

March 31, 2017

MEMORANDUM

TO: District School Superintendents

FROM: Joy Frank
Garrett Bruner, Legislative Intern
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RE: Legislative Update – Week of March 27, 2017

General Information

It was a hectic week. First, the proposed appropriations bills and FEFP runs are out. Below are links to these documents. The Senate has just released a one page summary document. The House has released a full FEFP run.

[House General Appropriations](#)

[House FEFP](#)

[Senate General Appropriations](#)

[Senate FEFP](#)

The Senate budget provides significantly more funds for public education, primarily due to increases in property values reflected in the Required Local Effort. The Senate did not increase the millage rate, therefore the budget was increased by the amount raised due to increased property values. The House maintained essentially the same amount of local funds raised by the Required Local Effort and the millage rate reflects that amount. The millage rate for RLE in the House is reduced by 0.316 mills.

The use of Required Local Effort will be a major issue as these budgets move through the process and to the budget conference committees. Attached are the members of the Senate PreK-12 Education Appropriations Subcommittee, chaired by Senator Simmons. Please contact these members and express your gratitude and support of the use of the Required Local Effort. The millage rate remains the same. Also attached are the members of the House PreK-12 Education Appropriations Subcommittee. You may want to contact them and express your concerns over the House budget.

Senate Bills Considered in Committee

SB 926 by Flores relating to K-12 Student Assessments. The bill establishes and revises certain provisions relating to student assessments. Specifically, the bill:

- Requires the Commissioner of Education to review the SAT and ACT to determine if such assessments are aligned with Florida’s academic standards for English Language Arts (ELA) and mathematics.

- Shortens and moves the state testing window to the last 3 weeks of the school year.
- Requires results on district-required local assessments be returned to a student's teacher within 1 week after administering such assessments.
- Revises achievement level 3 to mean proficient for any new contract for the ELA and mathematics assessments.
- Requires results of statewide standardized assessments to be reported in an understandable format to each student's current teacher of record and the teacher of record for the subsequent school year before the start of the school year. The bill specifies information that must be included in the student assessment results report.

The bill was temporarily passed and has been rescheduled for this Monday at 1:30 p.m. Senator Simmons had several amendments that addressed the concerns of superintendents. These are being revised to reflect ongoing conversations. Several other amendments that broaden the scope of the bill have also been filed.

SB 782 by Mayfield relating to High School Graduation Requirements. The bill revises the high school graduation requirements for satisfying the mandatory one-credit requirement in physical education. Specifically, the bill deletes the requirement for students who participate in two full seasons of an interscholastic sport to pass a competency test on personal fitness in order to satisfy the physical education credit required for graduation with a standard high school diploma.

The bill was reported favorably in the Senate Education committee.

SB 978 by Powell relating to High School Graduation Requirements. The bill allows a student to use credit earned upon completion of a registered apprenticeship or preapprenticeship program registered with the Department of Education to satisfy certain high school credit requirements for graduation with a standard diploma. Specifically, the bill:

- Authorizes the use of credit earned upon completion of a registered apprenticeship or preapprenticeship program to satisfy up to one credit in fine or performing arts, speech and debate, or practical arts; or electives.
- Requires the State Board of Education (SBE) to approve and identify in the Course Code Directory (CCD) the registered apprenticeship and preapprenticeship programs from which a student may use earned credit to satisfy such course credit requirements.

The bill was reported favorably in the Senate Education Committee.

SB 1210 by Lee relating to Instructional Materials for K-12 Public Education. The bill revises provisions relating to the definition and acquisition of instructional materials. Specifically, the bill:

- Defines "legal resident" or "resident" to mean a person who has maintained his or her legal residence in the state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to Florida law.
- Requires a district school board to adopt a policy regarding the right of a parent or legal resident of the county to object to the use of an instructional material based on specified criteria or contest the district school boards' adoption of specific instructional materials.
- Revises the review process for district school boards that implement their own instructional materials review program.
- Requires district school board, upon a written request, to provide access to any instructional material or book specified in the written request, which is maintained in a district school

- system library and is available for review.
- Revises requirements related to the instructional materials allocation.

The bill was reported favorably in the Senate Education Committee.

SB 1222 by Bradley relating to School Grades. The bill revises the number of students required to establish a school feeder pattern for a qualifying K-3 school from 60 percent of students to a majority of students scheduled to be assigned to the graded school.

The bill was reported favorably in the Senate Education Committee.

SB 1290 by Hutson relating to Career and Technical Education. The bill establishes the “CAPE pathway” to mean a sequence of rigorous academic and career courses that lead to industry-recognized certificates or certification and to postsecondary certificates and degrees. Specifically, the bill:

- Requires, beginning with the 2020-2021 school year, each school district to develop at least one CAPE pathway in a regional area of high demand. Additionally, school districts must:
 - Provide students and their families with electronic access to the CAPE pathways offered by the school district.
 - Specify in the CAPE pathway the sequence of rigorous academic and career courses that lead toward industry-recognized certificates or certifications, and transition to a postsecondary certificate or a degree, and identify the occupation that corresponds to the coursework and certificate or certification.
 - Allow a parent to enroll his or her child in and transport such child to any school’s CAPE pathway in the school district, subject to class size requirements.
 - Ensure that each school within the school district has one career education program specialist to coordinate career programs.
 - Report, by November 1, 2019, on expected costs to develop a CAPE pathway; and annually by November 1, on CAPE pathway enrollment and success.
- Expands the goals of career and professional academies and career-themed courses to CAPE pathways; and adds to such goals the intent to provide students a map of required coursework to earn an industry-recognized certificate or certification or a postsecondary certificate or degree in this state.

The bill was reported favorably in the Senate Education Committee.

House Bills Considered in Committee

EDC3 by Education Committee relating to School Improvement. The bill streamlines early warning system requirements and alleviates school improvement planning requirements by requiring a school improvement plan only for schools with a grade of “D” or “F.” The bill also streamlines the school improvement process by:

- Requiring the same level of intensive interventions and support strategies for “D” and “F” schools;
- Requiring the school district to provide the SBE a district-managed turnaround plan by September 1 after a school earns a “D” or “F;”
- Requiring the selection of another turnaround option after the school receives a third consecutive grade below a “C” unless the school is deemed likely to improve to a “C” and receives an additional year; and
- Requiring another turnaround option be implemented after 2 years implementing the first

plan unless the school is deemed likely to improve to a “C.”

The bill provides that an educational emergency exists in a school district when a school earns a “D” or “F” and requires the district to execute a memorandum of understanding with the collective bargaining agent concerning the selection, placement, and expectations of instructional personnel and school administrators at the school. The memorandum must also be submitted to the SBE by September 1 after a school earns a “D” or “F.”

The bill authorizes the establishment of “schools of hope” and designation of “hope operators” to provide students in areas of persistently low-performing schools with a high-quality education option designed to close the opportunity gap and increase student achievement. The bill:

- Establishes criteria for schools of hope and hope operators; · defines persistently low-performing schools as those subject to differentiated accountability for more than three years or closed as a result of school improvement requirements;
- Authorizes the State Board of Education (SBE) to identify and designate hope operators who meet specified criteria;
- Removes barriers to hope operators by creating a new notice and agreement process that is exempt from the current charter law and state procurement laws. The bill:
 - Allows a hope operator to submit a notice of intent to establish a school of hope in a school district with one or more persistently low-performing schools;
 - Requires the school district to enter into a performance based agreement with the hope operator which must include specified provisions;
- Provides a school of hope with specific exemptions from current law;
- Provides provisions for facilities and funding for schools of hope;
- Establishes a grant program to cover specified operational expenses; and
- Establishes the Schools of Hope Revolving Loan Program to help schools of hope cover school building construction and startup costs.

The proposed House General Appropriations Act provides \$200 million in recurring General Revenue funds.

The bill was reported favorably by the House Education Committee. The bill is now HB 5105.

HB 955 by Ahern relating to High School Graduation Requirements. The bill requires students entering grade 9 in the 2017-2018 school year and thereafter to complete a one-half course credit in personal financial literacy.

The bill revises the Next Generation Sunshine State Standards to include additional, specified financial literacy topics and requires the new personal financial literacy course to include discussion of or instruction in those topics.

To maintain the current 24-credit graduation requirement, the bill reduces the electives credit requirement from eight credits to seven-and-one-half credits.

The bill passed the House Quality committee favorably.

HB 1229 by Grall relating to Committee on Early Grade Success. The bill creates the Committee on Early Grade Success, within the Department of Education to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the

Voluntary Prekindergarten Education Program, and the Kindergarten Readiness Assessment.

The 17-member committee's proposal must include legislative recommendations for the design and implementation of a coordinated child assessment system, including, but not limited to:

- The purpose of a child assessment, with a focus on developmentally appropriate learning gains.
- Attributes for tool selection that provide guidance on procurement policies.
- An implementation schedule and protocols, including the frequency of data collection and a timeline for training to ensure reliability of the system.
- The methodology for collecting and analyzing data that define reporting requirements.
- A budget for the system, including cost analyses for purchasing materials and the necessary technology, training to ensure reliability, and data system management.
- Considerations for student privacy and tracking child development over time.

Members of the committee serve without compensation and to reduce costs, the committee must meet at least three times by teleconference or other electronic means, if possible. The University of Florida Lastinger Center for Learning will assist the committee in the performance of its duties.

The committee must submit a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2017. Once the report is submitted, the committee expires. The State Board of Education is granted the authority to adopt rules to implement and administer the provisions in the bill.

The bill passed the House Quality committee favorably.

HB 233 by Edwards relating to Students with Disabilities in Public Schools. The bill establishes standards and procedures regarding the use, monitoring, documentation, and reporting of seclusion and restraint on students with disabilities. The use of manual restraint or seclusion is required to be monitored at the classroom, building, district, and state levels. The Florida Department of Education (DOE) is required to develop standards for and provides guidance to school districts. School districts must develop policies and procedures regarding incident-reporting, data collection, and monitoring. Each school district is required to provide its policies and procedures to DOE.

The bill amends the use of restraint and seclusion on students with disabilities. Specifically, the bill:

- Defines terms related to seclusion and restraint.
- Replaces the term “manual restraint” with “physical restraint.”
- Provides that physical restraint may be used only to protect students, school personnel or others, or to prevent the destruction of property, but not for disciplining a student. Restraints should be used only when all other strategies and techniques have been exhausted. A student may only be physically restrained for the time necessary for protection.
- Prohibits physical restraint techniques, such as:
 - Pain inducement to obtain compliance.
 - Bone locks.
 - Hyperextension of joints; ○ Peer restraint.
 - Pressure or weight on the chest, lungs, sternum, diaphragm, back, or abdomen, causing chest compression.
 - Straddling or sitting on any part of the body or a maneuver that places pressure, weight, or leverage on the neck or throat, on an artery, or on the back of the student's head or neck or that otherwise obstructs or restricts the circulation of blood or

- obstructs an airway.
- Any type of choking, including hand chokes, and any type of neck or head hold
- Requires school districts to develop policies and procedures to ensure the physical safety and security of all students and school personnel; and requires that students be treated with dignity and respect.
- Outlines under what circumstances seclusion and restraint may not be used.
- Describes the circumstance when time-outs may be used and prohibits certain areas.
- Requires the school to review a student's functional behavioral assessment and individualized behavior intervention plan when a student is placed in time-out, physically restrained or secluded more than twice in a semester.
- Includes emotional and behavioral disabilities in the list of disabilities for which certain school personnel must be trained to identify for early intervention.
- Adds to staff training effective classroom behavior management strategies such as differential reinforcement, precision commands, minimizing attention or access to other reinforcers, and time-out methods.
- Directs DOE to publish data and analysis relating to incidents of seclusion and restraint on its website

The bill passed the House Quality committee favorably.

HB 265 by Porter relating to Computer Coding Instruction. The bill requires the Articulation Coordinating Committee to develop recommendations that identify, among other things:

- High school courses in computer science, including computer coding and computer programming, which may be used to satisfy state university admissions requirements for math and science;
- Gaps in current policy, curricula, programs, and practices that inhibit students from pursuing postsecondary education and careers in computer science and related fields; and
- Common definitions for terms such as computer coding and computer programming so that stakeholders at all educational levels can use the terms clearly.

In addition, the bill requires the Commissioner of Education to establish academic standards for computer science, coding, and programming and identify high school-level courses that incorporate the standards in the Course Code Directory.

The bill requires the Department of Education to annually report to the Board of Governors and the Legislature:

- The courses identified in the Course Code Directory by the commissioner in accordance with the bill;
- The number of students, by district, including the Florida Virtual School, who are enrolled in a course identified in the Course Code Directory by the commissioner in accordance with the bill; and
- The number of individuals who hold a valid educator certificate in computer science or a related field.

The bill requires the State Board of Education to work with the Board of Governors and school districts to develop strategies for recruiting and supporting computer science teachers.

The bill passed f the House Quality committee favorably.

HB 989 by Donalds relating to Instructional Materials. The bill:

- Allows parents and residents of the county to provide the district school board evidence that an instructional material for adoption by the district does not meet the state criteria, contains prohibited content, or is otherwise inappropriate or unsuitable;
- Allows county residents to contest the adoption of an instructional material and object to the use of a material made available to students;
- Requires the process for contesting the adoption of an instructional material to provide for an impartial hearing officer;
- Requires school districts to discontinue use of a material found to be inappropriate or unsuitable;
- Requires school districts to provide access to library materials upon written request;
- Requires school districts to maintain a current list of purchased instructional materials on their websites;
- Requires that instructional materials purchased using the instructional materials allocation be on the state-adopted list unless purchased through a district instructional materials program;
- Requires that instructional materials purchased through a district instructional materials program meet the criteria for inclusion in the state-adopted list, be aligned to the state academic standards, and be consistent with course expectations and course descriptions;
- Eliminates the requirement that 50 percent of the instructional materials allocation be used to purchase electronic or digital materials; and
- Clarifies that a school district is responsible for the content of all materials made available to students, including those that may not meet the statutory definition of an instructional material.

The bill passed the House Quality Committee favorably.

HB 127 by Plasencia relating to Public School Attendance Policies.

The bill:

- Requires district school boards to adopt student absence policies regarding student appointments to receive autism spectrum disorder therapy, including but not limited to, applied behavioral analysis, speech therapy and occupational therapy;
- Allows a parent to request and be granted permission for a student's absence resulting from an appointment to receive therapy provided by a licensed health care practitioner or a certified behavior analyst for the treatment of autism spectrum disorder; and
- Allows a student who is continually sick and repeatedly absent to satisfy nonattendance requirement by being under the supervision of a licensed health care practitioner or a certified behavior analyst for the treatment of autism spectrum disorder.

The House Innovation Committee reported the bill favorably.

HB 371 by Ausley relating to Assistive Technology Devices. The bill revises provisions related to the use of an assistive technology device by students with disabilities by:

- Clarifying that access to and use of the assistive technology device is essential for a student moving from school to home and community;
- Specifying an individual work plan as one of the plans that may serve as the basis for issuing an assistive technology device to a student; and
- Requiring the Office of Independent Education and Parental Choice, within the Florida Department of Education, to enter into interagency agreements with specified agencies, as appropriate, for the transaction of assistive technology devices.

The House Innovation Committee reported the bill favorably.

HB 1131 by Drake relating to Shared Use of Public School Playground Facilities.

The bill:

- Requires the Department of Education (DOE) to provide technical assistance to school districts to promote community use of shared facilities;
- Provides funding to the DOE to provide short-term grants to districts, establish guidelines for funding eligibility for the grants and develop a grant application process; and
- Creates a Shared Use Task Force to identify barriers in creating shared use agreements and to make recommendations to facilitate the shared use of school facilities generally and in high-need communities.

The House Innovation Committee reported the bill favorably.

PKI1 by PreK-12 Innovation Subcommittee relating to Charter Schools.

The bill:

- Requires sponsors to use the standard charter contract developed by the Department of Education (DOE) without any alterations
- Removes the cap on high-performing charter schools that wish to replicate in low-performing areas;
- Provides a high-performing charter school whose application for replication has been denied a hearing through the Charter School Appeals Commission;
- Provides for a streamlined application for a high-performing charter school system wishing to replicate schools;
- Clarifies that student performance data from eligible students attending an alternative charter school shall be included in the calculation of the home school's grade as well as high school students who transfer to a private school for which the school district subsidizes, in whole or in part, the enrollment fees;
- Includes the charter school in the waiver of sovereign immunity in cases of tort liability;
- Requires school districts to share the discretionary millage with charter-schools-in-a-municipality if the school is owned and directly operated by the municipality;
- Clarifies administrative fees for charter schools, high-performing charter schools and charter school systems;
- Removes the requirement that the online learning portion of a blended learning model be in a classroom setting at the charter school;
- Clarifies that charter school cooperatives may form to further educational, operational and administrative initiatives;
- Specifies that a not-for-profit or municipal entity operating a charter school may use unrestricted surplus or net assets of their charter school(s) for K-12 educational purposes in their other schools;
- Extends the option for local education agency status to other charter schools by redefining "charter school system;"
- Requires the DOE to develop and administer a survey for charter schools to report on the timeliness and effectiveness of administrative services provided by sponsors;
- Changes the charter school application deadline from August 1 to February 1;
- Deletes language regarding federal funds that conflicts with federal requirements for distribution of such funds; and
- Deletes the charter school student achievement comparison report.

The House Innovation Committee reported the bill favorably.

HB 67 by Plasencia relating to Public School Recess. This bill allows district school boards' to include free-play recess for students in kindergarten through 3rd grade in the currently mandated 150 minutes per week physical education requirement. Additionally, the bill requires each school district to provide free-play recess each week on days when physical education classes are not held for students in kindergarten through 3rd grade so that there are at least 20 minutes of free-play recess.

The House Innovation Committee reported the bill favorably.

PKA1 by Prek-12 Appropriations Subcommittee relating to Charter Schools and Fixed Capital Outlay. The bill specifies that both district schools and charter schools are eligible to receive the revenue generated from the discretionary 1.5 millage authorized in s. 1011.71(2), Florida Statutes and clarifies the authorized uses of such revenue. The bill amends the eligibility criteria for charter schools to receive capital outlay funds to require the school to:

- Uses facilities that are:
 - Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;
 - Owned by an organization qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code; or
 - Owned by and leased from a person or entity that is not an affiliated party of the charter school.
- Be in operation for 2 or more years;
- Not have more than two consecutive school grades lower than "B" unless the school serves a student population at least 50 percent of which is eligible for the National School Lunch Program;
- Have an annual audit with no financial emergency conditions.
- Have received final approval from its sponsor for operation during that fiscal year; and
- Serve students in facilities that are not provided by the charter school sponsor.

The bill clarifies the calculation methodology for the Department of Education (DOE) to allocate state funds appropriated to eligible charter schools for capital outlay purposes. The bill also establishes the calculation methodology for DOE to determine the amount of the discretionary 1.5 millage revenue a school district must distribute to each eligible charter school.

The bill adjusts the capital outlay full-time equivalent (COFTE) calculations to be consistent with Florida Education Finance Program (FEFP) full-time equivalent (FTE) membership calculations for facility space needs and COFTE determination procedures.

The House Appropriations Committee reported the bill favorably. The bill is now HB 5103.

PKA2 by PreK-12 Appropriations Subcommittee relating to Educational Funding.

The bill:

- Repeals the requirement for the Just Read, Florida! Office to review the K-12 comprehensive reading plan.
- Limits the amendatory period for the reporting of FTE for payment to providers and schools by early learning coalitions for the voluntary prekindergarten program.
- Removes obsolete language referencing the Florida School for Boys in Okeechobee.
 - Modifies the Florida Education Finance Program (FEFP) by:
 - Requiring that the Supplemental Academic Instruction allocation for schools that

earned a grade of “D” or “F” be used to implement the required intervention and support strategies.

- Codifying the Sparsity Supplement current calculation methodology.
- Requiring that the K-12 comprehensive reading plans in the Research-Based Reading Instruction allocation only be submitted by a school that earned a grade of “D” or “F” and prioritizing the use of funds for the 300 lowest performing elementary schools.
- Repealing the requirement that a school district submit a digital classrooms plan to receive funding from the Digital Classrooms Allocation and aligning the use of the allocation to the eligible services list authorized by the federal Schools and Libraries Program, commonly referred to as the federal E-rate program.
- Codifying the Safe Schools categorical.
- Providing clarification of FEFP reporting requirements and audit adjustments.
- Amends the required components of a school district’s standard student attire policy for purposes of school district receiving incentive payment.

The House Appropriations Committee reported the bill favorably. The bill is now HB 5101

HB 15 by Sullivan relating to Educational Options. The bill revises the Florida Tax Credit (FTC) Scholarship Program by:

- Increasing the base annual scholarship amount, differentiated by grade level, for students enrolled in eligible private schools;
- Increasing the amount of a transportation scholarship for a student who chooses a public school outside their district from \$500 to \$750;
- Allowing a dependent child of a parent who is a member of the U.S. Armed Forces to apply for a scholarship at any time;
- Authorizing a Scholarship Funding Organization (SFO) to make scholarship payments on behalf of a parent only if the SFO receives prior approval from the parent each time;
- Providing that a private school that has consecutive years of material exceptions listed in their annual financial reports may be ineligible to participate in the FTC;
- Requiring the Department of Revenue (DOR) to provide a copy of a denial letter to the SFO specified by the taxpayer seeking the tax credit;
- Revising the date that a private school’s agreed upon procedures report from a CPA is due to the SFO from September 15, to August 15, of each year; and
- Removing obsolete language regarding student eligibility and funding

The House Appropriations Committee reported the bill favorably.

HB 293 by Burton relating to Middle School Study. The bill directs the Florida Department of Education to conduct a comprehensive study of states with high performing students in grades 6 through 8 in reading and mathematics, based on the states’ performance on the National Assessment of Educational Progress. The findings of the study must be reported to the Governor, the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives by December 2017. The study must include a review of the following general topics:

- Academic expectations and instructional strategies.
- Availability of student support services.
- Attendance policies and student mobility issues.
- Teacher quality.
- Middle school administrator leadership and performance.
- Parental and community involvement.

The House Appropriations Committee reported the bill favorably.

HB 655 by Porter relating to Exceptional Student Instruction. The bill removes the option for the school district receiving an exceptional student with a disability who resides in a residential facility to decline to provide or contract for educational instruction.

The House Appropriations Committee reported the bill favorably.

HB 773 by Diaz (M) relating to K-12 Student Assessments. The bill revises requirements relating to the statewide assessment program as follows:

- Beginning with the 2017-2018 school year, the statewide, standardized English language arts (ELA) assessment in grades 3 through 10 and mathematics assessment in grades 3 through 8 must be administered no earlier than the last 3 weeks of the school year.
- The bill exempts the “grade 3 Reading assessment” from the new testing window.
- The results from the statewide, standardized ELA and mathematics assessments must be reported to the student’s current teacher and to the student’s teacher for the subsequent school year before the start of the school year. It must contain information related to the student’s performance, including:
 - Identification of areas of strength and areas in need of improvement;
 - Ways the student’s parent can assist his or her child based on the results; o if available, longitudinal data based on the student’s previous performance;
 - A comparison of the student’s score with other students in the school district, state, and, if available, other states; and
 - Predictive information on how the student might perform on college entrance

The bill requires that any new contract for the statewide, standardized ELA and mathematics assessments must define a Level 3 achievement score as “proficient.”

The bill requires the Commissioner of Education to review the SAT and ACT to determine their alignment with Florida’s academic standards for ELA and mathematics. The commissioner must submit a report with the review’s findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2017.

The bill also requires school districts to provide results from a district-required local assessment to a student’s teacher within 7 days after the assessment is administered.

This bill appropriates \$339,611 in nonrecurring General Revenue funds to implement the study. The bill also appropriates \$1,247,251 in recurring General Revenue funds to implement the reporting requirements.

The House Appropriations Committee reported the bill favorably.

HB 833 by Sullivan relating to Student Eligibility for K-12 virtual Instruction. Florida has a variety of virtual instruction options for K-12 students. However, students in 2nd through 5th grades are not eligible for enrollment in part-time virtual instruction unless they were enrolled in public school in the prior year, are dependent children of military personnel or have a sibling currently enrolled in a virtual instruction program and the sibling was enrolled at the end of the prior year. As a result, many 2nd through 5th grade students are not eligible for enrollment in part-time virtual instruction.

The bill removes the prior year in public school requirement and provides that all K-12 students, including home education and private school students, are eligible for both full-time and part-time virtual instruction options.

The bill removes passage of an online content assessment, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes, as an option to fulfill the online course requirement.

The House Appropriations Committee reported the bill favorably.

HB 1111 by Plasencia relating to Teacher Certification. The bill revises the requirements for a district professional development certification and educator competence program. Under the bill, a temporary certificate holder who completes a Florida Department of Education (DOE) approved program and earns a highly effective rating will qualify for a renewable professional certificate without having to complete additional classwork or pass the Professional Education Test.

The bill allows charter schools and charter management organizations to offer a professional development certification and educator competence program and requires the mentorship and induction component of the program to, at a minimum, provide weekly opportunities for mentoring and induction activities, including:

- Common planning time;
- Ongoing professional development targeted to the teacher's needs;
- Opportunities to observe other teachers;
- Co-teaching experiences; and
- Reflection and follow-up discussions.

The mentorship and induction activities must be provided for a teacher's first year in the program and may be provided until the teacher attains his or her professional certificate.

The bill requires the DOE to adopt standards for approving a professional development certification and educator competence program, including the mentorship and induction component.

With respect to professional development, the bill allows mentoring activities, including serving as a mentor, to count towards a teacher's inservice requirements for certification renewal. The bill requires professional development activities to provide training to mentors. The training must include components on teacher development, peer coaching, time management, and other related topics as determined by the DOE. The bill requires model professional development programs disseminated by the DOE to include effective mentorship activities to new teachers and training to mentors.

The House Appropriations Committee reported the bill favorably.

HB 1331 by Grall relating to Education. The bill establishes the Schools of Excellence Program to provide administrative flexibility to the state's highest performing schools. The bill requires the State Board of Education to designate a school as a School of Excellence if it has a school grades score in the 80th percentile or higher, statewide, for schools of its type (elementary, middle, high, or combination) for 2 of the last 3 school years. A school retains its designation for 3 years unless it earns a school grade lower than a "B" during that span. A school may renew its designation if it remains in the 80th percentile or higher for 2 of the 3 years and does not receive a grade lower than a "B." The bill provides the following administrative flexibilities to a School of Excellence:

- Exemption from any provision in law or rule that expressly requires a minimum period of daily or weekly instruction in reading.
- The same autonomy over personnel and budgetary decisions for the school's principal as provided to principals participating in the Principal Autonomy Pilot Project Initiative.
- Exemption from district-set starting and stopping times for the school day.
- Allowing a teacher to substitute 1 school year of employment at a School of Excellence for 20 inservice points toward the renewal of their professional certificate, up to 60 inservice points.
- Calculation for compliance with maximum class size at the school level rather than the classroom level.

Under the bill, a temporary certificate holder who completes an approved professional development certification program and earns a highly effective rating will qualify for a renewable professional certificate without having to complete additional classwork or pass the Professional Education Test.

The House Appropriations Committee reported the bill favorably.

HB 7057 by PreK-12 Quality Subcommittee relating to Civic Literacy.

The bill:

- Designates the month of September as "American Founders' Month" and authorizes the Governor to issue a proclamation urging public and private organizations within the state to celebrate the month;
- Encourages all public schools to coordinate instruction on the founding fathers with "American Founders' Month;"
- Requires the Just Read, Florida! Office to develop sequenced, content-rich programming to help elementary schools incorporate social studies, science, and fine arts content into literacy skills instruction;
- Provides that it is a priority of the K-20 public education system to prepare students to become civically engaged and knowledgeable adults who make positive contributions to their community;
- Requires students entering a Florida College System or State University System institution in 2018-2019 or thereafter to demonstrate competence in civic literacy either through a general education civics course or by passing an assessment adopted by the State Board of Education (SBE) or the Board of Governors (BOG); and
- Requiring the chairs of the SBE and BOG to jointly appoint a faculty committee to:
 - Develop a new course in civic literacy or revise an existing general education core course; and
 - Establish competencies and identify outcomes for the course.

The House Appropriations Committee reported the bill favorably.

HB 1137 by Edwards relating to Use of State Funds.

Per Diem and Travel Expenses

- The bill provides that when an employee of a state agency or the judicial branch is attending a meeting, conference, or convention organized or sponsored in whole or in part by a state agency or the judicial branch, the reimbursement for lodging expenses may not exceed \$150 per day. However, an employee may expend his or her own funds for any lodging expenses in excess of the limit.

State Fund Prohibitions

- The bill prohibits the use of state funds for the following additional purposes: The purchase of alcoholic beverages; and the purchase of food or beverages for events related to state

agency employee, board member, or vendor appreciation or recognition.

The bill was reported favorably in the Government Operations and Technology Appropriations Subcommittee.

HB 789 by Stone relating to Procurement of Professional Services. The bill amends the current CCNA process to replace the competitive negotiation phase with a best value selection process. Under the new process, each firm selected as one of the most qualified during the competitive selection phase must submit a compensation proposal for the proposed work. The agency must evaluate the compensation proposal, the information provided during the competitive selection phase, and any other information the agency requests in order to make a best value selection. However, the bill provides that compensation may not exceed 50 percent of the total weight of the published evaluation criteria.

The bill also authorizes an agency to reject any or all submissions received in response to the public announcement for a proposed project.

The bill specifies that the CCNA does not apply to transportation projects for which federal aid funds are available and requires such projects to be procured in accordance with federal law.

The bill was reported favorably in the Oversight, Transparency, and Administration subcommittee.

HB 843 relating to Public Meetings/Meetings between two Members of Board of Commission. The bill authorizes two members of any board or commission, including persons elected or appointed to such board or commission who have not yet taken office, of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision with a total membership of at least five members to meet in private and discuss public business without providing notice of such meeting or recording the meeting. Such meetings are exempt from open meetings requirements if:

- The members do not adopt a resolution or rule to take any other formal action, or agree to do so at a future meeting, at such meeting. A resolution or rule adopted, or any other formal action taken, in violation of this prohibition is void.
- The members do not discuss an appropriation, a contract, or any other public business that involves the direct expenditure of public funds to a private vendor.
- The meeting is not intended to frustrate or circumvent the purpose of the open meetings laws.

The bill provides for repeal of the exemption on October 2, 2022, unless reviewed and saved from repeal through reenactment by the Legislature. The bill provides a public necessity statement as required by the State Constitution.

The bill was reported favorably in the Oversight, Transparency, and Administration subcommittee.

Senate Session

SB 80 by Steube relating to Public Records.

Revises the public records requests statute to ease the niche market which has abused the loophole.

Read Third Time; Amendment Adopted (648400); Passed (Vote: 38 Yeas / 0 Nays); amendment engrossed 648400.

More specifically requires that no person bring a request to force the violation of the statute and bring a civil suit.

SB 78 by Flores relating to Public School Recess.

Read Second Time; Placed on Third Reading, 04/04/17; no amendments.

House Session

HB 7021 by Public Integrity & Ethics relating to Local Government Ethics Reform.

Passed 114/1; amendment 441225 filed and adopted on 2d reading.

Added new language requiring that any mayor or member of the governing body of the municipality which had greater than \$10 million or more in total revenue for the 3 consecutive fiscal years ending prior to the year the disclosure covers shall file a full and public disclosure of financial interests with the Commission on Ethics.

HB 479 by Metz relating to Government Accountability.

This bill expands the auditor general's ability to hold accountable agencies and public sector employees and agents.

Passed 91/23; amendments 727365 & 360915 adopted and engrossed.

Includes language which states that a meeting does not include travel activities for conducting an audit, examination, inspection, or investigation or travel activities related to a litigation or emergency response.

HB 11 by Plakon relating to Labor Organizations.

Requires an employee organization to include the following information in its annual financial report for each certified bargaining unit that the organization represents:

The number of employees in the bargaining unit who are eligible for representation by the employee organization; and

The number of employees who are represented by the organization, specifying the number of members who pay dues and the number of members who do not pay dues.

Passed 75/41; no amendments.