

April 3 2015

**MEMORANDUM**

TO: District School Superintendents

FROM: Joy Frank  
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RE: 5<sup>th</sup> Week of Session – Legislative Update

**General Information**

The House and Senate passed out their respective budgets. As I am sure you have read, they are still very far apart. I will provide more budget detail early next week. Committee meetings are beginning to wind down and bills are moving to the floor. Below is a summary of substantive bills that are moving. In addition, I have attached a section by section analysis of SB 616 which was amended onto HB 7069 and passed back to the House.

**Senate Bills**

**SB 1552 re to Parent and Student Rights by Stargel.** The bill was substantially amended in the Senate Education Appropriations Subcommittee. It passed the subcommittee favorably as a committee substitute and includes the following provisions:

**Student and parent rights –**

- Expands public school choice to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs.
- Authorizes parents of public school students to seek private educational choice options to include the Florida Personal Learning Scholarship Accounts Program in addition to McKay Scholarship and Corporate Scholarship Programs.
- Requires fiscal transparency – Parents of public school students have the right to the district’s annual financial report, including the expenditures on a per FTE basis for the following fund types: general funds, special revenue funds, debt service funds, and capital project fund. Fiduciary funds, enterprise funds, and internal service funds may not be included. At minimum, the total expenditures on a per FTE basis, as reported in the school district’s annual financial report, must be included in the parent guide.
- Expands a district’s controlled open enrollment to require that each school board allow a parent to enroll his or her child in and transport his or her

- child to any public school that has not reached capacity in the district. However, a district may provide transportation to students at the district's discretion. For purposes of continuity of educational choice, the student shall remain at the school chosen by the parent until the student completes the highest grade level at the school. The district must post on its website the process required to participate in controlled open enrollment. Schools are allowed to maintain existing academic eligibility criteria for schools of choice.
- The district must identify schools that have not reached capacity, as determined by the school district. When determining capacity of each school in the district, the school district shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs in its determination. For any county with a military base, the district must create a preference process for dependent children of active duty military personnel.
  - In addition a parent may enroll his or her child in and transport his or her child to any public school that has not reached capacity in any school district in the state. The school district shall accept the student, pursuant to that district's controlled open enrollment participation process, and report the student for purposes of the school district's funding pursuant to the Florida Education Finance Program. For purposes of continuity of educational choice, the student shall remain at the school chosen by the parent until the student completes the highest grade level at the school
  - Each district school board must establish a transfer process for a parent to request that his or her child be transferred to another classroom teacher. This does not give a parent the right to choose a specific classroom teacher. A school must grant or deny the transfer within 2 weeks after receiving the request. If a request for transfer is denied, the school must notify the parent and specify the reasons for the denial. An explanation of the transfer process must be made available in the parent guide or a similar publication.

**Charter Application Process and Review:** A sponsor must not deny an application (vs charter) if the school does not propose a reading curriculum that is consistent with scientifically based reading research. However, the sponsor may not require the school to implement any curriculum adopted by the district.

The application must disclose the name of each applicant, governing board member, and proposed management company or cooperative, if any; the name and sponsor of any charter school currently operated or previously operated by such parties; and the academic and financial history of such charter schools, which the sponsor shall consider in deciding to approve or deny the application. The application must document that the governing board is independent of any management company or cooperative and may, at its sole discretion, terminate a contract with the management company or cooperative at any time.

To ensure continued financial responsibility, a charter school shall submit quarterly financial statements for the first year of operation (vs continually) which include a full accounting of the costs of operation and sources of income. If a school's financial statement indicates that the school is not financially viable, the school must also prepare and submit a plan that describes specific actions the school will take to become viable.

A person, or an officer of an entity, who submits an application must undergo background screening in the same manner as instructional and noninstructional personnel hired or contracted to fill positions in a charter school or as members of the governing board of a charter school undergo background screening. A person may not receive approval of a charter application until the person's screening is completed and the results have been submitted to, and reviewed by, the sponsor.

**Charter** - For purposes of determining eligibility for the research-based reading instruction allocation, the reading curriculum and instructional strategies specified in the charter satisfy the research-based reading plan requirement.

The charter must document that the governing board is independent of any management company or cooperative and may, at its sole discretion, terminate the contract with the management company or cooperative at any time.

The process to be follow when a charter is not renewed or is terminated is extended to charter schools closed voluntarily by the operator. The governing board of a charter school that closes voluntarily must notify the sponsor and the department in writing within 7 calendar days of its decision to cease operations. The notice must state the reasons for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds.

For a high-performing charter school that is having the charter agreement renewed, the charter contract, as that contract exists on the day the term of the contract is to terminate, must be automatically renewed for the length of the current term if the charter school governing board and sponsor have not executed the renewal before the term of the charter agreement is scheduled to expire.

**Charter school requirements** – The charter school must, upon execution of the contract, provide the sponsor with specific financial information. The sponsor must review each monthly financial statement, to identify the existence of any conditions identified in s. 1002.345(1)(a).

A charter school's charter is automatically terminated if the school earns two consecutive grades of "F: after all school grade appeals are final.

The sponsor must notify in writing the charter school's governing board, the charter school principal, and the department when a charter is terminated

In addition to other required information, the cooperatives in which the charter school participates must be included on the website.

**Eligible students** - A charter school that has not reached capacity may be open to any student in the state.

**Funding** – Funding for research-based reading allocation is now included as one of the categoricals for which the charter school is entitled to a proportional share.

Moreover, the school board may not delay payment to a charter school of any portion of the FEFP funds based on the timing of receipt of local funds by the school board.

In addition to a standard contract, the application form must be standard as well as a standard application evaluation instrument.

**Standards of conduct and financial disclosure** – In addition to current restrictions an employee of a management company or cooperative may not be a member of the governing board of the charter school.

**A conflict of interest and ethics provision is added:** An individual may not serve as a member of a governing board of a charter school, an education management corporation, or charter school cooperative organization if he or she or an immediate family member receives a pension or any compensation from the charter school, or if the individual's partner is an owner or principal with an entity or independent contractor with whom the charter school does business or contracts, directly or indirectly, for professional services, goods, or facilities. An individual may not serve as a governing board member if an immediate family member is an employee of the school. Members of the governing board of a charter school may not be appointed, removed, or replaced by an entity or component unit of an entity, which the charter school has entered into any contract with.

**High-performing charter schools** – The limits to establishing more than one charter school within the state in a year do not apply to charter schools established by a higher-performing charter school in the attendance zone of a school identified as in need of intervention and support or to meet needs for innovative choice options identified by the district school board

**Student transfer** - Each district school board must establish a transfer process for a parent to request his or her child be transferred to another classroom teacher. A school must grant or deny the transfer within 2 weeks after receiving a request. If a request for transfer is denied, the school shall notify the parent and specify the reasons for a denial. An explanation of the transfer process must be made available in the student handbook or a similar publication.

Language is added re to instruction for student receiving hospitalized program services.

In the definition of an FTE the reference to double-session school is removed

**The amendment creates the Principal Autonomy Pilot Program Initiative** within DOE. The purpose of the pilot program is to provide the principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education **may**, upon approval of a principal autonomy proposal, enter into a performance contract with up to six district school boards for participation in the program. A school district may submit to the state board for approval a principal autonomy proposal that exchanges statutory and rule exemptions for an agreement to meet performance goals established in the proposal. If approved by the state board, the school district will be eligible to participate in the program for 3 years. At the end of the 3 years, the performance of all participating schools in the school district must be evaluated. The language also provides for additional budget authority, training, etc. for participating schools and principals. This is the language included in HB 357 by Diaz.

**Teaching out-of-field** - A parent that receives notification that their child's teacher is being taught by an out-of-field teacher may, after the October student membership survey, request that his or her child be transferred to another classroom teacher within the school and grade in which the child is currently enrolled. If space is available in a classroom taught by an in-field teacher, the school district shall grant the parent's request and transfer the student to the in-field classroom teacher within a reasonable period of time, not to exceed 2 weeks. An explanation of the transfer process must be made available in the student handbook or a similar publication. This does not provide a parent the right to choose a specific teacher.

**Capital outlay funding criteria** – Expands the schools that could be eligible for capital outlay funding to include those that have an annual audit that does not reveal emergency financial conditions rather than having to show stability for future operation as a charter school.

Finally a new section is added – Notwithstanding any other provision of law, student reporting requirements related to withdrawals, suspensions, expulsions, and other related instances where students are no longer enrolled in a school, must be the same for public schools, including charter schools. Thus, charter school reporting requirements for these instances apply to all public schools, and public school reporting requirements apply to all charter schools.

**SB 118 re to Voluntary Contributions for Public Education Facilities by Hays.** The bill sets up a process for businesses to solicit and collect voluntary

contributions for the construction and maintenance of public education facilities. Participating businesses are required to remit the contributions to the Department of Revenue for deposit into PECO and Debt Service Trust Fund. The bill was reported favorable by the Appropriations Subcommittee on Education.

**SB 180 re to School Safety by Evers.** The bill authorizes district school boards to implement armed security measures on school property. The bill creates restrictions and requirements related to persons who are authorized to provide armed security in the school setting. School safety designees must undergo a Level 2 background screening and must also complete a training program created by FDLE. The bill, which most recently was reported favorable by the Criminal Justice Committee, is now temporarily postponed in the Education Pre-K-12 Committee and appears to be dead for the session.

**SB 246 re to Texting While Driving by Sachs.** The bill makes a violation of the Texting While Driving Law a primary offense, allowing state or local law enforcement agencies to enforce the prohibition on texting while driving without the necessity of another violation related to motor vehicles. It doubles the fine amounts in a legally posted school zone or designated school crossing. The bill was reported favorable by the Communication, Energy, and Public Utilities Committee.

**SB 352 re to American Founders' Month by Flores.** The bill designates the month of September as "American Founders' Month" and authorizes the governor to issue a proclamation to recognize, observe, and celebrate the month. An amendment that would have prohibited school on Veteran's Day was withdrawn. The bill was reported favorable by the Education Pre-K -12 Committee.

**SB 344 re to Establishment of Mental Health First Aid Training Program by Sobel.** This bill requires DOE to provide each public school district with comprehensive information to maximize federal and private grants for mental health education, awareness, and training, or similar programs. The bill was voted favorable by the Education Pre-K-12 Committee.

**SB 448 re to Educational Facilities by Flores.** The bill authorizes a district school board to adopt, by supermajority vote, a resolution to implement exceptions to the State Requirements for Educational Facilities. The bill requires that the district school board adopt the resolution at a public meeting that begins no earlier than 5 p.m., and conduct a cost-benefit analysis using a professionally accepted methodology for each exception selected by the district school board. The bill was reported favorably by Education Pre-K -12 Committee.

**SB 518 re to Voluntary PreK Education Program by Gibson.** The bill expands the formula for calculating the Voluntary Prekindergarten Education Program readiness rate to include students' performance results on pre- and post-assessments in addition to student's performance results on the statewide kindergarten screening. The bill was voted favorable by the Appropriations Subcommittee on Education.

**SB 530 re to Bullying and Harassment Policies in Schools by Ring.** This bill requires periodic revision of a school district's anti-bullying and harassment policy, modifies the information that must be contained in the policy, and requires schools to implement the policy. The bill was reported favorable by the Appropriations Subcommittee on Education.

**SB 572 re to School Support Organizations by Montford.** The bill creates and defines the term "school support organization" as an entity organized to raise funds to support extracurricular activities at public, parochial, or nonprofit schools. The bill authorizes school support organizations to pay tax directly to suppliers on the cost price of food, drink, and supplies, if purchased for resale. The bill was reported favorable by the Education Pre-K-12 committee.

**HB 574 re to Electronic Auction Services by Montford.** The bill authorizes district school boards to adopt rules regarding procurement practices, including the use of online procurement and electronic auction services. The bill was reported favorable by the Appropriations Subcommittee on Education.

**SB 782 re to County Officials by Montford.** The bill provides that the salaries of county constitutional officers and school district officials will not decrease in certain instances based solely upon the county moving from one population group to a higher population group used for the calculation of official annual salaries. The bill was reported favorable by the Government Oversight and Accountability Committee.

**SB 874 re to Dual Enrollment Program by Stargel.** This bill modifies public and private dual enrollment articulation agreements to expand benefits for home education program and private school students and establishes August 1 as the annual deadline for submitting such agreements to the Florida Department of Education. The bill was reported favorable by the Appropriations Subcommittee on Education.

**SB 888 re to Educator Professional Practices by Detert.** The bill modifies the membership of the Education Practices Commission. It adds DOE employees and agents, who investigate or prosecute educator misconduct, to the list of individuals authorized to access records and authorizes the Commissioner of Education to issue a letter of guidance to an educator in lieu of finding probable cause to prosecute misconduct. The bill was most recently reported favorable by Education Pre-K-12 Committee.

**SB 954 re to Involuntary Examination of Minors by Garcia.** The bill requires each county health department to develop, jointly with the district school board and the local school health advisory committee, a school health services plan to provide for immediate notification to a student's parent or guardian if the student is

removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination pursuant to the Baker Act. Each district school board and charter school governing board must develop a policy and procedures for such notification. The bill was reported favorable by the Appropriations Subcommittee on Education.

**SB 960 re to Florida Bright Futures Scholarship Program by Lee.** The bill modifies student community service requirements for Florida Bright Futures Scholarship Program awards by clarifying that community service work means volunteer service work, expanding the permissible activities that students can participate in to meet the volunteer service work requirement to include civic or professional areas, and placing parameters on such activities. The bill was reported favorable by the Fiscal Tax Committee.

**SB 972 re to Value Adjustment Boards by Flores.** The bill makes several changes to VAB proceedings. The bill requires a petition to the VAB to be signed by the taxpayer, which is only valid for one tax year, limits the persons who can represent taxpayers before the VAB to certain professionals, changes the rate of interest for overpayments and underpayments from 12 percent to the prime rate, and allows district school boards and district county commissions to audit VAB expenses. The bill was reported favorable by the Finance and Tax Committee.

**SB 1020 re to Student Transportation Funding by Simmons.** The bill clarifies and delineates the eligibility criteria for determining student membership and the formula for calculating the annual student transportation funding allocation for each school district. The bill is technical and rewrites, but does not substantively revise, the eligibility for state student transportation funding. The bill was reported favorable by the Fiscal Policy Committee.

**SB 1116 re to Literacy Jump Start Pilot Project by Abruzzo.** The bill requires the Office of Early Learning to establish a 5-year Literacy Jump Start Pilot Project in St. Lucie County to provide emergent literacy instruction to low-income, at-risk children. OEL must select an organization to administer the pilot project and one or more municipalities to participate in the project. Both the organization and the municipalities must be located in St. Lucie County. The bill was reported favorable by the Fiscal Policy Committee.

**SB 1140 re to Bright Futures Scholarship Program by Montford.** This bill allows a student who is eligible for a Florida Bright Futures Scholarship award, but unable to accept the award immediately following high school graduation due to a full-time religious or service obligation lasting at least 18 months, to defer the 2-year initial award period and the 5-year renewal period until the student completes the religious or service obligation. The bill was reported favorable by the Fiscal Policy Committee.



**SB 1262 re to Education by Legg.** The bill deletes obsolete deadlines and streamlines communication and reporting of information by DOE and the Commission for Independent Education. The bill was reported favorable by the Appropriations Subcommittee on Education.

**SB 1264 re to Digital Classrooms by Legg.** The bill provides a mechanism for comparing the status of digital readiness of school districts and public schools, which is independently verified, based on technology infrastructure standards and targets identified by the Agency for State Technology or a professional organization that the agency contracts with. The digital readiness of school districts must be assessed using a digital readiness scorecard and uniform definitions of technology infrastructure components established by DOE in consultation with the agency. The bill has been temporarily postponed by Appropriations Subcommittee on Education.

**SB 7050 re to Digital Classrooms by Governmental Oversight and Accountability.** The bill requires the Agency for State Technology to establish and publish information technology architecture standards for purposes of implementing digital classrooms. It requires the agency's annual assessment of DOE to review specified issues with respect to school district digital classrooms plans and provides planning assistance to address and reduce issues identified by the assessment. The bill has been temporarily postponed by Appropriations Subcommittee on Education.

**SB 1324 re Public Records/Agency Personnel Information by Latvala.** CS/SB 1324 creates exemptions from the Public Records law for personal identifying and location information of public defenders, conflict counsel, capital collateral counsel, prosecutors, law enforcement officers and other investigatory personnel, as well as their siblings, parents, and cohabitants.

The Civil Justice Committee reported SB 1324 favorably, with a committee substitute. The CS exempts from public records the residential addresses, e-mail addresses, driver license numbers, license plate numbers, and banking and financial information of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, assistant criminal conflict and civil regional counsel, collateral regional counsels, and assistant capital collateral regional counsel. The home addresses, telephone numbers, social security numbers, photographs, dates of birth, and places of employment of their parents, siblings, or cohabitants are also made exempt by the CS. The statement of public necessity reflects the inclusion of the information listed above for the public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel and their assistants. References to information identifying former places of employment are eliminated by the CS.

**SB 1474 re to District School Boards by Legg.** The bill expands and revises the powers and duties of district school boards, clarifies requirements for early warning systems, and modifies policies related to student attire. The bill requires a district

to adopt a strategic plan, Applies a district standards of ethical conduct to administrative personnel and school officers, and authorizes a district school board to adopt policies for standard student attire. The bill was reported favorable by the Education Pre-K-12 Committee.

**SB 7046 re to Education by Education PreK-12.** The bill modifies fiscal policy aspects relating to education with respect to preeminent state research universities, intensive reading instruction, teacher bonus funding, and performance funding for state universities and Florida colleges. The bill was reported favorable by the Appropriation Subcommittee on Education.

## **House Bills**

**HB 19 re to School Safety by Steube.** The bill allows school superintendents, upon approval of the district school board, to create a school safety designee program through which the school superintendent may designate one or more individuals to carry a concealed weapon or firearm on school property. Weapons or firearms may only be carried in a concealed manner and must be on the individual's person at all times while performing official school duties. The bill requires school safety designees to possess a concealed weapon license. The judiciary committee reported HB 19 favorably, with no amendments.

**HB 41 re to Hazardous Walking Conditions by Metz.** CS/CS/HB 41 relates to identifying, inspecting, and correcting hazardous walking conditions on roads students walk along or cross in order to walk to school. The current statute applies to elementary school students through grade 6 living within a 2-mile radius of a school.

The Education Committee reported HB 41 favorably. An amendment was adopted that makes a technical change clarifying that an inter-local agreement, that establishes standards for the safety of students walking to school and procedures for identifying and correcting hazardous walking conditions that meet or exceed the standards and procedures provided in the bill, may be used instead to identify and correct hazardous walking conditions.

**HB 85 re to Public School Instruction by Hill.** The bill requires public schools to provide instruction on the events surrounding the terrorist attacks of September 11, 2001, and the impact of those events on the nation. The Education Committee reported HB 85 favorably, and the bill is now in the Education Committee. There were no amendments.

**HB 587 re to Educational Professional Practices by Spano.** The bill authorizes certain employees or agents of DOE to have access to certain reports & records; requires DOE to provide liability insurance to certain persons; provides coverage & notification requirements; revises membership of Education Practices Commission;

authorizes Commissioner of Education to appoint emeritus members to commission; and authorizes commissioner to issue letter of guidance in response to complaint against teacher or administrator in certain circumstances. The House Education Committee reported HB 587 favorably. There were no amendments. The bill was placed on the Calendar, 2<sup>nd</sup> reading.

**HB 599 re to Exemption from Legislative Lobbying Requirements by Rogers**

Current law prohibits lobbyists and principals from making, and a member or employee of the Legislature from accepting, expenditures and provides penalties for violating this prohibition. This bill revises the definition of “expenditure” to create an exception for a “public-legislative use.” It provides that a “public-legislative use” is the use of a public facility or property that is made available by a governmental entity to a legislator for a public purpose, regardless of whether the governmental entity is required to register a person as a lobbyist. This bill was reported favorably by the State Affairs Committee.

**HB 913 re to State Board of Administration by Trumbull.** The bill repeals the current limitation on the authority of the SBA to invest the funds of the FRS Trust Fund in institutions doing business in or with Northern Ireland. The bill also directs the SBA to distribute any residual balance in the Fund B Surplus Funds Trust Fund to the trust fund participants based on each participant’s proportional share of the November 2007 interest earnings that were withheld from distribution and transferred to the Fund B Surplus Funds Trust Fund. The Appropriations Committee reported HB 913 favorably, and the bill was placed on the Calendar, 2<sup>nd</sup> reading. There were no amendments.

**HB 1045 re to Instruction for Homebound and Hospitalized Students by Burgess.** The bill clarifies that districts must provide instruction to homebound or hospitalized students in accordance with rules adopted by the state board. In addition, the bill authorizes the state board to adopt rules relating to instruction for homebound or hospitalized students. The bill also streamlines provisions relating to school district programs of special instruction, facilities, and services for exceptional students. The Education Appropriations Subcommittee reported HB 1045 favorably, and the bill is now in the Education Committee. There were no amendments.

**HB 1145 re to Education by Sprowls.** The bill enhances K-20 fiscal transparency and revises provisions relating to public and private educational choice options and assignment and certification of teachers.

The Education Appropriations Subcommittee adopted one amendment and reported HB 1145 favorably as a committee substitute. The amendment clarifies the school district per student expenditure data and specifies the information to be provided by the school district to parents in the parent guide or similar document.

**HB 7091 re to Postsecondary Options for Students with Disabilities by Higher Education & Workforce Development.** The bill creates the “Florida Postsecondary Comprehensive Transition Program Act” to increase independent living, inclusive and experiential postsecondary education, and employment opportunities for students with intellectual disabilities.

The Education Committee adopted one amendment and reported HB 7091 favorably as a committee substitute. The amendment removes the restoration of the Special Diploma as a high school graduation option for students with disabilities. The repeal of s. 1003.438, F.S. will occur as scheduled on July 1, 2015.

**HB 7125 re to Postsecondary Access and Affordability by Higher Education & Workforce Subcommittee.** The bill revises provisions relating to apprenticeships, postsecondary tuition & fees, tuition differentials, career education, textbooks & instructional materials, & Higher Education Coordinating Council; creates Florida Apprenticeship Grant Program & Rapid Response Education & Training Program; and provides requirements for the programs. The Education Appropriations Subcommittee reported HB 7125 favorably, with no amendments. The bill is now in the Education Committee.

**HB 7127 re to Higher Education by Higher Education & Workforce Subcommittee.** The bill revises provisions relating to apprenticeships, baccalaureate degree programs, career centers & charter technical career centers, applied technology diplomas, common placement test, & adult & workforce education programs. The Education Appropriations Subcommittee reported HB 7127 favorably, with no amendments. The bill is now in the Education Committee.

## **Senate Floor**

**SB 224 re to Public Records by Simpson.** CS/CS/SB 224 amends s. 119.0701, F.S., to revise procedures for obtaining records relating to a public agency’s contract for services with a private contractor.

The bill passed the Senate with two amendments. The first amendments requires public agencies to determine and provide appropriate public records training for employees, post contact information of public records custodian on website (if used), requires plaintiffs to notify agencies at least two days before filing suit if, and clarifies that reasonable costs of enforcement include attorneys fees. The second amendment clarifies that a request for public records must be promptly acknowledged and responded to in good faith.

**SB 602 re to Students with Disabilities by Gaetz.** CS/SB 602 bill amends the Florida Personal Learning Scholarship Accounts Program (PLSA or program) by creating a new administrative agent for the program, expanding the pool of eligible students, tightening program accountability requirements, streamlining program

implementation, increasing the Department of Education's (DOE) responsibilities for implementation of the program, and clarifying program implementation.

The Appropriations Committee reported SB 602 favorably with a committee substitute. The committee substitute made significant changes including:

- Adds muscular dystrophy to the list of allowed disabilities.
- Clarifies that a 3 or 4 year old child may not receive a Personal Learning Scholarship Account (PLSA) and services that are funded through the Florida Education Finance Program or Voluntary Prekindergarten Program (VPK) funds at the same time.
- Requires the Department of Education (DOE) to annually report the PLSA program's scope and size with regard to student participation, and to analyze the effectiveness of PLSA relating to cost, education, and therapeutic services.
- Creates an Education Fiscal Intermediary (EFI) to act as the PLSA administrative agent, rather than Scholarship Funding Organizations (SFOs) as currently authorized in law.
- Expands the types of entities that may compete to become an EFI, to include school district direct support organizations, state universities, ICUF institutions, and certain charitable organizations.
- Requires the DOE to issue a competitive solicitation for one or more EFIs, and to verify the EFI's compliance with law and contract.

Retains accountability and transparency requirements that previously applied to SFOs for the newly created EFIs.

- Includes a transition process by which existing SFOs may continue to be the administrative agent for PLSA until the DOE EFI contracts are in place.
- Expands authorized use of PLSA funds to include the Florida College Savings Program and requires the Florida Prepaid College Board to create rules and procedures to ensure accountability.
- Allows prepaid college plan or college savings plan funds to be used for fees at a program designed for students with disabilities conducted by a state postsecondary institution.

The bill passed the Senate, with a strike-all amendment. The amendment corrects cross-references, allows for a 3% administrative fee, clarifies in the event of a claim against surety bond any monies recovered are to be used for students, changes dates related to rulemaking authority, and removes requirement that a physician order is needed for PLSA funds for therapeutic therapies. The bill was immediately certified.

**SB 616 re to Education Accountability by Legg – See attachment.**

**SB 2502 re to Implementing the General Appropriations Act by Appropriations.** The bill provides the statutory authority necessary to implement and execute the General Appropriations Act for Fiscal Year 2015-2016. With respect

to education, the bill provides that funds provided for instructional materials shall be released and expended as required; amends s. 1013.64, F.S., to provide that, notwithstanding the current formula, for the 2015-2016 fiscal year, funds appropriated for remodeling, renovation, maintenance, and repairs and site improvement for existing satisfactory facilities will be allocated by prorating the total appropriation based on each school district's share of the 2014-2015 reported fixed capital outlay FTE; provides changes for school board contributions; provides changes, for the 2015-2016 fiscal year, to the calculation of multiple components of the Florida Education Finance Program (FEFP); and establishes the State University System (SUS) Performance Based Incentive funding model.

The Appropriations Committee submitted SB 2502 as a Committee Bill, SB 2502 passed the Senate, with one amendment. The amendment changed the language requiring any school board generating less than \$1 million in revenue from a 1-mill levy of ad valorem tax to contribute 0.75 mills, to any school board generating less than \$2 million in revenue from a 1-mill levy.

The bill was immediately certified, and sent to the House. The House adopted a strike-all amendment, passed SB 2502, and refused to concur. With respect to education, the amendments specified that each district's digital classrooms allocation plan must give preference to funding technology purchases that will support the district's compliance with the technology requirements; reverted the text so that any district school board that generates less than \$1 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mills; and required Department of Education to administer an educator liability insurance program.

**SB 2508 re to Education (Conforming bill) by Appropriations.** The bill requires a state research university to enter into and maintain a formal agreement with a specified organization to offer college-sponsored merit scholarship awards as a condition of designation as a preeminent state research university; revises the term "full-time student" for the purposes of the Florida Education Finance Program; requires supplemental academic instruction categorical funds and research-based reading instruction allocation funds to be used by a school district with at least one of certain lowest-performing elementary schools for additional intensive reading instruction at such school during the summer program in addition to the school year, etc.

The Appropriations Committee adopted an amendment and submitted SB 2508 as a Committee Bill. The amendment renamed the Florida National Merit Scholarship Incentive Program as the Benacquisto Scholarship Program.

The bill was temporarily postponed on 2<sup>nd</sup> Reading, and retained on the calendar.

**SB 7022 re to Individuals with Disabilities by Governmental Oversight and Accountability.** CS/SB 7022 addresses the employment and economic independence of individuals with disabilities. The bill revises definitions and defines the term “individual who has a disability.” The bill also revises the state’s equal employment opportunity policy to include individuals who have a disability; requires each executive agency to annually report to the Department of Management Services regarding the agency’s progress in increasing employment among certain underrepresented groups; and requires the department to develop and implement certain programs geared toward individuals who have a disability, etc.

The Fiscal Policy Committee reported SB 7022 favorably, with a committee substitute. The committee substitute modifies the states equal opportunity policy and creates several programs related to the economic independence of individuals who have disabilities.

The bill passed the Senate with no amendments.

**SB 7024 re to State Board of Administration by Governmental Oversight and Accountability.** SB 7024 repeals the current limitation on the authority of the State Board of Administration to invest the funds of the Florida Retirement System Trust Fund in institutions doing business in or with Northern Ireland. The bill directs the State Board of Administration to distribute any residual balance in the Fund B Surplus Funds Trust Fund, after the original principal balance has been repaid to the trust fund participants, based on each participant’s proportional share of the November 2007 interest earnings that were withheld from distribution and transferred to the Fund B Surplus Funds Trust Fund.

The Appropriations Committee reported SB 7024 favorably with no amendments. The bill passed the Senate, with no amendments.

**SB 7030 re to Postsecondary Education for Students with Disabilities by Higher Education.** SB 7030 establishes mechanisms for the approval of unique postsecondary education programs tailored to the needs of students with intellectual disabilities and statewide coordination of information.

The Appropriations Committee reported SB 7030 favorably, with no amendments. The bill passed the Senate, with one amendment. The amendment clarifies that a student may only receive FPTCP scholarship funds if are he or she is enrolled in an FPCTP, and is not receiving services that are funded through the Florida Education Finance Program or scholarship under part III of chapter 1002.

## House Floor

**HB 5003 re to Implementing Bill by Appropriations.** With respect to education, the bill amends s. 1011.62, F.S. to provide that each school district's digital classrooms allocation plan must give preference to funding technology purchases that will support the district's compliance to the technology requirements established pursuant to s. 1001.20(4) Florida Statutes; provides that any district school board that generates less than \$1 million dollars in revenue from one mill of ad valorem tax must contribute 0.75 mill, rather than 1.5 mills, for Fiscal Year 2015-2016 to the cost of funded special facilities projects; amends s. 1012.75, F.S. to provide that the Department of Education shall administer an educator liability insurance program; and provides that the Office of Early Learning may allocate or reallocate funds held by the Child Care Executive Partnership Program to prevent disenrollment of children from the school readiness program or child care funded via the program.

The bill was placed on Special Calendar, and laid on the table.

**HB 5011 re to Florida Best and Brightest Teacher Scholarship Program by Appropriations.** The bill creates the Florida Best and Brightest Teacher Scholarship Program to designate teachers who have achieved high academic standards during their own education as Florida's best and brightest teacher scholars. Beginning in the 2015-2016 school year the scholarship program shall provide funding for scholarships to be awarded to teachers who have demonstrated a high level of academic achievement.

The bill was placed on Special Calendar, and temporarily postponed on 2<sup>nd</sup> reading.