

Substantial rewording of Rule 6A-6.0573 follows. See Florida Administrative Code for present text.

**6A-6.0573 Industry Certification Process.**

(1) Purpose. The purpose of this rule is to specify the procedures and timelines for implementation of an industry certification process for Florida Career and Professional Education Act, pursuant to the provisions of Sections 1003.492(2) and 1008.44, Florida Statutes.

(2) Definitions. The following definitions shall be used in this rule and incorporated documents:

(a) “CAPE” means career and professional education.

(b) “CAPE Industry Certification Funding List” is a list of industry certifications, certificates, and courses adopted by the State Board of Education for implementation of the Florida Career and Professional Education Act.

(c) “Comprehensive Industry Certification List” is a list of certifications identified by the not-for-profit corporation in Section 445.004, Florida Statutes, and adopted by their board of directors. The not-for-profit corporation is referenced in statute as Workforce Florida, Inc., and is currently doing business as CareerSource Florida.

(d) “CAPE Industry Certifications” means certifications identified on the “CAPE Industry Certification Funding List” pursuant to the requirements in Sections 1003.4203(4) and 1008.44(1)(a), Florida Statutes. An industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a credential that is nationally recognized, as specified in Section 1003.492(3), Florida Statutes, or an industry certification for farm occupations as specified in Sections 570.07(43) and 1003.492(3), Florida Statutes. These certifications either do not have a statewide articulation agreement for college credit or have a statewide articulation agreement for no more than 14 college credits in a related postsecondary associate degree program.

(e) “CAPE Acceleration Industry Certifications” means certifications identified on the “CAPE Industry Certification Funding List” pursuant to the requirements in Sections 1003.4203(5)(b) and 1008.44(1)(e), Florida Statutes. These certifications are similar to “CAPE Industry Certifications” and have a statewide articulation agreement for 15 or more college credits in a related postsecondary associate degree program.

(f) “CAPE Digital Tool Certificates” means certificates identified on the “CAPE Industry Certification Funding List” pursuant to the requirements in Sections 1003.4203(3) and 1008.44(1)(b), Florida Statutes. These certificates

assess digital skills that are necessary for a student's academic work and are appropriate for elementary school and middle grades students.

(g) "CAPE Innovation Courses" means courses identified by the Commissioner of Education on the "CAPE Industry Certification Funding List" pursuant to the requirements in Sections 1003.4203(5)(a) and 1008.44(1)(d), Florida Statutes. These courses combine academic and career content and include at least two third-party assessments, one of which must be an industry certification identified on the "CAPE Industry Certification Funding List."

(h) "Career-themed course" means a course as defined in Section 1003.493(1)(b), Florida Statutes, offered in secondary schools which meets the requirements in Section 1003.493(4), Florida Statutes. These courses have an industry-specific curriculum aligned to priority workforce needs and must lead to an industry certification on the "CAPE Industry Certification Funding List."

(i) "Career and professional academy" means a program as defined in Section 1003.493(1)(a), Florida Statutes, offered in secondary schools which meets the requirements in Section 1003.493(4), Florida Statutes. An academy is a research-based program with rigorous academic and industry-specific curriculum aligned to the priority workforce needs.

(j) "Farm occupation" means an occupation related to the science, business, marketing or technology of agricultural production.

(3) Adoption of the annual "Comprehensive Industry Certification List." Workforce Florida, Inc.'s approved list of industry certifications, which has been named the "2014-2015 CareerSource Florida Comprehensive Industry Certification List for the Career and Professional Education Act" (reference ) is adopted by the State Board of Education and incorporated by reference in this rule. The "2014-2015 Workforce Florida, Inc. dba CareerSource Florida Comprehensive Industry Certification List for the Career and Professional Education Act" may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(4) Annual publication date for the "Comprehensive Industry Certification List." The "Comprehensive Industry Certification List" shall be published by March 1 of each calendar year for use in the "CAPE Industry Certification Funding List" for the subsequent school year.

(5) Adoption of an annual CAPE Industry Certification Funding List. The “2014-2015 CAPE Industry Certification Funding List” is comprised of industry certifications, certificates, and courses as specified in Section 1008.44, Florida Statutes and Section 1011.62(1), Florida Statutes

(a) The list includes the following certifications and certificates:

1. “CAPE Industry Certifications”
2. “CAPE Acceleration Industry Certifications”
3. “CAPE Digital Tool Certificates”

(b) This list will be known as the “2014-2015 CAPE Industry Certification Funding List”

(reference ) published by the Department of Education and is incorporated by reference in this rule. The “2014-2015 CAPE Industry Certification Funding List” may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(6) General requirements for inclusion on the “CAPE Industry Certification Funding List.” All items on the “CAPE Industry Certification Funding List” must include written exams that are third-party developed, scored by the certifying agency, and given in a proctored testing environment. Written exams to earn the certification may not be scored by any school district staff member.

(7) Requirements for “CAPE Industry Certifications”, “CAPE Acceleration Certifications”, and “CAPE Digital Tool Certificates” for inclusion on the “CAPE Industry Certification Funding List.” For “CAPE Industry Certifications” and “CAPE Acceleration Industry Certifications,” the Department of Education shall review the approved “Comprehensive Industry Certification List” to identify certifications deemed sufficiently rigorous academically and, thus, eligible for additional full-time equivalent (FTE) membership funding, pursuant to Section 1011.62(1), F.S.

(a) To be included as a “CAPE Industry Certification” on the “2014-2015 CAPE Industry Certification Funding List,” a certification shall:

1. Be on the “Comprehensive Industry Certification List;”
2. Be achievable by secondary students; and
3. Require a minimum of one hundred fifty (150) hours of instruction.

(b) Pursuant to section 1008.44, Florida Statutes, Workforce Florida, Inc. may annually select one industry certification that does not articulate for college credit for inclusion on the “CAPE Industry Certification Funding

List’ and shall submit the following information to the Department of Education no later than June 1 of each year for inclusion on the subsequent year’s list:

1. Certifying agency information including name of the certifying agency, contact information for the agency, and web link for more information on the certification.

2. Detailed information on the requirements to earn the certification including required written and performance tests, work experience, or any other components of earning the certification.

3. Detailed information on the test format and test administration policies and procedures including documentation that the written exams are third-party developed, scored by an independent third-party, and given in a proctored testing environment.

(c) To be included as a “CAPE Acceleration Industry Certification” on the “2014-2015 CAPE Industry Certification Funding List,” a certification shall:

1. Be on the “Comprehensive Industry Certification List;”

2. Be achievable by secondary students;

3. Require a minimum of one hundred fifty (150) hours of instruction; and

4. Have a statewide articulation agreement approved by the State Board of Education in Rule 6A-10.0401, F.A.C. with fifteen or more college credits.

(d) Requirements for “CAPE Digital Tool Certificates” on the “CAPE Industry Certification Funding List.” To be included as a “CAPE Digital Tool Certificate” on the “2014-2015 CAPE Industry Certification Funding List,” a certificate shall:

1. Be achievable by elementary school and middle grades students.

2. Assess at least one of the following digital skills: word processing; spreadsheets; presentations including sound, motion, and color; digital arts; cybersecurity; and coding.

3. Be part of a career pathway leading to the attainment of a “CAPE Industry Certification” on the “2014-15 CAPE Industry Certification Funding List.”

(e) Priority for the industry certificates designated as “CAPE Digital Tool Certificates” on the “CAPE Industry Certification Funding List” shall be given to those that assess multiple digital skills areas.

(8) Grade level limitations for industry certifications. Pursuant to Section 1008.44(4)(b), Florida Statutes, the Commissioner of Education will notify districts of grade level recommendations based on review of any formal recommendations by the certifying entity which issues the industry certification.

(a) No later than March 1 of each year, the Commissioner shall identify the grade level recommendations for the subsequent school year. A list of the grade level limitations will be posted on the Department's web site at the following link: <http://www.fldoe.org/workforce/fcpea/default.asp>.

(b) After notification on the Department's web site, the grade level limitations shall be specified on the next adoption of the "CAPE Industry Certification Funding List."

(9) Submission window for a "CAPE Industry Certification." School districts shall be provided a submission window to request the addition of a "CAPE Industry Certification" to the "CAPE Industry Certification Funding List" for the following school year.

(a) No later than March 5 of each year, the Department shall produce a preliminary "CAPE Industry Certification Funding List." This list shall be based on certifications identified on the previous year's "CAPE Industry Certification Funding List" and on the most recently adopted "Comprehensive Industry Certification List."

(b) School districts may submit requests to include an industry certification, not on the preliminary "CAPE Industry Certification Funding List," to the final "CAPE Industry Certification Funding List" along with supporting documentation, to the Department of Education.

1. Supporting documentation shall include a statement of justification and other resource material to document that the certification meets the requirements for inclusion on the list as specified in paragraph (7) of this rule.

2. Requests shall be submitted no later than April 1 for inclusion on the final "CAPE Industry Certification Funding List."

(c) The Department of Education shall review each request according to above criteria. Districts shall be notified of the final recommendation for inclusion on the list through a posting of the recommendations by June 15 for the following year on the Department's web site at the following link:

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

(10) Requirements for inclusion of "CAPE Industry Certifications" for farm occupations on the "CAPE Industry Certification Funding List." Pursuant to Section 570.07(43), Florida Statutes, the Department of

Agriculture and Consumer Services (DOACS) may submit industry certifications for farm occupations to the Department of Education.

(a) No later than March 15 of each year, DOACS must submit a written request on official letterhead to the Department of Education to request the inclusion of a certification on the “CAPE Industry Certification Funding List” for the following school year. The letter must include the following information:

1. Certifying agency information including name of the certifying agency, contact information for the agency, and web link for more information on the certification.

2. Detailed information on the requirements to earn the certification including required written and performance tests, work experience, or any other components of earning the certification.

3. Detailed information on the test format and test administration policies and procedures including documentation that the written exams are third-party developed, scored by the certifying agency, and given in a proctored testing environment.

4. Information on the farm occupations related to skills assessed for the industry certification including the best available data which documents the certification addresses a critical local or statewide economic need.

(b) The Department of Education shall review the letter to ensure the industry certification meets the statutory requirements in s. 570.70 and s. 1003.492 and the following:

1. Require written exams that are third-party developed, scored by the certifying agency, and given in a proctored testing environment;

2. Be achievable by secondary students; and

3. Require a minimum of one hundred fifty (150) hours of instruction.

(c) In the event the requested industry certification does not meet the statutory and rule requirements for inclusion on the “CAPE Industry Certification Funding List,” the Department of Education shall notify DOACS of deficiencies no later than April 15. DOACS shall provide any additional information that addresses the deficiencies by May 15 in order for the industry certification to be considered for inclusion on the “CAPE Industry Certification Funding List” for the following year.

(11) Publication Date for the final “CAPE Industry Certification Funding List.” The final “CAPE Industry Certification Funding List” for the school year shall be published no later than the August 1, preceding the beginning of the school year.

(12) Funding Weights for “CAPE Industry Certifications” and “CAPE Acceleration Industry Certifications.”

Pursuant to Section 1011.62(1), F.S., the weight used for “CAPE Industry Certifications” and “CAPE Acceleration Industry Certifications” in the Florida Education Finance Program (FEFP) shall be based on statewide articulation agreements approved by the State Board of Education in Rule 6A-10.0401, F.A.C., which is incorporated herein by reference, by May 31 of the academic year for which the “CAPE Industry Certification Funding List” is adopted and for agreements which were valid at any time from August 1 to May 31 of the academic year.

(13) Conditions for Florida Education Finance Program (FEFP) calculation and reporting. School districts shall be eligible for additional full-time equivalent (FTE) membership in the FEFP calculation for students earning industry certifications, certificates, or course completions on the “CAPE Industry Certification Funding List.”

(a) A school district shall be eligible for additional full-time equivalent (FTE) membership under the following conditions:

1. Middle grades or high school student is enrolled in a registered career-themed course and completes a “CAPE Industry Certification” or “CAPE Acceleration Industry Certification” on the “CAPE Industry Certification Funding List,” or

2. Elementary school or middle grades student completes a “CAPE Digital Tool Certificate” on the “CAPE Industry Certification Funding List,” or

3. Middle grades or high school student is enrolled in a “CAPE Innovation Course” and completes all of the requirements for the “CAPE Innovation Course” on the “CAPE Industry Certification Funding List.”

(b) Pursuant to section 1011.62(1), Florida Statutes, middle grades students who earn additional FTE membership for a CAPE Digital Tool may not use the previously funded examination to satisfy the requirements for earning a “CAPE Industry Certification,” “CAPE Acceleration Certification,” or “CAPE Innovation Course.” The district may not report a certification for which a portion of the industry certification exams were previously funded as a “CAPE Digital Tool Certificate.”

(c) In order for the district to report successful attainment of certifications and course completion on the “CAPE Industry Certification Funding List,” the following test administration procedures for all written examinations associated with earning the industry certification on the “CAPE Industry Certification Funding List” must be followed:

1. The exam is not proctored by the individual providing the direct instruction for the industry certification or certificate, except under the following conditions:

a. In the event that the only individuals permitted to be proctors by the certifying agency are those providing direct instruction for the industry certification and only one eligible proctor is approved in a school, the individual providing direct instruction is permitted to proctor the exam.

b. All written tests proctored by the individual providing direct instruction must be independently monitored by a second individual who does not provide direct instruction for the industry certification content to the individuals taking the test(s).

2. The exam questions are delivered in a secure manner and paper-based tests are not available to the test proctor for an extended period of time, other than the time necessary to receive, distribute, and return any written materials to the scoring entity.

3. The exam is scored by the certifying agency for the industry certification or certificate or an approved vendor of the certifying agency and may not be scored by a representative of the school district or the examinee.

4. The exams have been administered in accordance with the test administration procedures specified by the certifying agency.

5. The exams leading to the industry certification may not have been administered to each student more than three times during the academic year with a minimum of thirty (30) calendar days between test administrations.

(d) 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 as specified in Rule 6A-1.0451, F.A.C.

(14) Registration of career and professional academies and career-themed courses. The Department of Education shall maintain a web site for school districts to register high school career and professional academies, middle grades career and professional academies, and career-themed courses.

(a) For high school career and professional academies, school districts shall submit up-to-date information on each career and professional academy through an annual reporting window which shall open on or after July 15 and close on September 15, and shall remain open for a minimum of thirty days.

1. Form FCAPEA-01, Florida Career and Professional Education Act Career and Professional Academies, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03089>) is hereby incorporated by reference in this rule to



become effective [REDACTED] and shall be utilized for reporting the information. Form FCAPEA-01 may be found on the Department's web site at: <https://app1.fldoe.org/workforce/CAPE/>.

2. As part of the registration process, the superintendent of the school district shall certify that each academy meets all of the requirements of Section 1003.493, F.S.

(b) For middle grades career and professional academies, school districts shall submit up-to-date information on each career and professional academy through an annual reporting window which shall open on or after September 16 and close on October 15.

1. Form FCAPEA-02, Florida Career and Professional Education Act Career and Professional Academies, (http://www.flrules.org/Gateway/reference.asp?No=Ref-03090) is hereby incorporated by reference in this rule to become effective [REDACTED], and shall be utilized for reporting the information. Form FCAPEA-02 may be found on the Department's web site at: <https://app1.fldoe.org/workforce/CAPE/>.

2. As part of the registration process, the superintendent of the school district shall certify that each academy meets all of the requirements of Section 1003.4935, F.S.

(c) For career-themed courses, school districts shall submit up-to-date information on each career-themed course by school during an initial registration period from October 16 to November 30 and shall be allowed to submit updates after the initial registration period during the subsequent period of February 1 to March 1.

1. Form FCAPEA-03, Career and Professional Education Act Career-Themed Course Registration Form, (reference [REDACTED]) is hereby incorporated by reference in this rule to become effective [REDACTED], and shall be utilized for reporting the career-themed course information. Form FCAPEA-03 may be found on the Department's web site at: <https://app1.fldoe.org/workforce/CAPE/>.

2. As part of the registration process, the superintendent of the school district shall certify that each career-themed course meets the requirements of Section 1003.493(1), F.S., and secondary school offering the career-themed course meets all of the requirements of Section 1003.493(4) or Section 1003.4935(2), F.S.

*Rulemaking Authority 1003.492(2), 1008.44, 1011.62(1)(o) FS. Law Implemented 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1)(o) FS. History—New 10-20-08, Amended 8-18-09, 6-22-10, 6-21-11, 10-25-11, 8-23-12, 3-25-13, 11-3-13, 6-25-14.*