



To: Florida District School Superintendents
From: Brian T. Moore, FADSS General Counsel
Subject: FADSS Legislative Update – Week of January 24, 2022
Date: Friday, January 28, 2022

The 2022 Legislative Session completed its third week, hearing about 30 different bills that FADSS is tracking. Consistent with previous updates, the focus this week will be on those bills that appear to have both momentum and, if passed, be most impactful on district operations.

High-Impact Legislation

[HB 7 \(Avila\)](#) / [SB 148 \(Diaz\)](#) – Individual Freedom

These bills were covered in depth in last week’s update after the Senate version was reported favorably by the Senate *Education Committee*. This week, the House version received its first of three committee hearings and was reported favorably along party lines by the House *Judiciary Committee* following an impassioned debate.

Please refer to last week’s update for a longer discussion about these bills. In summary, they represent an attempt to prevent CRT and other forms of “wokeness” from appearing in the workplace and schools. While several of the provisions are noncontroversial, the major sticking point is that neither employee training nor district-run, public school instruction can cause an individual to “***feel discomfort, guilt, anguish, or any other form of psychological distress*** on account of his or her race, color, sex, or national origin.” While the bill states that instructional personnel may facilitate discussions to address how freedoms of persons have been infringed by sexism, slavery, and other forms of racial oppression, it also adds that these topics and discussions may not be used to indoctrinate or persuade students of a particular point of view inconsistent with the principles stated within the bill.

Concerns: The primary concern is the vagueness of the language regarding how people feel. Anyone learning about the Holocaust, slavery, segregation, or Japanese internment camps may feel a sense of compassion or discomfort and perhaps even anguish and guilt due to the gravity of the topic. Does a child feeling some guilt for slavery *as an American* know the difference between guilt based on their race as opposed to a sense of guilt about what their country may have done?

With this language, it is easy to imagine parents filing complaints against teachers because their student was emotionally impacted by something learned at school, and it may cause teachers to limit their instruction on difficult topics out of fear that a child's discomfort will put their certification at risk or at least result in a time-consuming and costly legal action. The danger here is that this type of legislation puts teachers and school districts on the defensive for teaching the required, State Board of Education-approved standards, including those which may evoke a wide range of reactions among students.

Finally, because this bill seeks to amend section 1003.42, Florida Statutes, to include the language about instruction that provokes difficult feelings in students, it would not apply to charter schools and their instruction of students, as that section is not included in the list of statutes with which charter schools must comply.

[HB 1421 \(Hawkins\)](#) / [SB 802 \(Gruters\)](#) - School Safety

These bills attempt to codify most of the remaining recommendations from the MSD Commission (the recommendation to “restore local authority to public school boards to levy up to a half mill without a referendum for law enforcement officers or guardians, or other direct school security expenses” has remained absent from proposed school safety legislation).

Among other things, these bills expand state-level oversight and enforcement of district compliance with school safety laws, provide for the withholding of Superintendent or school board member salaries for certain noncompliance, and require the development of family reunification plans for both natural and man-made disasters and emergencies. Districts will need to work with the Division of Emergency Management, local, state, and federal law enforcement agencies, and others, in the creation of these family reunification plans. The bills would also require that all members of a threat assessment team be present at every threat assessment team meeting, and it requires that the safe school officer assigned to the school be physically present whenever an emergency drill is conducted. Finally, the bill provides that school safety officers can make arrests on charter school property, which has been a question for those districts with their own police forces and the extent of their jurisdiction.

While the bill provides that the Commissioner can direct school boards to withhold the salary of the Superintendent if the Office of Safe Schools finds noncompliance with school safety laws, charter schools that fail to comply would receive no financial penalty. Instead, the Commissioner would only be directed to make suggestions to the school board to facilitate the charter school's compliance.

The House version of the bill had its first committee hearing and was reported favorably by the *Early Learning and Elementary Education Subcommittee*. In the Senate's *Appropriations Subcommittee on Education*, the bill was temporary postponed so that additional work could be done on some of the provisions. This was promising news as the stakeholders continue to look for ways to make the provisions better for everyone, instead of just putting superintendent salaries at stake without much in the way of due process or identifiable standards.

[HB 865 \(Rizo\)](#) / [CS/SB 758 \(Diaz\)](#) – Education

This bill would create the Charter School Review Commission and give it the power to review and approve applications for charter schools overseen by district school boards. The members of the commission would be appointed by the Commissioner subject to Senate approval, but there are no requirements that they possess any particular knowledge or expertise other than “charter school experience.” The district school board where the charter school is located would still be the sponsor and supervisor of the charter school.

As originally drafted, the local district would have no input into the application process for those charters that sought approval from the commission, nor any right to appeal the approval of an application the district believes does not meet the statutory requirements. However, an amendment was approved to the Senate version this week which would require that the district receive a copy of the application within three days of it being filed and then have 30 days to provide district input on the application. With no current requirements with respect to the expertise of the commission members, this may be the only opportunity for experts in the areas of exceptional student education, curriculum, finance, and other important areas to address any flaws in the application before it is approved. The House version does not include this language, leaving the districts out of the approval process altogether.

The bill also provides that the Legislature should maintain comparable funding levels from existing and future funding sources for charter school students, and it would require a 15-year charter renewal for schools that received an A or B in the final year of their current charter, do not have a deteriorating financial condition, haven’t broken the law, and have participated in the state’s accountability system. If the school has done the last three but got a grade below a B, it would be entitled to a 5-year renewal. This is based on a proposed change in the law that would limit the ability of a school board to nonrenew a charter to one of those three – deteriorating financial condition, failure to participate in the accountability system, or a material violation of law. The bill would strike “other good cause shown” from the law as another basis for nonrenewal.

In addition, these bills would affect local educational impact fees. Currently, the law provides, in part, “To the extent that charter school facilities are specifically created to mitigate the educational impact created by the development of new residential dwelling units, pursuant to subparagraph (2)(c)4., **some of or all** of the educational impact fees required to be paid in connection with the new residential dwelling units **may** be designated instead for the construction of the charter school facilities that will mitigate the student station impact.” These bills would amend that language to say that **all** of the impact fees **must** be designated for the construction of charter school facilities.

Finally, the current Senate version of the bill would have OPPAGA conduct a study on the distribution of capital funds to charter schools and then recommend an “equitable” allocation of capital funds to all schools. This report would be due by January 1, 2023.

The Senate version of this bill received its second of three committee hearings this week in the Senate *Appropriations Subcommittee on Education* and was reported favorably with the amendment discussed above. The House version was amended to allow charters to benefit from any interlocal agreements that address district schools but not to allow district input into the application process (the example provided was a charter school in Hillsborough that is outside the urban cluster or zone and unable to expand its septic system or connect to wastewater). It was then reported favorably in the House *Secondary Education and Career Development Subcommittee*.

Concerns: Under this proposal, school districts continue to be limited in their authority to have input into the charter school process while still being responsible to sponsor and supervise schools that can be approved by people with no local knowledge of the district and under a “contract” for which no negotiations, for all practical purposes, are allowed. Also, school districts have limited capital funding to maintain facilities built and maintained with local tax dollars over the last 50+ years, and districts must annually determine where to allocate those dollars to meet critical needs. If a proportionate share of those funds are distributed to charter schools based solely on their enrollment, critical infrastructure needs may go unmet so that a charter school can get help making rent payments on a privately-owned facility that the taxpayers did not build.

On the issue of impact fees, districts must still account for every student in the county. If the impact fees are spent on charter school seats, there is no guarantee that those seats will be used by the new students. Districts still must assign schools for the new development and be prepared to educate the new students. These bills will limit a district’s ability to plan and prepare for these students by spending limited resources on an optional seat first.

While it would be better to leave the application process in the hands of the district being asked to sponsor the charter school, the amendment in the Senate to allow the local district to provide input before a decision is made on an application is a positive development, particularly when there are no requirements for membership on the review commission. There simply are too many charter school applications submitted for review that contain illegal provisions (e.g., “All students at the school will be required to speak English fluently”), inadequate curriculum plans, or unrealistic financial plans to leave the approval process to political appointees with no expertise in curriculum planning, school management, or school law.

[HB 1467 \(Garrison\)](#) / [CS/SB 1300 \(Gruters\)](#) - K-12 Education

Following an amendment to SB 1300 this week, these two bills now include similar provisions regarding school board member salaries and library books and materials. The House version of the bill was not heard this week, but the Senate version, as amended, was reported favorably by the Senate *Education Committee*. The bills have only one more committee assignment in each chamber to clear before going to the floor.

The House version of the bill would eliminate school board member salaries, while the Senate version would match school board member salaries to legislative salaries, which is currently between \$29,000 and \$30,000. For most boards, this would represent a reduction in pay, but it would result in an increase for about 25% of boards. The Senate sponsor expressed the belief that board members should be paid for their work, but he thought the reduced amount was appropriate given that they average only 40 hours of school board work per month.

Both bills would now put every book in every school on a public watchlist, which was discussed in detail in last week's update. Finally, the Senate version originally addressed school board meetings and included provisions mandating 30 minutes of public input at the start of each meeting that could include comments directed at individual board members, but those provisions were not included in the committee substitute.

Concerns: Under the bill, each book made available to students through a school library or classroom list must be selected by a school district employee who holds a media specialist certificate. This requirement generates numerous questions and concerns. For example:

- Does this mean that the AP English teacher cannot select books for a reading list without consulting the media specialist first?
- Is a committee of media specialists, teachers, parents, and community members required to approve every book on every list selected by that media specialist? Does each book then have to get approved by the School Board after a 30-day review process?
- Can a civics teacher ask a class to read and discuss a recent newspaper article about a current event, or does that article have to go through the review process first too?

This bill creates the potential for a very time-consuming, costly process so that everyone with an opinion – whether or not they live in the district or have a child in the school – can second-guess the knowledge and expertise of media specialists and teachers. In its current form, this bill will stifle a school districts ability to incorporate supplemental books and other written materials into the curriculum.

Finally, it is worth noting that this bill, as confirmed by the Senate sponsor, would not apply to charter schools -- only traditional Florida public schools. Again, this is another example of a bill promoted as something to protect all Florida school children and involve parents, but an

exception is carved out for those parents and students receiving the same state funding but attending a charter or private school.

[HB 1193 \(Plasencia\)](#) / [SB 1048 \(Diaz\)](#) – Student Assessments

The Senate version was reported favorably in the Senate *Appropriations Subcommittee on Education* this week and has one more committee stop. The House version has not yet been heard in any of its four assigned committees.

These bills were filed with the goal of eliminating the FSA and switching more to a progress monitoring system, but neither provides many substantive changes to the current assessment and accountability system. With respect to the FSA, they do not appear to change anything other than calling the end of the year assessments something other than the FSA. Both bills would add progress monitoring assessments at the beginning and middle of each year with a final assessment being administered at the end of the year for which all the current high-stakes accountability laws would still apply. There is no proposed reduction in the grade levels taking these exams, nor are any changes to the current end of course examinations proposed. The bills also include a section on parents and their right to know how their children are doing, but it is largely just a duplication of what is already set forth in section 1008.25 for students who are exhibiting a reading deficiency.

Both bills require the Commissioner of Education to conduct a study and report the results to the Legislature by January 31, 2025. The Commissioner would be required to recommend “additional innovative ways to streamline testing.” It would also have to include an analysis of the correlation between the two new progress monitoring assessments to be given in the fall and winter and the high-stakes end-of-year assessments to see if the earlier assessments could be used in place of the end-of-year assessments.

The House version of this bill also includes changes to the turnaround statutes, which have been discussed previously. However, because the House version has yet to receive a committee hearing, those provisions will not be discussed again this week.

Concerns: Many parents and staff members heard that there would be an end to the FSA and less high-stakes testing, but these bills change the current assessment requirements very little while also adding two new assessment periods at the beginning and middle of the school year. The progress monitoring and earlier feedback to teachers and parents would certainly be helpful in identifying deficiencies and implementing strategies before the end-of-year assessments, but this bill would not appear to do anything to reduce high-stakes testing. There are also some concerns about making all of the tests computer-based, which may strain district resources or prove difficult for many students, particularly the younger ones.

SB 7038 (Government Oversight and Accountability Committee) – Retirement

From Jim Hamilton:

The Senate introduced SPB 7038 as its FRS rate bill for fiscal year 2022-2023. SPB 7038 was taken up and passed by the Senate Governmental Oversight and Accountability Committee on January 26. The bill establishes new, actuarially supported employer retirement rates for each membership class for both retirement plans. The rates for classifications commonly employed in school districts are below.

FRS Employee Class	Adopted Base Rate 2021-22	Adopted UAL Rate 2021-22	New Base Rate 2022-23	New UAL Rate 2022-2023	Combined Rates: 2022-2023	
Regular Class	4.91%	4.19%	5.16%	4.23%	9.39%	
Special Risk Class	15.27%	8.90%	15.91%	9.53%	25.44%	
County Elected Officials	10.28%	39.42%	10.31%	43.98%	54.29%	
Sr. Management	6.49%	20.80%	6.83%	22.15%	28.98%	
DROP	7.23%	9.45%	7.77%	9.15%	16.92%	

FRS Employee Class	Adopted H.I.S. ¹ Rate	New H.I.S. Rate 2022-2023	Education and Admin. ² Rate	Total Rate 2022-23	Total Rate 2021-22	Proposed Rate Change 2022-23
Regular Class	1.66%	1.50%	.06%	10.95%	10.82%	+ .13%
Special Risk Class	1.66%	1.50%	.06%	27.00%	25.89%	+ 1.11 %
County Elected Officials	1.66%	1.50%	.06%	55.85%	51.42%	+ 4.43%
Sr. Management	1.66%	1.50%	.06%	30.54%	29.01%	+1.53%
DROP	1.66%	1.50%	.00%	18.42%	18.34%	+0.08%

¹ Health Insurance Subsidy ² Education and Administration Rate is not changed by the bill.

SPB 7038 proposes the same new base and unfunded actuarial rates that were proposed in the Governor’s recommendation, indicating no new FRS actuarial forecasts at this time. The House hosts the 2022 budget so the final FRS rate bill may carry a House rather than a Senate number.

The Governor's recommended FRS rate bill did not address a decrease in the Health Insurance Subsidy (H.I.S.) rate, and the final bill last year did not include this reduction even though it was in the initial Senate bill last year too.

Since the Legislature reduced the FRS rates for school districts in 2011 by about \$859.1 million, with the passage of the 2021-2022 GAA, the cumulative increase for school districts over the ten-year period was about \$936.4 million. The Staff Analysis for SPB 7038 reports an increased cost of \$47 million due to the rate changes and a cost reduction of \$25.2 million due to the H.I.S. rate cut, for a net cumulative cost increase to school districts of \$21.8 million. If this bill passes, districts will be paying about \$958.2 million a year more for FRS employee benefit costs than in 2011.

SB 1294 (Gruters) - Individual Education Plan Meetings

This bill authorizes a parent of a public-school student, in accordance with some limitations, to record audio or video of any meeting with their child's Individual Education Plan (IEP) team, provided that the parent notifies the school district in writing of their intent to record the meeting at least 24 hours in advance of the meeting. It has been amended to provide that the recordings cannot be shared publicly without the consent of all the recorded parties.

The Senate *Education Committee* reported the bill favorably as amended. It still has two more committee stops and does not yet have a companion bill in the House.

Concerns: There are three primary concerns. First, parents in some places have posted recordings online that have been edited or have posted snippets out-of-context to create a false impression. Hopefully, the amendment will help with this issue. Second, people generally do not like being recorded and believe that it turns a collaborative process into an adversarial one, which then leads to the participants not sharing as freely as they might. It is even worse when someone sticks a phone in your face when you are talking, which makes the video recording part more troublesome than just audio recording. Finally, the guiding document is the IEP itself. If something was not included in the IEP, it should not matter what one individual said during a meeting. Those issues can be resolved by letting everyone have their input on the conference notes.

Other Legislation of Interest

CS/HB 225 (Hawkins and Beltran) / **SB 892 (Burgess)** – Charter School Charters

This bill would amend the law with respect to the nonrenewal of charter schools in response to an issue that arose in Hillsborough County last year. It would require school boards to make the decision not to renew a charter at least 90 days before the end of the school year. If the decision is not made by that time, the charter will automatically renew under the same terms

and conditions. The bill also adds a provision for requests to consolidate multiple charters outside the renewal term window.

The House *Education and Employment Committee* reported the bill favorably, and the bill has now completed all three of its committee assignments. On the Senate side, the *Education Committee* reported the bill favorably, but it still has two more committee assignments left.

HB 497 (Persons-Mulicka) – Lee County School District Lee County

This bill would repeal the prior decision by the Lee County School Board to have an appointed superintendent and put the question before Lee County voters in 2022. If the voters decide to go back to an elected superintendent, the first election would be held in 2024.

This local bill was reported favorably by the House's *State Affairs Committee* and has now been reported favorably in all three of its assigned committees. A similar attempt to bypass section 1001.461, Florida Statutes, in Hernando County failed last year after the bill died in committee.

HB 851 (McClain) / SB 706 (Perry) - School Concurrency

These bills, as originally drafted, would amend school concurrency law by requiring local governments that adopt school concurrency to apply it to development on a districtwide basis, not to specific and adjacent concurrency zones. Currently, local governments that adopt school concurrency are only encouraged by law to apply it to development on a districtwide basis, these bills, as originally drafted, would require it.

Last week, the House *Local Affairs and Veterans Affairs Subcommittee* reported the bill favorably with a committee substitute that removed the districtwide language. The Senate *Community Affairs Committee* reported the bill favorably this week with the same amendment. Now, these bills provide only that impact fees raised must be expended upon school capacity improvement projects identified in the district's five-year plan or held until the project is added to that five-year plan. There are two remaining committee stops in both chambers, and the Senate Education Committee is already scheduled to hear it next week.

HB 155 (Valdes) / SB 1068 (Jones) – Certificates of Completion

This bill would allow students who are awarded a certificate of completion to be eligible to enroll in workforce education programs. Career centers established by the School Board would be required to identify these workforce programs from charter technical school career centers. A career center would have to identify workforce education programs available to students who finish their certificate of completion before the student receives their certificate. In addition to workforce education programs, the career center should advise students of adult general education programs as well.

The House version was reported favorably by the *Secondary Education and Career Development Subcommittee* and has one more committee assignment. The Senate version has not yet been heard in any of its three assigned committees.

[HB 235 \(Plasencia\)](#) / [SB 390 \(Book\)](#) – Restraint of Students with Disabilities in Public Schools

This bill would prohibit the use of mechanical restraints in school except by a school resource officer, school safety officer, guardian, or security guard for students in grades 6-12. There are few times where a student is placed in handcuffs, zip ties, straitjackets, etc. by school personnel, but it does raise the question of what can be done with the student committed to harming himself or others until law enforcement arrives.

The House version was reported favorably in the *Secondary Education and Career Development Subcommittee*, which was its second of three assigned committee stops. The Senate version is scheduled to get its first hearing next week in the *Education Committee*.

[SB 622 \(Diaz\)](#) / [HB 609 \(Borrero\)](#) – Florida Institute for Charter School Innovation

This bill would require the Department of Education to collaborate with the Florida Institute of Charter School Innovation to develop a sponsor evaluation framework for charter schools. Currently, the DOE only has to collaborate with the charter school sponsors and the charter school operators. The Florida Institute of Charter School Innovation would be established at Miami Dade College and would create a resource of best practices for charter school application and review, provide sponsors with training and assistance for review and renewal of charter schools, conduct research on charter schools, provide information and workshops on charter school, and other similar functions. The bill also calls for a one-million-dollar appropriation from the General Revenue Fund to go to Miami Dade College.

The House *Secondary Education and Career Development Subcommittee* reported the bill favorably, leaving it with two more committee stops. The Senate version has not been heard in committee since November and also has two more committee stops.

Concerns: Districts have been tasked with more and more responsibilities with respect to charter school oversight, but their only enforcement tool remains termination. The State may now attempt to grade school districts on their performance as charter school sponsors while not providing them with any oversight discretion or authority.

[HB 173 \(Duran\)](#) / [SB 340 \(Garcia\)](#) – Care of Students with Epilepsy or Seizure Disorders

This bill would create a new statutory section for students with epilepsies or seizure disorders to receive medical help at school through an individualized seizure action plan (ISAP). Parents can elect to submit a doctor-prescribed ISAP to the school, and the parents must give written permission each year for it to be carried out. The ISAP would be updated by a medical professional before the beginning of each school year and include certain information regarding the student, such as their symptoms and recommended care. It would create requirements for parents and school nurses and employees related to the care of such students. It would also provide training for certain school employees, and the school districts would have to provide specific information and training to school bus drivers who transport students who are susceptible to seizures. The school should also make sure that individuals working with the

school are trained every two years in the care of students with epilepsy. In the Senate version of the bill, the law would specifically exempt school employees from liability for acting in good faith pursuant to the ISAP. The House bill was amended to remove this language on the grounds that the employees are already covered by sovereign immunity protections.

The House version was reported favorably, as amended, by the *Early Learning and Elementary Education Subcommittee*, and now has two more committee stops left after one of the original four was removed. The Senate version was reported favorably by the *Education Committee* and also has two committee stops remaining.

HB 1203 (Fetterhoff) - K-12 Personnel Evaluation Procedures and Criteria

This bill would amend statutory language concerning employee evaluations to clarify that the procedures established by the district school superintendent for the evaluation of instructional, administrative, and supervisory personnel are not subject to collective bargaining. There was an attempt to amend this bill to include language making it a crime to fail to report to DOE an employee accused of sexual misconduct with a student, as well as language that would allow employing entities, not just school districts, to conduct background checks for their employees. Those amendments were scrapped at the committee meeting but may return.

The House *Early Learning and Elementary Education Subcommittee* reported the bill favorably, and it has one more committee stop. There is no Senate companion at this time.

HB 337 (McClain) / SB 536 (Diaz) - Administrative Procedures

The Administrative Procedure Act (APA) sets forth a set of procedures agencies must follow when adopting rules. These bills amend the APA rulemaking process in an effort to reduce unnecessary rules. While there are multiple provisions within the bills, many will not apply to school districts. The important language for districts is a requirement for each agency to review its rules for consistency with the powers and duties granted by the agency's enabling statutes. Then, the agency either makes the necessary changes or, if it determines substantive changes to update the rule are not needed, "repromulgate" the rule. This should result in every school board policy going before the board at least once every five years.

The Senate version was reported favorably by the *Judiciary Committee* and has two more committee stops. The House version also has completed one of three assigned committee stops and is scheduled to be heard in the House's *Judiciary Committee* next week.

CS/SB 1348 (Diaz) - Educational Choice Scholarships

This bill modifies provisions related to funding for the Family Empowerment (FES), Florida Tax Credit (FTC), and Hope Scholarship programs. Following a committee substitute, the bill primarily seeks to prevent parents from being unable to access funds due to delays in cross-checking DOE and district enrollment records. There have been reports of delays in the process and incorrect information being shared when records at the district or DOE had not been

updated yet. The bill also requires the DOE to recalculate FEFP allocations after completing the cross-checking process.

The Senate *Education Committee* reported the bill favorably, and it now has two more committee assignments.

[HB 1017 \(Learned\)](#) / [SB 1576 \(Polsky\)](#) - Educational Support Staff

These bills seek to address critical shortages in noninstructional positions. If a position reaches a 20% vacancy rate, it would be considered a critical shortage. At that point, the Superintendent would be required, subject to legislative appropriation, “to fund incentives to help recruit and retain educational support employees for positions with a critical employment shortage.” Lastly, the bills require the district superintendents to file a report to the President of the Senate and Speaker of the House each year showing how the funds were used.

The Senate version was reported favorably by the *Education Committee* but still has two more committee assignments remaining. The House version has not been heard in any of its four assigned committees.

Concerns: Many districts have already implemented incentives to try to fill bus driver, paraprofessional, and other vacancies. They are also having to compete with local businesses that have had to raise salaries in response to market demands created by the pandemic, but districts have not received the funding to do so and do not have the authority to raise taxes, reduce costs, or limit services. These bills would appear to require a specific appropriation, which could then change year-to-year, and it may also create other obstacles that would slow the process, like collective bargaining. Both the House and Senate have been made aware of the costs facing districts with the increase in the minimum wage over the next five years, and the hope is that this will be covered through increases to the BSA.

[HB 447 \(Trabulsy\)](#) / [SB 1516 \(Jones\)](#) – Required Instruction in the History of African Americans

These bills would amend the required instruction of the history of African-Americans to include the following provision: “Members of the instructional staff are encouraged to include the history of local African-American cemeteries in the study of the history of African Americans when practicable.”

The House *PreK-12 Appropriations Subcommittee* reported the bill favorably, leaving it with just one more committee assignment. The Senate version has not yet been heard in any of its three assigned committees.

[HB 599 \(Casello\)](#) / [SB 600 \(Berman\)](#) – Upgrades to Education Facilities as Emergency Shelters

These bills would allow up to \$2 million in facility upgrade costs to be excluded from the cost per student station calculation if they were to upgrade the school for use as a hurricane shelter. Eligible expenses include hardening the structure, as well as electrical and generator upgrades.

The House *PreK-12 Appropriations Subcommittee* reported the bill favorably but it still has two more committee assignments. The Senate version is scheduled to receive its first committee hearing next week.

[HB 395 \(Borrero & Rizo\)](#) / [SB 268 \(Diaz\)](#) – Victims of Communism Day

This bill would create s. 683.334, F.S., and require that November 7 be proclaimed “Victims of Communism Day.” This would require high school US government classes, beginning in the 2023-24 school year, to have 45 minutes of instruction relating to various historical communist leaders such as Mao Zedong, Joseph Stalin, Vladimir Lenin, and Fidel Castro, and how people suffered under such regimes.

The House *Government Operations Subcommittee* reported the bill favorably. It has one more committee assignment in the House and still has two remaining in the Senate.

The Week Ahead

Several important bills have already been scheduled for next week, including:

[SB 974 \(Gruters\)](#) / [HB 985 \(Beltran\)](#) – Sovereign Immunity, which will be heard in both the Senate *Judiciary Committee* and House *Appropriations Committee* on January 31, 2022. This is the bill that currently proposes to raise the sovereign immunity limits from \$200,000/\$300,000 to \$1 million/no limit.

[HB 1467 \(Garrison\)](#) / [CS/SB 1300 \(Gruters\)](#) - K-12 Education, which will also be heard in the House *Appropriations Committee* on Monday. Both bills address library and classroom books and materials, and the House version is the one that would eliminate school board member salaries. This will be its second and final committee hearing in the House.

Additionally, the Senate *Education Committee* is scheduled to hear 12 bills next week as well, including several discussed above or in recent weeks. These include school concurrency, the use of restraints, mental health, the hurricane hardening cost per student station exclusion, and more. You can access the agenda for that meeting [here](#).

Finally, another week passed without the release of the 3rd Calculation, which will hopefully be released today. With its release, we can expect budgeting conversations to become more active.

As always, if you have any questions or concerns about any pending 2022 legislation, please reach out to me or anyone else at FADSS.