

January 26, 2018

MEMORANDUM

TO: District School Superintendents

FROM: Joy Frank
Jonathon Gross, Legislative Intern
Keenen Vernon, Legislative Intern

RE: Legislative/CRC Update – Week of January 22, 2018

General Information

The House and Senate released their preliminary budgets. I emailed these out earlier in the week. This morning the House released the FEFP Runs: [House FEFP Runs](#)

A general budget summary completed by Jim Hamilton is also attached.

Also this morning, the House released a 198 page proposed committee substitute to the a comprehensive education bill that they passed out earlier this week in the House Education Committee - [PCS HB 7055](#)

Needless to say, I have not had a chance to read or summarize PCS HB 7055. I will get one to you as soon as I am able.

CRC

FADSS opposed three of the proposals before the CRC today. They all passed the committee and are poised to go to the full Commission.

- P 4 – Repealed the “No Aid” provision or “Blaine Amendment.”
- P 45 – No provision of the State Constitution may be construed to limit the Legislature from making provision for other educational services that are beneficial to children and families.
- P 71 – As amended; authorizes the Legislature to enact laws providing alternative processes for the establishment of public school in the state.

Budget Bills

SB 1434 by Passidomo – K-12 Education Enhancements

This is not an official conforming bill but it contains several provisions that amend the FEFP that could be included in the conforming bill. The Senate just released the conforming bill for education - SB 2508. I have not had a chance to analyze it, but it contains some of the provisions in this bill but not all.

Section 1 – Amends s. 1002.333 relating to Persistently low-performing schools. Revises the definition of “persistently low-performing school” to mean a school that has completed

2 school years of a district-managed turnaround plan and has not improved its grade to a “C” or higher.

Revises the definition of “school of hope” and requires that the school be located in the attendance zone of a persistently low-performing school. Removes the authority to be within a 5-mile radius of such school.

A “school of hope” could also be a school operated pursuant to a district selection as a district turnaround option for persistently low-performing schools that did not improve. This school would be eligible for hope funds.

A hope operator seeking to open a school of hope must submit a notice of intent that includes all of the statutory criteria. New/modified criteria include the requirement to provide the specific location for the proposed school or the plan to use the district-owned facilities of the persistently low-performing school. An operators plan specifying the operator’s intent to undertake the operations of the persistently low-performing school in its entirety or through limited components of the operations.

Facilities – A school of hope that is located within the zoned-area must use facilities that comply with the Florida Building Code, except for SREF. A school of hope that is selected as one of the district-managed turnaround options and receives hope supplemental services must use the district-owned facilities of the persistently low-performing school. The school of hope must comply with SREF only if the district and hope operator have entered into a mutual management plan for the reasonable maintenance of the facilities. The mutual management plan must contain a provision specifying that the school board agree to maintain the school facilities in the same manner as other public schools within the district.

Funding – Schools of hope that open within the zone of the persistently low-performing school are eligible for receive funds form the Schools of Hope Program. Schools of hope that are selected by a district as a turnaround option are eligible to receive funds from the hope supplemental services allocation.

The \$2,000 per FTE is replaced with a hope supplemental services allocation.

Section 2. Creates s. 1002.334, F.S., relating to Franchise Model Schools. A “franchise model school” is defined as a persistently low-performing school led by a highly effective principal in addition to the principal’s currently assigned school. If a franchise model school achieves a “C” or higher, the school may retain its status as a franchise model school at the discretion of the district. A district that has one ore more persistently low-performing schools may use a franchise model school as a school turnaround option. A franchise model school principal must be rated highly effective, may lead two or more schools as specified, may allocate resources and personnel between schools under his/her administration, but hope supplemental services allocation funds, must be spent at the franchise model school, and is eligible to receive a Best and Brightest Principal award.

Section 3. Amends s. 1002.395, F.S., relating to the Florida Tax Credit Scholarship Program. A student in foster care remains eligible to receive a scholarship until he/she graduates from high school or reaches 21. In addition, a student who attends, or attended in the previous academic year, a persistently low-performing school is eligible for a scholarship as long as the zoned school remains a persistently low-performing school.

Section 4. Amends s. 1007.273, F.S., relating to Structured high school acceleration programs. The language substantially modifies the collegiate high school program. The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course requirements over electives. A school board may not limit the number of eligible students who may enroll in structured programs. The language specifies that each school board and its local Florida College System institution must execute a contract to establish one or more structured programs. If a local Florida College System institution does not establish a structured program with a school board in its service area, another institution may execute a contract with the school board.

By August 1, 2018, a contract entered into before January 1, 2018 for the 2018-2019 school year must be modified to include new contract provisions.

By September 1 of each school year, each school board must notify each student enrolled in grades 9, 10, 11 and 12 about the structured program including the method for earning college credit through the program and estimated cost savings of participation.

A charter school may execute a contract directly with the local Florida College System institution or another institution to establish a structured program.

Funding – A student who enrolls in the structured program and successfully completes at least 30 college credit hours during a school year through the dual enrollment program generates a 0.5 FTE bonus. A student who completes an additional 30 hours, resulting in at least 60 college credit hours, generates an additional 0.5 FTE bonus. Each school board must report to the commissioner the total FTE bonus for each structured program. The total FTE bonus is added to each district’s total WFTE for funding in the subsequent year.

The language specifies reporting requirements to the commissioner.

Section 5. Amends s. 1008.33, F.S., relating to authority to enforce public school improvement. Language is added to authorize a district-managed turnaround plan to include a proposal to implement an extended school day, a summer program, or a combination of an extended school day and summer program.

Unless the SBE authorizes an additional implementation year, a school that has completed 2 school years of a district-managed turnaround plan and has not improved to a “C” or higher must implement one of several options. Some of the current options are modified. If the district closes the school and reopens as a charter school, such charter school is eligible for funding for the hope supplemental services allocation. A district-managed charter school is eligible for funding from the hope supplemental services allocation.

An additional option is a hope operator that submits to a district a notice of intent of a performance-based agreement. A school of hope established under this provision is eligible for funding from the hope supplemental services allocation for up to 5 years if the school:

- Is established at the district-owned facilities of the persistently low performing school;
- Gives priority enrollment to students enrolled in, or living in the attendance zone of the persistently low-performing school; and

- Meets the requirements of its performance-based agreement.

Another option is to implement a franchise model school.

If the school does not improve to a “C” or higher after 2 school year of implementing the turnaround options authorized above, the district must implement another turnaround option.

Section 6. Amends s. 1011.62, F.S., relating to Funds for operation of schools. The section establishes the Hope Supplemental Services Allocation to provide district-managed turnaround schools, charter school, district-managed charter school, schools of hope, and franchise model schools with funds to offer services designed to improve overall academic and community welfare of the schools’ students and their families. The types of services are specified. School eligible to receive the services must develop and submit a plan for approval to its respective governing body no later than August 1. Plan requirements are specified. Plans must be submitted to the commissioner by September 1.

For the 2018-2019 fiscal year, a school that is selected to receive funding in the 2017-2018 fiscal year shall receive \$2,000 per FTE. Specified schools are eligible for the remaining funds based on the school’s UFTE up to \$2,000 per FTE or as provided in the GAA. For the 2019-2020 fiscal year and thereafter, each district’s allocation shall be based on the UFTE student enrollment at the eligible schools and a per-FTE funding amount of up to \$2,000 per FTE or as provided in the GAA. If the calculated funds exceed the appropriation, the allocation shall be prorated.

A Mental Health Assistance Allocation is created to provide supplemental funding to assist districts in establishing or expanding comprehensive school-based mental health programs. Prior to the distribution of the allocation, the district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the school board for approval. A charter school must submit a plan to its governing body and after approval, it must be provided to the school district for submission to the commissioner. The language specifies the elements that must be included in the plan. Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation must submit to the commissioner a final report in program outcomes and expenditures.

Section 7. Amends s. 1011.71, F.S., relating to District school tax. A school district is authorized to expend up to \$150 (up from \$100) on vehicles and property/casualty insurance premiums.

Section 8. Amends s. 1012.732, F.S., relating to The Florida Best and Brightest Principal Scholarship Program. Authorizes franchise model school principals to receive the awards as well as those who have recruited and retained a high percentage of best and brightest teachers. A franchise model principal is eligible for a \$10,000 scholarship; a \$5,000 scholarship is awarded to each principal assigned to a Title I school and a \$4,000 to each principal who is not assigned to a Title I school who has the required percentage of best and brightest teachers.

Section 9. Amends s. 1013.62, F.S., relating to Charter schools capital outlay funding. The governing board chair and chief administrative officer of a charter school must certify under oath that funds will be used solely and exclusively for construction, etc. for specified public

facilities or owned by a s. 501(c)(3) corporation whose articles of incorporation specify that, upon dissolution, the property will be transferred back to a public entity.

The bill modifies the calculation methodology that the DOE must use to determine the amount of revenue that a school district must distribute to each charter school if the school board levies the authorized local discretionary millage. The bill provides that the calculated capital outlay allocation per free-time equivalent (FTE) must be multiplied by the total number of FTE students for all eligible charter schools within the district to determine the total charter school capital outlay allocation for each district. Next, if applicable, the capital outlay allocation must be reduced by the total amount of state funds allocated to all charter schools within a district to determine the net total calculated capital outlay allocation from local funds. The bill states that if state funds are not allocated for this purpose the total charter school capital outlay allocation is the net total calculated capital outlay allocation from local funds for each district.

The bill also provides that for each charter school within each district, the net capital outlay amount from local funds must be calculated in the same manner as the state funds appropriated in the General Appropriations Act to eligible charter schools, except that the base charter school per weighted FTE allocation amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district.⁶¹ The per weighted FTE allocation amount from local funds must be multiplied by the weighted FTE for each charter school to determine each charter school's capital outlay allocation from local funds.

The revised calculation may alter the amount of funds distributed in each charter school's capital outlay allocation from local funds.

Section 10. July 1, 2018, effective date.

The bill passed the Senate Education committee favorably as a committee substitute.

HB 5101 by PreK-12 Appropriations Subcommittee relates to PreK-12 Education Funding.

The bill conforms applicable statutes to the appropriations provided in the House proposed GAA for PreK-12 education for the 2018-2019 Fiscal Year.

Just Read, Florida Office

The bill amends s. 1001.215, Florida Statutes, to repeal the requirement for the Just Read, Florida! Office to review and approve K-12 comprehensive reading plans and to provide technical assistance with their implementation. Instead, such plans will be reviewed and approved by the Department of Education as part of the monitoring, intervention, and support strategies required under s. 1008.33, Florida Statutes.

Schools of Hope Program Fund

The bill amends s. 1002.333(10), Florida Statutes, to allow for the same carry forward provision for any funds not disbursed by June 30 of the fiscal year in which the funds are

allocate for the Schools of Hope Program fund that funds the traditional public school grant program and the schools of hope statutorily identified expenditures.

Supplemental Academic Instruction Categorical

The bill modifies the FEFP SAI allocation by:

- Deleting the requirement that the 300 lowest-performing elementary schools based on the statewide reading assessment must use their portion of the SAI allocation to implement an extra hour of intensive reading instruction.
- Requiring that each school district that has a school earning a grade of “D” or “F” pursuant to s. 1008.34, Florida Statutes, use that school’s portion of the SAI allocation to implement the intervention and support strategies required pursuant to s. 1008.33, Florida Statutes. For all other schools, the school district may use the SAI for eligible purposes currently described in law.

Research Based Reading Instruction Allocation

The bill:

- Modifies the identification of the 300 lowest-performing elementary schools based on based on a three-year average of the statewide reading assessment data.
- Allows the extra hour to be optional for students scoring Level 4 or Level 5 on the reading assessments. Requires summer reading camps to be taught by someone certified or endorsed in reading.
- Requires only school districts that have a school earning a grade of “D” or “F” to submit a comprehensive reading plan. The review and approval process will now be done as part of the Department of Education’s monitoring, intervention, and support strategies required as part of school improvement pursuant to s. 1008.33, Florida Statutes.
- Eliminates the Department of Education’s ability to withhold funds.

Principal Autonomy Pilot Program Initiative

The bill:

- Expands the Principal Autonomy Program Initiative to all school districts who apply and receive approval by the State Board of Education instead of just the seven school districts identified in statute.
- Deletes the term “pilot”.
- Makes participation in the program contingent upon available funds and on a first-come, first served basis.
- Deletes the requirements for selected pilot school districts and the Commissioner of Education to submit an annual report on the implementation of the pilot program.

Charter School Capital Outlay Funding

The bill:

- Modifies the calculation methodology for the distribution of the discretionary 1.5 millage revenue to eligible charter schools by clarifying that the debt service

obligation that can be reduced from the distribution is the debt service obligation incurred by March 1, 2017, which has not subsequently been retired.

- Requires school districts to annually certify by October 1 the amount of debt service obligation that complies with the change in the calculation methodology and eligible participation requirement to the Department of Education and requires the Auditor General to verify compliance during scheduled operational audits of school districts.

The effective date of the bill is July 1, 2018.

The bill passed the PreK-12 Appropriations Subcommittee favorably as a committee bill and was then numbered as HB 5101.

HB 5203 by House Government Operations & Technology Appropriations Subcommittee relates to Statewide Travel.

Public Employee Travel Expenses

The bill amends section 112.061(6), F.S., pertaining to per diem and travel expenses of state agency and judicial branch employees, codifying into law the \$150 per day limit on lodging expenses established in the FY 2017-2018 GAA implementing bill. Additionally, the bill specifies that an employee may expend his or her own funds for any lodging expenses in excess of the limit.

Statewide Travel Management System

The bill amends section 112.061, F.S., to codify into law the definitions and requirements pertaining to the Statewide Travel Management System (system). Specifically, the bill:

- Establishes the “Statewide Travel Management System” as the system used by the Department of Management Services (DMS) to:
 - Collect and store information relating to public officer or employee travel information;
 - Standardize and automate agency travel management;
 - Allow for travel planning and approval, expense reporting, and reimbursement; and,
 - Allow travel information queries.
- Requires that each executive branch state government agency and the judicial branch must use the system for:
 - Travel authorization;
 - Travel reimbursement; and,
 - Reporting all public officer and employee travel information, including, but not limited to:
 - Name and position title;
 - Purpose of travel;
 - Dates and location of travel;
 - Mode of travel;
 - Confirmation from the head of the agency or designee authorization, if required; and,
 - Total travel cost.

- Requires that by November 1, 2018, the DMS shall make available to the public, all travel reports posted on the system for executive branch state agencies and the judicial branch.
- Requires that each “reporting entity” must report into the system, information relating to all travel resulting in an overnight stay by a public officer or employee, including:
 - Name and position title;
 - Purpose of travel;
 - Dates and location of travel;
 - Mode of travel; and,
 - Total travel cost.
- The term “reporting entity” is defined to include each municipality, county, local constitutional officer, county school district, state college, state university, and water management district.
- Specifies that each reporting entity shall post one travel report per entity; however, a “local constitutional officer” may post a separate travel report from the respective county travel report.
- The term “local constitutional officer” is defined to include sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools.
- Requires that on a monthly basis, each reporting entity shall post on the system, a report for the previous month’s travel, which resulted in an overnight stay.
- Requires the DMS to provide a format and method for reporting entities to post travel reports on the system.
- Requires that no later than November 1, 2019, each reporting entity shall post monthly travel reports relating to all travel resulting in an overnight stay for public officers and employees into the statewide travel management system.
- Requires that by December 1, 2019, the DMS shall make available to the public all travel reports posted on the system for each reporting entity.
- Provides that travel reports made available on the system may not reveal information made confidential or exempt by law. Specifying that each reporting entity must redact confidential or exempt information from a travel report before posting the report on the system. If the posting reporting entity becomes aware that an improperly redacted travel report has been posted to the system, the reporting entity must notify the DMS and immediately request removal of the travel report from the system. The reporting entity must then republish a properly redacted version of the travel report within seven business days on the system.
- Provides that the Secretary of the DMS, and any officer, employee or contractor of the DMS is not responsible for redacting confidential or exempt information from a travel report posted on the system.
- Provides that the posting of travel reports on the system does not supersede the duty of a reporting entity to respond to a public records request or subpoena for the information.
- Amends section 112.061(9), F.S., providing that the DMS may adopt rules to administer the provisions of this section relating to the Statewide Travel Management System.
- Conforms to the proposed FY 2018-2019 House of Representatives’ General Appropriations Act, which includes \$1.8 million in funding for operations and maintenance of the Statewide Travel Management System for executive branch

agencies and the judicial branch, who are also required by the bill to utilize the system for travel authorization and reimbursement. The bill appropriates \$1.3 million in recurring funds and \$4.1 million in nonrecurring funds from the General Revenue fund, and four full-time equivalent positions to the DMS for Fiscal Year 2018- 2019 to update the system for executive branch agencies and the judicial branch with public viewing and search capabilities, and to implement the additional reporting entity provisions of the act.

The bill passed the Government Operations & Technology Appropriations Subcommittee favorably as a committee bill and is now referenced as HB 5203.

House Committee Action

PCB EDC 18-01 by House Education Committee relating to Education (Now HB 7055)

The bill makes comprehensive changes in education programs and establishes another scholarship program.

Reading Scholarship Program

The bill establishes the Reading Scholarship Program to provide funds for public school students who score a Level 1 or Level 2 on the Grade 3 statewide, standardized English language arts (ELA) assessment to purchase certain programs or services that will assist them in improving their reading skills. The scholarship must be offered on a first-come, first-served basis, contingent upon available funds.

In order to participate, the parent and student must:

- submit an application to an eligible scholarship funding organization by the deadline established by the scholarship funding organization;
- submit eligible expenses to the scholarship funding organization for reimbursement of qualifying expenditures, which may include:
 - instructional materials;
 - curriculum, which means a complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction;
 - tuition and fees for part-time tutoring services provided by a person who holds a baccalaureate degree in the subject area; a person who holds an adjunct teaching certificate; or a person who has demonstrated a mastery of subject area knowledge;
 - fees for summer education programs;
 - fees for after-school education programs; o specialized services by approved providers or by a hospital in this state which are selected by the parent and may include, but are not limited to:
 - applied behavior analysis services;
 - services provided by speech-language pathologists;
 - occupational therapy services;
 - services provided by physical therapists;
 - services provided by listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing and who has received an implant or assistive hearing device; and

- contributions to the Florida College Savings Program;
- be responsible for the payment of all eligible expenses in excess of the amount in the account and the terms agreed to between the parent and the providers; and
- not receive any refund or rebate of any expenditures made in accordance with the purchase of allowable services.

The program must be administered by a scholarship funding organization (SFO) that is eligible to participate in the FTC. 15 The organization may establish reading scholarship accounts for eligible students in accordance with current requirements of such organization.

When the assessment results for the Grade 3 statewide, standardized ELA assessment are reported, the school district must notify each parent whose student scored a Level 1 or Level 2 on the assessment of the process to request and receive a scholarship.

The bill provides the Department of Education (DOE) the same oversight responsibilities as those required in existing scholarship programs.

Private School Oversight and Accountability

The bill:

- streamlines and consolidates private school eligibility, DOE obligations, and commissioner authority regarding the McKay, FTC, and GSP scholarship programs;
- applies requirements and responsibilities consistently across all three scholarship programs; and
- introduces new accountability measures and strengthens specific current requirements as recommended by stakeholders.

The bill combines all the common provisions regarding private school participation requirements, DOE obligations, and commissioner authority into the current common section of statute, s. 1002.421, F.S., and removes duplicative language in the individual program statutes.

Statewide Assessment Program

The bill specifies that the statewide, standardized assessments published by the DOE must be published in a format that facilitates sharing of assessment items. The bill also expands the requirement that all statewide, standardized ELA and math assessments in grades 3 through 6 be paper based by the 2018-2019 school year to include grades 7 and 8.

The bill requires that reading passages and writing prompts used in statewide, standardized ELA assessments incorporate grade-level Social Studies core curricular content.

Professional Development and Curriculum

The bill requires that professional development resources disseminated through the web-based statewide performance-support system include sample course-at-a-glance and unit overview templates that school districts may use when developing curricula. The templates must provide an organized structure for addressing the Florida Standards, grade-level

expectations, evidence outcomes, and 21st Century skills that build toward mastery at each grade level.

Each template must support teaching to greater intellectual depth and:

- provide course or year-long sequencing of concept-based unit overviews based on the Florida Standards;
- describe the knowledge and vocabulary required within the standards;
- promote the instructional shifts required within the standards; and
- illustrate the interdependence of grade level expectations within and across content areas within a grade.

Charter Schools

The bill allows charter schools and charter management organizations to submit applications to establish Level I and Level II leader preparation programs or program renewals.

The bill allows a charter school to defer opening for up to 3 years, rather than two.

The bill requires that tangible personal property that has been properly classified as surplus, marked for disposal, or otherwise unused by a district school board must be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving such property may not sell or dispose of the property without written permission of the school district.

The bill revises the criteria determining a high-quality charter school by also allowing a school that receives two consecutive grades of "A" to be determined a high-performing charter school. It allows a high-performing charter school to replicate up to two new schools that substantially replicate one of its high-performing schools. For those schools qualifying under the two consecutive grades of "A" provision, the bill revises the financial eligibility requirements to require only 2 years of financial audits that received an unqualified opinion and no state of financial emergency.

The bill clarifies that the increase in student enrollment may occur as long as it does not exceed the capacity of the facility at the time of enrollment, rather than the original capacity of the facility, allowing a charter school that has expanded its original facility or has access to additional facilities, to increase enrollment without being limited to the original facility capacity.

The bill also provides that facility capacity for purposes of grade level expansion must include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll.

The bill revises the initial term of a charter to 5 years. The bill allows a planning period of 1 year in addition to the 5-year charter.

The bill specifies that, in the event of a termination or nonrenewal, the sponsor must have clear and convincing evidence that one of the disqualifying factors occurred. The bill also specifies that a violation of law must be material in order to constitute a disqualifying factor.

The bill revises the hearing procedures once a charter school receives its notice of termination or nonrenewal by removing the option for the school district to conduct a direct hearing. The hearing shall be conducted by an administrative law judge within 90 days after receipt of the request for a hearing, and the administrative law judge shall issue the final order. The administrative law judge must also award the prevailing party reasonable attorney fees and costs incurred during the administrative proceeding and any appeals.

The charter school governing board may, within 30 calendar days after receiving the judge's final order, appeal the decision pursuant to s. 120.68, F.S.

If a dispute regarding a contract to provide goods and services cannot be resolved through mediation, an appeal may be made to an administrative law judge appointed by the Division of Administrative Hearings, rather than the Charter School Appeals Commission. The administrative law judge has final order authority to rule on the dispute and shall award the prevailing party reasonable attorney fees and costs incurred during the mediation process, administrative proceeding, and any appeals, to be paid by the non-prevailing party.

If a charter school has their employees undergo background screening through the school district in which the charter school is located, the bill requires the district to provide the background screening results of its governing board members and instructional and noninstructional personnel to the charter school within 14 days of the screening. If the district fails to do so, the fees for the screening must be waived.

Principal Autonomy Pilot Project Initiative

The bill expands PAPPI from a 3-year pilot to a statewide program and allows any school district, beginning with the 2018-2019 school year and contingent upon available funds, to submit a principal autonomy proposal to the SBE by December 1. If the SBE approves the proposal, the district is eligible to participate in the program for 3 years. The bill deletes the requirement that the commissioner submit an evaluation of the pilot program.

In addition, the bill establishes district-independent, autonomous schools. The purpose of such schools is to expand the impact of PAPPI principals by allowing them to manage one or more schools operated by a third-party governing board and providing the school with the same exemptions and administrative autonomy provided to participating PAPPI schools.

The bill specifies that a school, whether a participating school or a school operated by an independent governing board and managed by a participating principal, continues its exemption from laws and rules beyond the initial 3-year period so long as the school receives a school grade no lower than a "B."

The bill specifies that a participating principal who successfully completes the school turnaround training may manage one or more schools operated by an independent governing board through a contract with the school board. Each member of the independent board must not be an employee of the school district or any school operated by the board.

For the purpose of tort liability, the independent governing board, autonomous school, and its employees or agents are subject to the same waiver of sovereign immunity in tort actions

as the state, state agencies and or subdivisions. The bill specifies that the district school board is not liable for civil damages under state law for the employment actions or personal injury, property damage or death resulting from an act or omission of an operator, the school of hope and its employees or agents.

The bill allows an autonomous school to be either a private or public employer and provides that employees of a public employer must be compulsory members of the Florida Retirement System.

Subject to appropriation each year, the DOE must:

- fund the costs of the program to include the administrative and enrollment costs for the school turnaround training program; and
- provide up to \$10,000 for each participating principal as an annual salary supplement for 3 years.

The bill revises salary supplement eligibility requirements to allow a participating principal to qualify by teaching at a school that earned two consecutive grades of “D” rather than three. The bill also specifies that a participating principal may qualify for a salary supplement by managing a school operated by the independent governing board.

Safety and Security Assessments

The bill requires each school district to conduct a security risk assessment at each public school site in the district in addition to a self-assessment of the school districts’ current safety and security practices. Both the risk assessment and self-assessment of current safety and security best practices will be conducted using a format prescribed by the department, rather than the practices developed by OPPAGA.

Commissioner of Education Authority

The bill authorizes the commissioner to coordinate with school districts, Florida College System institutions, and the satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess their need for resources and assistance in the event of an emergency situation. According to the DOE, the bill expands the commissioner’s authority and responsibility for supporting all sectors during an emergency and will likely be helpful in securing necessary information in a timely manner before, during, and after any emergency situation. The needs assessment may expedite the provision of resources and assistance to enable each school, institution, or satellite office to reopen as soon as possible after considering the health, safety, and welfare of students and clients.¹

Industry Certification Teacher Bonuses

The bill provides the SBE with authority to adopt rules that establish criteria under which a student’s industry certification may be rescinded. The bill also prohibits the award of a bonus to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any industry certification examination that may lead to a bonus for student attainment of an industry certification.

Florida Virtual School

The bill specifies that industry certification examinations, national assessments, and statewide assessments offered by a school district must be available to all FLVS students. The bill also provides that such examinations and assessments must be taken at the school to which the student would be assigned according to local attendance areas unless an alternative testing site is agreed upon.

Dual Enrollment

The bill deletes the requirement that a home education articulation agreement include a provision establishing a student's responsibility for providing his or her own instructional materials. The bill also deletes the requirement that a private school articulation agreement include a provision stating whether the private school will compensate the postsecondary instruction for the standard tuition rate per credit hour.

Other Provisions

The bill also removes obsolete language requiring the DOE to develop a statewide operating electronic IEP system by July 1, 2007. The DOE launched the IEP system before the deadline.

The proposed committee bill passed the House Education Committee favorably and is now referenced as HB 7055. A proposed committee substitute was filed this morning. It is 198 pages and incorporates most, if not all, of the provisions in the original bill. I will provide a summary as soon as I can.

HB 1031 by Fischer relating to Limitation on Terms of Office for School Board Members.

The joint resolution proposes an amendment to the Florida Constitution, if approved by the voters at the general election in November 2018, prohibiting a district school board member from appearing on a ballot if, by the end of their current term of office, the member will have served, or but for resignation would have served, in that office for eight consecutive years. The proposed limitation would only apply to terms of office that begin after November 5, 2018.

The bill passed the House Public Integrity & Ethics Committee favorably.

HB 1035 by Sullivan relating to Personalized Education.

The bill renames the Competency-Based Education Pilot Program to the Mastery-Based Educational Pilot Program. The bill allows any district in the state to submit an application to the Department of Education to participate. The bill authorizes districts participating in the pilot program to use an alternative interpretation of letter grades to measure student success in grades 6-12. The bill further allows districts to determine and award one full credit toward high school graduation based on the student's mastery of core content and skills.

The bill requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.

The bill passed the House PreK-12 Innovation Subcommittee favorably.

HB 1213 by Porter relating to Computer Science Instruction.

Florida law requires school districts to provide students opportunities to participate in computer science education, including courses in computer programming and computer coding.

To increase opportunities for students to participate in computer science instruction, the bill:

- defines computer science and includes computer coding and programming in the definition;
- requires the Florida Department of Education (DOE) to identify computer science courses in the Course Code Directory and on its website by July 1, 2018;
- establishes a progressive schedule by which school districts must offer computer science courses identified by the DOE so that at least 10 percent of a school district's total middle schools, high schools, and combination schools with grades 6-12 offer a computer science course by the 2020-2021 school year;
- specifies that school districts with fewer than 10 middle schools, high schools, and combination schools must have at least one school offer an identified computer science course by the 2020-2021 school year;
- requires Florida Virtual School (FLVS) to offer computer science courses so students enrolled in a school without a computer science course can receive computer science instruction;
- requires school districts to offer students access to computer science courses through FLVS or by other means;
- allows student enrollment in computer science courses offered by charter schools and FLVS to count toward a district's computer science course requirements;
- establishes a grant program to help teachers earn a computer science educator certificate or industry certification and for paying associated examination fees;
- establishes a bonus program to award qualifying teachers, on a yearly basis for up to 3 years, who teach computer science courses identified by the DOE;
- establishes a needs-based technology grant for school districts whose Digital Classrooms Allocation funds are insufficient to meet costs associated with the allocation and who have no remaining instructional materials; and
- requires the State Board of Education to adopt rules to implement these provisions.

Funding for the teacher training grant program, teacher bonus program, and needs-based technology grant is subject to appropriation.

HB 1299 by Raburn relating to Public School Transportation.

The bill:

- Requires districts to provide transportation to students whose homes are more than 1.5 miles from the nearest appropriate school, rather than students whose homes are "more than a reasonable distance" or are 2 miles or more from the school and authorizes districts to report these students for transportation funding to the state.
- Allows all students in grades K-12 to be transported and funded if they are subject to hazardous walking conditions
- Revises criteria for determining hazardous walking conditions.

- Requires the superintendent to request a review of specified roads if he or she receives a written request from a parent of a student in the district school.
- Requires, rather than authorizes, a district school board to initiate a proceeding to determine whether a condition constitutes a hazardous walking condition, if the governmental representatives were unable to reach consensus on the initial request.

The bill passed the House PreK-12 Innovation Subcommittee favorably.

HB 829 by Plasencia relating to McKay Scholarships.

The bill expands the avenues for a student to receive a McKay Scholarship to include an individual educational plan that has been written in accordance with the applicable rules of another state; or a diagnosis of a disability that has been received from a physician licensed under chapter 458 or 459, a psychologist licensed under chapter 490, or a physician who holds an active license issued by another state or territory of the U.S., the District of Columbia, or the Commonwealth of Puerto Rico.

The bill provides for the 2018-2019 school year and thereafter, a child in kindergarten through grade 5 is exempt from certain eligibility requirements (prior enrollment in a public school, etc.) but must meet all other eligibility requirements to participate in the program. Students who have an individual education plan from another state; have a 504 accommodation plan; or a diagnosis of a disability from a physician licensed under 458 or 459, a psychologist licensed under chapter 490, or a physician who holds an active license issued by another state or territory, District of Columbia, or the Commonwealth of Puerto Rico shall receive a scholarship amount based on the matrix assigning the student to a support Level II.

On January 23, 2018, the PreK-12 Innovation Subcommittee adopted a proposed committee substitute (PCS) and reported the bill favorably as a committee substitute. The PCS differs from the bill by:

- extending McKay Scholarship eligibility to students who are enrolled and counted for funding in the October or February FEFP survey immediately prior to participation, instead of enrollment for an entire school year or exempting students in grades K - 5 from such requirements;
- requiring parents to provide school districts with documentation of a physician’s diagnosis of a student’s disability; and
- requiring school districts to notify the DOE of receipt of the diagnosis when the parent requests a McKay Scholarship from the school district

The bill was reported favorably by the House PreK-12 Innovation Subcommittee as substituted.

HB 951 by Fischer relating to VPK.

The bill amends s. 1002.67, F.S., and requires each private PreK provider and public school prekindergarten provider to provide the results of the pre- and post- assessment to parents within 10 days after the administration of the assessment, including any resources that might be helpful for students. The bill requires the Office of Early Learning, within 30 days after the administration of the assessment to report on the results of the pre- and post-assessment at the aggregate level, distribute the results to the respective early learning

coalitions and school districts, and display the aggregated assessment results on the Office of Early Learning's website.

The bill also authorizes, beginning in the 2019- 2020 school year, a child who has completed a VPK program but is determined to be at risk of not attaining the performance standards to reenroll in a school year program during the subsequent school year at the request of the parent. To implement the reenrollment of eligible students, the Office of Early Learning must establish eligibility requirements, etc., by December 1, 2018.

On January 23, 2018, the PreK-12 Quality Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment specifies that public school prekindergarten providers, rather than public schools, are required to notify parents of the VPK program pre- and post-assessment results.

HB 1091 by Grall relating to Early Learning.

The bill revises provisions related to the School Readiness program by:

- expanding the definition of “at-risk” for eligibility purposes;
- requiring OEL to adopt program assessment requirements that measure teacher-child interactions;
- requiring OEL to revise the statewide provider contract to include contracted slots and quality improvement strategies, if applicable, and program assessment requirements;
- establishing a payment differential of up to 10 percent based on program assessment results;
- requiring OEL's annual report to include certain program assessment information;
- requiring ELCs to establish local eligibility priorities and include them in their biennial School Readiness plans;
- requiring an ELC's biennial plan to include procedures for the use of contracted slots, a description of quality improvement strategies, and the results of a community needs assessment;
- requiring School Readiness providers to participate in a program assessment; and allowing the award of grants and financial supports to providers and instructors to meet program assessment requirements.

The bill provides an appropriation of \$6 million for FY 2018-2019 from the Child Care and Development Block Grant Trust Fund to OEL to implement the program assessment.

On January 24, 2018, the PreK-12 Quality Subcommittee adopted a strike all amendment and reported the bill favorably as a committee substitute. The strike all amendment:

- deletes an evaluation requirement for associations that accredit school readiness providers;
- replaces a 20 percent payment differential with a differential of up to 10 percent based on program assessment results; and
- specifies that a provider is not subject to termination for failure to meet quality measures if the provider has an active improvement plan and the ELC finds that the provider is essential to meeting capacity needs based on the community needs assessment.

HB 323 by Fitzenhagen relating High School Graduation Requirements.

A proposed committee substitute was passed that revises the proposed financial literacy standards and instructions. Specifically, the substitute revises the course and assessment requirements for receiving a high school diploma to:

- Require students be provided the opportunity to take a one-half credit course in personal financial literacy and specifying related instruction.
- Define the content of the required financial literacy course.

The proposed committee substitute requires that a financial literacy course be offered, **but does not mandate** participation by students in order to graduate.

The bill passed the House PreK-12 Quality Subcommittee as amended.

HB 79 by Roth relating to Public Meetings.

The bill specifies that all meetings or defacto meetings, as defined, at which official acts are to be taken or public business to be transacted or discussed are declared to be public meetings open to the public. The bill also provides that members of the same board or commission may participate in fact-finding exercises or excursion to research public business, and may participate in meetings with a legislator if specified conditions are met. If official acts are not taken and public business is not discussed, any gathering of two or more members of the same board or commission is not considered a public meeting for which a public notice to and access are required.

The bill passed the House Oversight, Transparency & Administration Subcommittee favorably.

HB 941 by Moraitis relating to Administrative Procedures.

The bill amends several provisions Administrative Procedures Act (ch. 120, F.S.) and provides that after December 31, 2018, material proposed to be incorporated by reference in a rule must be made available. The bill creates a new section to provide for the re-promulgation of rules under certain circumstances. The Department of State must adopt rules to implement this section by December 31, 2018.

The bill passed the House Oversight, Transparency & Administration Subcommittee favorably as amended.

HB 977 by Fine relating to Retirement of Instructional Personnel and Administrative Personnel.

The bill provides that effective July 1, 2018, instructional personnel who are authorized to extend DROP participation beyond the 60-month period must have a termination date that is the last day of the last calendar month of the school year within the DROP extension granted by the employer. For those employees who have already extended DROP on or before July 1, 2018, the member's DROP participation may be extended through the last day of the last calendar month of that school year. The employer must notify the division of the change in termination date and the additional period of DROP participation for the affected instructional personnel.

In addition, administrative personnel in grades K-12 who have a DROP termination date on or after July 1, 2018, may be authorized to extend DROP participation beyond the initial 60 calendar month period if the administrative personnel's termination date is before the end of the school year. Such administrative personnel may have DROP participation extended

until the last day of the last calendar month of the school year in which their original DROP termination date occurred.

The bill passed the House Oversight, Transparency & Administration Subcommittee favorably.

HB 621 by Rommel relating to School Safety.

The bill authorizes school principals and district school superintendents to designate certain persons to carry a concealed weapon or firearm on school property. The bill allows a school to create a school safety program for employees and volunteers. The bill requires each school to establish model emergency management and preparedness procedures for active shooter situations and participate in active shooter training conducted by the law enforcement agency or agencies designated as first responders for the school. The bill further requires schools to allow the law enforcement agency or agencies designated as first responders to tour the campus every 3 years and document recommended changes related to school safety and emergency issues.

The bill was reported favorably by the House Criminal Justice Subcommittee.

HB 1391 by Rodrigues relating to Sexual Offenses Against Students.

The bill makes it a second-degree felony for an authority figure to solicit or engage in sexual conduct, a relationship of a romantic nature, or lewd conduct with a state enrolled at a school. The bill further enhances student safety and increases accountability measures for school officials and employees.

The bill passed the House Criminal Justice Subcommittee favorably and will be further discussed during the Office of EDR's Criminal Justice Impact Conference on January 29th.

HB 1045 by Pigman relating to Immunization Registry.

The bill requires physicians, physician assistants, and nurses who administer vaccines to children aged 18 or younger or to students at a Florida college or university health care facility to report the vaccination to the immunization registry. The bill repeals the ability of a parent or guardian of child to opt to exclude his or her child from participating in the immunization registry.

The bill passed the House Health Quality Subcommittee favorably.

HB 63 by Edwards-Walpole relating to Students with Disabilities.

The bill relates to the restraint of students with disabilities in public schools; removing the authority to seclude students.

The bill passed the House Education Committee favorably.

HB 1175 by Sullivan relating to Early Learning Coalitions.

The bill authorizes the ELC to refuse to contract with, or revoke the eligibility of, a school readiness program provider if the provider has been cited for a Class I violation. Class I violations are the most serious in nature, pose an imminent threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well-being of a child.

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

HB 839 by Daniels relating to the Display of the State Motto.

The bill requires each district school board to adopt rules that require all schools and all buildings used by the school board to display in a conspicuous place the state motto, In God We Trust .

The bill passed the House PreK-12 Innovation Subcommittee favorably.

Senate Bill Action

SB 1172 by Galvano relating to Hope Scholarship Program.

The bill creates the Hope Scholarship Program (HSP) to provide the parent of a public school student who was the victim of a substantiated incident of violence or abuse an opportunity to transfer the student to another public school or to request and receive from the state a scholarship for the student to enroll in and attend an eligible private school. Additionally, the bill specifies eligibility criteria, a funding mechanism, and responsibilities for:

- School districts to notify the parents of the victim and the alleged offender within 24 hours after a specified incident and provide a statement of the expected investigative actions and a timeline for reporting the investigation’s outcome.
- School principals to:
 - Investigate the incident and determine whether the incident is substantiated or unsubstantiated and whether the incident is required to be reported.
 - Take all actions necessary to continue educational services of students involved in the reported incident while taking every precaution to keep the victim and alleged offender separated.
 - Keep parents of the victim and alleged offender updated on the status of the investigation and report the findings or outcomes of the investigation.
 - Notify the victim’s parent of the availability of the HSP.
- Private schools that participate in the HSP to comply with all requirements established in law for participating in state scholarship programs and:
 - Provide specified documentation and respond to information requests.
 - Be academically accountable to the parent for meeting the student’s educational needs
 - Maintain a physical location in Florida.
- The Department of Education to:
- Annually verify the eligibility of private schools in the HSP and require notarized
 - compliance certifications from the private schools.
 - Cross-check the list of students participating in the HSP with public school enrollment lists and other state scholarship program participation lists before each HSP payment.
 - Require annual reports by Scholarship-funding Organizations.
 - Contract with an independent entity to provide an annual evaluation of the HSP and school climate.
 - Conduct site visits to participating private schools for specified purposes.
- The Commissioner of Education to deny, suspend, or revoke a private school’s participation in the program and to immediately suspend scholarship fund payments under specified circumstances.
- Nonprofit scholarship-funding organizations to establish scholarships for eligible students and provide quarterly and annual reports to the Department of Education.

- The Auditor General to conduct an annual operational audit of each scholarship-funding organization that participates in the HSP.

The bill specifies that the HSP is funded by taxpayers who make an eligible contribution, limited to a single \$20 payment, at the time of a vehicle purchase or registration in Florida and authorizes a credit of 100 percent of the amount of such eligible contribution by the taxpayer against the sales and use tax on the vehicle purchase or registration.

Additionally, the bill clarifies the definition of private schools and specifies a definition of a scholarship program.

Finally, the bill:

- Eliminates the private tutoring program.
- Repeals private schools established under chapter 623 and related provisions, effective July 1, 2019.
- Revises the definition of regular school attendance to mean full-time attendance in a specified school or program, and adds related conforming provisions.
- Updates the name of the Personal Learning Scholarship Accounts program to the Gardiner Scholarship Program.

The bill passed the Senate Education Committee favorably as a committee substitute.

SB 732 by Baxley relating to K-12 Education.

The bill was amended in the Senate Education committee on January 22. The committee substitute modifies requirements in the bill regarding home education program students' enrollment in extracurricular courses and dual enrollment. The bill also modifies provisions relating to the Florida Partnership for Minority and Underrepresented Student Achievement. Specifically, the committee substitute:

- Removes from the bill, the provision that deemed home education program students as eligible to participate in extracurricular courses, which are exempted from maximum class size requirements, regardless of the school's capacity under controlled open enrollment; and deletes related conforming provisions and exemption from meeting school district residency requirements and standards for acceptance to extracurricular activities.
- Modifies the provision in the bill related to home education program students' participation in dual enrollment to clarify that such students must maintain the minimum postsecondary grade point average for continued enrollment in dual enrollment courses, not limited to only the college credit dual enrollment courses.
- Updates cross references to home education program portfolio specifications under provisions related to the enforcement of school attendance, and home education program annual evaluations under provisions related to participation in the Gardiner Scholarship Program.
- Modifies the Florida Partnership for Minority and Underrepresented Student Achievement to:
 - Update the name of the preliminary ACT to the PreACT.
 - Add the ACT and the PreACT as specified assessments included in databases containing assessment data, to which the Department of Education must provide access for evaluation purposes.

- Add dual enrollment to the types of college credit - bearing courses for which certified school counselors will use PSAT/NMSQT or PreACT data to identify students who are prepared to enroll in and be successful in advanced high school courses or college credit - bearing courses.

The bill was reported favorably by the Senate Education committee as amended.

SB 1286 by Simmons relating to Gardiner Scholarship.

The bill revises the meaning of a rare disease within the definition of “disability” for the purposes of the Gardiner Scholarship Program.

The bill passed the Senate Education Committee favorably.

SB 1548 by Book relating to K-12 Student Safety.

The bill modifies Florida law regarding educator certification requirements and district school board duties relating to school safety. Specifically, the bill:

- Expands the applicability of certain employment disqualification criteria to include all positions that require direct contact with students.
- Grants the Department of Education and the Education Practices Commission additional authority to enforce the educator certification requirements and impose penalties against persons who do not comply with certification requirements.
- Requires the holder of a Florida educator certification to agree to inform his or her employer within 48 hours if arrests for any disqualifying offense while employed in a position that requires the certification.
- Provides that persons employed as part-time teachers by the district school board are not exempt from the certification requirements for all school-based personnel.
- Specifies that an adjunct teaching certificate may not be used to fulfill the certification requirements for person who is employed and renders service as an athletic coach in any Florida public school.

The bill was amended in the Senate Education Committee to remove the provision that exempted certain school district employees from level 2 background screening under specified circumstances.

The bill passed the Senate Education Committee favorably as a committee substitute

SB 1756 by Simmons relating to School Accountability.

The bill strengthens the accountability provisions for private schools that participate in state school choice scholarship programs, and applies such provisions consistently to the participating schools. Specifically, the bill:

- Expands the number of site visits to private schools that the Department of Education must make and the scope of such visits.
- Modifies the teacher qualification requirements for private schools that participate in state scholarships programs.

- Requires the Division of State Fire Marshall to annually provide to the DOE, a report of fire safety inspections of private schools that participate in a state scholarship program.
- Requires a private schools that receives more than \$250,000 in funds from any state scholarships program in a state fiscal year to provide to the DOE a specified financial report from an independent certified public accountant.
- Specifies that a private school is ineligible to participate in a state scholarship program if the owner or operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.

The bill was amended in the Senate Education Committee to modify the provision in the bill regarding teacher qualification requirements for private schools that participate in state scholarships programs.

The bill passed the Senate Education Committee favorably as a committee substitute.

SB 1240 by Mayfield relating to Retirement.

The bill also revises time limits for certain public employees who qualify to participate in the Deferred Retirement Option Program (DROP). Specifically, the bill modifies DROP for instructional and administrative personnel in grades K-12 to prevent potential classroom disruption due to the maximum participation date being reached during the school year.

Current law authorizes eligible members of DROP who are specified instructional personnel in grades K-12 to participate in DROP for up to 36 calendar months beyond the 60-month period.

Effective July 1, 2018, an employer must extend a DROP termination date to after the last day of the last calendar month of the school year for instructional personnel employed after the 60- month period. In contrast, the bill authorizes, rather than requires an employer of instructional personnel whose 36-month extension has been reached to extend DROP participation through the last day of the last calendar month of the school year.

An employer may also extend DROP participation beyond the 60-month period for administrative personnel to accommodate the end of the school year.

An employer must notify the Division of Retirement of any change in termination date and the additional period of DROP participation for affected personnel.

The bill contains a legislative finding that its provisions fulfill an important state interest. Additionally, the bill is expected to be fiscally neutral.

The bill also authorizes participation of employees of a special district or a not-for-profit corporation or association created by the Escambia County Board of commissioners for the purpose of owning, operating, or managing a public bus transit system in the Florida Retirement System (FRS). Beginning March 31, 2018, a current employee may elect to participate in the FRS. Such election must be in writing to the employer, be received before August 31, 2018, and is irrevocable. Employees who are hired on or after March 31, 2018, are required to participate in the FRS.

The bill passed the House Governmental Oversight and Accountability favorably as a committee substitute.

SB 1680 by Montford relating to Immunization Registry.

The bill requires certain health care practitioners to report vaccination administration data to the Department of Health immunization registry when vaccinating children, or college or university students. The bill removes a parent's or guardian's ability to opt a child out of the immunization registry. The bill also requires school boards, and private school governing bodies, to establish and enforce a policy requiring that, before a child may attend a public or private school, the child must have on file a Florida Certification of Immunization (FCI) with the DOH immunization registry.

The bill was amended in the Senate Health Policy Committee to set an age limit of up to 23 for required reporting on college or university students who are vaccinated at a student health center. The bill further remove the delayed effective date of July 1, 2021, for updating the district school board and private school governing authority policies.

The bill passed the Senate Health Committee favorably as a committee substitute.

SB 560 by Steube —Public Meetings and Records/Imminent Litigation

The bill expands a public meeting exemption that presently allows certain individuals of governmental entity to discuss litigation pending before a court or administrative agency. The bill broadens the exemption to additionally authorize a private meeting for the purpose of discussing imminent litigation. The bill subjects parties involved in discussions of imminent litigation to the same standards that apply to private discussion of pending litigation.

The bill was amended in the Senate Rules Committee as a proposed committee substitute. The PCS:

- Inserted language that protects the identify of the potential claimant or litigant if confidential or exempt from statute, or of the State Constitution.
- Inserted language that allows entities to meet in private with attorneys and technical experts to discuss imminent litigation if certain conditions are met.

The bill passed the Senate Rules Committee favorably as a committee substitute.

SB 540 by Hukill relating to Postsecondary Education

The bill relates to the Florida College System. On January 24, the Senate Appropriations committee made the following revisions to the bill

The committee substitute:

- Removes the term “community” in all references in the bill to the Florida College System (FCS) and its institutions.
- Transfers 34 existing positions and \$2.8 million from the State Board of Education budget for the creation of the State Board of Colleges (SBC).
- Provides an additional 17 positions and \$1.5 million for necessary SBC positions such as a General Counsel, Inspector General, Board Secretary, and others.
- Appropriates \$100 million in recurring performance and program funding for the FCS. Specifically:
- \$10 million in recurring funds for distribution to colleges for students who earn industry certifications during the 2018 - 2019 academic year ;

- \$60 million in recurring funds for the Florida College Performance - Based Incentive, for the 2018 - 2019 fiscal year. From these funds, \$30 million is included as the state investment in performance funding and \$30 million is redistributed from the base budget of FCS institutions as the institutional investment in performance funding.
- \$30 million in recurring funds for the Supporting Students for Academic Success Program for the 2018 - 2019 fiscal year, to be allocated to each college through the FCS Program Fund funding model.

The bill was reported favorably as a committee substitute by the Senate Appropriations committee.

House Floor Action

HB 7001 by Ways & Means relating to Supermajority Vote for State Taxes or Fees.

The bill proposes an amendment to the State Constitution to prohibit a state tax or fee from being imposed or raised except through legislation approved by two-thirds of each house of legislature.

The bill was passed by the House. The companion bill in the Senate is scheduled to be heard by the Appropriations Subcommittee on Finance and Tax on January 29th.

HB 25 by Plakon relating to Labor Organizations.

The bill requires an employee organization to include specific information in its annual financial report for each certified bargaining unit.

The bill also requires an employee organization that has been certified as the bargaining agent for a unit whose dues-paying membership is less than 50 percent of the employees eligible for representation in that unit to petition the commission for recertification as the exclusive representative of all employees in the unit within one month after the date on which the organization applies for registration renewal.

The bill passed the full House.

HB 273 by Rodrigues relating to Public Records.

The bill prohibits an agency that receives a public record request to inspect or copy a record from responding to such request by filing a civil action against the individual or entity making the request.

The bill passed the full House.