

January 16, 2020

MEMORANDUM

TO: District School Superintendents

FROM: Joy Frank
Joe McGehee, Legislative Intern
Camilia Wilson, Legislative Intern

RE: Opening Week – 2020 Legislative Session

General Information

The 2020 Legislative Session has begun. Below are excerpts from the Governor’s State of the State Address relating to education.

Governor DeSantis:

Traditional four-year universities aren’t the only way to acquire advanced knowledge or skills --- and for many it is not the best way.

Thanks to the leadership of our Commissioner of Education Richard Corcoran we have launched an initiative to make Florida the nation’s leader in workforce education by 2030 and, thanks to your support, we are off to a good start.

Vocational education is making a comeback in our high schools and students in districts such as Miami-Dade can graduate with industry certifications in fields like electrical and HVAC.

Apprenticeship programs also offer a great way to equip Floridians with skills that merit gainful employment.

Our approach to K-12 education rests on (1) recruiting and retaining great teachers, (2) promoting educational choice so parents, particularly low-income parents, can place their child in a good school, and (3) measuring results through accountability.

I am recommending we take a bold step of setting a minimum salary for public school teachers at \$47,500, bringing Florida from the bottom half of states to number two in the nation. This will make it easier to get talented college graduates to enter the profession and will help us retain many of the good teachers we have now.

My plan will lead to a substantial pay increase for over 100,000 current teachers throughout the state.

We have two of those teachers here in the chamber:

- *Lindsay Beam, a sixth-grade math teacher at Blountstown Middle School and Melissa Pappas, a teacher at Brookshire elementary in Orange County who works with autistic students. Both are highly effective, award-winning teachers who will see salary increases of between \$5k and \$10k.*

We are also proposing to replace the Best and Brightest bonus program with a new initiative that will be more equitable --- and more generous --- so that we can reward our strong-performing teachers and principals.

My proposal places an emphasis on bonuses for teachers and principals in Title I schools, with bonuses available of up to \$7,500 and \$10,000, respectively.

These initiatives will build on the success we enjoyed in 2019. Last year, we faced the prospect of thousands of Florida families toiling on waiting lists for various scholarship programs.

Standing here last year, I asked the Legislature to act and you delivered.

Joining us today are Brittney and Jeremy Wilson, whose son with unique abilities, Josiah, was on the waitlist for a Gardiner scholarship. Thanks to our work in 2019, last year's waitlist was cleared, and the Wilsons were able to get Josiah on a scholarship so that his educational needs can be met.

Last year, we had nearly 13,000 low-income families on the waiting list for a tax credit scholarship. Thanks to the enactment of the new Family Empowerment scholarship, these families have been liberated from the waiting list.

We have in the chamber Talethia Edwards, a mother of seven who lives here in Tallahassee. Three of her children are now using the new family empowerment scholarship.

All Florida parents, regardless of income or ZIP code, should have the ability to choose the best school for their children.

This isn't limited to scholarship programs but also includes public school choice. Florida has 658 public charter schools serving 314,000 students, nearly 70% are Hispanic and African-American and 53% are low-income.

Based on the 2019 NAEP results, if Florida's charter school population was its own state, it would rank:

- *#2 in the nation for fourth-grade reading.*
- *Tie for #2 in the nation for fourth-grade math.*
- *#1 in eighth-grade reading and*
- *Tie for #5 in eighth-grade math.*

When we increase educational choice and provide innovative learning opportunities, we can help students reach their full potential.

Results matter and accountability is needed. But the common core framework was clearly flawed. When even parents with advanced degrees can't understand their kids' math homework, we have a problem.

Commissioner Corcoran has spent the past year working with stakeholders throughout Florida to develop a superior approach that will focus on strong standards, high-quality curriculum, streamlined testing and a renewed emphasis on American civics. We will be unveiling the new approach in the coming days.

I can reveal that one key to our replacement of Common Core will be a renewed emphasis on American civics and the U.S. Constitution.

This means understanding the source of our rights, the theory of the Declaration of Independence, the structure of the Constitution and key amendments such as the Bill of Rights, the post-Civil War amendments and the Nineteenth Amendment.

This also means developing an appreciation for how these enduring principles animated key points in American history:

- *such as the fight for independence more than 240 years ago;*
- *the leadership of President Lincoln during the civil war;*
- *the activism of the suffragettes who succeeded in securing voting rights for women (an anniversary we celebrate this year);*
- *the defeat of Nazi totalitarianism during WWII;*
- *the crusade led by Dr. King for civil rights for African-Americans; and*
- *the titanic ideological struggle against, and eventually defeat of, the tyranny represented by Soviet communism.*

Budget Summaries

The Office of Economic and Demographic Research released an Executive Summary for the General Revenue Fund and a Financial Outlook Statement. Relevant portions are reproduced below:

The near-term National and Florida Economic Forecasts were weaker in several key respects compared to August 2019. The Conference also recognized that there is an elevated level of risk to any forecast due to the mature stage of the current economic expansion and geopolitical pressures to global growth. However, revenue collections are running above monthly estimates through the first half of the fiscal year by a combined \$414.9 million. Over 40 percent of this gain is related to Corporate Income Tax receipts.

Focusing on the year-to-date gains to the forecast, anticipated revenues were revised upward by \$306.0 million in FY 2019-20 and by \$86.0 million in FY 2020-21, for a two-year combined increase of \$392.0 million. This change is less than one percent (0.9%) in FY 2019-20 and less than one-half of one percent (0.3%) in FY 2020-21. These numbers affect the revenues available for the budget being crafted for FY 2020-21.

As a result of the changes described above, the state's revenue collections for General Revenue are still expected to fall below the prior year by 0.5 percent this year, an improvement from the projected loss of 1.4 percent in August that was mostly caused by the loss of Indian Gaming revenue sharing. This improvement is largely related to the strength of collections in the first half of the fiscal year—some of which is not expected to continue through the remainder of the year.

The entire statement and an economic update PowerPoint are attached.

House Education Appropriations Subcommittee

Chair Latvala reviewed the results of the committee's Base Budget Reprioritization Exercise. Below is a summary of the results. Please keep in mind that this was a budget exercise. To what extent these recommendations will be reflected in the initial appropriations recommendations remains to be seen.

Subcommittee Findings

- FEFP – Other Categoricals
 - Currently there are 19 categorical funded in the FEFP (both state and local funds).
 - Thirteen of these categorical were created 20+ years ago; one categorical (Funding Compression) is created in the 2019-2020 Fiscal Year Implementing Bill and unless reenacted, expires July 1, 2020.
 - While the focus for the budget exercise was to determine if any of the funds provided to categorical could be reprioritized, it is recommended that categorical be routinely reviewed to determine if their associated policy and/or calculation methodology require modification.
- Non-FEFP
 - By Joint rule, an appropriations project funded with recurring funds in the 2016-2017 FY General Appropriations Act (GAA) and funded at the same or lesser amount in subsequent fiscal years is exempt from the requirements of filing an appropriations project request.
 - However, if funding for a recurring base appropriations project is eliminated in the GAA, the project may only receive nonrecurring funding in any subsequent fiscal year.
 - For the 2019-2020 Fiscal year, there is a total of 23 recurring base appropriations projects totaling \$21.7 million in General Revenue Funds in this budget entity.
 - Consideration should be given to funding all appropriations projects with nonrecurring funds and reprioritizing the use of the recurring \$21.7 million.
- Early Learning
 - Similar to the Non-FEFP budget entity, there are two recurring base appropriations projects totaling \$3.2 million (\$1.8 million in General Revenue and \$1.4 million in federal trust funds).
 - Consideration should be given to funding all appropriations projects with nonrecurring funds and reprioritizing the use of the recurring \$1.8 million in General Revenue funds.

Chair Recommendations

- FEFP
 - A total of \$520 million should be cut from the following categorical:
 - Declining Enrollment Supplement - \$8.1 million
 - Virtual Education Contribution - \$2.2 million
 - Digital Classrooms Allocation - \$20 million
 - Best and Brightest Teachers & Principals Allocation - \$284.5 million
 - Supplemental Academic Instruction Allocation - \$150 million
 - Funding Compression Allocation - \$54.2 million
 - And reprioritized to:
 - Base Student Allocation - \$462.6 million (use reprioritized for classroom teacher salary increase)
 - Mental Health Assistance Allocation - \$25 million

- Turnaround Supplemental Services Allocation - \$32.4 million
- Non-FEFP
 - A total of \$21.3 million in recurring base appropriations projects be flipped to nonrecurring with recurring funds reprioritized to:
 - Fund waitlist for Gardiner Scholarship Program - \$13.2 million
 - Increase VPK base student allocation - \$8.2 million
 - Take nonrecurring cut of \$23.1 million from Schools of Hope Program Fund and reprioritized for 2020-2021 Fiscal Year only to:
 - Fund flipped recurring base appropriations projects in Non-FEFP
 - Fund flipped recurring base appropriations project in Early Learning Services
- Early Learning Services
 - A total of \$1.8 million in recurring base appropriations project be flipped to nonrecurring and with recurring funds reprioritized to:
 - Increase VPK base student allocation -\$1.8 million (for total of \$10 million when combined with above for an increase in the regular school year base student allocation of \$59 and an increase of \$50 for the summer school program)

The Senate Education Appropriations Subcommittee did not meet this week.

Senate Bills

SB 62 by Stargel re to K-12 Education. The bill is a comprehensive education bill.

Section 1. The bill amends s. 212.055, F.S., relating to discretionary sales surtaxes and school capital outlay surtaxes. The bill requires school boards to share voted discretionary sales tax revenues with charter schools. Specifically, the bill provides that the resolution describing the capital outlay projects must include a statement that the revenues collected must be shared with charter schools based on their proportionate share of total school district enrollment. Surtax revenues shared with charter schools must be expended by the charter schools in a manner consistent with the required plan set forth in the resolution.

Section 2. The bill amends s. 1007.273, F.S., relating to **early college programs**. The section currently refers to collegiate high school programs. “Early college program” is defined as a structured high school acceleration program in which a cohort of students is taking postsecondary courses full time toward an associate degree. Such program must prioritize courses applicable as general education core courses for an associate or baccalaureate degree.

Language establishing minimum requirements for collegiate high school programs is deleted. The bill requires each school board and its local Florida College System to execute a contract to establish an early college program. The contract must identify grade levels to be included in the early college program and delineate the courses that must include general education core courses. The reference to industry certification is removed.

Each student participating in an early college program must enter into a student performance contract that is signed by the student, parent, representative of the school district and the Florida College System institution partner or any other eligible postsecondary institution partner. The bill authorizes a charter school to execute a contract directly with the local Florida College System institution or another institution that is authorized (state university or institutions eligible to participate in the William L. Boyd,

IV, Effective Access to Student Education Grant Program) to establish an early college program at a mutually agreed upon location.

The bill requires that by November 30, 2021, and annually thereafter, the Commissioner must report to the Governor and legislature the statuses of early college programs.

Section 3. The bill amends s. 1011.62, F.S., relating to the **funds for operation of schools**. The bill provides for additional FTE membership for students enrolled in an early college program a value of 0.16 FTE. Such value must be calculated for each student who completes a general education core course through the dual enrollment program with a grade of “C” or better. The value of 0.08 FTE shall be calculated for each student who completes a general education core course through dual enrollment (with a grade of “C” or better) when not enrolled in an early college program. A value of 0.3 FTE shall be calculated for any student who receives an associate degree through the dual enrollment program with a 3.0 grade point average or better. This value is added to the total FTE in basic programs for grades 9 through 12 in the subsequent fiscal year. These provisions are effective for credit earned by dually enrolled students for courses taken in the 2020-2021 school year and thereafter. If the associate degree is earned in 2020-2021 following completion of courses taken in the 2020-2021 school year, then courses taken towards the degree prior to 2020-2021 may not preclude eligibility for the 0.3 additional FTE bonus. Each district must allocate at least 50 percent of the bonus funding to schools that generated the funds.

In addition, a value of 0.3 FTE must be calculated for each student who receives a College Board AP Capstone Diploma and meets the requirements for a standard high school diploma.

The provisions of the **Mental Health Assistance Allocation** are modified to require that the plan developed by a school district must include input from school and community stakeholders and informed by a needs assessment. In addition to existing requirements, the mental health plan must include mental health policies and procedures that include:

- Universal supports to promote students’ psychological well-being and ensure safe and supportive school environments.
- Evidence-based strategies or programs to reduce the likelihood of at-risk students developing behavioral health problems, etc.
- Policies and procedures for responding to a student with suicidal ideation.
- A school crisis response plan that should include the establishment of district-level and school-level crisis response teams, including administration and school-based mental health service providers.

The annual report must reflect program outcomes and expenditure for all charter schools, including charter schools that submitted a separate plan. The report must include the number of students receiving screenings, services, etc. and the number of school-based and community-based mental health providers, the number and ratio of school social workers, school psychologists, certified school counselors employed by the districts and the total number of licensed mental health professionals employed directly by the district.

Finally, the amount of mental health assistance allocation funds appropriated subsequent to the 2019-2020 fiscal year that are in excess of the amount appropriated in the 2019-2020 fiscal year must be used exclusively to fund additional providers of school-based mental health services.

The bill removes the sunset provision relating to the Funding Compression Allocation. Therefore, the allocation is not repealed July 1, 2020.

Section 4. The bill amends s. 1003.4282, F.S., and is conforming language.

Section 5. Effective date of July 1, 2020.

The bill passed the Senate Education Committee favorably.

SB 536 by Diaz re to Charter Schools. The bill amends s. 1002.33, F.S., relating to charter schools and establishes a High-Performing Charter School Council to review and recommend approval or denial to the State Board of applications submitted by high-performing charter schools and high-performing charter school systems. The Commissioner must appoint a sufficient number of council members to ensure a fair and impartial review of applications. One-half must represent currently operating charter schools and one-half must represent sponsors. At least one member representing charter schools must be from a high-performing charter school system. The Commissioner or named designee chairs the council. Council members earn travel and per diem.

Applications must comply with the application format developed by DOE and the applicant must provide a copy of the application to the sponsor within 3 days after it is submitted to the council. The council must use the statutory criteria in making its recommendation for approval or denial.

The council must review applications using the evaluation instrument developed by the department. Applications must be received on or before February 1 for schools to be opened 18 months later at the beginning of the district's school year, or to be opened at a time determined by the applicant. The council may choose to receive an application after February 1. A sponsor may provide input to the council within 15 days after receiving a copy of the final application and the council must consider such input. The sponsor must articulate in writing the specific reasons for its recommendation for denial or approval of the application and must provide supporting documentation. The input provided by the sponsor must be included in the application that is provided to the state board.

The council must recommend approval or denial by a majority vote no later than 30 calendar days after the final application is received, unless a postponement is mutually agreed upon. If the council fails to act on the application within 30 days, the application must be submitted to the State Board of Education.

The council must submit a written recommendation to the State Board as to whether the application should be approved or denied within 10 days after its decision. The council's recommendation is not subject to ch. 120, Florida Statutes.

The State Board must accept or deny the recommendation of the council by majority vote no later than 60 calendar days after it receives the council's recommendation. If the State Board approved the application, the sponsor must begin development of the charter within 30 days. If the State Board denies an application, it must identify the specific reasons in writing. Such decision is final action subject to judicial review in the district court of appeal. The decision of the State Board is not subject to chapter 120, Florida Statutes.

The sponsor and applicant may provide input to the State Board regarding the council's recommendation no later than 30 days after receipt of the council's decision.

An application may be recommended for denial by the council or denied by the State Board only if it is demonstrated by clear and convincing evidence that specified statutory requirements are not materially met, the proposed charter school does not substantially replicate one of the schools; a material misrepresentation has been made, etc.

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

SB 836 by Simmons re to Funds for the Operation of Schools. The bill provides a bonus of 0.3 FTE for a student who receives a College Board AP Capstone Diploma and meets the requirements for a standard high school diploma.

The bill passed the Senate Education Committee favorably.

SB 1088 by Diaz re to Teacher Salary Enhancement. The bill creates s. 1011.687, F.S., relating to teacher salary enhancement and operating categorical fund. The bill provides that a teacher salary enhancement allocation shall be provided. Each school district must use the funds to increase teacher salaries as prescribed in the General Appropriations Act. Funds must be moved into the BSA in the subsequent fiscal year. A district may use any additional funds provided in the allocation for any district operating expenditure if the teacher salary enhancement requirements are met. A report is due to the department by January 1 as prescribed by the department, including the amount expended for salary increases and the amount expended for any other operating expenditures.

The bill passed the Senate Education Committee favorably.

SB 1164 by Perry re to Gardiner Scholarship. The bill expands the eligibility of the Gardiner Scholarship to include a student with a disability who turns 3 years of age after September 1. Such student may be eligible on or after his or her birthday if program funds are available and there are no other students on the wait list.

The programs and activities for which fees may be used are expanded to include summer education programs and after-school education programs. Such programs would no longer have to be specialized. In addition, transition services include a coordinated set of activities focused on improving academic and functional achievement of the student to facilitate movement from school to post-school activities. Finally, tuition and fees associated with a student's participation in a series of classes or lessons relating to art, music, or theater would be covered. The bill does specify requirements for such classes or lessons.

A scholarship account must be closed within two rather than three consecutive fiscal years in which an account has been inactive. A student who's participating in the scholarship program is not renewed may continue to spend funds that are in the account from prior years unless the account must be closed.

The bill passed the Senate Education Committee favorably.

SB 1218 by Diaz re to Anti-bullying and Anti-harassment in Schools. The bill amends s. 1002.421, F.S., relating to state school choice scholarship program accountability and oversight. In addition to other

requirements, a participating school must publish on its website, and provide in written format information to parents, the code of student conduct, the required ethical conduct policies and the required bullying and harassment policies.

Notwithstanding the school's status as a private school, policies that comply with bullying and harassment pursuant to s. 1006.147, F.S., must be adopted. The school must also comply with incident reporting requirements. The principal or designee must meet with any student and parent or guardian before enrollment to review information about the school including the academic programs and services, code of student conduct, attendance policies, bullying and harassment policies and ethical conduct policies.

The bill passed the Senate Education Committee favorably.

SB 70 by Book re to Panic Alarms in Public Schools. The bill creates "Alyssa's Law." The bill creates a new section of statute to:

- Define "panic alarm" to mean a security system signal generated by the manual activation of a device or an alternative mechanism intended to communicate a life-threatening or emergency situation that requires a response from law enforcement;
- Define "public school building" to include all buildings on a public elementary, middle, or high school campus where instruction takes place or where students are present during the school day; and
- Require each public school to be equipped with a panic alarm system for use in a school security emergency, including, but not limited to, a non-fire evacuation, lockdown, or active shooter situation. The panic alarm system must be accessible to administrators, teachers, staff, and other designated personnel at all locations on the school grounds and provide permanently installed alert indicators located at indoor and outdoor locations. The panic alarm system must be directly linked to the main office at the school and to local law enforcement agencies that are designated as first responders to the school's campus, and the system must immediately transmit a signal or message to those authorities upon activation.

The bill will have a significant fiscal impact on school districts.

The bill passed the Senate Committee on Infrastructure and Security as a committee substitute.

SB 788 by Books re to Statewide Active Shooter Response Planning. The bill requires the Florida Department of Law Enforcement (FDLE), in consultation with law enforcement agencies throughout the state, to establish a uniform statewide rule on preparing for and responding to an active assailant. The CS also requires each law enforcement agency to adopt an active shooter policy or rule, as appropriate, by July 1, 2021, and directs FDLE to adopt rules to administer the statewide active assailant response planning.

The bill was amended to require a district school board of any school district that has local law enforcement officers on school grounds under the safe-schools officers statute to develop and execute interlocal agreements with the local sheriff office or other LEA, the local fire department, and the local EMS organization to create, at a minimum:

- Protocols to connect the school district to the appropriate dispatch centers;
- Protocols for proper communication between LEA's, the local FD, and the local EMS organization and the school district;

- Protocols to share resources relating to mental health services;
- Protocols and requirements for joint recurrent training of local LEA officers assigned to a school and the local LEA, the local FD, and the local EMS organization; and
- Protocols and requirements for interoperable communication between the school district and the local LEA, the local FD, and the local EMS organization.

The bill also required the State Board, in consultation with the State Fire Marshal and the FDLE, to adopt rules to administer the development and execution of interlocal agreements and protocols for school district communications with first responders.

The bill passed the Senate Committee on Infrastructure and Security favorably as a committee substitute.

SB 566 by Bracy re to Prohibited Discrimination. The bill amends the Florida Civil Rights Act of 1992 to define “race” as “inclusive of traits historically associated with race, including, but not limited to, hair texture, hair type, and protective hairstyles.” Under the bill, a “protective hairstyle” includes, but is not limited to, hairstyles such as braids, locks, or twists. Currently, an individual’s hair texture, such as curly or straight hair, is considered an immutable characteristic of one’s identity and is protected from discrimination. However, this protection does not extend to an individual’s hairstyle because it is considered a mutable characteristic, which is a product of personal choice.

This bill’s definition of “race” and “protective hairstyle” is also incorporated in other sections of state law. The bill prohibits employers, landlords, real estate sellers, real estate financiers, Florida K-20 public education institutions, and certain parties receiving funds from the Florida Housing Finance Corporation from discriminating against an individual for racial traits and protective hairstyles.

The bill provides individuals a legal cause of action to allege that a party unlawfully discriminated against them based on any trait historically associated with race, including a protective hairstyle. An individual will be able to receive administrative remedies, equitable relief, and civil damages for claims of race discrimination, as well as discrimination of any trait historically associated with race, including, but not limited to, a protective hairstyle.

The bill passed the Senate Committee on Community affairs favorably as a committee substitute.

House Bills

HB 523 by DiCeglie re to Master-based Education. In 2016, the Legislature created the Competency-Based Education Pilot Program within the Department of Education (DOE) to allow students to progress to higher levels of learning based upon the mastery of concepts and skills. Under the program, the State Board of Education may allow the Commissioner of Education to waive rules relating to student progression and awarding of credits. Participation in the voluntary pilot program is limited to the P.K. Yonge Developmental Research School and the Lake, Palm Beach, Pinellas, and Seminole County school districts. The pilot program is set to expire at the end of the 2020-21 school year.

The bill:

- Renames the Competency-Based Education Pilot Program as the Mastery-Based Education Program.
- Allows developmental research schools and any public school district in the state to submit an application to DOE to participate in the program.

- Authorizes participating lab schools and school districts to approve and use an alternative interpretation of letter grades to measure student success in grades 6 through 12; however, school districts must continue to use a 4-point scale for calculating a student's grade-point average.
- Provides that students who earn high school credit through a mastery-based education program have fair and equitable access to postsecondary education.

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

HB 953 by McClain re to Charter Schools. The bill authorizes state universities and FCS institutions to solicit applications and sponsor charter schools upon approval by the DOE. A state university or FCS institution may, at its discretion, deny an application for a charter school. The bill provides that a state university-sponsored charter school may serve students from multiple school districts to meet regional education or workforce demands. Additionally, an FCS institution-sponsored charter may exist in any county within its service area to meet workforce demands; however, a charter school currently operated by an FCS institution is not eligible to be sponsored by an FCS institution until its existing charter with the school district expires. An FCS institution-sponsored charter may offer postsecondary programs leading to industry certifications for eligible charter school students.

Since the bill authorizes state universities and FCS institutions to sponsor charter schools that serve students across multiple school districts, the bill specifies that a charter's racial/ethnic balance must reflect that of nearby public schools rather than public schools located geographically within the district.

The bill deletes the limitation that a FCS institution that operates an approved teacher preparation program operate no more than one charter school, allowing a FCS institution to operate additional charter schools that serve students in kindergarten through grade 12, and providing that the students served may be in any school district within the service area of the FCS institution. The requirement that the school implement an innovative blended learning instructional model for students in kindergarten through grade 8 is deleted.

The bill prohibits an FCS institution from reporting FTE for any students participating in FCS-sponsored charter schools who receive FTE funding through the FEFP.

The bill specifies that a board of trustees of a sponsoring state university or FCS institution is the local education agency for all charter schools it sponsors. As the local education agency, the sponsor may receive federal funds and accepts full responsibility for local education agency requirements and the schools it oversees. A student is enrolled in a charter school that is sponsored by a state university or FCS institution may not be included in the calculation of the school district's grade.

To provide accountability for all charter school operators, the bill requires the DOE, in collaboration with charter school sponsors and operators, to develop a sponsor evaluation framework that must address, at a minimum:

- a sponsor's strategic vision for charter school authorizing and progress towards that vision;
 - alignment of the sponsor's policies and practices to best practices for charter school authorizing;
 - academic and financial performance of all operating charter schools overseen by the sponsor;
- and

- the status of charter schools authorized by the sponsor, including approved, operating and closed schools.

The bill requires DOE to compile the results of the evaluation framework, by sponsor, and add them to its annual charter school sponsor report.

The bill repeals the requirement that a charter school sponsor report on draft applications it receives and revises the date by which a sponsor must annually report the number of applications it receives from August 31 to November 1. Accordingly, the bill revises the date by which DOE annually reports the number of applications on its website from November 1 to January 15.

The bill repeals an obsolete August 1 application deadline and specifies that each sponsor's report to DOE must reflect the applications it receives by the February 1 deadline, which became effective in 2018. Since the law allows an applicant to determine the time at which the charter school will open, the bill deletes conflicting language that requires the school's opening to coincide with the beginning of the school district's school calendar.

The bill provides that students enrolled in a charter school sponsored by a state university or FCS institution be funded as if they are in a basic program or a special program in the school district. The bill establishes funding for these students as the sum of the total operating funds from the FEFP for the school district in which the school is located and the General Appropriations Act (GAA), including gross state and local funds, discretionary lottery funds, and funds from each school district's current operating discretionary millage levy; divided by total funded weighted FTE students in the school district; and multiplied by the FTE membership of the charter school. The DOE is required to develop a tool that each state university or FCS institution sponsoring a charter school must use for purposes of calculating the funding amount for each eligible charter school student. The total obtained by the calculation must be appropriated from state funds in the GAA to the charter school.

In addition, the bill establishes a capital outlay funding formula for charter schools sponsored by a state university or FCS institution.

The bill also authorizes charter schools to provide career and professional academies.

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

HB 957 by Shoaf re to Designation of School Grades. The bill specifies that a high school student may be included in the college and career acceleration component of the school grades calculation if he or she earns 300 or more clock hours through career dual enrollment courses identified by the State Board of Education.

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

HB 637 by DiCeglie re to Impact Fees. The provisions relating to impact fees are substantially changed. In part, the changes are to ensure a consistent and statewide process as it pertains to impact fees. At a minimum, each county and municipality that adopts, collects or administers an impact fee by ordinance and each special district that adopts an impact fee by resolution must satisfy the following additional conditions:

- Require that the calculation of the impact fee be based on the most recent and localized data collected within the last 36 months and exclude any cost that does not meet the definition of infrastructure as defined in ch. 163, Florida Statutes. Infrastructure is defined later in the bill.
- Account for the revenues and expenditures of such impact fee in a separate impact fee trust fund, if the local governmental entity imposes an impact fee to address its infrastructure needs.
- Limit administrative charges for the collection of impact fees to actual costs. The cost per student station established in school impact fee calculations may not exceed the statutory total maximum cost per student station calculated under s. 1013.64(6).
- New or increased impact fees may not apply to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing a new or increased impact fee.

Impact fee credits are assignable and transferable at any time after establishment from one development or parcel to another within the same impact fee jurisdiction for the same type of public facility for which the impact fee is applicable.

To ensure impact fees or equivalent contributions are only collected once, a local government shall provide impact fee credits or other forms of compensation where a contribution is greater in value than the applicable impact fee.

Each county or municipality that assesses impact fees must establish an impact fee review committee. The bill specifies membership of the committee and its responsibilities.

The bill passed the House Local, Federal & Veterans Affairs Subcommittee favorably as a committee substitute.

HB 945 by Silvers re to Children’s Mental Health. The bill requires collaboration and planning between child-serving systems and other stakeholders to create a coordinated system of behavioral health care, facilitated by each managing entity, focused on services for children.

As it relates to schools, the bill requires the Louis de la Parte Institute within the University of South Florida to develop a model response protocol by August 1, 2020, for schools to use mobile response teams (MRT). When developing the protocol, the institute must, at a minimum, consult with:

- School districts that effectively use mobile response teams and those districts that use mobile response teams less often;
- Local law enforcement agencies;
- DCF;
- Managing entities; and
- Mobile response team providers.

The bill also revises the plan requirements that school districts develop in order to receive the mental health assistance allocation funding to include an interagency agreement or MOU with the Managing Entity that facilitates referrals of students to community-based services and coordinates care for students served by school-based and community-based providers. The agreement or MOU must address the sharing of records and information, as provided by law, to coordinate care and increase access to appropriate services.

The plans for funding must also include policies and procedures, including contracts with service providers, which will ensure that:

- Parents are provided information about behavioral health services available through the students' school or local providers, including MRTs. The bill allows schools to meet this requirement by providing information about and website addresses for web-based directories or guides of local services as long as they are easily navigable and provide contact information for local providers;
- School districts use MRTs to the extent available and carry out the model response protocol; and
- Referrals to behavioral health services through other delivery systems or payors are available to individuals or students living in the same house as a student who is receiving services, if those services appear to be needed or would contribute to the improved well-being of the student who is receiving services.

The bill passed the House Children, Families & Seniors Subcommittee favorably as a committee substitute.

HB 725 by Robinson re to Workforce Education. The bill allows school district career centers, which have a workforce education program, to award Associate in Applied Science or Associate in Science in Nursing degrees. These degrees can only be awarded to graduates of the center's licensed practical nurse program.

The bill passed the Higher Education & Career Readiness Subcommittee favorably.

HB 7 by Fine re to Legal Notices. The bill allows a governmental agency the option to publish legally required advertisements and notices on a publicly accessible website if certain conditions are met. Specifically, the bill allows a governmental agency:

- In a county that has not been designated a fiscally constrained county, to publish legally required advertisements and notices on a publicly accessible website if online publication would result in a cost savings for the government.
- In a fiscally constrained county, to publish advertisements and notices on a publicly accessible website after making a determination at a publicly noticed meeting that online publication:
 - Is in the public interest;
 - Will be less expensive than newspaper publication; and
 - Will not, after taking into account the level of internet access in the county, unreasonably restrict access to advertisements and legal notices.

If a local government publishes advertisements and notices on a publicly accessible website, the bill requires the governmental agency to publish a notice at least once a year in a newspaper of general circulation or other publication mailed and delivered to all residents and property owners in the government's jurisdiction stating the resident or property owner may receive legally required notices or advertisements via first-class mail or email by registration of their name, address, and e-mail address with the local governmental agency.

The bill revises the criteria a newspaper must meet to be eligible to publish advertisements and legal notices, allowing a governmental agency to publish advertisements and notices in a free newspaper.

The bill passed the House Local, Federal & Veterans Affairs Subcommittee favorably as a committee substitute.

HB 641 by Plasencia re to Funds for the Operation of Schools. The bill provides for school districts to receive additional funding through the FEFP for each student who receives an AP Capstone Diploma in addition to a standard high school diploma.

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

HB 7011 by PreK-12 Innovation Subcommittee re to K-12 Student Athletes. The bill incorporates new requirements for FHSAA to ensure member schools incorporate new requirements to prevent heat related injuries.

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

Updated Guidance on School Prayer

The USDOE just released updated guidance on school prayer which is attached. The announcement may be accessed at https://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html and <https://www.ed.gov/news/press-releases/us-secretary-education-betsy-devos-announces-proposed-rule-regarding-equal-treatment-faith-based-education-institutions-provides-updated-school-prayer-guidance>

I hope this information is helpful. See you next week at the FADSS Conference in Tallahassee.