

March 6, 2020

MEMORANDUM

TO: District School Superintendents

FROM: Joy Frank

Joe McGehee, Legislative Intern

Camilia Wilson, Legislative Intern

RE: Legislative Update – Week 8

General Information/Budget Information

The Senate President and House Speaker have indicated that budget conference could begin this weekend. I will provide updates as they become available.

This should be the last report that includes summaries of committee action and many of those bills that were considered in committee this week made it the floor.

The House may meet in session very late tonight. I will report on any major bills that are considered this weekend or early next week. This may be the last report until after session except for major bills (turnaround, school safety, charter, scholarships, early learning, etc.) and budget matters.

Committee Action – Senate

Senate Rules Committee

SB 946 by Baxley – Moments of Silence in Public Schools. This bill requires a moment of silence to be set aside for students during each school day.

The bill passed the Senate Rules Committee favorably, and previously passed the Senate Judiciary Committee and the Senate Education Committee favorably. It is now on the Senate Calendar.

SB 1216 by Gruters – School Board Member Term Limits. This bill proposes that district school board members be subject to an 8-year consecutive service term limitation.

The bill passed the Senate Rules Committee favorably, and previously passed the Senate Education Committee and the Senate Ethics and Elections Committee favorably. It is now on the Senate Calendar.

SB 1634 by Stargel – Parental Rights. This bill enumerates a list of rights that a parent possesses in order to direct the education of his or her child and be informed about the child’s educational programs. The bill also requires the school district to promote parental involvement in the public school system by providing access to the child’s studies and instructional materials while also recognizing a parent’s right to withdraw the child from objectionable portions of the school’s curriculum.

This bill has been temporarily postponed in the Senate Rules Committee.

Senate Appropriations Committee

SB 62 by Stargel – K-12 Education. A proposed committee substitute was introduced in the Senate Appropriations Committee, but time was running out and the bill was temporarily postponed. However, this does not necessarily mean that the bill is dead. Most of the language in the proposed bill had been passed through committee in other bills or in the underlying bill. The major provisions are below.

Sections 1 and 2. Share discretionary sales tax with charters and effective for levies applied on or after July 1, 2020.

Section 3 – Work-based learning – OJT and workers comp. provisions.

Section 4 – Charter schools

Application deadline removes. Have to receive application when submitted. School opened at time determined by applicant.

Amends language to benefit student living in development in which a developer including affiliated business entity or charitable foundation contributes to construction of one or more charter schools.

Section 5 – High performing charter schools – may submit 2 application for a charter school to be opened at a time determined by the high-performing charter school.

Section 6 – Virtual instruction programs – Limits virtual instruction of out-of-district FTE to no more than the FTE student membership in virtual program classes within the district. Hendry County.

Section 7 – Middle grades – Middle school student must take Geometry EOC assessment until discontinued.

Section 8 – Standard High School Diploma – Similar language re to Geometry.

Beginning with 2020-2021 school year, all student must take the civic literacy assessment by grade 12. If passes, exempt from postsecondary civic literacy assessment.

Section 9 – Modifies Standard High School Diploma Designations.

Section 10 – Seclusion and Restraint language.

Section 11 – Video camera pilot program for 3 school years for Broward and Volusia County Schools.

Section 12 – Teacher Prep Programs – Includes language from Diaz bill.

Section 13 – For 2020 instructional materials adoption cycle, DOE may establish timeframes for the advertisement and submission of bids for instructional materials.

Section 14 – General Ed courses for postsecondary. Students may fulfill civic assessment requirement by passing in high school.

Section 15 – Articulated acceleration mechanisms – 30 semester credit hour cap for IB coursework eliminated.

Section 16 – Dual enrollment. Takes care of home education programs, etc.

Section 17 – Early College Program. For Pasco Co.

Section 18 – Students with disabilities – Conforming language.

Section 19 – Statewide, Standardized Assessment Program – 9th grade ELA assessment shall be last administered in 2021-2022 school year. Geometry EOC administered until assessment discontinued.

Beginning in 2020-2021 school year, each district shall provide for administration of SAT or ACT to each public school student in 11th grade. District must choose either the SAT or ACT. Funds shall be provided in GAA.

Implementation schedule repealed (old language)

DOE must seek approval from US DOE to use Act or ACT as the state’s high school assessment in mathematics. If receives approval, Commission may discontinue the Geometry EOC.

Section 20 – Student progression – Deletes requirements that the results of the standardized ELA and EOC in Algebra I and Geometry be used to advise students of deficiencies.

Section 21 – School grading – conforming.

Section 22 – conforming.

Section 23 – CAPE Funding List –

Includes aviation related and aerospace-related occupations for additional FTE.

Commissioner may limit CAPE industry certification and CAPE Digital Tool certificates to students in certain grades.

Section 24 – Dual Enrollment Scholarship Program.

Section 25 – 1011.62 – FEFP

Deletes language authorizing an independent college or university, which is not for profit, from being included in dual enrollment or early admission program.

Provides for additional weighted funding for early college program, etc.

Funding compression – made permanent.

Best and Brightest repealed.

Teacher Salary Increase Allocation.

Section 26 – Effective July 1, 2021 – Weighted CAPE funding.

Section 27 – Workforce Education Program Funds. – Federal Aviation Administration industry certification. Each district shall be provided \$6,000 for each certification earned.

Section 28 – Florida College System.

Section 29 – Measurement of Student Performance. Commissioner must provide annually by July 31 the result of student learning growth measured by such formula to school districts.

Section 30 – Continuing ed and inservice training for teacher student with developmental and emotional or behavioral disabilities.

Section 31 – Repeals s. 1012.731 – Best and Brightest Teacher

Section 32 – Repeals s. 1012.732 – Best and Brightest Principal

Section 33 – Charter schools capital outlay funding. Caps charter school capital outlay funding to \$165. If legislature does not fund, then we have to share discretionary millage.

Section 34 – Collier Co. provision to use Impact fees to build school.

Section 35 – Students with disabilities – conforming.

Section 36 – Conforming.

The bill was temporarily postponed in Senate Appropriations, but the language could still be in play as amendments to other bills.

SB 190 by Montford – Medicaid School-based Services. This bill now:

- Removes the ability of private and charter schools to certify reimbursement for school-based health services for all students enrolled in Medicaid, regardless of whether that student qualifies for Part B or H of the Individuals with Disabilities Education Act (IDEA), the exception student education program, or has an individualized education plan (IEP).
- Maintains the current-law requirement for health care practitioners who are employed by or contracted with a private or charter school under s. 409.9072, F.S., to independently enroll in Florida Medicaid as credentialed providers to deliver Medicaid-covered, school-based services.

The bill passed the Senate Appropriations Committee favorably, and previously passed the Senate Healthy Policy Committee and the Senate Education Committee favorably.

SB 1066 by Gruters – Impact Fees. This bill imposes new requirements related to impact fees. The bill also:

- Retains language that provides that new impact fees can only apply to existing applications if the result is to reduce the total mitigation costs or impact fees imposed on an applicant.
- Inserts new language that allows certain local governments to collect both public education facility contributions and school impact fees under certain circumstances.
- Amends the impact fee credit transfer provisions to limit credit transfers within the same local jurisdiction

The bill passed the Senate Appropriations Committee favorably, and previously passed the Senate Finance and Tax Committee and the Senate Community Affairs Committee favorably. It is now on the Special Order Calendar.

SB 1220 by Diaz – Education. This bill modifies the Florida Tax Credit Scholarship program to:

- Specify that a student who receives an FTC scholarship remains eligible until high school graduation or age 21, regardless of the student’s household income level.
- Require each eligible nonprofit scholarship-funding organization (SFO) to refer any student who does not get a renewal FTC scholarship because of a lack of available funds to another SFO that may have available funds.

This bill also modifies the Family Empowerment Scholarship program to:

- Establish a priority order for award of a FES, which includes a student who received an FTC scholarship in the previous school year but did not receive a renewal scholarship because of a lack of available funds.
- Require the Department of Education to maintain and publish a list of nationally norm referenced tests and to establish deadlines relating to applications, renewal notifications, and verification of student eligibility.
- Require each private school to report test scores of students receiving a FES to a specified state university.

This bill passed the Senate Appropriations Committee favorably. It is now on the Calendar.

Floor Action – Senate.

SB 434 by Montford – Designation of School Grades. This bill modifies the high school acceleration component of the school grading model to add to the calculation students who complete career certificate dual enrollment courses resulting in 300 or more clock hours that are identified by the State Board of Education (SBE).

The bill passed the Senate Floor favorably.

SB 486 by Bradley – Florida Best and Brightest Programs. This bill repeals the Florida Best and Brightest Teacher Program, the Florida Best and Brightest Principal Program, and the Florida Best and Brightest Teacher and Principal Allocation.

The bill passed the Senate Floor favorably.

SB 662 by Wright – Education and the Military. This bill gives greater flexibility to transitioning students from military families by considering a student a resident of the school district at the point in time in which the parent is transferred or pending transfer to a military installation within the state, for purposes of enrollment and preferential treatment in special programs.

The bill passed the Senate Floor favorably.

HB 7011 by PreK-12 Innovation Subcommittee – K-12 Student Athletes. To better protect student athletes participating in athletics during hot weather and avoid preventable injury or death, the bill requires the Florida High School Athletic Association (FHSAA) to:

- require member schools to monitor heat stress and modify athletic activities (i.e., contests, practices, workouts, and conditioning) based on heat stress guidelines;
- identify heat stress levels at which a cooling zone must be made available for athletic activities;
- make training and materials available for the effective monitoring of heat stress;
- establish requirements for cooling zones and individuals with related training at athletic activities, including the use of cold water immersion tubs or equivalent means;
- require school emergency action plans to include a procedure for onsite cooling using cold water immersion or equivalent means before transport to the hospital for EHS;
- establish hydration guidelines, including appropriate introduction of electrolytes; and
- require student athletes to pass the annual medical evaluation each year before engaging in any athletic activities that occur outside of the school year.

The bill passed the House, then the Senate and was amended to refer to the bill as the Zachary Martin Act. The bill is now back in the House.

SB 738 by Harrell – Jury Service. This bill allows students who are 18 to 21 years of age to be excused from a specific jury summons upon request if they are enrolled as a full-time student at a high school, state university, private post-secondary educational institution, Florida College System Institution, or career center. The bill now states that individuals may only be excused for a specific jury summons based on their enrollment status as opposed to an indefinite postponement.

The bill passed the Senate Rules Committee favorably, and previously passed the Senate Judiciary Committee and the Senate Education Committee favorably. The bill passed the Senate and is now in the House.

SB 156 by Perry – Early Childhood Music Education Incentive Pilot. This bill extends the scheduled expiration of the Early Childhood Music Education Incentive Pilot Program from June 30, 2020, to June 30, 2022.

The bill passed the Senate Appropriations Committee favorably, and previously passed the Senate Appropriations Subcommittee on Education and the Senate Education Committee favorably. The bill passed the full Senate.

Floor Action – House.

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

The bill passed the House Floor favorably.

HB 7065 by House Education Committee – School Safety. This bill includes various provisions to increase school safety and security.

The bill passed the House Floor favorably. The Senate bill is on Special Order and has several amendments.

HB 737 by Daniels – Moments of Silence in Public Schools. This bill requires moment at beginning of each school day & provides requirements for such moment of silence.

This bill passed the House Floor favorably and has been referred to Rules in the Senate.

HB 23 by Gottlieb – Panic Alarms in Public Schools. This bill creates “Alyssa’s Law,” which requires each public elementary, middle, and high school campus, including charter schools, to implement a mobile panic button system.

This bill was temporarily postponed on the House Floor.

HB 7097 by Ways & Means Committee – Taxation. This bill revises provisions related to tourist development taxes, ad valorem taxes, corporate income taxes, value adjustment boards, tangible personal property rolls, truth-in-millage processes, communications services taxes, penalties related to dyed diesel fuels, convention development taxes, rental & license fees, sales tax reports, charter county and regional transportation system surtaxes, school capital outlay surtaxes, corporate income taxes, and contaminated site rehabilitation tax credits.

This bill passed the House Floor favorably.

I hope this information is helpful. If you have any questions, please give me a call.