

6A-6.0576 CAPE Industry Certification Funding List

(1) Purpose. The purpose of this rule is to specify the procedures and timelines for implementation of an industry certification process and adoption of the CAPE Industry Certification Funding List.

(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” means 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) “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), F.S. These certifications have statewide articulation agreements for fifteen (15) or more college credits in a related postsecondary associate degree program.

(d) “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), F.S. These certificates assess digital skills that are necessary for a student’s academic work and are appropriate for elementary school and middle grades students.

(e) “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), F.S. 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. These certifications either do not have a statewide articulation agreement for college credit or have a statewide articulation agreement for no more than fourteen (14) college credits in a related postsecondary associate degree program.

(f) “CAPE Innovation Courses” means courses identified by the Commissioner of Education pursuant to the requirements in Sections 1003.4203(5)(a) and 1008.44(1)(d), F.S. These courses combine academic and career content and include at least two (2) third-party assessments, one (1) of which must be associated with an industry certification identified on the “CAPE Industry Certification Funding List.”

(g) “Career-themed course” means a course as defined in Section 1003.493(1)(b), F.S., offered in secondary schools which meets the requirements in Section 1003.493(4), F.S. This may be any course available to students in grades 6-12 with career education content related to an industry certification.

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

(i) “Master Credentials List” means the list adopted by Credentials Review Committee and Career Source Florida and transmitted to the Department in accordance with Section 445.004, F.S. This list includes industry certifications

and digital tool certificates which must be used to determine eligibility for inclusion on the “CAPE Industry Certification Funding List.”

(j) “Monitor” is the individual assigned to independently observe the administration of an industry certification exam.

(k) “Proctor” is the individual assigned to administer industry certification exams.

(l) “Remote proctoring” is the process of taking an exam while the test taker is in one location and the virtual proctor is in another location.

(m) “Virtual proctor” is a live human who remotely watches the test taker during the exam. This person must see the test candidate and the exam synchronously, as well as the environment in which the test is taken.

(3) Adoption of the “2022-2023 Master Credentials List”. The “2022-2023 Master Credentials List” submitted to the Department by CareerSource Florida (reference link) is adopted by the State Board of Education and incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(4) Adoption of an annual “CAPE Industry Certification Funding List.” The “CAPE Industry Certification Funding List” is composed of industry certifications, certificates, and courses as specified in Sections 1008.44 and 1011.62(1), F.S.

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

1. “CAPE Industry Certifications,”

2. “CAPE Acceleration Industry Certifications;” and,

3. “CAPE Digital Tool Certificates.”

(b) Industry certifications on the “CAPE Industry Certification Funding List” are designated as postsecondary funding eligible in accordance with s. 1011.80 and s. 1011.81, based upon the postsecondary funding recommendation provided by CareerSource Florida on the “Master Credentials List.”

(c) This list shall contain waivers of age, grade level, diploma or degree, and post-graduation work experience of at least twelve (12) months, in accordance with Section 1008.44(3), F.S.

1. The specific type of waiver shall be noted on the incorporated list.

2. Students earning a certification with a waived requirement may be reported for funding if the student completed all requirements for earning the certification except for the waived component.

(d) This list will be known as the “2022-2023 CAPE Industry Certification Funding List” (reference link) published by the Department of Education and is incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(5) General requirements for inclusion on the “CAPE Industry Certification Funding List.” For inclusion on the “CAPE Postsecondary Industry Certification Funding List,” the certification shall:

(a) Require written or performance-based examinations for postsecondary students that are designed to award a certificate only when a student demonstrates competency or proficiency in the certification area;

(b) Be developed by a third party and administered in accordance with the test administration procedures specified by the certifying agency;

(c) Require all written examinations be proctored by a third party and not proctored by the individual providing direct instruction for the industry certification;

(d) Require performance-based competency examinations be independently evaluated and not performed by the student’s direct instructor;

(e) Require the exam questions be delivered in a secure manner and 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; and,

(f) Require that the written examinations be scored by the certifying agency.

(6) Designation of K-12 funding eligibility on the “CAPE Industry Certification Funding List.” The Department of Education shall review the most recently available “Master Credentials List” to identify industry certifications and digital tool certificates eligible for additional full-time equivalent (FTE) membership funding, pursuant to Section 1011.62(1), F.S., based upon the criteria listed below.

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

1. Be on the “Master Credentials List.”

2. Be requested by a school district for inclusion with K-12 funding eligibility,

3. Be achievable by students in a secondary level program or a career dual enrollment program offered by a school district; and,

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

(b) To be designated as a “CAPE Acceleration Industry Certification,” the certification must have a statewide articulation agreement approved by the State Board of Education in Rule 6A-10.0401, F.A.C., with fifteen (15) or more college credits.

(c) To be included as a “CAPE Digital Tool Certificate”, the certificate must be designated on the “Master Credentials List” as a certificate that meets the requirements in Sections 1003.4203(3) and 1008.44(1)(b), F.S.

(7) Publication Date for the “CAPE Industry Certification Funding List.” The “CAPE Industry Certification Funding List” for the school year shall be published no later than August 1.

(8) Funding weights on the CAPE Industry Certification Funding List for the Florida Education Finance Program (FEFP). Pursuant to the provisions in Section 1011.62(1), F.S., the weight used for “CAPE Industry Certifications” and “CAPE Acceleration Industry Certifications” in the 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 (reference link). If an articulation agreement is no longer current and is removed from Rule 6A-10.0401, F.A.C., after the start of the academic year, the funding weight will be updated during the adoption cycle for the following academic year. A copy of Rule 6A-10.0401, F.A.C. may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(9) Conditions for Florida Education Finance Program (FEFP) calculation and reporting.

(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 related “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.”

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

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

1. The written exam is not proctored by the individual providing the direct instruction for the industry certification or certificate, except if the only individual permitted to be a proctor by the certifying agency is providing direct instruction for the industry certification and only one (1) eligible proctor is approved in a school. In this situation, all written tests are independently monitored by a second individual who does not provide direct instruction for the industry certification to the individuals taking the test(s).

2. The written exam questions are delivered in a secure manner and paper-based tests are not available to the test proctor for a 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 exam has been administered in accordance with the test administration procedures specified by the certifying agency; and,

5. The exams leading to the industry certification must not have been administered to a student more than three (3) times during the academic year with a minimum of twenty (20) calendar days between test administrations. If an exam attempt is invalidated by the certifying agency due to a testing irregularity which is not due to student misconduct, the district may administer a re-test before the twenty (20) day waiting period has elapsed.

6. If the only requirement for the certification is a performance-based competency exam, the instructor may not proctor the exam.

(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.

(e) Postsecondary dual enrollment courses must be registered by the district as career-themed courses for the “CAPE Industry Certification” or “CAPE Acceleration Industry Certification” earned in these courses to be included in the additional FTE membership calculation, under the conditions specified in Section 1011.62(1), F.S.

(f) Exams may not be used to satisfy the requirements for more than one industry certification or certificate.

(10) Registration of K-12 career and professional academies. The Department of Education shall conduct an annual process by which school districts will register career and professional academies offered by the school district. For all career and professional academies, school districts shall submit up-to-date information on each academy through an annual reporting window which shall open no later than August 16 and closes on September 15 or the nearest business day after that date if the date falls on a weekend. After the close of the submission window, districts may submit corrections during an update window from October 1 to the last business day in October. Form FCAPE-01, Florida Career and Professional Education Act Career and Professional Academies, (reference link) is hereby incorporated by reference in this rule to become effective TBD, and shall be utilized for reporting the information. Form FCAPE-01 may be found on the Department’s website at <https://www.fldoe.org/academics/career-adult-edu/cape-secondary>. The Department will assign a unique three-digit identifier to be used by school districts for reporting students in academies.

(11) Registration of career-themed courses eligible for funding as specified in Section 1011.62(1), F.S. The Department of Education shall maintain a web-based application which shall be used by school districts for the annual submission of current information on each career-themed course by school.

(a) Eligible courses must be registered by the school district for an academic year during the following registration windows: October 16 to the last business day in November, February 1 to first business day in March, and July 15 to the last business day in August.

(b) A course must have students enrolled in the academic year in order to be registered.

(c) For the 2022-23 reporting year, the registration system shall include all career education courses approved for grades 6 through 12 in the course code directory as adopted in Rule 6A-1.09441, F.A.C. Other courses available to students in grades 6 through 12 may be added to the registration system if requested by a school district and with documentation that student mastery of at least five (5) core standards are assessed by an industry certification exam adopted on the CAPE Industry Certification Funding List. Beginning with the 2023-24 reporting year, the registration of career-themed courses is limited to an approved list of industry certification offerings for each eligible course.

(d) Districts will be eligible for the additional FTE membership provided in Section 1011.62(1)(o), F.S., for the industry certifications on the CAPE Industry Certification Funding List which are identified by the school district in the course registration.

(e) A dual enrollment course at a public or private postsecondary institution with which the district has an articulation agreement may be registered as a career-themed course if the course leads to an industry certification on the CAPE Industry Certification Funding List and is not eligible for other performance funds as specified in Section 1011.62(1)(o)1.b., F.S.

(f) The registration system shall include a step for final approval by the district superintendent, which shall certify that the course is being registered in accordance with the statutory definition and requirements for career-themed courses in Sections 1003.493(1)(b) and 1003.493(4), F.S., including that the course is being taught by instructors in the school who hold the industry certifications or higher level industry certifications for which the course is being registered.

(g) Registration of career-themed courses through which students earn CAPE Industry Certifications and CAPE Acceleration Industry Certifications is required for funding in the FEFP.

(h) Form FCAPE-02, Florida Career and Professional Education Act Career-Themed Course (CTC) Registration Form, (link) is hereby incorporated by reference in this rule to become effective TBD and shall be utilized for reporting the career-themed course information. Form FCAPE-02 may be found on the Department's website at: <https://web02.fldoe.org/CAPE>.

(12) Teacher and proctor conduct provisions for maintaining the validity of the industry certification credential for K-12 students. Industry certifications are independent, third-party verification of technical skills achieved by students. Any practice that jeopardizes the validity of industry certifications disadvantages the students and prospective employers. Teachers who provide direct instruction leading to industry certification exams and proctors assigned to administer industry certification exams shall not engage in any conduct that jeopardizes the validity of the industry certification exam results. Only authorized proctors may be provided access to testing materials associated with industry certification exams.

(a) Teachers providing instruction leading to industry certification exams shall not:

1. Assist students with answering exam questions during an active test administration.

2. Create any study guide or other document that includes any exam questions that are part of a current test form for the industry certification.

3. Administer an industry certification exam to students to whom they provide direct instruction for the certification, or to any student taking an industry certification exam for which the teacher provides direct instruction, except as specified in subparagraph (9)(c)1. of this rule.

4. Administer an industry certification exam to themselves.

5. Administer an industry certification exam to other staff members, if they provide direct instruction for the certification.

6. Administer any industry certification exam to a family member.

7. Preview active exam content, even in the presence of a monitor or assigned proctor.

8. Access any testing materials, either computer-based or paper-based, unless assigned as the only available proctor as specified in paragraph (9)(c) of this rule.

9. Reveal, print, copy, screen capture or otherwise reproduce test questions that are part of an active version of an industry certification exam.

10. Take any industry certification exam using any name other than their own legal name.

11. Allow or entice another person to take an exam for a test candidate.

12. Interfere in any way that jeopardizes the integrity of the test with persons assigned to administer or proctor industry certification exams.

13. Provide answer keys to any student before, during or after test administration.

14. Assist a certifying agency in reviewing and creating exam questions for an industry certification exam for which they provide direct instruction.

15. Participate in, direct, aid, counsel, assist in, or engage in conduct or activity which could result in inaccurate measurement of student achievement on industry certification exams.

(b) Authorized proctors or monitors for the industry certification exams shall not:

1. Assist students with answering exam questions during an active test administration.

2. Create any study guide or other document that includes any exam questions that are part of a current test form for the industry certification.

3. Reveal, print, copy, screen capture or otherwise reproduce exam questions, unless expressly authorized by the certifying agency for the industry certification.

4. Provide access to an exam to any teacher or other district employee, except as part of any official administration of the exam for the purpose of that teacher or employee obtaining the industry certification.

5. Take any industry certification exam using any name other than their own legal name.

6. Allow or entice another person to take an exam for a test candidate.

7. Provide answer keys to any student before, during, or after test administration.

8. Share credentials provided by the certifying agency for the purpose of administering industry certification exams.

9. Administer any industry certification exam to a family member.

10. Participate in, direct, aid, counsel, assist in, or engage in conduct or activity which could result in inaccurate measurement of student achievement on industry certification exams.

(c) The school district must not report an exam score that is the product of any of the activities set out in paragraphs (12)(a)-(b).

(13) Local test administration procedures and training for industry certification exam administration for K-12 students. School districts shall create and maintain local test administration procedures for the administration of all industry certification exams.

(a) These test administration procedures must include the following:

1. Verification that each responsible teacher or proctor has received training on test security. Teachers and proctors must annually sign a statement of educational integrity which includes the detrimental and negative impact academic dishonesty brings upon a profession, as well as safety and security hazards which may result when candidates have not met the industry standard for acceptable training.

2. Notification of disciplinary actions and consequences for engaging in or allowing testing irregularities and compromises.

3. Notification of disciplinary actions and consequences for failure to abide by all security protocol.

4. Procedures for handling test interruptions, testing irregularities and technical abnormalities that occur during exam administration.

5. Annual training on Florida Statutes and State Board of Education Rules pertaining to industry certification.

(b) All teachers providing instruction, proctors administering industry certification exams, and monitors for industry certification exams must annually sign Form FCAPE-03, Florida Career and Professional Education Act Industry Certification Test Administration and Security Agreement (link), which is hereby incorporated by reference in this rule to become effective TBD. Form FCAPE-03 may be found on the department's website at: <http://fldoe.org/academics/career-adult-edu/cape-secondary/resources.stml>.

(c) School districts shall maintain records and rosters for required training, including signed documents, for a minimum of five (5) years.

(d) In order for students enrolled in career-themed courses to take industry certification exams, the teacher of the career-themed course must annually sign Form FCAPE-03, Florida Career and Professional Education Act Industry Certification Test Administration and Security Agreement.

(e) In order to proctor an industry certification exam, a proctor must annually sign Form FCAPE-03, Florida Career and Professional Education Act Industry Certification Test Administration and Security Agreement.

(14) Reporting requirements for violations of industry certification test administration provisions for K-12 students. In those situations, where provisions of subsection (12) of this rule are violated by a teacher or proctor, the district shall prepare a report made to the department and the certifying agency. This notification must occur within five (5) business days, unless the certifying agency has a more stringent requirement. The report shall include a description of the incident, the names of the persons involved in or witness to the incident, and other information as appropriate. Districts shall report to the department using Form FCAPE-04, Florida Career and Professional Education Act Testing Violation Report, (reference link) which is hereby incorporated by reference in this rule to become effective TBD. Form FCAPE-04 may also be found on the department’s website at: <http://fldoe.org/academics/career-adult-edu/cape-secondary/resources.stml>.

(15) Remote proctoring of industry certification exams for K-12 students. Remote proctoring of industry certifications and digital tool certificates is allowed in circumstances where the certifying agencies offer remotely proctored testing options under certain conditions.

(a) Remotely proctored exams must include:

1. Confirmation of student test taker’s identity,
2. Virtual proctor,
3. Secure delivery of electronic exam; and,
4. Process for identifying testing irregularities.

(b) The certifying agency must issue the same credential that would have been earned in the traditional proctoring setting.

(c) Certifications and certificates approved by the Department as meeting this criteria shall be posted on the following webpage: <http://www.fldoe.org/academics/career-adult-edu/cape-secondary/cape-industry-cert-funding-list-current.stml>.

(16) Teacher conduct provisions for maintaining the validity of digital tool certificates. Teachers of digital tool certificates may be authorized by the school district to administer and proctor the exams for digital tool certificates to their own students.

(a) Teachers providing instruction leading to digital tool certificate exams shall not:

1. Assist students with answering exam questions during an active test administration.

2. Create any study guide or other document that includes any exam questions that are part of a current test form for the digital tool certificate.

3. Preview active exam content.

4. Reveal, print, copy, screen capture or otherwise reproduce test questions that are part of an active version of a digital tool certificate exam.

5. Allow or entice another person to take an exam for a test candidate.

6. Provide answer keys to any student before, during or after test administration.

7. Participate in, direct, aid, counsel, assist in, or engage in conduct or activity which could result in inaccurate measurement of student achievement on digital tool certificate exams.

(b) The school district must not report an exam score that is the product of any of the activities set out in paragraph (16)(a).

Rulemaking Authority 1001.02, 1003.4203(9), 1008.44, 1011.62(1) FS. Law Implemented 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1), 1012.796