

1 A bill to be entitled
2 An act relating to preapprenticeship and
3 apprenticeship programs; creating s. 446.093, F.S.;
4 creating the Earn and Learn Grant Program within the
5 Department of Education; specifying the purpose of the
6 program; providing definitions; providing department
7 responsibilities; providing requirements for
8 preapprenticeship and apprenticeship programs
9 receiving grant funds; creating s. 446.094, F.S.;
10 establishing the Task Force on Apprenticeship
11 Expansion within the Department of Economic
12 Opportunity; specifying the goals of the task force;
13 providing for the composition and meetings of the task
14 force; requiring the department to provide specified
15 assistance to the task force; requiring the task force
16 to submit a report to the Governor and Legislature by
17 a specified date; providing for termination of the
18 task force; providing appropriations; amending ss.
19 446.011, 446.021, 446.041, 446.052, 446.081, and
20 446.091, F.S.; conforming cross-references; amending
21 s. 1008.34, F.S.; requiring the percentage of students
22 engaged in an apprenticeship or preapprenticeship
23 program to be used in determining a school's grade;
24 providing an effective date.
25

26 Be It Enacted by the Legislature of the State of Florida:

27
 28 Section 1. Section 446.093, Florida Statutes, is created
 29 to read:

30 446.093 Earn and Learn Grant Program.—The Earn and Learn
 31 Grant Program is created within the department to assist school
 32 districts, public postsecondary educational institutions, and
 33 charter technical career centers in the development and
 34 expansion of preapprenticeship and apprenticeship programs
 35 relevant to targeted industries and to recruit, retain, and
 36 graduate a diverse group of successful program participants who
 37 are prepared to enter the workforce and contribute to their
 38 success and the growth of the state's economy.

39 (1) DEFINITIONS.—As used in this section and s. 446.094,
 40 the term:

41 (a) "Charter technical career center" has the same meaning
 42 as in s. 1002.34(3).

43 (b) "Public postsecondary educational institution" has the
 44 same meaning as in s. 1000.04(2).

45 (c) "School district" has the same meaning as in s.
 46 595.402.

47 (d) "Targeted industry" has the same meaning as the term
 48 "corporate headquarters business" or "target industry business"
 49 as defined in s. 288.106.

50 (2) DEPARTMENT RESPONSIBILITIES.—The department shall:

51 (a) Create a grant application process for school
52 districts, public postsecondary educational institutions, and
53 charter technical career centers to establish or expand a
54 preapprenticeship or apprenticeship program.

55 (b) Provide minimum uniform preapprenticeship and
56 apprenticeship program standards for each skilled trade with
57 respect to participant admission, training goals and objectives,
58 curriculums, success measures, and course articulation with
59 skilled job openings in targeted industries.

60 (c) Provide minimum program criteria and standards for
61 grant applicants to receive funds under this section, including
62 determining a preapprenticeship or apprenticeship program's
63 relevancy to targeted industries, likelihood of attracting a
64 diverse pool of program participants, and ability to provide
65 instruction in transferable workforce readiness skills.

66 (d) Provide accountability requirements for
67 preapprenticeship and apprenticeship programs that receive funds
68 under this section.

69 (e) Create a formula for distribution of funds awarded
70 under this section.

71 (3) PREAPPRENTICESHIP AND APPRENTICESHIP PROGRAM
72 REQUIREMENTS.—A preapprenticeship or apprenticeship program
73 receiving funds under this section must:

74 (a) Provide courses of a technical nature that lead to an
75 industry certification or credential in a skilled trade relevant

76 | to targeted industries.

77 | (b) Provide instruction in transferable workforce
 78 | readiness skills.

79 | (c) Specify how it intends to recruit, retain, and
 80 | graduate a diverse group of program participants, including
 81 | women and minorities who are underrepresented in target
 82 | industries.

83 | (d) Maintain an academic transcript for each student
 84 | enrolled in the program.

85 | (e) Maintain the minimum standards and requirements
 86 | established by the department.

87 | (f) Maintain a record of the education and employment
 88 | history of program graduates and submit a report of such
 89 | findings to the department on an annual basis.

90 | Section 2. Section 446.094, Florida Statutes, is created
 91 | to read:

92 | 446.094 Task Force on Apprenticeship Expansion.—

93 | (1) The Task Force on Apprenticeship Expansion is created
 94 | within the Department of Economic Opportunity.

95 | (2) The goals of the task force are to:

96 | (a) Address the shortage of individuals trained in skilled
 97 | trades relevant to targeted industries.

98 | (b) Address the gender and ethnic imbalance of individuals
 99 | enrolled in preapprenticeship and apprenticeship programs.

100 | (c) Address the course articulation between middle school

101 curriculum; high school career and technical education programs,
102 including preapprenticeship programs; apprenticeship programs;
103 public postsecondary educational institution curriculum; and
104 workforce needs.

105 (d) Address the availability, quality, and mode of
106 delivery of information regarding career and technical education
107 opportunities, including preapprenticeship and apprenticeship
108 programs, to the general public, school districts, school
109 administrators, school guidance counselors, and students
110 enrolled in grades K-12 and their parents or guardians.

111 (e) Consider the appropriateness of moving the oversight
112 of preapprenticeship and apprenticeship programs from the
113 Department of Education to the Department of Economic
114 Opportunity.

115 (f) Consider the mode, manner, and amount of funding for
116 workforce training programs relevant to targeted industries,
117 including preapprenticeship and apprenticeship programs.

118 (g) Consider the feasibility of creating a limited income
119 tax credit available to taxpayers employing apprentices through
120 an apprenticeship program.

121 (h) Consider the impact of changes to federal legislation
122 and executive orders regarding career and technical education
123 and how the state may best utilize such changes to enhance the
124 quality, breadth, and support of workforce training programs.

125 (3) The task force is composed of the following 16

- 126 members:
- 127 (a) A member of the House of Representatives appointed by
- 128 the Speaker of the House of Representatives.
- 129 (b) A member of the Senate appointed by the President of
- 130 the Senate.
- 131 (c) A member appointed by the Florida Chamber of Commerce.
- 132 (d) A member appointed by the Florida National Federation
- 133 of Independent Business.
- 134 (e) A member appointed by the Florida AFL-CIO.
- 135 (f) A member appointed by the Florida Education
- 136 Association.
- 137 (g) A member appointed by United Faculty of Florida.
- 138 (h) A member appointed by the Florida High Tech Corridor
- 139 Council.
- 140 (i) A member appointed by the Associated General
- 141 Contractors of Greater Florida.
- 142 (j) A member appointed by the Commissioner of Education.
- 143 (k) A member appointed by the Association of Florida
- 144 Colleges.
- 145 (l) A member appointed by the Florida Association of
- 146 Postsecondary Schools and Colleges.
- 147 (m) A member appointed by the executive director of the
- 148 Department of Economic Opportunity.
- 149 (n) A member appointed by the Florida League of Cities.
- 150 (o) A member appointed by the Florida Association of

151 Counties.

152 (p) A member appointed by CareerSource Florida.

153 (4) The task force shall elect a chair from among its
154 members.

155 (5) (a) The task force shall meet as often as necessary to
156 fulfill its goals, but not fewer than three times.

157 (b) The first meeting of the task force must be held no
158 later than September 1, 2019.

159 (c) Task force meetings may be conducted by conference
160 call, teleconferencing, or similar technology.

161 (6) Task force members shall serve without compensation
162 and may not receive reimbursement for per diem or travel
163 expenses.

164 (7) The Department of Economic Opportunity shall provide
165 such assistance as is reasonably necessary to assist the task
166 force in accomplishing its goals.

167 (8) The task force shall submit a report detailing its
168 activities and findings to the Governor, the President of the
169 Senate, and the Speaker of the House of Representatives by March
170 1, 2020.

171 (9) This section expires June 30, 2020.

172 Section 3. For the 2019-2020 fiscal year:

173 (1) The sum of \$50,000 in recurring funds is appropriated
174 from the General Revenue Fund to the Department of Education to
175 administer the Earn and Learn Grant Program pursuant to s.

176 446.093, Florida Statutes.

177 (2) The sum of \$6.7 million in recurring funds is
178 appropriated from the General Revenue Fund to the Department of
179 Education for the purpose of distributing funds to school
180 districts, public postsecondary educational institutions, and
181 charter technical career centers under the Earn and Learn Grant
182 Program pursuant to s. 446.093, Florida Statutes.

183 (3) The sum of \$100,000 in nonrecurring funds is
184 appropriated from the State Economic Enhancement and Development
185 Trust Fund to the Department of Economic Opportunity for the
186 purposes of funding the Task Force on Apprenticeship Expansion
187 pursuant to s. 446.094, Florida Statutes.

188 Section 4. Subsection (3) of section 446.011, Florida
189 Statutes, is amended to read:

190 446.011 Legislative intent regarding apprenticeship
191 training.—

192 (3) It is the further intent of ss. 446.011-446.094 ~~ss.~~
193 ~~446.011-446.092~~ that the department ensure quality training
194 through the adoption and enforcement of uniform minimum
195 standards and that the department promote, register, monitor,
196 and service apprenticeship and training programs and ensure that
197 the programs adhere to the standards.

198 Section 5. Section 446.021, Florida Statutes, is amended
199 to read:

200 446.021 Definitions of terms used in ss. 446.011-446.094

201 ~~ss. 446.011-446.092.~~—As used in ss. 446.011-446.094 ~~ss. 446.011-~~
202 ~~446.092~~, the term:

203 (1) "Preapprentice" means any person 16 years of age or
204 over engaged in any course of instruction in the public school
205 system or elsewhere, which course is registered as a
206 preapprenticeship program with the department.

207 (2) "Apprentice" means a person at least 16 years of age
208 who is engaged in learning a recognized skilled trade through
209 actual work experience under the supervision of journeymen
210 craftsmen, which training should be combined with properly
211 coordinated studies of related technical and supplementary
212 subjects, and who has entered into a written agreement, which
213 may be cited as an apprentice agreement, with a registered
214 apprenticeship sponsor who may be either an employer, an
215 association of employers, or a local joint apprenticeship
216 committee.

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

220 (4) "Journeyman" means a person working in an
221 apprenticeable occupation who has successfully completed a
222 registered apprenticeship program or who has worked the number
223 of years required by established industry practices for the
224 particular trade or occupation.

225 (5) "Preapprenticeship program" means an organized course

226 of instruction in the public school system or elsewhere, which
227 course is designed to prepare a person 16 years of age or older
228 to become an apprentice and which course is approved by and
229 registered with the department and sponsored by a registered
230 apprenticeship program.

231 (6) "Apprenticeship program" means an organized course of
232 instruction, registered and approved by the department, which
233 course shall contain all terms and conditions for the
234 qualifications, recruitment, selection, employment, and training
235 of apprentices including such matters as the requirements for a
236 written apprenticeship agreement.

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

244 (8) "Uniform minimum preapprenticeship standards" means
245 the minimum requirements established uniformly for each craft
246 under which a preapprenticeship program is administered and
247 includes standards of admission, training goals, training
248 objectives, curriculum outlines, objective standards to measure
249 successful completion of the preapprenticeship program, and the
250 percentage of credit which may be given to preapprenticeship

251 graduates upon acceptance into the apprenticeship program.

252 (9) "Related instruction" means an organized and
 253 systematic form of instruction designed to provide the
 254 apprentice with knowledge of the theoretical subjects related to
 255 a specific trade or occupation.

256 (10) "Cancellation" means the deregistration of an
 257 apprenticeship program or the termination of an apprenticeship
 258 agreement.

259 (11) "Jurisdiction" means the specific geographical area
 260 for which a particular program is registered.

261 (12) "Department" means the Department of Education.

262 Section 6. Subsections (1) and (13) of section 446.041,
 263 Florida Statutes, are amended to read:

264 446.041 Apprenticeship program, duties of the department.—

265 The department shall:

266 (1) Administer ss. 446.011-446.094 ~~ss. 446.011-446.092~~.

267 (13) Adopt rules required to administer ss. 446.011-
 268 446.094 ~~ss. 446.011-446.092~~.

269 Section 7. Subsection (2) of section 446.052, Florida
 270 Statutes, is amended to read:

271 446.052 Preapprenticeship program.—

272 (2) The department, under regulations established by the
 273 State Board of Education, may administer the provisions of ss.
 274 446.011-446.094 ~~ss. 446.011-446.092~~ which relate to
 275 preapprenticeship programs in cooperation with district school

276 boards and community college district boards of trustees.
277 District school boards, community college district boards of
278 trustees, and registered program sponsors shall cooperate in
279 developing and establishing programs that include career
280 instruction and general education courses required to obtain a
281 high school diploma.

282 Section 8. Subsections (1) and (2) of section 446.081,
283 Florida Statutes, are amended to read:

284 446.081 Limitation.—

285 (1) Nothing in ss. 446.011-446.094 ~~ss. 446.011-446.092~~ or
286 in any apprentice agreement approved under those sections shall
287 operate to invalidate any apprenticeship provision in any
288 collective agreement between employers and employees setting up
289 higher apprenticeship standards.

290 (2) No person shall institute any action for the
291 enforcement of any apprentice agreement, or for damages for the
292 breach of any apprentice agreement, made under ss. 446.011-
293 446.094 ~~ss. 446.011-446.092~~, unless he or she has first
294 exhausted all administrative remedies provided by this section.

295 Section 9. Section 446.091, Florida Statutes, is amended
296 to read:

297 446.091 On-the-job training program.—All provisions of ss.
298 446.011-446.094 ~~ss. 446.011-446.092~~ relating to apprenticeship
299 and preapprenticeship, including, but not limited to, programs,
300 agreements, standards, administration, procedures, definitions,

301 expenditures, local committees, powers and duties, limitations,
 302 grievances, and ratios of apprentices and job trainees to
 303 journeymen on state, county, and municipal contracts, shall be
 304 appropriately adapted and made applicable to a program of on-
 305 the-job training authorized under those provisions for persons
 306 other than apprentices.

307 Section 10. Paragraph (b) of subsection (3) of section
 308 1008.34, Florida Statutes, is amended to read:

309 1008.34 School grading system; school report cards;
 310 district grade.—

311 (3) DESIGNATION OF SCHOOL GRADES.—

312 (b)1. Beginning with the 2014-2015 school year, a school's
 313 grade shall be based on the following components, each worth 100
 314 points:

315 a. The percentage of eligible students passing statewide,
 316 standardized assessments in English Language Arts under s.
 317 1008.22(3).

318 b. The percentage of eligible students passing statewide,
 319 standardized assessments in mathematics under s. 1008.22(3).

320 c. The percentage of eligible students passing statewide,
 321 standardized assessments in science under s. 1008.22(3).

322 d. The percentage of eligible students passing statewide,
 323 standardized assessments in social studies under s. 1008.22(3).

324 e. The percentage of eligible students who make Learning
 325 Gains in English Language Arts as measured by statewide,

326 standardized assessments administered under s. 1008.22(3).

327 f. The percentage of eligible students who make Learning
328 Gains in mathematics as measured by statewide, standardized
329 assessments administered under s. 1008.22(3).

330 g. The percentage of eligible students in the lowest 25
331 percent in English Language Arts, as identified by prior year
332 performance on statewide, standardized assessments, who make
333 Learning Gains as measured by statewide, standardized English
334 Language Arts assessments administered under s. 1008.22(3).

335 h. The percentage of eligible students in the lowest 25
336 percent in mathematics, as identified by prior year performance
337 on statewide, standardized assessments, who make Learning Gains
338 as measured by statewide, standardized Mathematics assessments
339 administered under s. 1008.22(3).

340 i. For schools comprised of middle grades 6 through 8 or
341 grades 7 and 8, the percentage of eligible students passing high
342 school level statewide, standardized end-of-course assessments
343 or attaining national industry certifications identified in the
344 CAPE Industry Certification Funding List pursuant to rules
345 adopted by the State Board of Education.

346

347 In calculating Learning Gains for the components listed in sub-
348 subparagraphs e.-h., the State Board of Education shall require
349 that learning growth toward achievement levels 3, 4, and 5 is
350 demonstrated by students who scored below each of those levels

351 in the prior year. In calculating the components in sub-
352 subparagraphs a.-d., the state board shall include the
353 performance of English language learners only if they have been
354 enrolled in a school in the United States for more than 2 years.

355 2. For a school comprised of grades 9, 10, 11, and 12, or
356 grades 10, 11, and 12, the school's grade shall also be based on
357 the following components, each worth 100 points:

358 a. The 4-year high school graduation rate of the school as
359 defined by state board rule.

360 b. The percentage of students who were eligible to earn
361 college and career credit through College Board Advanced
362 Placement examinations, International Baccalaureate
363 examinations, dual enrollment courses, or Advanced International
364 Certificate of Education examinations; ~~or~~ who, at any time
365 during high school, earned national industry certification
366 identified in the CAPE Industry Certification Funding List,
367 pursuant to rules adopted by the state board; or who, beginning
368 with the 2020-2021 school year, are engaged in an apprenticeship
369 or preapprenticeship program, as defined in s. 446.021.

370 Section 11. This act shall take effect July 1, 2019.