

March 7, 2014

MEMORANDUM

TO: District School Superintendents
FROM: Joy Frank
RE: First Week of Session – March 4-7

General Information

The 2014 Legislative Session began on Tuesday. Most of the week was spent in committee meetings. Several bills of importance to education were considered or discussed in a workshop format. The Appropriations Committees primarily heard bills. Initial budget information will be discussed in the House Education Appropriations Subcommittee next week. The Senate Education Appropriations Subcommittee had not noticed at the time of this report.

The Senate Education Committee will consider several bill next Tuesday afternoon affecting K-12 Education including:

- SB 864 by Hays re to Instructional materials for K-12 Public Education
- SB 1512 by Stargel re to Students with Disabilities
- SB 886 by Montford re to Florida Teachers Classroom Supply Assistance Program
- SB 530 by Flores re to Postsecondary Education Textbook and Instructional Materials
- SB 598 by Bean re to Juvenile Justice Education Programs
- SB 950 by Stargel re to Educator Certification

Senate Committee Action

SB 850 by Legg re to Education. SB 850 expands rigorous curricular, instructional, and assessment options available to public elementary, middle, and high school students.

The bill expands options to elementary students, expands options and strengthens requirements for middle grade students, expands options and strengthens requirements for high school students, and requires the Florida College System (FCS) institutions to provide collegiate high school programs for students in every school district in the colleges' designated service area.

Elementary Grades

The bill revises 2011 legislation that created digital curriculum, and deletes un-implemented 2013 legislation that created "recognitions", to instead identify acceleration options and bonus funding opportunities for schools and teachers of students who attain skill sets identified on a funding list annually identified by the state.

Specifically, the bill strikes reference to Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Tools Certificate and re-establishes a focus on CAPE Digital Tool certificates and skill sets. The bill also provides additional bonus funding in the Florida Education Finance Program (FEFP)

for every student who earns a certificate and bonus funding for every teacher directly associated with that student's accomplishment.

Middle School Grades

The bill builds on the 2012 Academically Challenging Curriculum to Enhance Learning (ACCEL) legislation by expanding access to acceleration options for students in middle grades, and strengthening middle grades accountability and professional development requirements.

The bill expands acceleration options and bonus funding opportunities for schools and teachers of middle grade students who attain skill sets identified on a funding list annually identified by the state. Specifically, the bill provides additional bonus funding in the FEFP for every student who earns a CAPE Digital Tool certificate or industry certification and bonus funding for every teacher directly associated with that student's accomplishment.

Additionally, the bill strengthens accountability requirements in middle grades by requiring schools that include grades 6, 7, or 8, to implement an early warning system to identify students who are at-risk of not graduating from high school, including some indicators specified in the bill. The bill also extends anti-hazing provisions into grades 6 through 8, and requires school districts to adopt anti-hazing policies and consequences for violation of such policies. Such early warning systems and anti-hazing policies are intended to mitigate student dropout and truancy issues in school so that students feel protected and have access to the educational opportunities, including acceleration options, provided by the state.

The bill also specifies professional development requirements for middle grades instructional personnel and administrators regarding accountability requirements, integrated digital instruction, and new digital skills and content available to students. Equipping teachers and administrators with the necessary knowledge, skills, and strategies will likely result in improved student performance outcomes.

High School Grades

The bill establishes requirements for FCS institutions and school districts to provide a collegiate high school pathway for high school students to earn a full year of college credit while enrolled in high school. Specifically, the bill:

- Requires FCS institutions and school districts to establish a collegiate high school program that provides bonus funding to school districts for assisting students in grade 12, enrolled in the collegiate high school program, who successfully complete 30 credit hours and limits funding to FCS institutions if the colleges do not establish a collegiate high school program.
- Provides options for students in high school grades through new innovative courses and acceleration programs that, when accomplished, are eligible to earn both high school and college credit; and,
- Authorizes industry certification providers to notify students and parents of the college credits earned by the students and the savings associated with earning the college credits, as a return on the investment of state dollars for the industry certification earned by the student in public school.

The bill passed the committee favorably as a committee substitute.

SB 7060 by Education Committee re to Education Accountability. This proposal primarily codifies the Commissioner’s recommendations made before the State Board of Education on the modifications to the School Grading system.

Section 1. Amends s. 1008.34, F.S., re to School grading system; school report cards; district grade.

Definitions - Defines three terms: “achievement level,” “learning gains,” and “student performance.” “Achievement level,” “student achievement,” or “achievement” describes the level of content mastery a student has acquired in a particular subject as measured by a statewide, standardized assessment. The five achievement levels are defined with Level 1 being the lowest and Level 5 as the highest. Level 3 indicates satisfactory performance. A student passes an assessment if a level 3, level 4 or level 5 is achieved. For the Florida Alternate Assessment, the SBE must provide by rule the number of achievement levels and identify the passing levels.

“Learning Gains,” “annual learning gains,” or “student learning gains” means the degree of student learning growth occurring from one school year to the next as required by SBE rule for purposes of calculating school grades.

“Student performance,” “student academic performance,” or “academic performance” includes, but is not limited to, student learning growth, achievement levels, and learning gains on statewide, standardized assessments.

Annual Reports - Language requiring annual report and the contents of such reports is deleted from this section.

School Grades - Language authorizing increased budget authority for certain high performing schools to remain in effect until the school’s grade declines is deleted.

Designation of School Grades - Language is added to require that each school must assess at least 95 percent of its eligible students except for alternative schools. Each school shall receive a school grade based on the schools’ performance as required by statute. If a school does not have at least 10 students with complete data for one or more of the required components, those components may not be used in calculating the school’s grade.

Beginning with the 2014-2015 school year, a school’s grade will be based on the following components, each worth 100 points.

- a. The percentage of eligible students passing statewide, standardized assessments in English Language Arts.
- b. The percentage of eligible students passing statewide, standardized assessments in mathematics.
- c. The percentage of eligible students passing statewide, standardized assessments in science.
- d. The percentage of eligible students passing the statewide, standardized assessments in social studies.
- e. The percent of eligible students who make Learning Gains in English Language Arts.
- f. The percentage of eligible students who make Learning Gains in mathematics.
- g. The percentage of eligible students in the lowest 25 percent of English Language Arts, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized English Language Arts assessments.

- h. The percentage of eligible students in the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized mathematics assessments.

In calculating Learning Gains, the SBE must require that learning growth toward achievement levels, 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year.

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

- a. The four-year high school graduation rate of the school, as defined by SBE rule.
- b. The percentage of students who were eligible to earn college credit through AP Exams, dual enrollment courses, or AICE Exams, or who, at any time during high school, earned national industry certification for which there is a statewide articulation agreement and that is identified in the Industry Certification funding List.

The calculation of a school grade must be based on the percentage of points earned from the applicable components. The SBE must adopt in rule a school grading scale that sets the percentage of points needed to earn each of the school grades. There must be at least five percentage points separating the percentage thresholds needed to earn each of the school grades. The SBE must periodically review the school grading scale to determine if the scale should be adjusted upward to meet raised expectations and encourage increased student performance.

The calculation of school grades may not include any provision that would raise or lower the school's grade beyond the percentage of points earned. Extra weight may not be added to the calculation of any components.

Language relating to the performance of students attending alternative schools and students designated as hospital or homebound is modified to conform to the new school grading proposal.

Language relating to existing high school grading components (graduation rate, participation in acceleration programs, etc.) is deleted as well as language relating to reporting of school improvement ratings.

School Report Card - The current school report card is expanded to include student performance in English Language Arts, mathematics, science, and social studies.

District Grade - Beginning in the 2014-2015 school year, a school district's grade must include a district-level calculation of the components included in the new school grades. DOE must develop a district report card that includes the district's grade; measures of the district's progress in closing the achievement gap between higher-performing student subgroups and lower-performing student subgroups; measures of the district's progress in demonstrating Learning Gains of its highest-performing students; measures of the district's success in improving student attendance; the district's grade-level promotion of students scoring achievement levels 1 and 2 on statewide, standardized English Language Arts and mathematics assessments; and measures of the district's performance in preparing students for the transition from elementary to middle school, middle to high school, and high school to postsecondary institutions and careers.

Transition – School grades and school improvement ratings for the 2013-2014 school year shall be calculated based on statutes and rules in effect on June 30, 2014. To assist in the transition to 2014-2015 school grades, calculated based on new statewide, standardized assessments, the 2014-2015 school grades will serve as an informational baseline for schools to work toward improved performance in future years. Accordingly, notwithstanding any other provision of law:

- a. A school may not be required to select and implement a turnaround option based on the school's 2014-2015 grade.
- b. A school that receives the same or a lower grade for the 2014-2015 school year compared to the 2013-2014 school year is not subject to sanctions or penalties that would otherwise occur as a result of the 2014-2015 school grade. A charter school system or a school district designated as high performing may not lose the designation based on the 2014-2015 school grades of any of the schools within the charter school system or school district, as applicable.
- c. The School Recognition Program will continue to be implemented.
- d. For purposes of determining grade 3 retention and high school graduation, student performance on the 2014-2015 statewide, standardized assessments shall be linked to the 2013-2014 student performance expectations.
- e. These transition provisions are repealed July 1, 2017.

Section 2. Amends s. 1001.42, F.S., re to Powers and duties of district school board.

Technical and conforming language

Section 3. Amends s. 1002.33, F.S., re to Charter Schools.

Technical and conforming language

Section 4. Amends s. 1003.621, F.S., re to Academically high-performing school districts.

Technical and conforming language

Section 5. Amends s. 1008.31, F.S., re to Florida's K-20 education performance accountability system, etc.

Technical and conforming language

Section 6. Amends s. 1008.33, F.S., re to Authority to enforce public school improvement.

Technical and conforming language

Section 7. Amends s. 1008.341, F.S., re to School improvement rating for alternative schools.

Language is added to require that if an alternative school does not have at least 10 students with complete data for an accountability component, that component may not be used in calculating the school's improvement rating. The calculation of the school improvement rating must be based on the percentage of points earned from the accountability components.

Beginning with the 2016-2017 school year, if an alternative school does not meet the requirements for the issuance of a school improvement rating in the current year, and has failed to receive a school improvement rating for the prior two consecutive years, the school shall receive a rating for the current year based upon a compilation of all student Learning Gains, for all grade levels, for those three years. Likewise, if the school fails to meet the requirements for a rating the following year or any year thereafter, the school's rating shall be based on a compilation of student Learning Gains achieved during the current and prior two years.

The ratings are modified. Schools will be rated as “Commendable,” “Maintaining” or “Unsatisfactory” depending upon the Learning Gains of students.

An alternative school’s rating shall be based on:

- a. The percentage of eligible students who make Learning Gains in English Language Arts.
- b. The percentage of eligible students who make Learning Gains in mathematics.

Section 8. Amends s. 1008.3415, F.S., re to School grade or school improvement rating for exceptional student education centers.

Technical and conforming language

Section 9 – Provides an effective date of July 1, 2014.

Senator Legg sponsored two amendments which were adopted.

Amendment #1 – Adds component to school grading system that includes schools comprised of middle grades 6 through 8 or grades 7 and 8, the school’s grade will include the percentage of student passing high school courses with statewide assessments. As valid data becomes available, grades will include attainment of national industry certification that satisfy graduation requirement.

Amendment #2 – Requires Commissioner to grant permanent exemption from taking statewide assessments for a “child with medical complexity.” Defines “child with medical complexity.” Also requires Commissioner to grant one-year exemption to student who suffers from significant cognitive or physical disability that student temporarily lacks capacity to take the statewide assessment. A parent may request that the student participate in the assessment. Requires SBE to adopt rules.

Senator Montford filed an amendment that addressed concerns of superintendents re to participation in accelerated courses. The amendment was late filed and was not considered. However, Senator Legg assured Senator Montford that the issues contained in the amendment would be considered at the next stop.

The bill passed the committee favorably with the Legg amendments as a committee bill.

SB 188 by Hukill re to Education Data Privacy. This is the biometric information bill. There was an amendment by Senator Latvala in the Senate Judiciary Committee that would have authorized Pinellas County School District to continue to use their palm scanner system in their food service programs upon approval of the Commissioner of Education. The bill was temporarily deferred and the amendment was left pending.

SB 548 by Simmons re to bullying. The bill creates a criminal statute penalizing bullying and aggravated bullying. The newly created statute provides a second degree misdemeanor penalty for bullying and a first degree misdemeanor penalty for aggravated bullying. Cyberbullying is included in each new crime. The elements of these two new offenses and the definitions provided in the bill are the same as the elements and definitions in the stalking statute (found to be constitutional by the Florida Supreme Court in 1995).

The bill passed the Senate Appropriations Subcommittee on Criminal and Civil Justice favorably. However, there is an interest in crafting language re to the liability of district personnel in making decisions re to bullying.

SB 622 by Clemens re to Paper Recycling. The bill requires each school district to develop a paper recycling program and adopt rules to establish the procedure for the disposition of paper and paper products. The bill provides for certain exemptions to school districts or schools and an exemption for the recycling of confidential documents. The bill also provides definitions and requires that the money received by a school district for recycling be deposited into the school district's general fund.

The bill passed the Senate Environmental Preservation and Conservation Committee favorably.

House Committee Action

House Education Committee

The Committee, in addition to considering legislation, discussed in a workshop the preliminary recommendations re to the new accountability/school grading system. Rep. Adkins is the lead representative on this issue and a bill will be discussed next Wednesday in the House Education Committee. The chart outlining the recommendations was sent out earlier in the week. I have also attached it to this report.

House Choice & Innovation Committee

Workshop on reimbursement account for students with disabilities. Below is a summary. It is expected that proposed legislation will be discussed next week.

Who is Eligible? - Florida resident who:

- Is eligible to enroll in grades K-5 or has an existing Personalized Account for Learning;
- Has an Individual Educational Plan (IEP) and is eligible for matrix support levels 111-V or and Educational Plan (EP) from his home school district; and
- Enrolls in a home education program under s. 1002.41, F.S.

Funds from the account may be used for:

- Specialized instructional services consistent with the student's IEP.
- Tuition/fees for private school instructional services.
- Private tutoring.
- Curriculum.
- Costs for annual home education evaluation.
- The \$25 scholarship application fee.
- Services such as applied behavior analysis, speech-language pathology, occupational therapy, physical therapy as defined in s. 486.021.
- Any remaining funds may be for medical services as prescribed by a physician.

Instructional service providers must be approved by the Department of Education (DOE) or be a private school participating in state scholarship programs.

How is eligibility determined?

- At least 60 calendar days prior to one of the payment transfer dates, i.e. May 1, July 1, September 1, or December 1, parents must:
 - Apply for an account to an eligible scholarship funding organization (SFO); and
 - Request an IEP from the school district (unless the student already has an IEP identifying the student as eligible for an account issued by the district).
- The school district must evaluate the student and prepare an IEP within 30 calendar days.
- School districts are not responsible for providing the participating student a free appropriate public education (FAPE).
- The student is treated as a unilateral parent placement for purposes of state and federal law, excluding preparation of the IEP.

How is funding determined?

- Funding is calculated using the same calculation as the McKay Scholarship program.
- The student gets 100% of the scholarship amount.
- School districts must report the student for funding in the Florida Education Finance Program (FEFP).
- DOE must deduct the account amount from the districts' FEFP allocation and transfer the funding quarterly to an SFO.
- The SFO must maintain separate accounts for each eligible student, verify qualifying expenditures, and reimburse the parent for eligible services provided to the student. The parent submits supporting documentation (receipts) and an affidavit.
- Any unused funds are rolled over to the next fiscal year, unless the student returns to public school, graduates from high school, or attains age 22.
- If the account is terminated, funds revert to the state.

How the program is held accountable?

- The SFO must verify that expenditures are permissible before reimbursing parents for such services.
- Participating SFOs must submit quarterly reports to DOE regarding students served, services reimbursed, and providers used.
- SFOs must be audited annually by the auditor general.
- DOE approves instructional services providers, monitors program compliance, and establishes a complaint process and adjudicates complaints.

How students and parents are held accountable?**Students:**

- Must demonstrate educational progress at a level commensurate with her or his ability using one of the methods authorized by
 - 1002.41 (home education):
 - Progress review of the student's work portfolio by a certified teacher.
 - Norm referenced testing administered by a certified teacher.
 - Statewide, standardized testing by a certified teacher.
 - Evaluation by a licensed psychologist or school psychologist.
 - Any other valid measurement tool as mutually agreed upon by the district and parent.
- May not have multiple savings accounts or receive state choice scholarships.

Parents:

- Must enroll the student in a home education program pursuant to s. 1002.41 and comply with its requirements.
- Must participate in the IEP review required under federal and state law.
- Must provide the student with the services necessary to educate the child.
- May not receive any rebate or refund from service providers.

HB 87 by McBurney re to Fine Arts Courses. The bill requires the Commissioner to prepare an annual report that includes information, based on annual reporting by schools, regarding student access to, and participation in, fine arts courses; the number and certification status of educators providing arts instruction; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the Next Generation Sunshine State Standards. The report must be posted on the Department of Education’s website and updated annually. The bill defines fine arts courses, for purposes of the annual report, to include visual arts, music, dance, and theatre courses.

The bill passed the House K-12 Subcommittee favorably.

HB 279 by Hill re to Public School Instruction. The bill requires public schools to provide instruction on the events surrounding the terrorist attacks of September 11, 2001, and the impact of those events on the nation.

The bill passed the House K-12 Subcommittee favorably.

HB 707 by Diaz re to Background Screening. The bill reorganizes language relating to background screening for all personnel and contractors who have direct contact with students or access school campuses, eliminating reference to the term “level 2 background screening.”

The bill revises requirements relating to virtual instruction programs and reduces the cost of repeated background screening for virtual instruction program instructional personnel by allowing screening results to be shared between school districts. The bill amends other requirements relating to virtual instruction program personnel.

The bill amends the list of disqualifying criminal offenses against which personnel who have direct contact with students are screened.

The bill requires the FDLE to enroll fingerprints received for background screening for school districts in the national retained arrest print notification program once the program is operational and the FDLE begins participation. The bill requires the FDLE to enroll the fingerprints of instructional and noninstructional personnel in the national retained print arrest notification program within two years after the FDLE begins participation in the program. The FDLE must notify a school district whenever an arrest record is identified with the retained fingerprints of one of the district’s employees or contractors in the national retained print arrest notification program.

The bill provides that rescreening for a certified educator at the time of the educator’s five-year certification renewal is necessary only if his or her fingerprints have not yet been enrolled in the national retained print arrest notification program.

The bill requires the FDLE to identify in rule the fee assessed by the FBI for participation in the national retained arrest print notification program.

The bill reenacts certain sections of law for the purpose of incorporating by reference the list of disqualifying offenses amended by the bill.

The bill passed the House K-12 Subcommittee favorably as a committee substitute.

HB 355 by Porter re to Postsecondary Education Textbook and Instructional Materials. The bill was amended and has language that requires that a text books or instructional material for an undergraduate course must remain in use for a minimum of 3 years in the ungraduated course, unless an exception is approved by the institution's president or designee. An exception must be based upon a determination that the new edition differs significantly and substantially from earlier version and that is value to the student in changing to the new edition. The institution's president or designee must annually report to the institution's board of trustees all exceptions granted, including the rationale used to approve each exception. The annual report must be maintained on the institution's website.

The bill also requires the Governor to appoint a task force to research options to reduce the cost of print and digital textbooks and instructional materials for all students. Recommendations must be submitted to the Governor and Legislature by July 1, 2015.

The bill passed the House Higher Education and Workforce Subcommittee favorably as a committee substitute.

HB 7064 by House Governmental Oversight and Accountability. This bill substantially amends the public records and public meetings laws. This bill clarifies how the public may access records and how agencies should respond. This bill also outlines what an agency may charge as a service fee and incorporates the cost of litigating attorney fees if an agency loses an enforcement action. This bill places additional requirements on organizations that accept membership fees from the government and on businesses contracted with the government.

The bill:

- Requires organizations that accept public funds for membership dues or fees keep records related to those funds and members. Organizations will also be required to make records it gives its members or the public available for inspection and copying.
- Provides definitions for "confidential and exempt" and "exempt" records consistent with court interpretations.
- Provides that public records requests do not need to be made in writing unless there is a specific statutory requirement present. If a public records request must be made in writing the records custodian must provide the statutory citation to the requestor.
- Provides that the fee charged for satisfying a voluminous or complicated public records request is limited to the cost of the lowest paid personnel capable of performing the work, and excludes employer-paid benefits.
- Requires a private contractor acting on behalf of a public agency to inform the agency before denying a public records request and to notify the agency if the private contractor is sued for failing to provide public records.
- Requires agencies to train their employees regarding Florida's public records laws.

- Specifies that the attorney’s fees to which a prevailing public records plaintiff is entitled includes the fees incurred in litigating entitlement to and amount of attorney fees. Courts will be required to award the costs of enforcement, including attorney’s fees, on each count on which the plaintiff prevailed.
- Relieves a plaintiff in a public records or public meetings enforcement action who claims attorney fees from being required to serve the Department of Financial Service with the claim for attorney fees. A state agency covered by the Department of Financial Services will be given the option of informing the Department of Financial Services that a claim for attorney fees has been filed.

The bill was submitted as a committee bill by House Governmental Oversight and Accountability.

Subsequent House Committee Action on Bills Previously Reported

HB 433 by Spano re to Educator Certification. The bill primarily concerns teacher preparation and certification.

The bill passed the House Education Appropriations Subcommittee favorably with no amendments in committee.

HB 533 by Diaz re to Student Eligibility for Extracurricular Activities. The bill broadens the definition of “extracurricular activities” to clearly indicate that the term includes athletics as well as all other types of extracurricular activities, e.g., fine and performing arts. Generally speaking, the bill revises participation requirements for students enrolled in school choice options to minimize variations regarding the public schools such students may participate at and which activities such students may participate in. Among other things, the bill adds provisions enabling participation at another public school by certain public school students and students enrolled in a school district virtual instruction program (VIP) or virtual charter school (VCS). Under the bill, students enrolled in home education; a charter school; the FLVS; a VIP; a VCS; or any public school, including an alternative school or magnet school, may participate in any particular extracurricular activity not offered by his or her school at any public school in his or her home school district or a public school in another school district pursuant to interdistrict controlled open enrollment policies. District school board eligibility policies must evenly apply to all students, including transfer students, regardless of the extracurricular activity in which he or she participates. Additionally, the bill expands the ability of FHSAA nonmember private school students to participate in athletics at public schools. Such a student may participate in any sport not offered by his or her private school at any public school in his or her home school district or a public school in another school district pursuant to interdistrict controlled open enrollment policies.

Florida law requires a uniform preparticipation physical evaluation form be used to elicit a student’s medical history and to conduct a physical assessment of the student’s physical capabilities used to participate in athletic competition. This form must advise a student to complete a cardiovascular assessment. The bill requires the preparticipation physical evaluation form to advise a student to complete an electrocardiogram as part of the suggested cardiovascular assessment. Further, the bill requires FHSAA to make literature available to parents on the importance of a preparticipation cardiovascular assessment that includes an electrocardiogram.

The bill passed the House Education Appropriations Subcommittee favorably with no amendments in committee.

HB 7033 by House K-12 Education re to Middle Grades Education. The bill implements an early warning system that uses early warning indicators to identify students at risk of not graduating from high school for each school that includes any grades of 6, 7, or 8. The bill also extends anti-hazing provisions to include grades 6 through 8 and revises the definition of “hazing”. School districts must adopt policies that prohibit hazing and set consequences for violations. The bill requires school districts to report incidents of hazing in grades 6 through 12 to the DOE and modifies existing criminal hazing provisions.

The bill passed the House Education Appropriations Subcommittee favorably with no amendments in committee.

HB 7057 by House Higher Education & Workforce Subcommittee re to Career Centers and Charter Technical Career Centers. The bill promotes better utilization of career centers and charter technical career centers and increases student access to programs that will prepare graduates for current and emergent careers in the following ways:

- Authorizes career centers and charter technical career centers to offer college credit certificate programs and creates a process for approval to offer associate in applied science (AAS) degree programs.
- Authorizes career centers and charter technical career centers who offer college credit certificate programs or AAS degrees to request a name change to “technical college.”
- Establishes fees for college credit programs at career centers commensurate with Florida College System fees.
- Requires only those students pursuing a college credit certificate or associate in applied science degree (not adult general education students) to meet residency requirements.

The bill passed the House Education Appropriations Subcommittee favorably as a committee substitute.

HB 173 by Adkins re to Juvenile Justice Education Programs. The bill makes changes to the provisions of law that govern the accountability, deliverance, and review of juvenile justice education programs that provide educational services to students within the Department of Juvenile Justice (DJJ).

The bill passed the House Education Committee favorably as a Committee Substitute and was placed on the House Calendar.

HB 195 by Raburn re to Education Data Privacy. This is the bill that is identical to Senator Hukill’s bill discussed above. The palm scanner used in Pinellas County School District was discussed at length. Any amendment authorizing its continued use was not offered, but the committee expressed an interest in crafting an amendment that would authorize the district to continue using the system through the end of this school year.

The bill passed the House Education Committee favorably.

HB 313 by Diaz re to Single-Gender Public School Programs. The bill establishes criteria for single-gender schools.

The bill passed the House Education Committee favorably and was placed on the House Calendar.

HB 7029 by K-12 Subcommittee re to Code of Student Conduct. The bill clarifies that students should not be disciplined for simulating a firearm or weapon while playing or wearing clothing or accessories which depict a firearm or weapon or an opinion regarding Second Amendment rights.

The bill passed the House Education Committee favorably and was placed on the House Calendar.

HB 7031 by K-12 Subcommittee re to Education. The bill repeals terminated or unfunded programs, corrects cross references, removes obsolete effective dates, eliminates duplicate reporting requirements, repeals completed pilot programs, and updates nomenclature.

The bill clarifies the graduation requirements for certain high school students. Last session the Legislature passed SB 1076 which, in part, dealt with course and testing requirements for high school graduation. The bill explains how the new graduation requirements impact students who were in high school before SB 1076 passed.

The bill removes references to repealed s. 1003.428, F.S., (Old high school graduation requirements) and s. 1003.429, F.S., (Old 18-credit early graduation options) and adds references to s. 1003.4282, F.S., (New standard high school diploma requirements), s. 1003.4281, F.S., (Early high school graduation), and s. 1002.3105(5), F.S., (New 18-credit high school graduation option).

The bill passed the House Education Committee favorably and was placed on the House Calendar.

FTSC2 by Finance & Tax Subcommittee re to Tax Credit Scholarship Programs. The proposed committee bill makes numerous changes to the Florida Tax Credit Scholarship program's student eligibility criteria, scholarship amounts, tax credit availability, and scholarship-funding organization (SFO) accountability standards. It also creates a new Florida Sales Tax Credit Scholarship program that allows dealers who collect state sales and use tax to receive tax credits for making donations to scholarship-funding organizations. The administrative provisions of the new program will parallel those of the existing program as modified by this bill.

The bill removes the prior public attendance requirement for students whose household income is below 185% of the federal poverty level. Beginning in fiscal year 2016-17, new eligibility is created for students whose household income is greater than 185% but does not exceed 260% of the federal poverty level and who are eligible to enter kindergarten or first grade, or attended public school in the prior year. Scholarship-funding organizations are required to serve all new applicants at or below 185% of the federal poverty level before serving students above 185%.

The bill increases the maximum amount of the per student scholarship by 4% so that the maximum is 84% of the FEFP per student funding amount. In concert with the expansion of student eligibility to those with higher household incomes, the bill establishes a means-tested, tiered phasedown of the maximum per student scholarship amount, beginning in the 2016-2017 fiscal year:

- The amount is reduced by 12% for household incomes between 200% and 215%
- The amount is reduced by 26% for household incomes between 215% and 230%
- The amount is reduced by 40% for household incomes between 230% and 245%
- The amount is reduced by 50% for household incomes between 245% and 260%

The bill increases the accountability for scholarship-funding organizations by strengthening the application, approval, and renewal process to participate in the programs by requiring additional financial,

organizational, and operational documentation in the application. In consultation with the Department of Revenue and Chief Financial Officer, the Department of Education will review and provide recommendations for approval or disapproval of each application. The State Board of Education will give final approval or disapproval. With the initial application, the organization is required to have a surety bond for an amount equal to 25% of their anticipated fund donations, which will be adjusted on an annual basis thereafter to equal the amount of undispersed donations.

SFOs that wish to renew their application to continue participating will be required to include a written statement from the auditor general verifying annual audit results, a copy of its IRS Form 990, annual audit, as well as an annual report regarding donations, expenditures, scholarship applications, and scholarship recipients.

The existing scholarship program and the new scholarship program will operate under a combined tax cap. Credits can be approved under either program until the sum of the credits for both programs reach the combined cap. Assuming that each year the annual tax credit amount is at least 90% of the prior year's cap, the bill increases the combined cap by approximately \$30 million over, compared to current law, in each year from 2014-15 through 2017-18. The bill also allows tax credits for both the existing program and the new sales tax program to be transferred between affiliated corporate entities.

Staff estimates that, while the program as revised by this bill will produce net savings to the state over the next five years (i.e., expenditure savings greater than revenue losses) the net savings will be substantially reduced, compared to current law. Net savings are estimated to be \$3.7 million higher in fiscal year 2014-15, compared to current law, and lower by \$1.9 million, \$35.9 million, \$48.3 million and \$62.8 million in fiscal years ending 2016, 2017, 2018, and 2019, respectively.

The proposal was submitted favorably as a Committee Bill by the House Finance & Tax Subcommittee.

Senate Floor Action

No action directly impacted education.

House Floor Action

HB 7015 by House Veteran & Military Affairs Subcommittee re to Military and Veteran Support. The bill, among other provisions, encourages the establishment of charter schools on military installations. The language is as follows:

The Legislature finds that military families face unique challenges due to the highly mobile nature of military service. Among the many challenges that military families face is providing a high-quality education for their children without disruption. The state has a compelling interest in assisting the development and enhancement of learning opportunities for military children and addressing their unique needs.

It is the intent of the Legislature that a framework be established to address the needs of military children who, along with their families, face unique challenges due to the highly mobile nature of military service. In establishing this framework, military installation commanders are encouraged to collaboratively work with the Commissioner of Education to increase military family student achievement, which may include the establishment of charter schools on military installations. Although the State Board of Education,

through the Commissioner of Education, shall supervise this collaboration, the applicable school district shall operate and maintain control over any school that is established on the military installation.

The bill passed the full House and is now in the Senate. The Senate has similar legislation and language in SB 860 which passed the Senate Appropriations Committee favorably on Thursday.

I hope this information is helpful. If you have any questions, please call me at 850.577.5784.