementation of new GATE programs, subject to appropriation; providing the purpose of the grant program; provides eligibility for the program; provides duties to the Department of Education.

**Section 8:** Provides an effective date of July 1, 2024.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

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

See fiscal comments.

### D. FISCAL COMMENTS:

The bill's fiscal impact is indeterminate due to the unknown number of individuals who qualify for, and will choose to enroll in, the GATE program. However, during the 2022-2023 academic year, there were 5,882 students who were 21 years of age or younger enrolled in GED programs at career centers or state colleges. This figure does not include the number of individuals not currently enrolled in an adult secondary education program or career education program who may learn of the GATE Program as a result of the statewide recruitment campaign or one of the bill's other provisions to identify and engage eligible students.

To the extent funding is provided, school districts and Florida College System institutions would incur the following costs to implement the GATE Program per student:

- adult education tuition & fees (\$90/student);
- career education program tuition & fees (\$2.33/hour);
- lab equipment (\$1,000/per student); and
- instructional materials (\$500/student).

The bill requires institutions to waive 100 percent of the tuition costs after all other state and federal aid is applied, including Workforce Innovation and Opportunity Act funds, saving students money and providing additional access to postsecondary education. Institutions may receive a reimbursement for the amount of costs waived. Subject to the eligibility of funds, students participating in the program will also be eligible for a stipend to cover other educational expenses related to the cost of attendance through the Open Door Grant. Additionally, certain institutions may apply for startup grants to establish new GATE programs.

Total costs per student and total number of students is unknown and will vary by institution and program type. However, for the 5,882 students enrolled in the 2022-2023 academic year, the fiscal impact of the waivers and subsequent institution reimbursements would be approximately \$6,953,441.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The State Board of Education is required to adopt rules to implement the bill's provisions.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

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

On February 6, 2024, the Higher Education Appropriations Subcommittee adopted a strike-all amendment and reported the bill favorably as a committee substitute. The strike-all amendment differed from the original bill in the following ways:

- Requires institutions to waive 100 percent of tuition, registration, laboratory, and examination fees after all state and federal aid is applied for a student participating in the GATE Program, subject to legislative appropriation.
- Changes the amount of time a student must complete the programs from three years to two years.
- Creates the GATE Startup Grant Program in lieu of the GATE Student Success Incentive Fund to increase access to programs that support adult learners and enable school districts and Florida College System institutions in areas of rural opportunity to start and implement GATE programs. The GATE Startup Grant Program is created within the Department of Education and is subject to legislative appropriation.

The analysis is drafted to the committee substitute adopted by the Higher Education Appropriations Subcommittee.