

Technical Assistance Paper

Florida Career and Professional Education
Act
(CAPE)



Technical Assistance Paper – Florida Career and Professional Education Act

Purpose

The purpose of this technical assistance paper is to assist educational leaders and administrators in the consistent implementation of the Florida Career and Professional Education Act (SB 1232) in section 1003.491, Florida Statutes (F.S.).

Background

In 2007 the Florida Legislature passed the Career and Professional Education Act.¹ The purpose of the Act was to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.² The objectives of the Act are as follows³:

- To improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities;
- To provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and lead to industry certification;
- To support local and regional economic development;
- To respond to Florida's critical workforce needs; and
- To provide state residents with access to high-wage and high-demand careers.

To implement the Act, the Florida Department of Education (FDOE), the Agency for Workforce Innovation (AWI), and Workforce Florida, Inc (WFI) are partnered together. At the local level, the Act mandates the development of a local strategic plan prepared by school districts with the participation of regional workforce boards and postsecondary institutions.⁴

A key component of this Act is state-approved industry certifications that are critical to Florida's employers.⁵ The legislation tasked AWI with defining "Industry Certification." The agency has provided DOE with the following definition:

"A voluntary process, through which individuals are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies, resulting in the award of a time-limited credential that is nationally recognized and applicable to an occupation that is included in the workforce system's targeted occupation list or determined to be an occupation that is critical, emerging or addresses a local need."

This technical assistance paper addresses questions on the legislation, funding, and data reporting. For questions, please contact Tara Goodman by phone at 850-245-9002 or e-mail at Tara.Goodman@fldoe.org.

¹ Chapter 2007-216, Laws of Florida

² s. 1003.491, F.S.

³ s. 1003.491(1), F.S.

⁴ ss. 1003.491(2) and 1003.491(3), F.S.

⁵ s. 1003.492, F.S.

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QUESTIONS AND ANSWERS

PROGRAM REQUIREMENTS

Q1. What are the relevant statutes for the Career and Professional Education Act?

The key Florida Statutes for the Act are as follows:

Section 1003.491, F.S. – Florida Career and Professional Education Act

Section 1003.492, F.S. – Industry-certified career education programs

Section 1003.493, F.S. – Career and professional academies

Section 1011.62(1)(p), F.S. – Funds for the operation of schools, Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to s. 1003.492 and identified in the Industry Certified Funding List pursuant to rules adopted by the State Board of Education.

Q2. What are the applicable rules pursuant to the Career and Professional Education Act?

See Rule 6A-6.0573, Florida Administrative Code (F.A.C.).

Q3. Does the Department of Education have a Web resource page to assist districts in the implementation of the Career and Professional Education Act?

Yes. The Division of Career and Adult Education maintains a Web site for the Career and Professional Education Act at the following Web link:

<http://www.fldoe.org/workforce/fcpea/default.asp>

Q4. Is there a statutory requirement for all districts to have a career and professional academy?

Yes. Section 1003.491(2), F. S., requires that each district school board develop a five-year strategic plan to address and meet local and regional workforce demands. This plan must be completed in collaboration with a district's local workforce board and local postsecondary institutions. A required element in this plan is the provision to have in place at least one operational career and professional academy, pursuant to s. 1003.492(2), F.S., by the beginning of the 2008-09 school year.

Q5. What are the different industry certification lists related to the Career and Professional Education Act?

The *Comprehensive Industry Certification List* is the approved planning list for industry certified career education programs, as specified in s. 1003.492(2), F.S. and Rule 6A-6.0573, F.A.C. The list of industry certifications resulting from this definition must be approved by WFI.⁶ This list is sometimes referred to as the planning list for career and professional academies. According to Rule 6A-6.0573(2), F.A.C, this list must be published annually by March 1. For example, the 2010-11 "Comprehensive Industry Certification List" must be published no later than March 1, 2010.

⁶ s. 1003.492(2), F.S.

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The *Industry Certification Funding List* is a sub-set of certifications on the “Comprehensive Industry Certification List,” as specified in the Rule 6A-6.0573(3), F.A.C. This list is developed by the Division of Career and Adult Education within the Florida Department of Education. To be on this list, a certification must meet the following criteria from Rule 6A-6.0573(3)(b), F.A.C.:

1. The certification must be on the “Comprehensive Industry Certification List.”
2. The certification must be achievable by students in a secondary level program.
3. The certification must require a minimum of one hundred fifty (150) hours of instruction.
4. The certification must have been offered for at least one year in a school district. The Commissioner of Education may waive the one year requirement when failure to do so would inhibit preparation of students for emerging workforce opportunities.

A preliminary “Industry Certification Funding List” is developed after the “Comprehensive Industry Certification List” for the upcoming year is approved and posted by Workforce Florida, Inc.⁷ The “Industry Certification Funding List” must be published no later than July 1 for the subsequent school year.⁸ For example, the “Industry Certification Funding List” for the 2010-11 school year must be published no later than July 1, 2010.

Only students enrolled in a registered career and professional academy who earn industry certifications that are on the *Industry Certification Funding List* may be eligible for additional funding by school districts under Section 1011.62(1)(p), F.S.⁹

Q6. How can a district request an addition to the “Comprehensive Industry Certification List?”

WFI is responsible for final approval of the Comprehensive Industry Certification List.¹⁰ A request to add an industry certification to the comprehensive list may be submitted to WFI.¹¹ In an annual require cycle, the current practice of the WFI staff, which is subject to review every year, has been to request the following information:

- Name of the certification
- Profession(s) and specific occupation(s) to which the certification can be applied
- National recognition of the certification
- Certifying organization contact name, phone, and e-mail
- Web site address where additional information regarding the certification can be obtained
- Education and training requirements to obtain the certification
- Knowledge and skills necessary to obtain the certification
- Administration details on the certification testing component

⁷ Rule 6A-6.0573(4)(a), F.A.C.

⁸ Rule 6A-6.5073(5), F.A.C.

⁹ Rule 6A-6.0573(6)(a), F.A.C.

¹⁰ Section 1003.492(2), F.S.

¹¹ Section 1003.492(2), F.S.

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Identification of whether the curriculum to earn the certification requires at least 150 hours of instruction

Identification of whether secondary high school students can achieve the certification

Identification of whether a postsecondary program is necessary to achieve the certification

Names of employers [with contact information] operating in Florida as well as across the nation that recognize the certification

Districts should contact WFI directly for details on the annual process for submission of items for the “Comprehensive Industry Certification List.”

Q7. How may a district request an item from the “Comprehensive Industry Certification List” be included on the “Industry Certification Funding List”?

This process is specified in Rule 6A-6.0573(4)(b), F.A.C. Beginning with the development of the 2009-10 funding list, school districts are provided with a standard window in which to request certifications for the “Industry Certification Funding List.” First, the “Comprehensive Industry Certification List” will be published by March 1.¹² Then following the publication of the approved “Comprehensive Industry Certification List,” the Department of Education will produce a preliminary “Industry Certification Funding List” no later than March 15.¹³ This list will contain all industry certifications on the comprehensive list that meet the four criteria specified in the Rule 6A-6.0573(3)(b), F.A.C., based on a preliminary review of items on the comprehensive list.

During the request window from March 15 to April 15 of each year¹⁴, districts may submit information to request an item on the “Comprehensive Industry Certification List” be included on the funding list. Requests shall be accompanied by supporting documentation.¹⁵ The Department of Education has forty-five (45) days from the time of the request to review and respond to the submitting district.¹⁶ The final “Industry Certification Funding List” with any approved additions will be published no later than the July 1, preceding the beginning of the school year.¹⁷

Key Timelines for Creation of Industry Certification Funding List

| Deadline | Activity |
|-------------------|---|
| March 1 | Comprehensive Industry Certification List for the upcoming year is published by WFI. ¹⁸ |
| March 15 | Florida Department of Education releases the preliminary “Industry Certification Funding List.” ¹⁹ |
| March 15-April 15 | Districts may submit requests for an addition to the Industry Certification Funding List. ²⁰ |
| July 1 | Florida Department of Education releases the final “Industry Certification Funding List.” ²¹ |

¹² Rule 6A-6.0573(2), F.A.C.

¹³ Rule 6A-6.0573(4), F.A.C.

¹⁴ Rule 6A-6.0573(4)(b)(2), F.A.C.

¹⁵ Rule 6A-6.0573(4)(b)(1), F.A.C.

¹⁶ Rule 6A-6.0573(4)(b)(3), F.A.C.

¹⁷ Rule 6A-6.0573(5), F.A.C.

¹⁸ Rule 6A-6.0573(2), F.A.C.

¹⁹ Rule 6A-6.0573(4), F.A.C.

²⁰ Rule 6A-6.0573(4), F.A.C.

²¹ Rule 6A-6.0573(5), F.A.C.

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Q8. What performance criteria are associated with the implementation of the law?

In Rule 6A-6.0573(8)(a), F.A.C., the Department specified the following performance criteria calculation for students in registered career and professional academies:

Denominator = Number of students in the career course who took the industry certification examination or who attempted college credit for their enrollment in the career course.

Numerator = Number of students in the denominator who successfully passed an industry certification on the “Industry Certification Funding List” or who earned college credit.

If a school district fails to meet the performance criteria specified in s. 1003.493(5), F.S., with the calculation described above, the district may not offer that industry certification in the academy in the subsequent year.²² Also, the school district can no longer report an industry certification with that academy and will not be eligible to receive additional FTE membership for that industry certification under the requirements of s. 1011.62(1)(p), F.S.²³

Q9. How is college credit earned through articulation agreements going to be reported for the performance criteria?

At this time, no data collection method is available to identify college credit earned through articulation agreements.

Q10. What is the Perkins IV Technical Skill Attainment Inventory, and does it intersect with the “Industry Certification Funding List”?

The Perkins IV Technical Skill Attainment Inventories are separate lists of appropriate third-party assessments for secondary and postsecondary career and technical education programs.²⁴ This technical skill attainment inventory is used to report data under the accountability requirements of the federal Carl D. Perkins Career and Technical Education Act of 2006. Specifically, the secondary 2009-2010 Perkins IV Technical Skill Attainment Inventory is a listing of approved evaluation instruments comprising industry certifications, state and federal licenses, and other 3rd party assessments that are linked to approved secondary career and technical education programs (job preparatory and technology education programs).²⁵ These evaluation instruments are used to report student performance for Technical Skill Attainment (2S1), a performance measure in the Perkins IV performance accountability system.²⁶ The Perkins IV five-year State Plan establishes policy for determination of evaluation instruments used to measure technical skill attainment.²⁷

Some of items approved for the Perkins inventory may also be approved for the “Industry Certification Funding List.” However, there may be assessments approved for the Perkins IV Technical Skill Attainment measures that will not be included on the “Industry Certification Funding

²² Rule 6A-6.0573(8)(b), F.A.C.

²³ Rule 6A-06.0573(8)(c), F.A.C.

²⁴ Pub. L. 109-270 , Carl D. Perkins Career and Technical Education Act of 2006, Section 113

²⁵ State Plan adopted pursuant to provisions of the Carl D. Perkins Career and Technical Education Act of 2006 and approved by the State Board of Education on March 20, 2007

²⁶ Pub. L. 109-270 , Carl D. Perkins Career and Technical Education Act of 2006, Section 113

²⁷ Pub. L. 109-270 , Carl D. Perkins Career and Technical Education Act of 2006, Section 113

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List,” because they do not meet the standards specified in s. 1003.492, F.S., for industry certifications.

FUNDING FOR INDUSTRY CERTIFICATIONS

Q11. What are the requirements for receiving additional funding in the Florida Education Finance Program (FEFP) for students earning industry certifications?

The statutory requirements for additional full-time equivalent membership are described in s. 1011.62(1)(p), F.S.:

Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to s. 1003.492.--A value of 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program under s. 1003.492 and who is issued the highest level of industry certification and a high school diploma. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment. The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student. Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$15 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

Q12. What are the specific criteria for the additional full-time equivalent membership calculation?

Based on the requirements in s. 1011.62(1)(p), F.S. and Rule 6A-6.0573(6), F.A.C., all of the following conditions must be met for the additional full-time equivalent membership funding for an earning industry certification:

- Student is enrolled in a registered career and professional academy.
- Student completes a certification on the “Industry Certification Funding List.”
- Student receives a standard high school diploma.

See data and reporting section for information on how this data on enrollment in career and professional academies and industry certifications should be reported.

Q13. Are students who earn certifications in dual enrollment courses eligible for additional full-time equivalent (FTE) membership?

No. If the industry certification is earned through participation in a dual enrollment course, the district is not eligible to generate additional FTE membership.²⁸

²⁸ s. 1011.62(1)(p), F.S.

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Q14. Will a student earning more than one certification on the “Industry Certification Funding List” generate the additional FTE membership for each certification earned?

No. The maximum additional FTE is 0.3 per student.²⁹

Q15. When would a district receive funding for students earning industry certifications in accordance with s. 1011.62(1)(p), F.S.?

The calculation of the additional full-time equivalent membership will be based on prior year industry certification performance data.³⁰ For example, the 2009-10 funding calculation is based on 2008-09 (and prior) performance information. The additional full-time equivalent membership will be included in the 3rd, 4th, and final calculations of the Florida Education Finance Program (FEFP).³¹

Q16. To be on the “Industry Certification Funding List,” a certification must have been offered by a school district for at least a year (unless waived by the Commissioner). Is a district required to offer the certification for at least a year before it can report students earning industry certification who are eligible for additional FTE membership?

No. This requirement only applies to the process for adding an item to the “Industry Certification Funding List.”³²

Q17. How is the additional FTE membership allocated if a student earns an industry certification in a career and professional academy in one district and then graduates from a different district?

The additional FTE membership is allocated to the district in which the student earns the industry certification.³³

Q18. How is the additional FTE membership allocated if a student earns an industry certification in a career and professional academy in one district, transfers to another district, earns a second industry certification in another academy and then graduates from a different district?

If a student earns more than one industry certification in more than one district, the additional FTE is pro-rated among the districts in which the certifications were earned.³⁴

²⁹ s. 1011.62(1)(p), F.S.

³⁰ s. 1011.62(1)(p), F.S.

³¹ s. 1011.65, F.S. and Rule 6A-1.0451, F.A.C.

³² Rule 6A-6.0573(3)(b), F.A.C.

³³ s. 1011.65, F.S.

³⁴ s. 1011.65, F.S.

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Q19. If a student earns an industry certification prior to the year in which that certification was added to the “Industry Certification Funding List,” can the district receive credit in the additional FTE membership calculation?

No. The “Industry Certification Funding List” is an annual list; items are only valid for the year in which they are included on the list.³⁵

Q20. Students may earn industry certifications in the year(s) prior to their scheduled graduation date. How does a district receive the additional FTE membership for industry certifications for students who earn industry certifications and graduate in different years?

The Department will match the records of all high school graduates against current and prior reporting years for the calculation of the additional FTE membership.³⁶

DATA COLLECTION AND REPORTING

Q21. How must a district register a career and professional academy with the Florida Department of Education?

The registration process is specified in Rule 6A-6.0573(7), F.A.C. Beginning in 2009-10, the standard reporting window for registration of career and professional academies is July 15 to September 15.³⁷ As part of this registration process, superintendents are required to certify that each academy meets all of the required elements in s. 1003.493, F.S.³⁸

Eligibility for funding under s. 1011.62(1)(p), F.S., is limited to students enrolled in academies registered with the Florida Department of Education.³⁹ An academy must be registered by September 15 of the reporting year for its students to generate additional funding based on the completion of industry certifications.⁴⁰

This registration process will generate a three-digit identifier for the academy that will be used by the district to report enrollment in career and professional academies. This three-digit code is used to report students enrolled in registered career and professional academies (See Q24).

Q22. May a district register an academy that is offered through dual enrollment only or an academy that does not offer an industry certification on the “Industry Certification Funding List?” If so, how?

Yes. Districts may indicate the academy type by selecting one of the following options:⁴¹

³⁵ Rule 6A-6.0573, F.A.C. An “Industry Certification Funding List” is adopted each year by the State Board of Education in this rule.

³⁶ s. 1011.65, F.S.

³⁷ Rule 6A-6.0573(7)(a), F.A.C.

³⁸ Rule 6A-6.0573(7)(b), F.A.C.

³⁹ Rule 6A-6.0573(7)(c), F.A.C.

⁴⁰ Rule 6A-6.0573(7)(d), F.A.C.

⁴¹ Rule 6A-6.0573(7), F.A.C.

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Career and Professional Academy that *offers at least one industry certification on the Industry Certification Funding List through enrollment in Secondary CTE courses.*

Career and Professional Academy that offers industry certification(s) on the Industry Certification Funding List *through dual enrollment only.*

Career and Professional Academy that offers coursework leading to an industry certification on the *Comprehensive Industry Certification List but not on the Industry Certification Funding List.*

Q23. How are students enrolled in registered career and professional academies reported to the Florida Department of Education?

Districts must report students enrolled in registered career and professional academies in Surveys 2, 3, and 5 on the Federal State Indicator Status format.⁴²

Please review the database and technical documents on the Department’s web site for details on this reporting. The database manuals and updates may be accessed at the following link:
<http://www.fldoe.org/eias/dataweb/default.asp>.

Q24. How are students who earn industry certifications on the “Industry Certification Funding List” reported to the Florida Department of Education?

Districts must report on industry certifications taken and earned in Survey 5 on the Vocational Student Course Schedule format.⁴³ For industry certification information reported for students in registered career and professional academies, only records with a valid course number will be used for the evaluation and the FEFP calculation.⁴⁴ Districts may report industry certifications earned by students who were not enrolled in career and technical education programs for use in school grades and other reports.⁴⁵ Industry certifications for students who did not take a career education course can be reported with all zeros in the elements *Vocational/ Adult Education Program Code* and *Course Number*.⁴⁶

The following data elements are part of the reporting process:

Career and Professional Academy Identifier - The identifier assigned by the Florida Department of Education to the Career and Professional Academy in which the student participated. To be classified as a Career and Professional Academy, an academy must meet requirements in the Florida Career and Professional Education Act, s. 1003.493, F.S., and be registered with the Florida Department of Education. Only certifications reported as part of a student’s participation in a

⁴² s. 1008.385(2), F.S. and Rule 6A-1.0014, F.A.C.

⁴³ s. 1008.385(2), F.S. and Rule 6A-1.0014, F.A.C.

⁴⁴ s. 1008.385(2), F.S.

⁴⁵ s. 1008.385(2), F.S.

⁴⁶ s. 1008.385(2), F.S.

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registered career and professional academy will be eligible for additional full-time equivalent (FTE) membership.⁴⁷

Vocational/Adult General Education Program Code - The seven-digit numeric program code listed in the Course Code Directory, which is associated with the career education course in which the student is enrolled.⁴⁸

Course Number - The official state number assigned to school district courses listed or referenced in the Course Code Directory. Each industry certification must be linked to a course that provided the instruction required to earn the certification.⁴⁹

Industry Certification Identifier - The identifier assigned by the Florida Department of Education to specify the industry certification or technical skill attainment by third party assessment that the student has taken/attempted. Only industry certifications on the “Industry Certification Funding List” will be eligible to generate additional FTE membership under s. 1011.62(1)(p), F.S.⁵⁰

Industry Certification Outcome - An indicator of whether or not the student passed the industry certification or technical skill assessment taken/attempted. Only students who successfully complete the industry certification will be eligible to generate additional FTE membership under s. 1011.62(1)(p), F.S.

Please review the database and technical documents on the Department’s web site for details on this reporting. The database manuals and updates may be accessed at the following Web site: <http://www.fldoe.org/eias/dataweb/default.asp>. See Appendix Z for a list of the industry certification identifiers associated with items approved by the State Board of Education for the “Industry Certification Funding List.”

Q25. Does a student have to be reported in a registered career and professional academy in the year in which the certification was earned to receive the additional full-time equivalent (FTE) membership when the student graduates?

Yes. If an industry certification is reported for a student but the student is not reported as being enrolled in a registered career and professional academy in the same year in which the certification was earned, the student will not count in the additional FTE calculation when the student graduates.

Q26. How long after a course is completed may a district report industry certification outcomes of students?

School districts may report students who complete industry certifications during the update period allowed by the Department of Education for Survey 5 after an initial submission.⁵¹ The survey

⁴⁷ s. 1011.62(1)(p), F.S.

⁴⁸ s. 1008.385(2), F.S.

⁴⁹ ss. 1008.385(2) and 1011.62(1)(p), F.S.

⁵⁰ Rule 6A-6.0573(6)(a)(2), F.A.C.

⁵¹ Rule 6A-1.0451, F.A.C.

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period dates are approved and published by the Department on an annual basis.⁵² For example, in the 2009-10 reporting cycle, Survey 5 is closed on February 28, 2011.

Q27. If a student earns an industry certification after the close of the reporting cycle, can the industry certification still be reported?

Yes. If the district does not have information on an industry certification until after the final update window for Survey 5, a method is available to report an industry certification identifier and industry certification outcome linked to a prior year program and course.⁵³ The option became available for the 2009-10 reporting cycle.

This record can be reported using two school year data elements.⁵⁴ See example below for reporting an industry certification in 2009-10 that was earned as result of a course taken in 2008-09.

School Year – Record submission = 0910

Vocational/Adult General Education Program Code = program number associated with course taken

Course Number = prior year course associated with the industry certification attempted

Industry Certification Identifier = industry certification attempted

Industry Certification Outcome = pass/fail

School Year – Course Taken = 0809

Please note that the processing of this certification for the additional FTE membership will be done by looking at the year the “school year-course taken” and matching the career and professional academy enrollment and the “Industry Certification Funding List” for that same year.

Q28. Does a district have to report data on students who take industry certification examinations, but who do not successfully earn the certification?

Yes. Districts must report on all students in career and professional academies who take an industry certification exam.⁵⁵ There are separate data elements for industry certification attempted and industry certification outcome.⁵⁶

Q29. The law requires that a student receive a high school diploma in order for the district to qualify for the additional full-time equivalent (FTE) membership calculation. When should a district report an industry certification earned by a student who will not graduate during the reporting year?

The district should report the industry certification in the reporting year when the applicable course is reported or as soon thereafter as allowed by the Department’s reporting guidelines.⁵⁷

⁵² s. 1008.385(2), F.S.

⁵³ s. 1008.385(2), F.S.

⁵⁴ s. 1008.385(2), F.S.

⁵⁵ s. 1003.493(5), F.S..

⁵⁶ s. 1008.385(2), F.S.

⁵⁷ s. 1008.385(2), F.S.