

April 5, 2019

**MEMORANDUM**

TO: District School Superintendents

FROM: Joy Frank  
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Fe Warren, Legislative Intern

RE: Legislative Update – Week of April 1, 2019

**Budget Information**

The House and Senate have both passed their respective General Appropriations Acts and are procedurally preparing for a budget conference. There have been no major changes since the last report. The Implementing Bills and other conforming bills have been retained on their respective calendars. Appropriations documents can be obtained from the respective websites: [www.myfloridahouse.gov](http://www.myfloridahouse.gov) and [www.flsenate.gov](http://www.flsenate.gov)

In addition, the House was poised to take up both the school safety (HB 7093) and school choice (HB 7055) but both bills were temporarily postponed. The Senate bills – SB 7070 on school choice, etc. and SB 7030 on schools safety are in Senate Appropriations. Attached are draft side-by-side of the House and Senate Safety and Choice bills.

**House Committee Action**

**HB 889 by Buchanan re to Educational Facilities.** The bill was substantially amended and now requires the Legislative Office of Economic and Demographic Research to update the *Review of Florida’s Cost per Student Station* report completed in January 2017. The updated report shall be provided to the Governor, the President of the Senate, and the Speaker of the House of Representatives by October 1, 2019.

Superintendents Tim Wyrosdick (Santa Rosa) and Debra Pace (Osceola) testified before the committee as to the immediate need for flexibility in the cost per student station requirements and other state mandates. Their testimony was very helpful in highlighting the issue for committee members.

The bill passed the House Education Appropriations Subcommittee as amended.

**HB 259 by Williams re to Comprehensive Health Education.** The bill was summarized in an earlier report. The bill has been amended to allow parents to make written requests to exempt students from participating in the comprehensive health education requirements.

The bill has been amended to more narrowly require comprehensive health education requirements to discuss child abuse and human trafficking as opposed to teen dating violence.

The bill passed the PreK-12 Appropriations Subcommittee favorably and is now in the House Education Committee.

**HB 1061 by Overdorf 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 Advanced Placement Capstone Diploma in addition to a standard high school diploma.

The bill passed the House Education Appropriations Subcommittee favorably.

**HB 1127 by Duggan re to Educational Employees.** The bill was summarized in an earlier report and involves DOE creating a list of disqualifications for employees.

The bill passed the PreK-12 Appropriations Subcommittee favorably and is now in the House Education Committee.

**HB 587 by Andrade re to Medicaid School-based Services.** The bill was summarized in an earlier report and aligns current law with Medicaid requirements regarding Florida Medicaid Certified School Match Programs and IDEA.

The bill passed the Health Care Appropriations Subcommittee favorably and is now in the House Health & Human Services Committee.

**HB 361 by Silvers re to Behavioral Health of Minors.** The bill was summarized in an earlier report and incorporates recommendations from the task force on involuntary examination of minors.

The bill passed the Appropriations Committee favorably and is now in the House Health & Human Services Committee.

**HB 1047 by Tomkow re to Government Integrity.** The bill was summarized in an earlier report and includes various provisions designed to promote integrity in government.

The bill passed the Appropriations Committee favorably and is now in the House State Affairs Committee.

**HB 1197 by Fischer re to Charter Schools.** The bill was summarized in an earlier report. The bill has been amended to allow state universities and Florida College System (FCS) institutions to sponsor charter schools. The amended bill provides that a state university-sponsored charter school may serve students from multiple school districts to meet regional education or workforce demands and 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 a FCS institution is not eligible to be sponsored by a FCS institution until its existing charter with the school district expires.

The bill has been amended to allow students enrolled in a charter school sponsored by a state university or FCS institution to be funded as if they are in a basic program or a special program in the school district. The basis for funding these students is the sum of the total operating funds from the FEFP for the school district in which the school is located as provided in s. 1011.62, F.S., 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 bill passed the Appropriations Committee favorably as a committee substitute.

**HB 225 by Beltran re to Education.** The bill was summarized in an earlier report and allows military uniforms during graduation for active members graduating.

The bill passed the Education Committee favorably and is now on the House calendar.

**HB 891 by Ponder re to Military-friendly Initiatives.** The bill makes changes relating to military base buffering, conservation easements, and education pertaining to military personnel. The bill:

- requires school districts to accept permanent change of station orders as proof of residency of dependent children for admission to district programs; and
- revises requirements for service members and their families to be classified as Florida residents for tuition purposes.

The bill passed the Education Committee favorably and is now in the House State Affairs Committee.

**HB 7061 by PreK-12 Quality re to Teacher Preparation.** This bill was summarized in an earlier report and revises mentorship requirements, professional development requirements and examination preparation requirements.

The bill passed the Education Committee favorably and is now on the House calendar for second reading.

**HB 7071 by Higher Education re to Postsecondary Workforce Education.** The bill enhances workforce education programs by:

- Creating the “Strengthening Alignment between Industry and Learning to 60” Initiative and establishing a statewide attainment goal to increase the percentage of working-age adults who hold a high-value postsecondary certificate, degree, or training experience to 60 percent by the year 2030.
- Revising the school grades formula to recognize career certificate clock hour dual enrollment and establishing formal career dual enrollment agreements between high schools and career centers.
- Allowing students with an industry certification to earn two mathematics credits for Algebra I.
- Allowing a computer science credit to substitute for a mathematics or science credit and requiring a biennial review of career education courses for alignment with high school graduation requirements.
- Requiring the Department of Education (DOE) to provide assistance in increasing public awareness of apprenticeship and preapprenticeship opportunities.
- Requiring the Commissioner of Education to annually review career and technical education course offerings.
- Establishing a “College and Career Decision Day” to recognize high school seniors for their postsecondary education and career plans.
- Doubling the cap on career and professional education Digital Tool certificates.
- Establishing a middle grades career planning course requirement.

- Revising requirements relating to adjunct teaching certificates.
- Reconstituting the Higher Education Coordinating Council as the Florida Talent Development Council, revising its membership, and requiring the council to develop a strategic plan.
- Creating the Florida Apprenticeship Grant Program to provide competitive grants to high schools, career centers, charter technical career centers, Florida College System (FCS) institutions, and other entities authorized to sponsor apprenticeship or preapprenticeship programs.
- Requiring the Department of Business and Professional Regulation, in consultation with the DOE, to submit a report by December 1, 2019, regarding apprenticeship programs that could substitute for the required educational training otherwise required for licensure.
- Requiring the statewide articulation agreement to provide for a reverse transfer agreement for certain students.
- Requiring career centers and FCS institutions with overlapping service areas to execute a regional career pathways agreement for each certificate program offered by the career center that aligns with an associate's degree offered by the college.
- Requiring each school district and FCS institution receiving state workforce education funds to maintain adequate and accurate records and revising the for determining state funding for workforce education program funding calculation.

The bill passed the House Education as a committee substitute.

#### **House Ways and Means Committee – Tax Relief and Clarification Concept Language Overview**

The committee discussed a tax relief package but a bill has not been filed as of yet, that I can determine. The language would provide that the usage of school district voted discretionary operating property tax levies is to be applied proportionately to charter schools in the levying district.

Section 1002.33 relating to charter schools would be amended in subsection (20)(a)5. to state:

5. If, under s. 1011.71(9), a voted operating levy is not shared proportionately with charter schools in the district, then the amount withheld by a sponsor shall be reduced by the amount that should otherwise have been shared under s. 1011.71(9).

Section 1011.71 relating to district school tax is amended in subsection (9) and the following language is added:

(9) In addition to the maximum millage levied under this section and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Any such levy shall be for a maximum of 4 years and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. **For the purpose of distributing taxes collected pursuant to this subsection, the term “school operational purposes” includes charter schools sponsored by a school district.** Millage elections conducted under the authority granted pursuant to this section are subject to s. 1011.73. Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds in 2001-2002 or any subsequent year and must not be incorporated in the calculation of any hold-harmless or other component of the Florida Education Finance Program formula in any year. If an increase in required local

effort, when added to existing millage levied under the 10-mill limit, would result in a combined millage in excess of the 10-mill limit, any millage levied pursuant to this subsection shall be considered to be required local effort to the extent that the district millage would otherwise exceed the 10-mill limit. **Funds levied under this subsection shall be shared with charter schools as provided in s. 1002.33(17).**

### **Senate Committee Action**

**SB 66 by Cruz re to Drinking Water in Public Schools.** The bill requires each school district to filter drinking water at each source for any school built before 1986. Specifically, for such schools the bill requires each school district to:

- Install a barcode on all school drinking water sources.
- Install a filter that meets specified standards to reduce lead at each school water source.
- Post a conspicuous sign near each non-drinking-water source warning that such source should not be used for human consumption.
- Publish on the school district’s website information about filters for each drinking water source and actions necessary to comply with requirements.

The bill analysis acknowledged that the bill has a significant, but indeterminate, fiscal impact.

The bill passed the Senate Education Committee favorably.

**SB 520 by Montford re to Funding for School Districts.** The bill holds harmless school districts most impacted by Hurricane Michael and provides a special one-time appropriation based on the enrollment difference in full-time equivalent (FTE) students in the October FTE survey and the February FTE survey.

The bill passed the Senate Education Committee favorably.

**SB 982 by Thurston, Jr. re to Human Trafficking Education in Schools.** The bill adds information on the dangers and signs of human trafficking to required instruction as a part of comprehensive health education in public schools, and authorizes a student to opt out of such instruction. The bill also requires the Florida Department of Legal Affairs (DLA) to develop campaigns to increase awareness of human trafficking.

The bill passed the Senate Education Committee favorably.

**SB 1342 by Stargel re to Postsecondary Education for Secondary Students.** The bill expands secondary student access to advanced coursework through dual enrollment and early college programs. Specifically, the bill:

- Revises dual enrollment provisions in the following ways:
  - Modifies Florida law regarding student eligibility criteria for participating in dual enrollment by changing the unweighted high school grade point average requirement from 3.0 to 2.5.
  - Prohibits a district school board and Florida College System institution (FCS) from limiting student participation in dual enrollment, including early college programs, but creates a waiver from such prohibition based on capacity to accommodate all eligible students.

- Requires private school dual enrollment articulation agreements to include a provision expressing that costs associated with tuition and fees, including registration and laboratory fees, will not be passed along to a student's private school of enrollment.
- Specifies that instructional materials assigned for use within dual enrollment courses must be made available free of charge to students in home education programs and private schools.
- Reframes the collegiate high school program as an early college acceleration program and revises related requirements, creates a mechanism for awarding bonus funding if certain conditions are met, and specifies reporting requirements for district school superintendents and the Commissioner of Education (commissioner).
- Specifies dual enrollment and early college program related reporting requirements for postsecondary institutions and the Department of Education.

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

**SB 1480 by Stargel re to Civics Education.** The bill requires all instructional materials for the middle school civics education course be reviewed and approved by Commissioner in consultation with civics organizations and stakeholders. Errors and inaccuracies in state-adopted civics instructional materials, identified by the commissioner, must be corrected pursuant to current statutory procedures. The bill also requires the commissioner to review the current state-adopted civics course materials and the civics statewide end-of-course assessment and make recommendations for improvements by December 31, 2019. DOE must complete a review of civics education course standards by December 31, 2020.

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

**SB 1594 by Harrell re to Voluntary Prekindergarten Education Program.** The bill shifts the method for assessing Voluntary Prekindergarten Education Program (VPK) providers from a kindergarten readiness rate based on the results of a screening taken in kindergarten to a program score based on assessments and a screening taken during the VPK school year.

The bill passed the Senate Education Committee favorably.

**SB 226 by Brandes re to Mastery-based Education.** This bill has been summarized in a previous report and expands participation in the mastery-based pilot to all school districts and developmental research schools.

The bill passed the Senate Education Appropriations Subcommittee favorably.

### **General Information**

I hope this information has been helpful. As the committee process begins to wind down, the reports will focus more on floor action.

If you have any questions, please give me a call.