

SB 318 by Grimsley; (Similar to H 0021) Background Screening for Noninstructional Contractors on School Grounds

SB 434 by Altman; (Similar to H 0627) Community Colleges

593090 A S RCS ED, Galvano Before L.8: 03/06 04:23 PM

SB 878 by Galvano; (Similar to H 7027) Education Accountability

397750 PCS S RCS ED 03/06 04:22 PM

SB 904 by Brandes; (Identical to H 0843) Education

239394 D S RCS ED, Brandes Delete everything after 03/06 04:22 PM
215928 AA S RCS ED, Brandes Delete L.38 - 44: 03/06 04:22 PM

SB 1076 by Legg (CO-INTRODUCERS) Stargel, Brandes; (Compare to H 7057) Education

526290 A S RCS ED, Legg Delete L.965 - 1083. 03/06 04:23 PM
416792 A S RCS ED, Legg Delete L.1559 - 1560: 03/06 04:23 PM

SB 1096 by Montford; (Compare to H 1033) Repeal of Education Provisions

730152 D S RCS ED, Montford Delete everything after 03/06 04:23 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Legg, Chair
Senator Montford, Vice Chair

MEETING DATE: Wednesday, March 6, 2013

TIME: 2:00 —4:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Legg, Chair; Senator Montford, Vice Chair; Senators Benacquisto, Brandes, Bullard, Galvano, Sachs, Simmons, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 318 Grimsley (Similar H 21)	Background Screening for Noninstructional Contractors on School Grounds; Requiring the Department of Education to create a uniform, statewide identification badge to be worn by noninstructional contractors signifying that a contractor has met specified requirements; providing that the identification badge shall be recognized by all school districts; requiring the department to determine a uniform cost a school district may charge a contractor for receipt of the identification badge, which shall be borne by the contractor; providing an exception for certain contractors, etc. ED 03/06/2013 Favorable AED AP	Favorable Yeas 9 Nays 0
2	SB 434 Altman (Similar H 627)	Community Colleges; Revising the name of Brevard Community College, etc. ED 03/06/2013 Fav/CS GO	Fav/CS Yeas 9 Nays 0
<p>A proposed committee substitute for the following bill (SB 878) is expected to be considered:</p>			
3	SB 878 Galvano (Similar H 7027)	Education Accountability; Requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; requiring the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring a school that is eligible to receive a school grade to be a fully functioning, stand-alone school, etc. ED 03/06/2013 Fav/CS RC	Fav/CS Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Wednesday, March 6, 2013, 2:00 —4:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 904 Brandes (Identical H 843)	Education; Creating the Florida Flexible Option Initiative; defining the term "Florida-accredited charter course" as it relates to the initiative; providing for application of certain courses and assessments toward promotion, graduation, and degree attainment; requiring that Florida-accredited charter courses and their assessments be annually identified, approved, published, and shared for consideration by certain students and entities; authorizing a school district, a Florida College System institution, and a state university to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-accredited charter courses, etc. ED 03/06/2013 Fav/CS RC	Fav/CS Yeas 7 Nays 1
5	SB 1076 Legg	Education; Citing this act as the "Career and Professional Education Act (CAPE)"; revising the requirements that must be included in the strategic plan that the Board of Governors must develop which includes criteria for the designation of certain baccalaureate degree programs and graduate degree programs as high-demand programs; revising requirements for high school graduation and accelerated high school graduation to include financial literacy and a rigorous industry certification program of study; requiring that the Postsecondary Industry Certification Funding List be used in determining annual performance funding distributions to school districts and Florida College System institutions, etc. ED 03/06/2013 Fav/CS AED AP	Fav/CS Yeas 8 Nays 1
6	SB 1096 Montford (Compare H 1033, CS/H 7001, S 1664)	Repeal of Education Provisions; Repealing various provisions of law relating to education, etc. ED 03/06/2013 Fav/CS AP RC	Fav/CS Yeas 8 Nays 0

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.			
Board of Governors of the State University System			
7	Webster, Elizabeth (Weston)	01/06/2019	Recommend Confirm Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Wednesday, March 6, 2013, 2:00 —4:00 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Board of Trustees, University of Central Florida			
8	Garvy, Robert A. (Palm Beach)	01/06/2015	Recommend Confirm Yeas 8 Nays 0
	Marchena, Marcos R. (Orlando)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, Florida State University			
9	Gruters, Joseph R. (Sarasota)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, Florida Gulf Coast University			
10	McShea, Dorene (Naples)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, New College of Florida			
11	Snyder, Steven L. (Sarasota)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, University of Florida			
12	Heekin, William Michael Esquire (Sandy Springs)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
	Roulhac, Juliet M. (Plantation)	01/06/2015	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, University of North Florida			
13	Wamble-King, Sharon (Jacksonville)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, University of South Florida			
14	Ramil, John B. (Tampa)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
	Sembler, Debbie Nye (Pinellas Park)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
Board of Trustees, University of West Florida			
15	Patel, Jayprakash S. (Pensacola)	01/06/2016	Recommend Confirm Yeas 8 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
-----	-------------------------	---	------------------

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 318

INTRODUCER: Grimsley

SUBJECT: Background Screening for Noninstructional Contractors on School Grounds

DATE: March 6, 2013

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hand	Klebacha	ED	Favorable
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

SB 318 creates a uniform, statewide photo identification badge to signify that a noninstructional contractor meets background screening and other requirements. The badge must be worn and visible at all times when a noninstructional contractor is on school grounds. All school districts shall recognize the badge.

The bill takes effect July 1, 2013.

The bill substantially amends s. 1012.467 of the Florida Statutes.

II. Present Situation:

Initial Background Screening

A noninstructional contractor is defined as any vendor, person, or entity under school or school board contract who is compensated for services performed for the school or school district, but who is not otherwise considered an employee of the school district.¹ Noninstructional contractors also include employees of contractors, subcontractors, and employees of subcontractors.² A criminal history check is required of each noninstructional contractor:

- Who is granted access to school grounds when students are present;

¹ Section 1012.467(1)(a), F.S. This bill does not address other classifications of personnel who must undergo background screening, such as instructional and noninstructional personnel, and noninstructional school district employees and contracted personnel. See also, ss. 1012.32, 1012.465, 1012.467, F.S.

² *Id.*

- Whose performance of the contract is not anticipated to result in direct contact with students; and
- For whom any unanticipated contact is infrequent or incidental.³

Unless otherwise exempt,⁴ noninstructional contractors are required to undergo background screening before being permitted to access school grounds.⁵ School districts must compare the results of the background screening against a statutorily prescribed list of the following nine disqualifying offenses:

- Offenses regarding registration as a sexual offender;
- Sexual misconduct with certain developmentally disabled clients;
- Sexual misconduct with certain mental health patients;
- Terrorism;
- Murder;
- Kidnapping;
- Offenses related to lewdness and indecent exposure;
- Incest; and
- Child abuse, aggravated child abuse, or neglect of a child.⁶

A school district that has reasonable cause to believe that grounds exist for denial of access to school grounds is required to notify the contractor in writing and identify the specific conviction that the school district believes is a disqualifying offense.⁷ The contractor may only contest on the grounds of mistaken identity or that the specified conviction is not a disqualifying offense.⁸

Subsequent Disqualifying Arrests and Inter-District Background Screening

Noninstructional contractors are under a standing duty to self-report to an employer any arrests involving disqualifying offenses within 48 hours,⁹ or be subject to third-degree felony charges.¹⁰

Additionally, the Florida Department of Law Enforcement (FDLE) must search all new arrests against the statewide automated fingerprint identification system.¹¹ The FDLE must notify a school district if its noninstructional contractor has been arrested.¹²

³ Section 1012.467(2)(a), F.S.

⁴ Section 1012.468, F.S. These exemptions are for noninstructional contractors who are: under direct supervision of a school district employee; required by law to undergo a level 2 background screening; a law enforcement officer; an employee or medical director of an ambulance provider; separated from students by a 6 foot high chain-link fence; providing pick-up or delivery services; and an investigator for the Florida High School Athletic Association.

⁵ Section 1012.476(2), F.S. Additionally, noninstructional personnel must be rescreened every five years. *Id.*

⁶ *See* ss. 1012.467(2)(a) and (g), F.S.

⁷ Section 1012.467(5), F.S.

⁸ *Id.*

⁹ Section 1012.467(6), F.S.

¹⁰ *Id.* A third degree felony is punishable by a term of imprisonment not exceeding 5 years or fine not exceeding \$5000. *See* ss. 775.082, and 775.083, F.S.

¹¹ *See* ss. 1012.467(2)(a) and (e), F.S.; Rule 11C-6.010(7), F.A.C. Noninstructional contractor fingerprints are maintained in this system for 5 years, when a new background check may be performed that resets the 5 year period. *Id.*

¹² *See* ss. 1012.467(2)(c) and (d), F.S.; Rule 11C-6.010(4), F.A.C.

A noninstructional contractor who works in multiple districts must notify a school district if he or she has completed a background check in another school district within the last five years.¹³ School districts use a shared system to verify the background check, commonly known as the Florida Shared School Results system (FSSR).¹⁴ A school district may not charge the noninstructional contractor a fee for verifying the results of the background check.¹⁵ From 2007-2011, 32,309 of the 222,570 records in the FSSR were viewed by more than one school district.¹⁶ This represents approximately 14.5 percent of the records maintained.¹⁷

District Identification Badge

Generally, a school district issues its own identification badge.¹⁸ School districts do not accept badges issued by other school districts.¹⁹ The badge's appearance, expiration date, and information presented varies among school districts.²⁰ Each school district charges a fee for issuing the badge.²¹ The fee will vary among school districts.²² Thus, a noninstructional contractor who works for several school districts may be required to obtain and pay for multiple identification badges.²³

III. Effect of Proposed Changes:

This bill requires the DOE to create a uniform, statewide photo identification badge signifying that a contractor meets certain requirements.

The DOE determines a uniform cost that a school district may charge for a badge. Under this bill, a school district that does not originate the background screening and issue the badge would no longer be able to issue its own badge and charge a corresponding fee.

The bill requires a school district to issue the badge if a noninstructional contractor:

- Is a resident and citizen, or a permanent resident alien of the U.S.;
- Is at least 18 years old; and
- Meets the background screening standards in s. 1012.467, F.S.

The bill requires a badge to be worn and visible at all times when a noninstructional contractor is on school grounds. The bill requires all school districts shall recognize the badge. Thus,

¹³ Section 1012.467(2)(f), F.S.

¹⁴ See ss. 1012.467(2)(d) and (f), and (7)(a), F.S.

¹⁵ Section 1012.467(2)(f), F.S.

¹⁶ E-mail correspondence with FDLE on February 10, 2012. On file with the Senate Committee on Education.

¹⁷ *Id.*

¹⁸ Department of Education *Agency Legislative Analysis for Senate Bill 318* (January 31, 2013). On file with the Senate Committee on Education.; E-mail from the Department of Education (March 1, 2013). On file with the Senate Committee on Education.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.*

noninstructional contractors who work for multiple districts would no longer have to obtain and pay for multiple identification badges.

The badge is valid for five years. However, a noninstructional contractor is required to return the badge to the school district within 48 hours of self-reporting an arrest for any disqualifying offense. The 48 hours is cumulative to the initial 48 hour period for self-reporting required in s. 1012.467(6), F.S., which would allow up to 96 hours from the arrest to return the badge.

According to the DOE, many school districts have adopted their own screening standards that identify disqualifying offenses in addition to the statutorily prescribed disqualifying offenses in s. 1012.467(2)(g), F.S.²⁴ Because all school districts would be required to accept a uniform, statewide photo identification badge when issued from another school district, the bill appears to prevent a school district from disqualifying a noninstructional contractor for offenses that are not currently listed as disqualifying offenses in s. 1012.467(2)(g), F.S.

The bill does not apply to noninstructional contractors who are exempt from background screening requirements in s. 1012.468, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Currently, school districts that issue their own badges set their own badge fee. The bill requires the DOE to set a single fee, which can only be charged by the school district that issues the badge. Noninstructional contractors who work in multiple school districts would only be required to obtain and pay for one identification badge, rather than obtaining a badge and paying a fee in each individual district.

²⁴ Department of Education, *Agency Legislative Analysis for Senate Bill 318* (January 31, 2013). On file with the Senate Committee on Education. School districts view the disqualifying offenses identified in s. 1012.467(2)(g), F.S. as being the “floor,” not the “ceiling” for a noninstructional contractor. *Id.*

C. Government Sector Impact:

A school district that does not originate the background screening and issue the badge will no longer be able to charge a badge fee.

Without knowing the types of badges that may be issued, the current technology each district has in place, and the badge fee that the DOE will authorize the school district to charge the noninstructional contractor, the cost for the school district to issue a badge is indeterminable.

The cost for DOE to design a badge is indeterminable.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Grimsley

21-00241-13

2013318__

1 A bill to be entitled
 2 An act relating to background screening for
 3 noninstructional contractors on school grounds;
 4 amending s. 1012.467, F.S.; requiring the Department
 5 of Education to create a uniform, statewide
 6 identification badge to be worn by noninstructional
 7 contractors signifying that a contractor has met
 8 specified requirements; requiring school districts to
 9 issue the identification badge to a qualified
 10 contractor; providing that the identification badge
 11 shall be recognized by all school districts; providing
 12 that the identification badge is valid for 5 years;
 13 establishing conditions for return of an
 14 identification badge; requiring the department to
 15 determine a uniform cost a school district may charge
 16 a contractor for receipt of the identification badge,
 17 which shall be borne by the contractor; providing an
 18 exception for certain contractors; providing an
 19 effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Subsection (8) is added to section 1012.467,
 24 Florida Statutes, to read:

25 1012.467 Noninstructional contractors who are permitted
 26 access to school grounds when students are present; background
 27 screening requirements.—

28 (8) (a) The Department of Education shall create a uniform,
 29 statewide identification badge to be worn by noninstructional

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

21-00241-13

2013318__

30 contractors signifying that a contractor has met the
 31 requirements of this section. The school district shall issue an
 32 identification badge to the contractor, which must bear a
 33 photograph of the contractor. An identification badge shall be
 34 issued if the contractor:

35 1. Is a resident and citizen of the United States or a
 36 permanent resident alien of the United States as determined by
 37 the United States Bureau of Citizenship and Immigration
 38 Services;

39 2. Is 18 years of age or older; and

40 3. Meets the background screening requirements under this
 41 section.

42 (b) The uniform, statewide identification badge shall be
 43 recognized by all school districts and must be visible at all
 44 times a noninstructional contractor is on school grounds.

45 (c) The identification badge shall be valid for a period of
 46 5 years. If a noninstructional contractor provides notification
 47 pursuant to subsection (6), the contractor shall, within 48
 48 hours, return the identification badge to the school district
 49 that issued the badge.

50 (d) The Department of Education shall determine a uniform
 51 cost that a school district may charge a noninstructional
 52 contractor for receipt of the identification badge, which shall
 53 be borne by the recipient of the badge.

54 (e) This subsection does not apply to noninstructional
 55 contractors who are exempt from background screening
 56 requirements pursuant to s. 1012.468.

57 Section 2. This act shall take effect July 1, 2013.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-6-13

Meeting Date

Topic Background Screening

Bill Number SF0 0318 (if applicable)

Name Amy Datz

Amendment Barcode (if applicable)

Job Title Citizen - Retiree

Address 1130 Crestview

Phone 850 322-7599

Tallahassee FL 32303 (Street, City, State, Zip)

E-mail amali@datzmac.com

Speaking: [X] For [] Against [] Information

Representing Self

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/2012
Meeting Date

Topic BACKGROUND SCREENING

Bill Number 318
(if applicable)

Name GAIL MARIE PERRY

Amendment Barcode _____
(if applicable)

Job Title CHAIR

Address PO BOX 1766
Street
POMPANO BEACH FLA 33061
City State Zip

Phone 954 850 4865

E-mail worshipful@hotmail.com

Speaking: For Against Information

Representing COMMUNICATIONS WORKERS OF AMERICA COUNCIL OF FLORIDA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13
Meeting Date

Topic Background Screening

Bill Number 5318
(if applicable)

Name Richard Watson

Amendment Barcode
(if applicable)

Job Title Legislative Counsel

Address P.O. Box 10038

Phone 850 222 0000

Tallahassee FL 32302
City State Zip

E-mail rick.watson@fla.gov
ew

Speaking: For Against Information

Representing Assoc. Builders & Contractors of FL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

March 6, 2013

Meeting Date

Topic Background Screening for Noninstructional Contractors

Bill Number 318
(if applicable)

Name Warren H. Husband

Amendment Barcode _____
(if applicable)

Job Title Partner, Metz, Husband & Daughton, P.A.

Address 215 S. Monroe St., Suite 505

Phone 850-205-9000

Street

Tallahassee

FL

32301

E-mail WHH@metzlaw.com

City

State

Zip

Speaking: For Against Information

Representing Associated General Contractors of Florida (Waive in Support)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13

Meeting Date

Topic Background Screening

Bill Number 318
(if applicable)

Name David Shepp

Amendment Barcode _____
(if applicable)

Job Title _____

Address P.O. Box 3739
Street

Phone 863 581-4250

Lakeland FL 33802
City State Zip

E-mail dave@fsg-llc.net

Speaking: For Against Information

Representing Independent Electrical Contractors

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/2013
Meeting Date

Topic District 11 license SB 318

Bill Number SB 318
(if applicable)

Name Adam Giery (Gear e')

Amendment Barcode _____
(if applicable)

Job Title Dir of Education, Talent + Quality of Life

Address _____
Street

Phone _____

City _____ State _____ Zip _____

E-mail _____

Speaking: For Against Information

Representing FL Chamber

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 434

INTRODUCER: Committee on Education and Senator Altman

SUBJECT: Brevard Community College

DATE: March 6, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Fav/CS
2.			GO	
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 434 codifies a name change from “Brevard Community College” to “Eastern Florida State College,” consistent with Florida law.

The bill provides an effective date of July 1, 2013.

The bill amends ss. 288.8175 and 1000.21, Florida Statutes.

II. Present Situation:

A Florida College System (FCS) institution is authorized to change the institution’s name, with the approval of that FCS institution’s district board of trustees, and use the designation “college” or “state college” if the institution:¹

- Is authorized to grant baccalaureate degrees in accordance with current law²; and

¹ Section 1001.60(2)(b)1., F.S.

² Section 1007.33, F.S.

- Is accredited as a baccalaureate-degree-granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS).

If, however, a FCS institution is not authorized to grant baccalaureate degrees and is not accredited as a baccalaureate-degree-granting institution by SACS, the FCS institution may request approval from the State Board of Education (SBE) to change the institution's name and use the designation "college" after receiving approval for such change from that FCS institution's district board of trustees. The SBE is authorized to approve the name change if the institution enters into an agreement with the SBE to do the following:³

- Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education;⁴
- Maintain an open-door admissions policy for associate-level degree programs and workforce education programs;
- Continue to provide outreach to underserved populations;
- Continue to provide remedial education; and
- Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the SBE.⁵

Brevard Community College meets the criteria, required under current law, for approval of the name change:

- On December 9, 2012, Brevard Community College received from SACS, accreditation as a baccalaureate-degree-granting institution.⁶
- On December 12, 2012, Brevard Community College received approval from the SBE to grant a Bachelor of Applied Science degree in Organizational Management.⁷
- On December 17, 2012, Brevard Community College's district board of trustees approved the name change from Brevard Community College to Eastern Florida State College.⁸

³ Section 1001.60(2)(b)2., F.S.

⁴ Section 1004.65(5), F.S.

⁵ Section 1007.23, F.S.

⁶ Florida Department of Education, *2013 Agency Legislative Bill Analysis for SB 434* (Feb. 20, 2013); see also Southern Association of Colleges and Schools, *Actions taken by the SACSCOC Board of Trustees (Dec. 10, 2012)*, available at <http://www.sacscoc.org/2012%20December%20Actions%20and%20Disclosure%20Statements/12cract%20dec.pdf>.

⁷ Florida Department of Education, *2013 Agency Legislative Bill Analysis for SB 434* (Feb. 20, 2013); see also State Board of Education, *State Board of Education Meeting Archive Part Three (Dec. 12, 2012)*, http://www.fldoe.org/board/meetings/2012_12_12/meetingArchive.asp.

⁸ Florida Department of Education, *2013 Agency Legislative Bill Analysis for SB 434* (Feb. 20, 2013); see also Brevard Community College, *New College Name*, <http://www.brevardcc.edu/discover-bcc/new-college-name/index.cfm> (last visited March 1, 2013).

A FCS institution's district board of trustees that approves a change to the institution's name must seek statutory codification of such name change in law⁹ during the next regular legislative session.¹⁰

Currently, there are 28 FCS institutions.¹¹ Twenty-three of the 28 FCS institutions are accredited as baccalaureate-degree-granting institutions by SACS. They are as follows:¹²

1. Brevard Community College
2. Broward College
3. Chipola College
4. College of Central Florida
5. Daytona State College
6. Edison State College
7. Florida Gateway College
8. Florida State College at Jacksonville
9. Gulf Coast State College
10. Indian River State College
11. Lake-Sumter Community College
12. Miami Dade College
13. Northwest Florida State College
14. Palm Beach State College
15. Pensacola State College
16. Polk State College
17. Santa Fe College
18. Seminole State College of Florida
19. St. Johns River State College
20. St. Petersburg College
21. South Florida State College
22. State College of Florida, Manatee-Sarasota
23. Valencia College

Of the 23 FCS institutions that are accredited as baccalaureate-degree-granting institutions, 21 institutions use the designation "state college" or "college." Thirteen FCS institutions use the designation "state college" and 8 FCS institutions use the designation "college." Lake-Sumter Community College is in the process of changing its name to use the designation "state college." Five FCS institutions that are not accredited as baccalaureate-degree-granting institutions by SACS and that have not changed name to use the designation "state college" or "college" are as follows:¹³

⁹ Section 1000.21(3), F.S.

¹⁰ Section 1001.60(2)(c), F.S.

¹¹ Florida Department of Education, *Community College Campuses*, <http://data.fldoe.org/workforce/contacts/default.cfm?action=showList&ListID=11> (last visited Feb. 13, 2013).

¹² E-mail, Florida Department of Education, Division of Florida Colleges (Feb. 12, 2013), on file with the Committee on Education staff.

¹³ E-mail, Florida Department of Education, Division of Florida Colleges (Feb. 12, 2013), on file with the Committee on Education staff; *see also* Florida Department of Education, *Community College Campuses*, <http://data.fldoe.org/workforce/contacts/default.cfm?action=showList&ListID=11> (last visited Feb. 13, 2013).

1. Florida Keys Community College
2. Hillsborough Community College
3. North Florida Community College
4. Pasco-Hernando Community College
5. Tallahassee Community College

III. Effect of Proposed Changes:

C/SB 434 codifies the name of Eastern Florida State College. This name change will increase the number of FCS institutions that use the designation “state college” or “college” from 21 to 22. As a result, fourteen of the 28 FCS institutions will use the designation “state college.”

The bill provides an effective date of July 1, 2013.

Other Potential Implications:

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Eastern Florida State College may incur costs related to the name change from Brevard Community College. Such costs may be associated with signage, publications, documentation, and other related items. Payment of such costs, if any, shall be the responsibility of the Eastern Florida State College.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Committee on Education on March 6, 2013:

The committee substitute differs from SB 434 in that the committee substitute:

- Adds a conforming provision that cross-references s. 288.8175, F.S., to reflect Brevard Community College's name change to Eastern Florida State College.

B. Amendments:

None.



593090

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
	.	
	.	
	.	

The Committee on Education (Galvano) recommended the following:

Senate Amendment (with title amendment)

Before line 8
insert:

Section 1. Paragraph (e) of subsection (4) of section
288.8175, Florida Statutes, is amended to read:

288.8175 Linkage institutes between postsecondary
institutions in this state and foreign countries.—

(4) The institutes are:

(e) Florida-China Institute (University of West Florida,
University of South Florida, and Eastern Florida State Brevard
~~Community~~ College).



593090

14 ===== T I T L E A M E N D M E N T =====

15 And the title is amended as follows:

16 Delete lines 2 - 4

17 and insert:

18 An act relating to Brevard Community College; amending
19 ss. 288.8175 and 1000.21, F.S.; renaming Brevard
20 Community College as "Eastern Florida State College";
21 providing an effective date.

By Senator Altman

16-00546-13

2013434__

1 A bill to be entitled
2 An act relating to community colleges; amending s.
3 1000.21, F.S.; revising the name of Brevard Community
4 College; providing an effective date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Paragraph (a) of subsection (3) of section
9 1000.21, Florida Statutes, is amended to read:
10 1000.21 Systemwide definitions.—As used in the Florida K-20
11 Education Code:

12 (3) "Florida College System institution" except as
13 otherwise specifically provided, includes all of the following
14 public postsecondary educational institutions in the Florida
15 College System and any branch campuses, centers, or other
16 affiliates of the institution:

17 (a) Eastern Florida State ~~Brevard Community~~ College, which
18 serves Brevard County.

19 Section 2. This act shall take effect July 1, 2013.



397750

581-01782C-13

Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; revising the legislative intent with regard to the state's K-20 education performance accountability system; requiring



397750

581-01782C-13

the Board of Governors to make available to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified



581-01782C-13

58 date access to data maintained by the K-20 data
59 warehouse by creating and fully implementing a web-
60 based interface and a self-service, restricted access
61 component of the K-20 data warehouse called the
62 "Research Engine"; providing requirements for the
63 Research Engine; providing requirements for a written
64 agreement to access the Research Engine; requiring the
65 adoption of rules and procedures; deleting a provision
66 that requires the commissioner to use existing data
67 being collected to reduce duplication and minimize
68 paperwork; requiring the Department of Education to
69 share education records of students which may contain
70 students' personally identifiable information with
71 organizations and authorized representatives pursuant
72 to the studies and audit and evaluation exceptions
73 under the Family Educational Rights and Privacy Act;
74 amending s. 1008.34, F.S.; revising provisions
75 relating to schools that are assigned school grades,
76 including colocated schools, and students whose
77 assessment data is used in determining school grades;
78 amending s. 1008.341, F.S.; revising provisions
79 relating to alternative schools that are assigned a
80 school improvement rating; revising the student data
81 used in determining an alternative school's school
82 improvement rating; providing requirements for the
83 content and distribution of student report cards for
84 alternative schools; amending s. 1008.385, F.S.;
85 requiring the commissioner to provide information
86 relating to master school identification numbers for



581-01782C-13

87 purposes of the comprehensive management information
88 system; providing an effective date.
89
90 Be It Enacted by the Legislature of the State of Florida:
91
92 Section 1. Paragraph (b) of subsection (3) of section
93 1002.22, Florida Statutes, is amended to read:
94 1002.22 Education records and reports of K-12 students;
95 rights of parents and students; notification; penalty.-
96 (3) DUTIES AND RESPONSIBILITIES.—The State Board of
97 Education shall:
98 (b) Monitor the FERPA and notify the Legislature of any
99 significant change to the requirements of the FERPA or other
100 major changes in federal law which may impact this section or s.
101 1008.31.
102 Section 2. Subsection (1) of section 1004.015, Florida
103 Statutes, is amended, and paragraph (f) is added to subsection
104 (3) of that section, to read:
105 1004.015 Higher Education Coordinating Council.—
106 (1) The Higher Education Coordinating Council is created
107 for the purposes of identifying unmet needs; ~~and~~ facilitating
108 solutions to disputes regarding the creation of new degree
109 programs and the establishment of new institutes, campuses, or
110 centers; and facilitating solutions to data issues identified by
111 the Articulation Coordinating Committee pursuant to s. 1007.01
112 to improve the K-20 education performance accountability system.
113 (3) The council shall serve as an advisory board to the
114 Legislature, the State Board of Education, and the Board of
115 Governors. Recommendations of the council shall be consistent



397750

581-01782C-13

116 with the following guiding principles:

117 (f) To promote adoption of a common set of data elements
118 identified by the National Center for Education Statistics to
119 support the effective exchange of data within and across states.

120 Section 3. Paragraph (i) of subsection (1) of section
121 1005.22, Florida Statutes, is amended to read:

122 1005.22 Powers and duties of commission.-

123 (1) The commission shall:

124 (i) Serve as a central agency for collecting and
125 distributing current information regarding institutions licensed
126 by the commission. The commission shall annually collect, and
127 all institutions licensed by the commission shall annually
128 report, student-level data from the prior year for each student
129 who receives state funds, in a format prescribed by the
130 Department of Education. At a minimum, data from the prior year
131 must ~~shall be reported annually and~~ include retention rates,
132 transfer rates, completion rates, graduation rates, employment
133 and placement rates, and earnings of graduates. By December 31,
134 2013, the commission shall report the data for the 2012-2013
135 academic year to the Department of Education. By October 1 of
136 each year thereafter, the commission shall report the data to
137 the department.

138 Section 4. Subsection (3) of section 1007.01, Florida
139 Statutes, is amended to read:

140 1007.01 Articulation; legislative intent; purpose; role of
141 the State Board of Education and the Board of Governors;
142 Articulation Coordinating Committee.-

143 (3) The Commissioner of Education, in consultation with the
144 Chancellor of the State University System, shall establish the



397750

581-01782C-13

145 Articulation Coordinating Committee which shall make
146 recommendations related to statewide articulation policies and
147 issues regarding access, quality, and reporting of data
148 maintained by the K-20 data warehouse established pursuant to
149 ss. 1001.10 and 1008.31, to the Higher Education Coordination
150 Council, the State Board of Education, and the Board of
151 Governors. The committee shall consist of two members each
152 representing the State University System, the Florida College
153 System, public career and technical education, public K-12
154 education, and nonpublic education and one member representing
155 students. The chair shall be elected from the membership. The
156 committee shall:

157 (a) Monitor the alignment between the exit requirements of
158 one education system and the admissions requirements of another
159 education system into which students typically transfer and make
160 recommendations for improvement.

161 (b) Propose guidelines for interinstitutional agreements
162 between and among public schools, career and technical education
163 centers, Florida College System institutions, state
164 universities, and nonpublic postsecondary institutions.

165 (c) Annually recommend dual enrollment course and high
166 school subject area equivalencies for approval by the State
167 Board of Education and the Board of Governors.

168 (d) Annually review the statewide articulation agreement
169 pursuant to s. 1007.23 and make recommendations for revisions.

170 (e) Annually review the statewide course numbering system,
171 the levels of courses, and the application of transfer credit
172 requirements among public and nonpublic institutions
173 participating in the statewide course numbering system and



581-01782C-13

174 identify instances of student transfer and admissions
175 difficulties.

176 (f) Annually publish a list of courses that meet common
177 general education and common degree program prerequisite
178 requirements at public postsecondary institutions identified
179 pursuant to s. 1007.25.

180 (g) Foster timely collection and reporting of statewide
181 education data ~~Examine statewide data regarding articulation to~~
182 ~~identify issues and make recommendations to improve articulation~~
183 ~~throughout the K-20 education performance accountability system~~
184 ~~by:-~~

185 1. Facilitating timely reporting of data by all educational
186 delivery systems to the K-20 data warehouse established pursuant
187 to ss. 1001.10 and 1008.31.

188 2. Facilitating timely reporting of data by the K-20 data
189 warehouse to organizations and authorized representatives
190 pursuant to s. 1008.31.

191 3. Identifying data issues including, but not limited to,
192 data quality and accessibility.

193 (h) Recommend roles and responsibilities of public
194 education entities in interfacing with the single, statewide
195 computer-assisted student advising system established pursuant
196 to s. 1006.73.

197 Section 5. Paragraph (f) is added to subsection (1) of
198 section 1008.31, Florida Statutes, subsection (3) is amended,
199 present subsection (4) is redesignated as subsection (5), and a
200 new subsection (4) is added to that section, to read:

201 1008.31 Florida's K-20 education performance accountability
202 system; legislative intent; mission, goals, and systemwide



581-01782C-13

203 measures; data quality improvements.-

204 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature
205 that:

206 (f) The Commissioner of Education interpret the Family
207 Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g,
208 in the least restrictive manner possible to allow data linkage
209 among institutions across all educational delivery systems. This
210 intent does not abrogate the provisions of ss. 1002.22,
211 1002.221, and 1006.52, relating to student records or the
212 requirements of FERPA.

213 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
214 data required to implement education performance accountability
215 measures in state and federal law, the commissioner ~~of Education~~
216 shall initiate and maintain strategies to improve data quality
217 and timeliness. The Board of Governors shall make available to
218 the department all data within the State University Database
219 System to collected from state universities shall, as determined
220 by the commissioner, be integrated into the K-20 data warehouse.
221 The commissioner shall have unlimited access to such data ~~solely~~
222 for the purposes of conducting studies, reporting annual and
223 longitudinal student outcomes, ~~and~~ improving college readiness
224 and articulation, and providing data to organizations and
225 authorized representatives pursuant to subsection (4). All
226 public educational institutions shall annually provide data from
227 the prior year to the K-20 data warehouse in a format based on
228 data elements identified specified by the commissioner.

229 (a) School districts and public postsecondary educational
230 institutions shall maintain information systems that will
231 provide the State Board of Education, the Board of Governors of



397750

581-01782C-13

232 the State University System, and the Legislature with
233 information and reports necessary to address the specifications
234 of the accountability system. The level of comprehensiveness and
235 quality ~~must shall~~ be no less than that which was available as
236 of June 30, 2001.

237 (b) Colleges and universities eligible to participate in
238 the William L. Boyd, IV, Florida Resident Access Grant Program
239 shall annually report student-level data from the prior year for
240 each student who receives state funds in a format prescribed by
241 the Department of Education. At a minimum, data from the prior
242 year must shall be reported annually to the department and
243 include retention rates, transfer rates, completion rates,
244 graduation rates, employment and placement rates, and earnings
245 of graduates. By December 31, 2013, the colleges and
246 universities described in this paragraph shall report the data
247 for the 2012-2013 academic year to the department. By October 1
248 of each year thereafter, the colleges and universities described
249 in this paragraph shall report the data to the department.

250 (c) The Commissioner of Education shall determine the
251 standards for the required data, monitor data quality, and
252 measure improvements. The commissioner shall report annually to
253 the State Board of Education, the Board of Governors of the
254 State University System, the President of the Senate, and the
255 Speaker of the House of Representatives data quality indicators
256 and ratings for all school districts and public postsecondary
257 educational institutions.

258 (d) The commissioner shall collaborate with the executive
259 director of the Department of Economic Opportunity to develop
260 procedures for the ability to tie student-level data to student



397750

581-01782C-13

261 and workforce outcome data contained in the Wage Record
262 Interchange System. The commissioner shall continuously monitor
263 and review the collection of paperwork, data, and reports by
264 school districts and complete an annual review of such
265 collection no later than June 1 of each year. The annual review
266 must include recommendations for consolidating paperwork, data,
267 and reports, wherever feasible, in order to reduce the burdens
268 on school districts.

269 (e) By June 30, 2014, the commissioner shall improve and
270 streamline access to data maintained by the K-20 data warehouse
271 by creating and fully implementing:

272 1. A web-based interface for parents, students, teachers,
273 principals, local educational agency leaders, community members,
274 researchers, policymakers, and other constituents which is
275 engaging, informative, and customer-friendly.

276 a. The web-based interface must provide a single location
277 for public access to aggregated data from the K-20 data
278 warehouse which do not contain personally identifiable
279 information or any other information that is confidential
280 pursuant to applicable law.

281 b. Personally identifiable information from education
282 records of students, or any other information that is
283 confidential pursuant to applicable law, must be redacted or
284 aggregated, or the confidentiality otherwise protected by de-
285 identification, anonymization, or any combination thereof.

286 2. A self-service, restricted access component of the K-20
287 data warehouse, called the "Research Engine," which is:

288 a. Restricted to organizations and authorized
289 representatives pursuant to subsection (4). The commissioner



397750

581-01782C-13

290 shall create a website for organizations and authorized
291 representatives to submit data requests. The website shall
292 generate an automated acknowledgement of each data request. Each
293 acknowledgement of a data request must include a username and
294 password to view the order and status of completion of the data
295 request and a link to the directory of data elements which
296 provides a detailed description of each data element. Within 90
297 days after acknowledging each data request, the department shall
298 provide to organizations or authorized representatives technical
299 assistance regarding the written agreement required under sub-
300 paragraph d. However, organizations and authorized
301 representatives may execute the written agreement with the
302 department at any time after submitting a data request. Data
303 requests must be completed within 90 days after the written
304 agreement is executed, unless the written agreement specifies
305 otherwise.

306 b. Capable of providing access to education records of
307 students which may contain students' personally identifiable
308 information in the K-20 data warehouse.

309 c. Accessible at the department's headquarters or by other
310 secure means as agreed upon in writing by the parties.

311 d. Accessible after an organization or an authorized
312 representative executes a written agreement with the
313 commissioner. The written agreement must include, but need not
314 be limited to:

315 (I) Identification of the purpose, scope, and duration of
316 the activity with sufficient specificity to make clear that the
317 activity falls within permissible uses authorized by FERPA and
318 does not further a commercial, trade, or profit interest.



397750

581-01782C-13

319 (II) Identification of the data elements necessary to
320 complete a study, an audit, or an evaluation. The department
321 shall provide assistance to organizations and authorized
322 representatives regarding selection of data elements to fulfill
323 data requests. Requests for additional data by an organization
324 or an authorized representative may be made by amending the
325 written agreement. The deadline for fulfilling a data request
326 may be adjusted accordingly.

327 (III) Identification of the FERPA exception relied upon to
328 obtain education records of students which may contain students'
329 personally identifiable information.

330 (IV) Requirements regarding procedures for securing data,
331 including, but not limited to, a data security plan. The
332 Department of Education shall reserve the right to conduct
333 security audits or reviews as necessary.

334 (V) Requirements limiting the use of education records of
335 students which contain students' personally identifiable
336 information to meet only the purpose stated in the written
337 agreement.

338 (VI) Requirements establishing disciplinary policies for
339 organizations and authorized representatives which violate FERPA
340 or the written agreement.

341 (VII) Prohibitions regarding access to or use of education
342 records of students which contain students' personally
343 identifiable information obtained pursuant to the written
344 agreement by anyone not authorized to have such access or use by
345 the department.

346 (VIII) Requirements regarding destruction of all personally
347 identifiable information from education records of students



581-01782C-13

348 which are received pursuant to the written agreement and
349 specification of when the information must be destroyed.

350 (IX) Requirements regarding background screening of
351 organizations and authorized representatives.

352 (X) Requirements regarding the assessment of liquidated
353 damages for unauthorized disclosure of education records of
354 students which contain students' personally identifiable
355 information or for violation of terms and conditions of the
356 written agreement.

357 (XI) Identification of deliverables to be provided by the
358 organization or authorized representative. The deliverables must
359 include, but are not limited to, as appropriate: a copy of the
360 final study, audit, or evaluation or, if no study, audit, or
361 evaluation is completed, a report identifying such with a copy
362 of unfinished research; a copy of reports, publications, papers,
363 theses, or similar documents; and certification by the
364 organization or authorized representative stating the final
365 status of deliverables and confirming compliance with all
366 provisions of the written agreement. The deliverables shall be
367 provided to the department within 1 year after the date of
368 execution of the written agreement, unless the written agreement
369 specifies otherwise. The Commissioner of Education may assess
370 liquidated damages specified in the written agreement if all
371 deliverables are not timely provided to the Department of
372 Education.

373 (XII) Requirements regarding maintaining the
374 confidentiality of any information that is exempt from s.
375 119.071(1) and s. 24(a), Art. I of the State Constitution, or
376 that is otherwise made confidential by state or federal law.



581-01782C-13

377 (XIII) Requirements regarding a service charge identified
378 in sub-subparagraph e.

379
380 The Department of Education shall develop, and the State Board
381 of Education shall adopt, rules regarding the written agreement.

382 e. Funded by creating and implementing a pricing structure
383 that is self-sustainable with the goal that the service charge
384 for use of the Research Engine recovers actual costs to fulfill
385 a data request. The commissioner may waive or reduce the service
386 charge for fulfilling a data request. Funds collected from the
387 service charge shall be deposited into the Operating Trust Fund.
388 The department shall develop and the State Board of Education
389 shall adopt rules regarding the service charge.

390 f. Linked to a list of organizations and authorized
391 representatives that obtain data from the Research Engine on the
392 web-based interface in subparagraph 1. The list must include,
393 but need not be limited to, the date of receipt of each data
394 request, response time to address each data request, and current
395 status of each data request. The department shall continually
396 update the list and maintain a copy of reports prepared and
397 submitted by the organizations and authorized representatives.

398
399 The department shall adopt procedures to implement the web-based
400 interface and the Research Engine established pursuant to this
401 subsection By July 1 of each year, the commissioner shall
402 prepare a report assisting the school districts in eliminating
403 or consolidating paperwork, data, and reports by providing
404 suggestions, technical assistance, and guidance.

405 (f) Before establishing any new reporting or data



397750

581-01782C-13

406 collection requirements, the commissioner of Education shall
407 utilize existing data being collected to reduce duplication and
408 minimize paperwork.

409 (4) ACCESS TO THE K-20 DATA WAREHOUSE.-Pursuant to the
410 studies exception under FERPA, and the federal regulations
411 issued pursuant thereto, specifically, including, but not
412 limited to, organizations conducting studies for, or on behalf
413 of, educational agencies and institutions as provided in 34
414 C.F.R. 99.31(a)(6), shall be given access to data maintained by
415 the K-20 data warehouse in a manner consistent with ss. 1002.22,
416 1002.221, and 1006.52 and FERPA. Pursuant to the audit or
417 evaluation exception under FERPA, specifically including, but
418 not limited to, authorized representatives conducting an audit
419 or an evaluation of a Federal- or state-supported education
420 program as provided in 34 C.F.R. 99.31(a)(3), shall be given
421 access to the data maintained by the K-20 data warehouse in a
422 manner consistent with ss. 1002.22, 1002.221, and 1006.52 and
423 FERPA.

424 (a) Requests by organizations or authorized representatives
425 for access to education records of students which may contain
426 students' personally identifiable information, with the
427 exception of requests from the Executive Office of the Governor,
428 the Florida Legislature, the Florida Auditor General, and the
429 Office of Program Policy Analysis and Government Accountability,
430 shall be submitted through the Research Engine established
431 pursuant to subparagraph (3)(h)2. Access to the Research Engine
432 is not conditioned upon or limited to studies, audits, or
433 evaluations that support the research agenda, interests, or
434 priorities of the State Board of Education, the commissioner, or



397750

581-01782C-13

435 the department.

436 (b) Authorized representatives include the Executive Office
437 of the Governor, the Florida Legislature, the Florida Auditor
438 General, the Office of Program Policy Analysis and Government
439 Accountability, the Florida district school boards, Florida
440 College System institutions, and Florida state universities or
441 entities approved by the Department of Education.

442 (c) Requests for data from the Executive Office of the
443 Governor, the Florida Legislature, the Florida Auditor General,
444 and the Office of Program Policy Analysis and Government
445 Accountability, shall be given a priority over other data
446 requests and shall be provided free of charge.

447 Section 6. Subsection (1) and paragraphs (a) and (c) of
448 subsection (3) of section 1008.34, Florida Statutes, are amended
449 to read:

450 1008.34 School grading system; school report cards;
451 district grade.-

452 (1) ANNUAL REPORTS.-The Commissioner of Education shall
453 prepare annual reports of the results of the statewide
454 assessment program which describe student achievement in the
455 state, each district, and each school. The commissioner shall
456 prescribe the design and content of these reports, which must
457 include descriptions of the performance of all schools
458 participating in the assessment program and all of their major
459 student populations as determined by the commissioner. The
460 report must also include the percent of students performing at
461 or above grade level and making ~~a year's~~ learning gains ~~growth~~
462 ~~in a year's time~~ in reading and mathematics. The provisions of
463 s. 1002.22 pertaining to student records apply to this section.



581-01782C-13

464 (3) DESIGNATION OF SCHOOL GRADES.—

465 (a) Beginning with the 2013-2014 school year, each school
466 that has students who are tested and included in the school
467 grading system shall receive a school grade if the number of its
468 students tested on statewide assessments pursuant to s. 1008.22
469 meets or exceeds the minimum sample size of 10, except as
470 follows:

471 1. A school shall not receive a school grade if the number
472 of its students tested and included in the school grading system
473 is less than the minimum sample size necessary, based on
474 accepted professional practice, for statistical reliability and
475 prevention of the unlawful release of personally identifiable
476 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

477 1.2. An alternative school may choose to receive a school
478 grade under this section or a school improvement rating under s.
479 1008.341. For charter schools that meet the definition of an
480 alternative school pursuant to State Board of Education rule,
481 the decision to receive a school grade is the decision of the
482 charter school governing board.

483 2.3. A school that serves any combination of students in
484 kindergarten through grade 3 which does not receive a school
485 grade because its students are not tested and included in the
486 school grading system shall receive the school grade designation
487 of a K-3 feeder pattern school identified by the Department of
488 Education and verified by the school district. A school feeder
489 pattern exists if at least 60 percent of the students in the
490 school serving a combination of students in kindergarten through
491 grade 3 are scheduled to be assigned to the graded school.

492 3. If a colocated school does not earn a school grade or



581-01782C-13

493 school improvement rating for the performance of its students,
494 the student performance data of all schools operating at the
495 same facility must be aggregated to develop a school grade that
496 will be assigned to all schools at that location. A colocated
497 school is a school that has its own unique master school
498 identification number, provides for the education of each of its
499 enrolled students, and operates at the same facility as another
500 school that has its own unique master school identification
501 number and provides for the education of each of its enrolled
502 students.

503 (c) Student assessment data used in determining school
504 grades shall include:

505 1. The aggregate scores of all eligible students enrolled
506 in the school who have been assessed on the FCAT and statewide,
507 standardized end-of-course assessments in courses required for
508 high school graduation, including, beginning with the 2011-2012
509 school year, the end-of-course assessment in Algebra I; and
510 beginning with the 2012-2013 school year, the end-of-course
511 assessments in geometry and Biology I; and beginning with the
512 2014-2015 school year, on the statewide, standardized end-of-
513 course assessment in civics education at the middle school
514 level.

515 2. The aggregate scores of all eligible students enrolled
516 in the school who have been assessed on the FCAT and statewide,
517 standardized end-of-course assessments as described in s.
518 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
519 percentile of students in the school in reading and mathematics,
520 unless these students are exhibiting satisfactory performance.

521 3. The achievement scores and learning gains of eligible



581-01782C-13

522 students attending alternative schools that provide dropout
523 prevention and academic intervention services pursuant to s.
524 1003.53. The term "eligible students" in this subparagraph does
525 not include students attending an alternative school who are
526 subject to district school board policies for expulsion for
527 repeated or serious offenses, who are in dropout retrieval
528 programs serving students who have officially been designated as
529 dropouts, or who are in programs operated or contracted by the
530 Department of Juvenile Justice.

531
532 The student performance data for eligible students identified in
533 this subparagraph shall be included in the calculation of the
534 home school's grade. As used in this subparagraph and s.
535 1008.341, the term "home school" means the school to which the
536 student would be assigned if the student were not assigned to an
537 alternative school. If an alternative school chooses to be
538 graded under this section, student performance data for eligible
539 students identified in this subparagraph shall not be included
540 in the home school's grade but shall be included only in the
541 calculation of the alternative school's grade. A school district
542 that fails to assign the FCAT and statewide, standardized end-
543 of-course assessment as described in s. 1008.22(3)(c)2.a. scores
544 of each of its students to his or her home school or to the
545 alternative school that receives a grade shall forfeit Florida
546 School Recognition Program funds for 1 fiscal year. School
547 districts must require collaboration between the home school and
548 the alternative school in order to promote student success. This
549 collaboration must include an annual discussion between the
550 principal of the alternative school and the principal of each



581-01782C-13

551 student's home school concerning the most appropriate school
552 assignment of the student.

553 4. The achievement scores and learning gains of students
554 designated as hospital- or homebound. Student assessment data
555 for a student ~~students~~ designated as hospital- or homebound
556 shall be assigned to his or her ~~their~~ home school for the
557 purposes of school grades if the student was enrolled in the
558 home school during the October and February FTE count in the
559 prior school year. As used in this subparagraph, the term "home
560 school" means the school to which a student would be assigned if
561 the student were not assigned to a hospital- or homebound
562 program.

563 5. For schools comprised of high school grades 9, 10, 11,
564 and 12, or grades 10, 11, and 12, the data listed in
565 subparagraphs 1.-3. and the following data as the Department of
566 Education determines such data are valid and available:

567 a. The high school graduation rate of the school as
568 calculated by the department;

569 b. The participation rate of all eligible students enrolled
570 in the school and enrolled in College Board Advanced Placement
571 courses; International Baccalaureate courses; dual enrollment
572 courses; Advanced International Certificate of Education
573 courses; and courses or sequences of courses leading to national
574 industry certification identified in the Industry Certification
575 Funding List, pursuant to rules adopted by the State Board of
576 Education;

577 c. The aggregate scores of all eligible students enrolled
578 in the school in College Board Advanced Placement courses,
579 International Baccalaureate courses, and Advanced International



581-01782C-13

580 Certificate of Education courses;

581 d. Earning of college credit by all eligible students
582 enrolled in the school in dual enrollment programs under s.
583 1007.271;

584 e. Earning of a national industry certification identified
585 in the Industry Certification Funding List, pursuant to rules
586 adopted by the State Board of Education;

587 f. The aggregate scores of all eligible students enrolled
588 in the school in reading, mathematics, and other subjects as
589 measured by the SAT, the ACT, the Postsecondary Education
590 Readiness Test, and the common placement test for postsecondary
591 readiness;

592 g. The high school graduation rate of all eligible at-risk
593 students enrolled in the school who scored at Level 2 or lower
594 on grade 8 FCAT Reading and FCAT Mathematics;

595 h. The performance of the school's students on statewide,
596 standardized end-of-course assessments administered under s.
597 1008.22(3)(c)2.c. and d.; and

598 i. The growth or decline in the data components listed in
599 sub-subparagraphs a.-h. from year to year.

600
601 The State Board of Education shall adopt appropriate criteria
602 for each school grade. The criteria must also give added weight
603 to student achievement in reading. Schools earning a grade of
604 "C," making satisfactory progress, shall be required to
605 demonstrate that adequate progress has been made by students in
606 the school who are in the lowest 25th percentile in reading and
607 mathematics on the FCAT and end-of-course assessments as
608 described in s. 1008.22(3)(c)2.a., unless these students are



581-01782C-13

609 exhibiting satisfactory performance. For schools comprised of
610 high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
611 the criteria for school grades must also give added weight to
612 the graduation rate of all eligible at-risk students. In order
613 for a high school to earn a grade of "A," the school must
614 demonstrate that its at-risk students, as defined in this
615 paragraph, are making adequate progress.

616 Section 7. Subsections (2), (3), and (5) of section
617 1008.341, Florida Statutes, are amended to read:

618 1008.341 School improvement rating for alternative
619 schools.—

620 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a
621 school that provides dropout prevention and academic
622 intervention services pursuant to s. 1003.53. An alternative
623 school shall receive a school improvement rating pursuant to
624 this section unless the school earns a school grade pursuant to
625 s. 1008.34. Beginning with the 2013-2014 school year, each
626 ~~However, an~~ alternative school that chooses to receive a school
627 improvement rating shall not receive a school improvement rating
628 if the number of its students for whom student performance data
629 on statewide, standardized assessments pursuant to s. 1008.22
630 which is available for the current year and previous year meets
631 or exceeds is less than the minimum sample size of 10. An
632 alternative school that tests at least 80 percent of its
633 students may receive a school improvement rating. If an
634 alternative school tests less than 90 percent of its students,
635 the school may not earn a rating higher than "maintaining."
636 ~~necessary, based on accepted professional practice, for~~
637 ~~statistical reliability and prevention of the unlawful release~~



581-01782C-13

638 ~~of personally identifiable student data under s. 1002.22 or 20~~
639 ~~U.S.C. s. 1232g.~~ The school improvement rating shall identify an
640 alternative school as having one of the following ratings
641 defined according to rules of the State Board of Education:

642 (a) "Improving" means the students attending the school are
643 making more academic progress than when the students were served
644 in their home schools.

645 (b) "Maintaining" means the students attending the school
646 are making progress equivalent to the progress made when the
647 students were served in their home schools.

648 (c) "Declining" means the students attending the school are
649 making less academic progress than when the students were served
650 in their home schools.

651
652 The school improvement rating shall be based on a comparison of
653 student performance data for the current year and previous year.
654 Schools that improve at least one level or maintain an
655 "improving" rating pursuant to this section are eligible for
656 school recognition awards pursuant to s. 1008.36.

657 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
658 used in determining an alternative school's school improvement
659 rating shall include:

660 (a) Student performance results based on statewide, standardized assessments, including retakes,
661 administered under s. 1008.22 for all eligible students who were
662 assigned to and enrolled in the school during the October or
663 February FTE count and who have assessment scores FCAT or
664 comparable scores for the preceding school year.

665 (b) Student performance results based ~~The aggregate scores~~



581-01782C-13

667 on statewide, standardized assessments, including retakes,
668 administered under s. 1008.22 for all eligible students who were
669 assigned to and enrolled in the school during the October or
670 February FTE count and who have scored in the lowest 25th
671 percentile of students in the state on FCAT Reading.

672 Student performance results ~~The assessment scores~~ of students
673 who are subject to district school board policies for expulsion
674 for repeated or serious offenses, who are in dropout retrieval
675 programs serving students who have officially been designated as
676 dropouts, or who are in programs operated or contracted by the
677 Department of Juvenile Justice may not be included in an
678 alternative school's school improvement rating.

679
680 (5) SCHOOL AND STUDENT REPORT CARDS CARD.—The Department of
681 Education shall annually develop, in collaboration with the
682 school districts, a school report card for alternative schools
683 to be delivered to parents throughout each school district. The
684 report card shall include the school improvement rating,
685 identification of student learning gains, student attendance
686 data, information regarding school improvement, ~~an explanation~~
687 ~~of school performance as evaluated by the federal No Child Left~~
688 ~~Behind Act of 2001,~~ and indicators of return on investment. An
689 alternative school that serves at least 10 students who are
690 tested on the statewide, standardized assessments pursuant to s.
691 1008.22 in the current year and previous year shall distribute
692 an individual student report card to parents which includes the
693 student's learning gains and progress toward meeting high school
694 graduation requirements. The report card must also include the
695 school's industry certification rate, college readiness rate,



581-01782C-13

696 dropout rate, and graduation rate. This subsection does not
697 abrogate the provisions of s. 1002.22 relating to student
698 records or the requirements of 20 U.S.C. s. 1232g, the Family
699 Educational Rights and Privacy Act.

700 Section 8. Paragraph (a) of subsection (2) of section
701 1008.385, Florida Statutes, is amended to read:

702 1008.385 Educational planning and information systems.—

703 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The
704 Commissioner of Education shall develop and implement an
705 integrated information system for educational management. The
706 system must be designed to collect, via electronic transfer, all
707 student and school performance data required to ascertain the
708 degree to which schools and school districts are meeting state
709 performance standards, and must be capable of producing data for
710 a comprehensive annual report on school and district
711 performance. In addition, the system shall support, as feasible,
712 the management decisions to be made in each division of the
713 department and at the individual school and district levels.
714 Similar data elements among divisions and levels shall be
715 compatible. The system shall be based on an overall conceptual
716 design; the information needed for such decisions, including
717 fiscal, student, program, personnel, facility, community,
718 evaluation, and other relevant data; and the relationship
719 between cost and effectiveness. The system shall be managed and
720 administered by the commissioner and shall include a district
721 subsystem component to be administered at the district level,
722 with input from the reports-and-forms control management
723 committees. Each district school system with a unique management
724 information system shall assure that compatibility exists



581-01782C-13

725 between its unique system and the district component of the
726 state system so that all data required as input to the state
727 system is made available via electronic transfer and in the
728 appropriate input format.

729 (a) The specific responsibilities of the commissioner shall
730 include:

731 1. Consulting with school district representatives in the
732 development of the system design model and implementation plans
733 for the management information system for public school
734 education management;

735 2. Providing operational definitions for the proposed
736 system, including criteria for issuing and revoking master
737 school identification numbers to support the maintenance of
738 education records, to enforce and support education
739 accountability, to support the distribution of funds to school
740 districts, to support the preparation and analysis of school
741 district financial reports, and to assist the commissioner in
742 carrying out the duties specified in ss. 1001.10 and 1001.11;

743 3. Determining the information and specific data elements
744 required for the management decisions made at each educational
745 level, recognizing that the primary unit for information input
746 is the individual school and recognizing that time and effort of
747 instructional personnel expended in collection and compilation
748 of data should be minimized;

749 4. Developing standardized terminology and procedures to be
750 followed at all levels of the system;

751 5. Developing a standard transmittal format to be used for
752 collection of data from the various levels of the system;

753 6. Developing appropriate computer programs to assure



581-01782C-13

754 integration of the various information components dealing with
755 students, personnel, facilities, fiscal, program, community, and
756 evaluation data;

757 7. Developing the necessary programs to provide statistical
758 analysis of the integrated data provided in subparagraph 6. in
759 such a way that required reports may be disseminated,
760 comparisons may be made, and relationships may be determined in
761 order to provide the necessary information for making management
762 decisions at all levels;

763 8. Developing output report formats which will provide
764 district school systems with information for making management
765 decisions at the various educational levels;

766 9. Developing a phased plan for distributing computer
767 services equitably among all public schools and school districts
768 in the state as rapidly as possible. The plan shall describe
769 alternatives available to the state in providing such computing
770 services and shall contain estimates of the cost of each
771 alternative, together with a recommendation for action. In
772 developing the plan, the feasibility of shared use of computing
773 hardware and software by school districts, Florida College
774 System institutions, and universities shall be examined. Laws or
775 administrative rules regulating procurement of data processing
776 equipment, communication services, or data processing services
777 by state agencies shall not be construed to apply to local
778 agencies which share computing facilities with state agencies;

779 10. Assisting the district school systems in establishing
780 their subsystem components and assuring compatibility with
781 current district systems;

782 11. Establishing procedures for continuous evaluation of



581-01782C-13

783 system efficiency and effectiveness;

784 12. Initiating a reports-management and forms-management
785 system to ascertain that duplication in collection of data does
786 not exist and that forms and reports for reporting under state
787 and federal requirements and other forms and reports are
788 prepared in a logical and uncomplicated format, resulting in a
789 reduction in the number and complexity of required reports,
790 particularly at the school level; and

791 13. Initiating such other actions as are necessary to carry
792 out the intent of the Legislature that a management information
793 system for public school management needs be implemented. Such
794 other actions shall be based on criteria including, but not
795 limited to:

- 796 a. The purpose of the reporting requirement;
797 b. The origination of the reporting requirement;
798 c. The date of origin of the reporting requirement; and
799 d. The date of repeal of the reporting requirement.

800 Section 9. This act shall take effect July 1, 2013.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 878

INTRODUCER: Committee on Education and Senator Galvano

SUBJECT: Education Accountability

DATE: March 6, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Fav/CS
2.			RC	
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 878 addresses performance accountability for public schools by improving and strengthening access to quality data, and aligning school grading and school improvement rating criteria and systems.

The bill does not change current process regarding how the Florida Department of Education provides data to researchers. The bill formalizes procedures for accessing and reporting data pursuant to the federal Family Educational Rights and Privacy Act (FERPA).

The bill requires the Commissioner of Education to improve and streamline access to data maintained in the K-20 data warehouse by creating and fully implementing, by June 30, 2014, the following:

- A web-based interface designed to serve as a single location for public to access aggregated data from the K-20 data warehouse.

- A self-service, restricted access component of the K-20 data warehouse called the “Research Engine” that is capable of providing student-level data to organizations and authorized representatives under FERPA.

Additionally, the bill:

- Identifies authorized representatives and outlines specific guidelines regarding the Research Engine and prescribes specific duties of the Articulation Coordinating Committee, the Higher Education Coordinating Council, public and private postsecondary institutions, and the Commissioner of Education to streamline the data accessibility and reporting process.
- Aligns school accountability mechanisms by defining colocated schools, prescribing conditions for determining and assigning school grade and school improvement rating, and requiring clearly specified criteria for assigning master school identification number.
- Repeals section 1008.31(3)(d) and (e), Florida Statutes, relating to Paperwork Reduction.

The effective date of the bill is July 1, 2013.

The bill amends sections 1002.22, 1004.015, 1005.22, 1007.01, 1008.31, 1008.34, 1008.341, and 1008.385 of the Florida Statutes.

II. Present Situation:

CS/SB 878 is comprised of two key components:

- K-20 data warehouse
- K-12 school performance accountability

K-20 DATA WAREHOUSE

Florida’s K-20 education performance accountability system

In 2001, the Legislature created the K-20 education performance accountability system which is intended “to assess the effectiveness of Florida’s seamless K-20 education delivery system.”¹ The K-20 education performance accountability system is established as a “single, unified accountability system” consisting of state and sector-specific performance measures and standards to assess student outcomes.² The Commissioner of Education (commissioner) determines the standards for the data that are collected, monitors data quality, and measures improvements.³

¹ Section 1008.31(1)(a), F.S. Section 9, ch. 2001-170, L.O.F., was initially codified at s. 229.007, F.S., and was redesignated in 2002 as s. 1008.31, F.S.

² Section 1008.31(1)-(2), F.S.

³ Section 1008.31(3)(c), F.S.

Data reporting systems

The Florida Department of Education (DOE or department) receives data from a variety of sources including, but not limited to, the following sources:

- School districts and public postsecondary educational institutions must maintain information systems to provide to the State Board of Education (SBE), the Board of Governors of the State University System (BOG), and the Legislature, information regarding Florida's K-20 education system. All data collected from the state universities must be integrated into the K-20 data warehouse and the commissioner must have unlimited access to such data solely for the purposes of conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation. All public educational institutions must provide data to the K-20 data warehouse in a format specified by the commissioner.⁴
- Not-for-profit independent colleges and universities which are eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant (FRAG) Program must report student-level data for each student who receives state funds in a format prescribed by the DOE. At a minimum, the data must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates.⁵
- The Commission for Independent Education (CIE) which regulates independent postsecondary educational institutions⁶ must collect, and all the institutions licensed by the commission must report, student-level data for each student who receives state funds.⁷ The CIE serves as a central agency for collecting and distributing current information regarding the independent postsecondary educational institutions licensed by the commission. The data must be reported annually and at a minimum, must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates.⁸

Data access procedures

The K-20 data warehouse is designed to serve the education information interests of the state and the general public by providing data that follows student cohorts over time to determine trends in education research.

Effective July 1, 2011, the DOE established a Research Agenda to encourage research in areas of specific interest to the department and amended the process for providing researchers access to

⁴ Section 1008.31(3)(a), F.S.

⁵ Section 1008.31(3)(b), F.S.

⁶ The Commission for Independent Education regulates independent postsecondary educational institutions that operate in Florida or make application to operate in Florida and that are not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government. Section 1005.02(11), F.S.

⁷ The CIE is responsible for matters concerning consumer protection, program improvement, and licensure for institutions under the purview of the commission. The granting of diplomas and degrees by independent postsecondary educational institutions under CIE's jurisdiction must be authorized by the CIE. Sections 1005.21(1) and (2) and 1005.22(1)(i), F.S.

⁸ Section 1005.22(1)(i), F.S.

data maintained by the K-20 data warehouse.⁹ Researchers who wish to gain access to the data maintained by the K-20 data warehouse must meet the following criteria established by the DOE:¹⁰

- Complete forms¹¹ specified by the DOE and submit data requests by close-of-business on October 1, February 1, or June 1 of each year.
- Indicate how the request for data supports the DOE's Research Agenda.

If the DOE's Data Request Review Committee determines that a data request meets the department's Research Agenda but the committee determines that the DOE lacks sufficient staff resources to fulfill the data request within an evaluation period, such data request is automatically placed for reconsideration by the DOE's Data Request Review Committee during the next evaluation period. The data request may not be carried forward for reconsideration to more than one evaluation period.¹²

The DOE provides status of data requests to researchers after the department's Data Request Review Committee completes a review of all the data requests that the DOE receives within an evaluation period. After approving a data request, the department places the data request in a queue of approved data requests. The DOE routinely adjusts the timeline for providing data to researchers because requests for data by the Governor, the Legislature, and the SBE are prioritized over data requests by researchers.¹³

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., s. 1232g, is a Federal privacy law¹⁴ that protects the privacy of students' education records¹⁵. FERPA is administered by the Family Policy Compliance Office (FPCO) in the United States Department of Education (U.S. DOE). FERPA permits the disclosure education records of students which may contain personally identifiable information (PII) to:¹⁶

- Organizations conducting studies for, or on behalf of, schools, school districts, or postsecondary institutions. Studies can be for the purpose of developing, validating, or

⁹ Florida Department of Education, *Research*, <http://www.fldoehub.org/Research/Pages/default.aspx> (last visited Jan. 28, 2013).

¹⁰ Florida Department of Education, *The Florida Department of Education's Research Agenda for 2012-13*, at 4, available at <http://www.fldoehub.org/Research/Pages/default.aspx>.

¹¹ DOE requires researchers to fill-out and submit either the Unit Data Request Packet or the Additional Years Request Form to place a data request. Florida Department of Education, *The Florida Department of Education's Research Agenda for 2012-13*, at 4, available at <http://www.fldoehub.org/Research/Pages/default.aspx>.

¹² Florida Department of Education, *The Florida Department of Education's Research Agenda for 2012-13*, at 4, available at <http://www.fldoehub.org/Research/Pages/default.aspx>.

¹³ *Id.*

¹⁴ 73 FR 74834 (Dec. 9, 2008)

¹⁵ 34 C.F.R., s. 99.2

¹⁶ 34 C.F.R., Part 99; see also United States Department of Education, *Guidance for Reasonable Methods and Written Agreements*, at A-1 and A-2, <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html> (last visited Jan. 28, 2013).

administering predictive tests; administering student aid programs; or improving instruction.

- Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, and State or local educational authorities (FERPA-permitted entities)^{17,18} conducting audit or evaluation of Federal- or State-supported education program¹⁹, or to enforce or comply with Federal legal requirements that relate to those education programs.

FERPA requires organizations conducting a study or authorized representatives conducting an audit or an evaluation to publish results in a way that protects the privacy and confidentiality of students and their parents.²⁰

Both the studies and the audit or evaluation exceptions, under FERPA, specifically require the educational authority and the organization or authorized representative to execute a written agreement²¹ to protect the PII from education records of students.²²

¹⁷ The U.S. DOE interprets state and local educational authority to refer to a State educational agency (SEA), a State postsecondary commission, United States Department of the Interior's Bureau of Indian Education (BIE), or any other entity that is responsible for and authorized under local, State, or Federal law to supervise, plan, coordinate, advise, audit, or evaluate elementary, secondary, or postsecondary Federal- or State-supported educational programs and services in the State. U.S. DOE's current interpretation of state and local educational authority does not include tribal education agencies (TEAs). Educational agency, under 34 C.F.R., s. 99.1(a)(2), "is an entity that is authorized to direct and control public elementary or secondary schools or postsecondary institutions. 76 FR 75606, 75607, and 75615 (Dec. 2, 2011).

¹⁸ The U.S. DOE permits "State and local educational authorities, the Secretary of Education, the Comptroller General, and the Attorney General of the United States to have greater flexibility and discretion to designate authorized representatives who may access PII from education records as needed to conduct an audit, evaluation, or enforcement or compliance activity specified in [34 C.F.R.] s. 99.35". In adopting the definition of the term "Authorized Representative", the U.S. DOE "is not delegating its statutory authority to address violations of FERPA under 20 U.S.C. 1232g(f). The [U.S. DOE] is simply delegating the authority to the entities specified in 20 U.S.C. 1232g(b)(1)(C) and (b)(3) to determine who may serve as their authorized representatives to conduct an audit, evaluation, or enforcement or compliance activity." 76 FR 75617 and 75618 (Dec. 2, 2011).

¹⁹ 34 C.F.R., s. 99.3. Education program must be "principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution. United States Department of Education, *Guidance for Reasonable Methods and Written Agreements*, at A-2, <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html> (last visited Jan. 28, 2013).

²⁰ United States Department of Education, *Guidance for Reasonable Methods and Written Agreements*, at A-4, <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html> (last visited Jan. 28, 2013).

²¹ The U.S. DOE "defers to State law governing contracts and written agreements, including the imposition of allowable sanctions." The U.S. DOE encourages "FERPA-permitted entities to consider specifying additional remedies or sanctions as part of the written agreements with their authorized representatives under [34 C.F.R.] s. 99.35 in order to protect PII from education records." 76 FR 75620 and 75624 (Dec. 2, 2011).

²² 76 FR 75619 (Dec. 2, 2011); *see also* United States Department of Education, *Guidance for Reasonable Methods and Written Agreements*, at A-2, <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html> (last visited Jan. 28, 2013). The U.S. DOE recommends consideration of items for inclusion in a written agreement for work under both the studies and the audit or evaluation exceptions (i.e., items regarding limits and requirements for using PII, review and approval of requests, conditions and penalties for using PII, and conflict resolution and termination). United States Department of Education, *Guidance for Reasonable Methods and Written Agreements*, at A-7, A-8, and A-9, <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html> (last visited Jan. 28, 2013).

Articulation Coordinating Committee

The Articulation Coordinating Committee (ACC) serves as an advisory board to the SBE and the BOG on postsecondary transition issues. The committee provides a unique K-20 forum for cross-sector collaboration that informs the policy decisions of the SBE and the BOG regarding the implementation of the statewide articulation agreement. The ACC reports to the commissioner and comprises of the following members: two members each representing the State University System (SUS), the Florida College System (FCS), public career and technical education, public K-12 education, and non-public education, and one member representing students.²³ The ACC is responsible for reviewing and monitoring the different components of Florida's articulation system and making policy recommendations to facilitate seamless articulation between and among public schools, career and technical education centers, FCS institutions, state universities, and nonpublic postsecondary institutions.²⁴

Higher Education Coordinating Council

The Legislature created the Higher Education Coordinating Council (HECC) in 2010 to identify unmet needs and facilitate solutions to disputes regarding the creation of new degree programs and the establishment of new institutes, campuses, or centers.²⁵ The council comprises of the following members: the commissioner; the Chancellor of the SUS; the Chancellor of the FCS; the Executive Director of the Commission for Independent Education (CIE); the President of the Independent Colleges and Universities of Florida (ICUF); and two members of the business community, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives.²⁶ The HECC serves as an advisory board to the Legislature, the State Board of Education, and the BOG, and makes policy recommendations regarding fostering an integrated continuum of education for Florida's students from kindergarten through graduate school.²⁷ By December 31 of each year, the HECC must submit an annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the BOG, and the SBE outlining ways to align education policies and outcomes to state goals.²⁸

K-12 SCHOOL PERFORMANCE ACCOUNTABILITY

All students attending public schools are required to take statewide assessments, except as otherwise provided by law.²⁹ By assessing how well students have mastered the standards, parents and educators are able to determine whether the student needs remediation, is ready for the next grade level, or is equipped to pursue college or career study.³⁰ Based on student performance data from statewide assessments, the schools are assigned a school grade.³¹

²³ Section 1007.01(2)-(3), F.S. The ACC was initially codified at 229.551, F.S., but was repealed January 7, 2003, by s. 3(7), ch. 2000-321. In 2011, the ACC was again codified in law by amending s. 1007.01, F.S. Section 7, ch. 2011-177, L.O.F.

²⁴ Section 1007.01((3), F.S.

²⁵ Section 1004.015(1), F.S.; *see* s. 13, ch. 2010-78, L.O.F.

²⁶ Section 1004.015(2), F.S.

²⁷ Section 1004.015(3), F.S.

²⁸ Section 1004.015(4), F.S.

²⁹ Section 1008.22(3)(c)8., F.S. Statewide assessments include the FCAT and all statewide, standardized end-of-course (EOC) assessments.

³⁰ Section 1008.22(1), F.S.

³¹ Section 1008.34(2), F.S.

Alternative schools, may, however choose to receive either a school grade or a school improvement rating.³²

An alternative school is any school that provides dropout prevention and academic intervention services. Alternative schools may serve students in grades 1-12 who:³³

- Are academically unsuccessful as evidenced by low test scores, retention, failing grades, low grade point average, falling behind in earning credits, or not meeting the state or district proficiency levels in reading, mathematics, or writing;
- Have a pattern of excessive absenteeism or are habitual truants; or
- Have a history of disruptive behavior³⁴ in school or has committed an offense that warrants out-of-school suspension or expulsion from school.

However, for accountability purposes, the definition of an alternative school excludes “second chance schools”,³⁵ educational programs operated or contracted by Department of Juvenile Justice facilities, and district school board programs that serve students officially enrolled in dropout retrieval programs.³⁶

If an alternative school chooses to receive a school improvement rating instead of a school grade, student performance is also included in the school grade of the students’ home school^{37 38}.

School Grades

All public schools, including charter schools, which have at least 30 full-year-enrolled students with valid Florida Comprehensive Assessment Test (FCAT) scores in reading for the current and prior years and at least 30 full-year-enrolled students with valid FCAT scores in mathematics for the current and prior years are assigned a school grade.³⁹ For the mathematics portion of the school grade, high schools must have at least 10 students with valid Algebra 1 end-of-course

³² Sections 1008.34(3)(a)2. and 1008.341(2), F.S. For charter schools that meet the definition of an alternative school, i.e., charter alternative schools, the decision to receive a school grade is the decision of the charter school governing board. Section 1008.34(3)(a)2., F.S.

³³ Sections 1008.341(2) and 1003.53(1)(b)-(c), F.S.

³⁴ For the purposes of this program, “disruptive behavior” is behavior that interferes with the student’s own learning or that of others and requires a degree of individual attention that is not practicable in a traditional program or results in frequent conflicts of a disruptive nature or that severely threatens the general welfare of students or others. Section 1003.53(1)(c)3.a.-b., F.S.

³⁵ A “second chance school” means district school board programs provided through cooperative agreements between the Department of Juvenile Justice, private providers, state or local law enforcement agencies, or other state agencies for students who have been disruptive or violent or who have committed serious offenses. Section 1003.53(1)(d)1., F.S.

³⁶ Section 1008.341(2), F.S.; Rule 6A-1.099822(2)(a), F.A.C.; *cf.* s. 1008.341(3), F.S. (stating that the assessment scores of students who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice may not be included in an alternative school’s school improvement rating.)

³⁷ “Home school” means the school to which the student would be assigned if the student were not assigned to an alternative school. Section 1008.34(3)(c)3., F.S.

³⁸ Section 1008.34(3)(c)3., F.S.; *see also* s. 1008.341, F.S.

³⁹ Rule 6A-1.09981(3)(a), F.A.C.; *see also* s. 1008.34(3)(a)1., F.S.

(EOC) assessment scores in 2011-12 and, beginning in 2012-13, at least 10 students with valid Geometry EOC assessment scores or Florida Alternate Assessment (FAA) scores in the current and previous years to receive a school grade.⁴⁰ Because learning gains for high school students may be measured using FCAT 2.0 Mathematics scores for the prior-year scores, these scores are also counted toward the minimum cell-size requirements. Department of Juvenile Justice schools are not graded.⁴¹

To qualify for a school grade of “A,” a school must test at least 95 percent of the school’s eligible students. To qualify for a grade of “B,” “C,” or “D,” a school must test at least 90 percent of the school’s eligible students.⁴² If less than 90 percent of the eligible students are assessed, an “I” (Incomplete) is assigned.⁴³

School Improvement Ratings

School improvement ratings are indicators of whether an alternative school’s performance has improved, remained the same, or declined compared to the prior year based on student statewide, standardized assessment scores.⁴⁴ The school improvement rating must include:

- The aggregate scores on statewide assessments for all eligible students who were assigned to and enrolled in the school during the October or February FTE count and who have FCAT or comparable scores for the preceding school year;⁴⁵ and
- The aggregate scores on statewide assessments for all eligible students who were assigned to and enrolled in the school during the October or February FTE count and who have scored in the lowest 25th percentile of students in the state on FCAT Reading.⁴⁶

To receive a school improvement rating, an alternative school must have a minimum of 10 students with valid FCAT or FAA scores in reading for the current and previous two years and a minimum of 10 students with valid FCAT, FAA, or EOC assessment scores in mathematics for the current and previous two years.⁴⁷

An alternative school that earns a school improvement rating receives one of the following:⁴⁸

- “Improving” – students are making more academic progress at the alternative school than when the students were served in their home schools;
- “Maintaining” – students are making progress at the alternative school equivalent to academic progress made when the students were served in their home schools; or

⁴⁰ Rule 6A-1.09981(3)(a), F.A.C.; *see also* s. 1008.34(3)(a)1., F.S.

⁴¹ Section 1008.34 (3)(c)3., F.S.

⁴² Rule 6A-1.09981(1)(a)4., F.A.C.

⁴³ Rule 6A-1.09981(8)(b)2., F.A.C.

⁴⁴ Section 1008.341(2), F.S.; *see also* Rule 6A-1.099822, F.A.C.

⁴⁵ Section 1008.341(3)(a), F.S.

⁴⁶ Section 1008.341(3)(b), F.S.

⁴⁷ Rule 6A-1.099822(5)(a), F.A.C.

⁴⁸ Section 1008.341(2), F.S.

- “Declining” – students are making less academic progress at the alternative school than when the students were served in their home schools.

The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services are credited back to the home school for inclusion the home school’s grade calculation.⁴⁹

Comprehensive Management Information Systems

The commissioner must develop and implement an integrated information system for educational management to collect and transfer student and school performance data required to determine the degree to which schools and school districts are meeting state performance standards.⁵⁰ The DOE maintains a Master School Identification (MSID) number to provide accurate identification regarding each public school in the state of Florida. The MSID number is used to report data to the department’s Student and Staff Automated Database Systems and provides the foundation for accountability reporting, including annual school grades, and reporting to the U.S. DOE.⁵¹

III. Effect of Proposed Changes:

K-20 DATA WAREHOUSE

K-20 education performance accountability system

CS/SB 878 does not change current process regarding how the DOE provides data to researchers.⁵² The bill formalizes procedures for accessing and reporting data pursuant to FERPA.

Data reporting systems

The bill updates the DOE procedures to reflect revised FERPA regulations⁵³ and strengthens protocols and practices regarding access to and use of data by requiring the following:

- All public educational institutions must annually provide data to the K-20 data warehouse in a format identified by the commissioner. The bill specifies that each year, the data

⁴⁹ Section 1008.34(3)(c)3., F.S.; cf. rule 6A-1.099822(6), F.A.C. (stating that the student performance of eligible students shall be included in the students’ home school’s grade as well as the school’s school improvement rating, if the school is not a charter alternative school). This presumes that students are not assigned to charter alternative schools.

⁵⁰ Section 1008.385(2), F.S.

⁵¹ E-mail, Florida Department of Education, Division of Accountability, Research and Measurement (Feb. 28, 2013).

⁵² Before providing data to researchers, the DOE masks personally identifiable information. Additionally, the DOE also performs data matches in-house to protect data when addressing data requests that require matching data across multiple databases. The DOE, does however, provide personally identifiable information to Florida state agencies that request such data to perform data matches regarding individuals who receive services under programs administered by multiple state agencies. Telephone interview with staff from the Division of Accountability, Research, and Measurement, Florida Department of Education (Feb. 26, 2013). The U.S. DOE provides guidance regarding statistical methods to protect PII. 76 FR 75620 (Dec. 2, 2011).

⁵³ The revised FERPA regulations are effective January 3, 2012. 76 FR 75604 (Dec. 2, 2011).

must be reported from the prior year and the data that are reported must be based on data elements identified by the commissioner.

- The BOG must make provide to the DOE data which must be integrated into the K-20 data warehouse. The bill specifies that the BOG must make available to the DOE, all data within the State University Database System (SUDS). The SUDS is a combination of several standard educational data subsystems regarding students, facilities, personnel, and finance.⁵⁴ The bill allows the commissioner to use such data to address data requests from organizations and authorized representatives in addition to the purposes for data usage that are specified under current law: conducting studies, reporting annual and longitudinal student outcomes, and improving college readiness and articulation.⁵⁵
- Colleges and universities which are eligible to participate in the FRAG Program must annually report to the DOE student-level data from the prior year for each student enrolled in such institutions who receives state funds in a format prescribed by the DOE. The bill requires the FRAG-eligible colleges and universities to annually report student-level data to the DOE by October 1 of each year. For the 2012-2013 academic year, the bill extends the deadline for reporting of data by the FRAG-eligible colleges and universities to December 31, 2013.
- Institutions licensed by the CIE must annually report to the CIE student-level data from the prior year for each student enrolled in such institutions who receives state funds in a format prescribed by the DOE. CIE must annually collect student-level data from the institutions licensed by the CIE and by October 1 of each year report such data to the DOE. For the 2012-2013 academic year, the bill extends the deadline for reporting of data by the CIE to December 31, 2013.
- The commissioner must, pursuant to the bill, collaborate with the executive director of the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System (WRIS)^{56,57}. Linking student education and workforce data will

⁵⁴ E-mail, Board of Governors, Information Resource Management (Feb. 18, 2013), on file with the Committee on Education staff.

⁵⁵ Section 1008.31(3), F.S.

⁵⁶ The WRIS “facilitates the exchange of wage data among participating states for the purpose of assessing and reporting on state and local employment and training program performance, evaluating training provider performance, and for other purposes allowed under the WRIS Data Sharing Agreement. The exchange permits state workforce program performance agencies to secure wage data of individuals who have participated in workforce investment programs in one state, then subsequently secured employment in another state. By participating in WRIS, states have a more robust picture of the effectiveness of their workforce investment programs, and are able to report more comprehensive outcomes against their performance measures.” Currently, all 50 states, the District of Columbia, and Puerto Rico participate in the WRIS. United States Department of Labor, *Wage Record Interchange System (WRIS)*, <http://www.doleta.gov/performance/wris.cfm> (last visited Feb. 14, 2013).

⁵⁷ The WRIS Advisory Group developed the WRIS 2 Data Sharing Agreement for wage record data sharing with non-U.S. Department of Labor (U.S. DOL) programs. This Agreement was developed based on the interest expressed by some states regarding sharing aggregate outcomes with partner programs that are not covered under the terms of the WRIS Data Sharing Agreement. The WRIS 2 extends the WRIS data sharing model to One-Stop Career Center partner programs such as education programs and other programs that are not under the jurisdiction of the U.S. DOL, as well as other programs. United States Department of Labor, *Wage Record Interchange System (WRIS) 2*, <http://www.doleta.gov/performance/wris2.cfm> (last

allow Florida to assess education and workforce outcomes to determine the state's return on investment and strategies to address specific concerns.

- By June 30, 2014, the commissioner must improve and streamline access to data maintained by the K-20 data warehouse by creating and fully implementing two systems:
 - A web-based interface designed to serve as a single location for public to access aggregated data from the K-20 data warehouse.

Currently, to access reports prepared by the DOE, researchers must navigate the DOE's Internet website extensively to find links to the reports that are housed in "multiple and disparate website locations".⁵⁸ To improve and streamline access to data, the DOE is in the process of developing a single, customer-friendly, Web-based interface.⁵⁹ The DOE estimates that the department will implement the Web-based interface by June 2014.⁶⁰ The bill codifies the Web-based interface.

- A self-service, restricted access component of the K-20 data warehouse called the "Research Engine" that is capable of providing student-level data to organizations and authorized representatives under FERPA. The Research Engine must be accessible at the DOE's headquarters or by other secure means as agreed upon by the organizations or authorized representatives and the department.

The DOE is in the process of developing a system to provide "authorized users with single sign-on access to confidential student and staff information" pursuant to the FERPA regulation. Additionally, the DOE is working to further enhance the availability of statewide longitudinal data systems by automating the approval process for gaining access to student-level data and by implementing a self-service, restricted access data repository called the "Sandbox" for authorized users.⁶¹ The DOE estimates that the Sandbox will be implemented by June 2014.⁶² The bill codifies the Research Engine.

The bill requires that authorized representatives include the Executive Office of the Governor, the Florida Legislature, the Florida Auditor General, the Office of

visited Feb. 14, 2013). Currently, 24 states and one territory participate in the WRIS 2: Arizona, Arkansas, Florida, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Dakota, Tennessee, Texas, Utah, and Wyoming. E-mail, Florida Department of Economic Opportunity (Jan. 25, 2013), on file with the Committee on Education staff.

⁵⁸ Florida Department of Education, *Florida's Race To The Top Application for Initial Funding* (Jan. 19, 2010), at 90, available at <http://www.fldoe.org/arra/pdf/rttt-apbud.pdf>.

⁵⁹ Florida Department of Education, *Florida's Race To The Top Application for Initial Funding* (Jan. 19, 2010), at 93-94, available at <http://www.fldoe.org/arra/pdf/rttt-apbud.pdf>.

⁶⁰ Telephone interview with staff from the Division of Accountability, Research, and Measurement, Florida Department of Education (March 1, 2013).

⁶¹ Florida Department of Education, *Florida's Race To The Top Application for Initial Funding* (Jan. 19, 2010), at 94-95 and 106, available at <http://www.fldoe.org/arra/pdf/rttt-apbud.pdf>; see also Florida Department of Education, *Statewide Longitudinal Data Systems*, <http://www.fldoe.org/arm/slds/default.asp> (last visited March 1, 2013).

⁶² Telephone interview with staff from the Division of Accountability, Research, and Measurement, Florida Department of Education (March 1, 2013).

Program Policy Analysis and Government Accountability, the district school boards, the Florida College System institutions, and Florida's state universities or entities approved by the DOE. Requests from the Executive Office of the Governor, the Florida Legislature, the Florida Auditor General, the Office of Program Policy Analysis and Government Accountability must be given priority over other data requests and must be provided free of charge.

The bill requires the DOE to adopt procedures regarding implementation of the web-based interface and the Research Engine.

Data access procedures

Pursuant to the revised guidelines provided by the U.S. DOE regarding FERPA⁶³, the bill specifies the it is the intent of the Legislature that the commissioner interpret FERPA in the least restrictive manner possible to allow data linkages among institutions across all educational delivery systems. However, the bill also specifies that that legislative intent does not abrogate the provisions of current state law regarding student records and FERPA.

The bill requires that access to the Research Engine must not be conditioned upon or limited to studies, audits, or evaluations that support the research agenda of the SBE, commissioner, or the DOE. The procedures to access data through the Research Engine are as follows:

- The commissioner must create a website for organizations and authorized representatives to submit data requests. The website must generate an automated acknowledgement of each data request.
- Each acknowledgement of a data request must include a username and password to view the order and status of completion of that data request and a link to the directory of data elements which provides a detailed description of each data request.
- Within 90 days after acknowledging each data request, the DOE must provide technical assistance regarding the written agreement which organizations or authorized representatives must execute with the commissioner before access to data is granted by the department. However, the bill does not require organizations and authorized representatives to wait for 90 days to obtain access to data through the Research Engine. Organizations or authorized representatives, may, execute the written agreement with the DOE at any time after submitting a data request.

Data requests must be completed within 90 days after the written agreement is executed, unless the written agreement specifies otherwise. The bill authorizes organizations and authorized representatives to request additional data from the DOE after executing the written agreement with the department by amending the written agreement. The deadline for fulfilling such data request may be adjusted accordingly.

⁶³ 76 FR (Dec. 2, 2011).

- Based on the recommendations by the U.S. DOE regarding items that should be considered for inclusion in the written agreement to protect data, the bill requires that the following terms and conditions regarding access to and use of data be specified in the written agreement:
 1. An explicit statement of the purpose, scope, and duration of the activity to clarify that the activity is permissible under FERPA and that the activity does not further a commercial, trade, or profit interest.
 2. Identification of data elements to complete a study, an audit, or an evaluation.
 3. Identification of the FERPA exception relied upon to obtain data.
 4. Requirements regarding procedures to secure data.
 5. Requirements limiting the use of data to meet only the purpose stated in the written agreement.
 6. Requirements regarding disciplinary policies for organizations and authorized representatives which violate FERPA or the written agreement.
 7. Prohibitions regarding unauthorized access to or use of data obtained pursuant to the written agreement.
 8. Requirements regarding destruction of PII data.
 9. Requirements regarding background screening of organizations and authorized representatives.
 10. Requirements regarding the assessment of liquidated damages for unauthorized disclosure of PII data or violation of the terms and conditions of the written agreement.
 11. Identification of deliverables (e.g., a copy of the final study, audit, or evaluation) to be provided by organizations or authorized representatives within 1 year after the date of execution of the written agreement, unless the written agreement specifies otherwise. If all the deliverables are not provided timely to the DOE, the commissioner may assess liquidated damages as specified in the written agreement.

The DOE must maintain a copy of reports prepared and submitted by such entities. This requirement will enable the DOE to confirm that organizations and authorized users use data for the purposes specified in the written agreement pursuant to the recommendations for best practices

regarding FERPA⁶⁴.

12. Requirements regarding maintaining the confidentiality of information that are exempt from public disclosure pursuant to federal or state law.
13. Requirements regarding service charge to access data through the Research Engine.

The bill requires the DOE to create and implement a pricing structure that is self-sustainable to recover actual costs to fulfill a data request. This requirement will allow the DOE to address workload and staffing issues regarding data requests. The bill authorizes the commissioner to waive or reduce the service charge. Funds collected from the service charge must be deposited in the Operating Trust Fund⁶⁵.

The DOE must maintain and continually update a list of organizations and authorized representatives that obtain data from the Research Engine on the web-based interface. The list must include at least the following information: the date of receipt of each data request, response time to address each data request, and current status of each data request. This requirement will promote greater transparency and accountability regarding access to and use of data maintained by the K-20 data warehouse.

The bill provides to the DOE rulemaking authority regarding the written agreement and the service charge.

Articulation Coordinating Committee

The bill adds to the responsibilities of the ACC by specifying that the committee facilitate timely reporting of statewide education data by all educational delivery systems and make recommendations regarding access, quality, and reporting of data maintained by the K-20 data warehouse.

Higher Education Coordinating Council

The bill adds to the purposes of the HECC by specifying that the council must facilitate solutions to data issues identified by the ACC and promote the adoption of a common set of data elements identified by the National Center for Education Statistics to facilitate sharing of data within and across states.

⁶⁴ United States Department of Education, *Guidance for Reasonable Methods and Written Agreements*, at A-3, A-5, and A-7, <http://www2.ed.gov/policy/gen/guid/fpco/hottopics/index.html> (last visited Jan. 28, 2013).

⁶⁵ The Operating Trust Fund which is created within the DOE “is established for use as a depository for funds to be used for program operations funded by program revenues.” Section 1001.281(1) and (2), F.S.

K-12 SCHOOL PERFORMANCE ACCOUNTABILITY

School Grades

The bill defines a colocated school as one that: has its own Master School Identification (MSID) number; provides the education for each of its enrolled students; and operates at a facility which is the same facility for another school that has its own unique MSID number and provides education for each of its enrolled students. If a school that is colocated with other schools does not receive a school grade or school improvement rating, the student performance data for all the colocated schools at that facility must be aggregated and assigned to each of the colocated schools at the facility.

To increase the number of schools receiving a school grade, the bill requires all schools that meet or exceed the minimum sample size of 10 to receive a school grade.

Alternative Schools

The bill provides that if an alternative school serves at least 10 students who are tested on statewide assessments in the current and prior year, the alternative school must report to the parents of each enrolled student: learning gains, industry certification rate, college readiness rate, dropout rate, graduation rate, and the student's progress toward meeting high school graduation requirements. This additional information will enable parents to make informed decisions regarding the education of their students, especially for students who attend schools that do not receive a school grade or school improvement rating.

The bill authorizes an alternative school to receive a school improvement rating if at least 80% of the students in that alternative school are tested on statewide assessments. An alternative school that tests less than 90% of the students in the school may not receive a school improvement rating higher than "Maintaining."

The bill clarifies that for the purposes of determining school grade, the achievement scores and learning gains for a hospital- or homebound student must be assigned to the student's home school if the student was enrolled in the home school during the October and February FTE count in the prior school year.

Comprehensive Management Information Systems

The bill requires the DOE to develop criteria for issuing and revoking master school identification numbers to support the maintenance of education records, to enforce and support education accountability, and support the distribution of funds to school districts and school districts' financial reports, and assist the commissioner in carrying out the duties set forth in current law⁶⁶.

Finally, the bill repeals section 1008.31(3)(d) and (e), Florida Statutes, relating to Paperwork Reduction. Legislation enacted in 2010 required the commissioner to annually monitor and

⁶⁶ Sections 1001.10 and 1001.11, F.S.

review paperwork, data collection, and reporting requirements and report recommendations for eliminating or consolidating such requirements.⁶⁷ Although this provision is intended to reduce paperwork, it actually creates more paperwork for the DOE and school districts. The DOE and school district superintendents concur with the repeal of these provisions.⁶⁸

Other Potential Implications:

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have a fiscal impact on the DOE to implement the web-based interface and Research Engine.

VI. Technical Deficiencies:

None.

⁶⁷ Section 199, ch. 2010-102, L.O.F., *codified at* s. 1008.31(3)(d)-(e), F.S.

⁶⁸ Florida Department of Education, *School District Superintendent Survey* (Oct. 25, 2012), at 3, http://www.fldoe.org/news/2012/2012_11_05-2.asp (last visited March 1, 2013). The School District Superintendent Survey incorrectly references s. 1001.42(24), F.S. for reducing paperwork and data collection and reporting.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Committee on Education on March 6, 2013:**

The committee substitute differs from SB 878 in that the committee substitute:

- Clarifies legislative intent regarding the commissioner interpreting the FERPA in the least restrictive manner for the purposes of allowing data linkages among institutions across all education delivery systems and specifies that the intent does not abrogate the provisions of state and federal law.
- Authorizes the DOE to approve entities as authorized representatives in addition to the entities that are specified in the bill.
- Replaces K-12 accountability language regarding schools-within-a-school with language that is more specific to colocated schools and criteria for the determination of school grades and school improvement ratings for all public schools including alternative schools.
- Clarifies for the purposes of determining school grade, the scores for a hospital- or homebound student must be assigned to the student's home school if the student was enrolled in the home school during the October and February FTE count in the prior school year.
- Repeals s. 1008.31(3)(d) and (e), F.S. regarding paperwork reduction.

B. Amendments:

None.

By Senator Galvano

26-00436L-13

2013878__

1 A bill to be entitled
 2 An act relating to education accountability; amending
 3 s. 1002.22, F.S.; requiring the State Board of
 4 Education to notify the Legislature of any major
 5 changes in federal law which may affect the state's K-
 6 20 education performance accountability system;
 7 amending s. 1004.015, F.S.; providing that one of the
 8 purposes of the Higher Education Coordinating Council
 9 is to facilitate solutions to data issues identified
 10 by the Articulation Coordinating Committee to improve
 11 the K-20 education performance accountability system;
 12 revising the guiding principles for recommendations of
 13 the Higher Education Coordinating Council; amending s.
 14 1005.22, F.S.; revising the duties of the Commission
 15 for Independent Education with regard to collecting
 16 and distributing current data regarding institutions
 17 licensed by the commission; providing reporting
 18 requirements; requiring the commission to annually
 19 report the data to the department by a specified date;
 20 amending s. 1007.01, F.S.; requiring the Articulation
 21 Coordinating Committee to make recommendations related
 22 to statewide policies and issues regarding access,
 23 quality, and reporting of data maintained by the K-20
 24 data warehouse; revising the committee's duties
 25 related to collecting and reporting of statewide
 26 education data; amending s. 1008.31, F.S.; revising
 27 the legislative intent with regard to the state's K-20
 28 education performance accountability system; requiring
 29 the Board of Governors to make available to the

Page 1 of 23

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00436L-13

2013878__

30 Department of Education all data within the State
 31 University Database System which is to be integrated
 32 into the K-20 data warehouse; requiring the
 33 Commissioner of Education to have access to certain
 34 data for the added purpose of providing data to
 35 organizations and certain authorized representatives;
 36 requiring all public educational institutions to
 37 annually provide data from the prior year to the K-20
 38 data warehouse in a format based on data elements
 39 identified by the commissioner; requiring colleges and
 40 universities eligible to participate in the William L.
 41 Boyd, IV, Florida Resident Access Grant Program to
 42 report current data from the prior year for each
 43 student who receives state funds in a format
 44 prescribed by the Department of Education; providing
 45 reporting requirements; requiring these colleges and
 46 universities to annually report the data to the
 47 department by a specified date; requiring the
 48 commissioner to collaborate with the Department of
 49 Economic Opportunity to develop procedures for the
 50 ability to tie student-level data to student and
 51 workforce outcome data contained in the Wage Record
 52 Interchange System; requiring the commissioner to
 53 improve and streamline by a specified date access to
 54 data maintained by the K-20 data warehouse by creating
 55 and fully implementing a web-based interface and a
 56 self-service, restricted access component of the K-20
 57 data warehouse called the "Research Engine"; providing
 58 requirements for the Research Engine; providing

Page 2 of 23

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00436L-13

2013878__

59 requirements for a written agreement to access the
 60 Research Engine; requiring the adoption of rules and
 61 procedures; requiring the Department of Education to
 62 share education records of students which may contain
 63 students' personally identifiable information with
 64 organizations and authorized representatives pursuant
 65 to the studies and audit and evaluation exceptions
 66 under the Family Educational Rights and Privacy Act;
 67 amending s. 1008.34, F.S.; requiring a school that is
 68 eligible to receive a school grade to be a fully
 69 functioning, stand-alone school; requiring each
 70 district school board to identify schools within
 71 schools operating at the same physical location if
 72 such schools have different school identification
 73 numbers; requiring each district school board to
 74 report to the Department of Education the appropriate
 75 accountability school type during the department's
 76 annual review of accountability school types;
 77 requiring that a school must be reported as the home
 78 school and the other schools reported as schools-
 79 within-a-school if more than one school serving the
 80 same grade levels is operating in the same physical
 81 location; providing that performance data for students
 82 enrolled at schools within schools must be assigned to
 83 the reported home school for inclusion in the home
 84 school's grade; providing an effective date.

86 Be It Enacted by the Legislature of the State of Florida:
 87

26-00436L-13

2013878__

88 Section 1. Paragraph (b) of subsection (3) of section
 89 1002.22, Florida Statutes, is amended to read:
 90 1002.22 Education records and reports of K-12 students;
 91 rights of parents and students; notification; penalty.—
 92 (3) DUTIES AND RESPONSIBILITIES.—The State Board of
 93 Education shall:
 94 (b) Monitor the FERPA and notify the Legislature of any
 95 significant change to the requirements of the FERPA or other
 96 major changes in federal law which may impact this section or s.
 97 1008.31.
 98 Section 2. Subsection (1) of section 1004.015, Florida
 99 Statutes, is amended, and paragraph (f) is added to subsection
 100 (3) of that section, to read:
 101 1004.015 Higher Education Coordinating Council.—
 102 (1) The Higher Education Coordinating Council is created
 103 for the purposes of identifying unmet needs; ~~and~~ facilitating
 104 solutions to disputes regarding the creation of new degree
 105 programs and the establishment of new institutes, campuses, or
 106 centers; and facilitating solutions to data issues identified by
 107 the Articulation Coordinating Committee pursuant to s. 1007.01
 108 to improve the K-20 education performance accountability system.
 109 (3) The council shall serve as an advisory board to the
 110 Legislature, the State Board of Education, and the Board of
 111 Governors. Recommendations of the council shall be consistent
 112 with the following guiding principles:
 113 (f) To promote adoption by the members of the council a
 114 common set of data elements identified by the National Center
 115 for Education Statistics to support the effective exchange of
 116 data within and across states.

26-00436L-13

2013878

117 Section 3. Paragraph (i) of subsection (1) of section
 118 1005.22, Florida Statutes, is amended to read:
 119 1005.22 Powers and duties of commission.—
 120 (1) The commission shall:
 121 (i) Serve as a central agency for collecting and
 122 distributing current information regarding institutions licensed
 123 by the commission. The commission shall annually collect, and
 124 all institutions licensed by the commission shall annually
 125 report, student-level data from the prior year for each student
 126 who receives state funds, in a format prescribed by the
 127 Department of Education. At a minimum, data from the prior year
 128 must shall be reported annually and include retention rates,
 129 transfer rates, completion rates, graduation rates, employment
 130 and placement rates, and earnings of graduates. By December 31,
 131 2013, the commission shall report the data for the 2012-2013
 132 academic year to the Department of Education. By October 1 of
 133 each year thereafter, the commission shall report the data to
 134 the department.

135 Section 4. Subsection (3) of section 1007.01, Florida
 136 Statutes, is amended to read:
 137 1007.01 Articulation; legislative intent; purpose; role of
 138 the State Board of Education and the Board of Governors;
 139 Articulation Coordinating Committee.—
 140 (3) The Commissioner of Education, in consultation with the
 141 Chancellor of the State University System, shall establish the
 142 Articulation Coordinating Committee which shall make
 143 recommendations related to statewide articulation policies and
 144 issues regarding access, quality, and reporting of data
 145 maintained by the K-20 data warehouse established pursuant to

26-00436L-13

2013878

146 ss. 1001.10 and 1008.31, to the Higher Education Coordination
 147 Council, the State Board of Education, and the Board of
 148 Governors. The committee shall consist of two members each
 149 representing the State University System, the Florida College
 150 System, public career and technical education, public K-12
 151 education, and nonpublic education and one member representing
 152 students. The chair shall be elected from the membership. The
 153 committee shall:

154 (a) Monitor the alignment between the exit requirements of
 155 one education system and the admissions requirements of another
 156 education system into which students typically transfer and make
 157 recommendations for improvement.

158 (b) Propose guidelines for interinstitutional agreements
 159 between and among public schools, career and technical education
 160 centers, Florida College System institutions, state
 161 universities, and nonpublic postsecondary institutions.

162 (c) Annually recommend dual enrollment course and high
 163 school subject area equivalencies for approval by the State
 164 Board of Education and the Board of Governors.

165 (d) Annually review the statewide articulation agreement
 166 pursuant to s. 1007.23 and make recommendations for revisions.

167 (e) Annually review the statewide course numbering system,
 168 the levels of courses, and the application of transfer credit
 169 requirements among public and nonpublic institutions
 170 participating in the statewide course numbering system and
 171 identify instances of student transfer and admissions
 172 difficulties.

173 (f) Annually publish a list of courses that meet common
 174 general education and common degree program prerequisite

26-00436L-13 2013878

175 requirements at public postsecondary institutions identified
176 pursuant to s. 1007.25.

177 (g) Foster timely collection and reporting of statewide
178 education data ~~Examine statewide data regarding articulation to~~
179 ~~identify issues and make recommendations to improve articulation~~
180 ~~throughout the K-20 education performance accountability system~~
181 ~~by:-~~

182 1. Facilitating timely reporting of data by all educational
183 delivery systems to the K-20 data warehouse established pursuant
184 to ss. 1001.10 and 1008.31.

185 2. Facilitating timely reporting of data by the K-20 data
186 warehouse to organizations and authorized representatives
187 pursuant to s. 1008.31.

188 3. Identifying data issues including, but not limited to,
189 data quality and accessibility.

190 (h) Recommend roles and responsibilities of public
191 education entities in interfacing with the single, statewide
192 computer-assisted student advising system established pursuant
193 to s. 1006.73.

194 Section 5. Paragraph (f) is added to subsection (1) of
195 section 1008.31, Florida Statutes, subsection (3) is amended,
196 present subsection (4) is redesignated as subsection (5), and a
197 new subsection (4) is added to that section, to read:

198 1008.31 Florida's K-20 education performance accountability
199 system; legislative intent; mission, goals, and systemwide
200 measures; data quality improvements.—

201 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
202 that:

203 (f) The Commissioner of Education interpret the Family

26-00436L-13 2013878

204 Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g,
205 in the least restrictive manner possible to allow data linkage
206 across all educational delivery systems and to provide to
207 organizations and authorized representatives pursuant to
208 subsection (4) access to data maintained by the K-20 data
209 warehouse in a manner consistent with ss. 1002.22, 1002.221, and
210 1006.52 and FERPA.

211 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
212 data required to implement education performance accountability
213 measures in state and federal law, the commissioner ~~of Education~~
214 shall initiate and maintain strategies to improve data quality
215 and timeliness. The Board of Governors shall make available to
216 the department all data within the State University Database
217 System to ~~collected from state universities shall, as determined~~
218 by the commissioner, be integrated into the K-20 data warehouse.
219 The commissioner shall have unlimited access to such data ~~solely~~
220 for the purposes of conducting studies, reporting annual and
221 longitudinal student outcomes, ~~and~~ improving college readiness
222 and articulation, and providing data to organizations and
223 authorized representatives pursuant to subsection (4). All
224 public educational institutions shall annually provide data from
225 the prior year to the K-20 data warehouse in a format based on
226 data elements identified ~~specified~~ by the commissioner.

227 (a) School districts and public postsecondary educational
228 institutions shall maintain information systems that will
229 provide the State Board of Education, the Board of Governors of
230 the State University System, and the Legislature with
231 information and reports necessary to address the specifications
232 of the accountability system. The level of comprehensiveness and

26-00436L-13 2013878
 233 quality ~~must shall~~ be no less than that which was available as
 234 of June 30, 2001.

235 (b) Colleges and universities eligible to participate in
 236 the William L. Boyd, IV, Florida Resident Access Grant Program
 237 shall annually report student-level data from the prior year for
 238 each student who receives state funds in a format prescribed by
 239 the Department of Education. At a minimum, data from the prior
 240 year must shall be reported annually to the department and
 241 include retention rates, transfer rates, completion rates,
 242 graduation rates, employment and placement rates, and earnings
 243 of graduates. By December 31, 2013, the colleges and
 244 universities described in this paragraph shall report the data
 245 for the 2012-2013 academic year to the department. By October 1
 246 of each year thereafter, the colleges and universities described
 247 in this paragraph shall report the data to the department.

248 (c) The Commissioner of Education shall determine the
 249 standards for the required data, monitor data quality, and
 250 measure improvements. The commissioner shall report annually to
 251 the State Board of Education, the Board of Governors of the
 252 State University System, the President of the Senate, and the
 253 Speaker of the House of Representatives data quality indicators
 254 and ratings for all school districts and public postsecondary
 255 educational institutions.

256 (d) The commissioner shall continuously monitor and review
 257 the collection of paperwork, data, and reports by school
 258 districts and complete an annual review of such collection ~~by no~~
 259 ~~later than~~ June 1 of each year. The annual review must include
 260 recommendations for consolidating paperwork, data, and reports,
 261 wherever feasible, in order to reduce the burdens on school

26-00436L-13 2013878
 262 districts.

263 (e) By July 1 of each year, the commissioner shall prepare
 264 a report assisting the school districts in eliminating or
 265 consolidating paperwork, data, and reports by providing
 266 suggestions, technical assistance, and guidance.

267 (f) Before establishing any new reporting or data
 268 collection requirements, the commissioner ~~of Education~~ shall use
 269 utilize existing data being collected to reduce duplication and
 270 minimize paperwork.

271 (g) The commissioner shall collaborate with the executive
 272 director of the Department of Economic Opportunity to develop
 273 procedures for the ability to tie student-level data to student
 274 and workforce outcome data contained in the Wage Record
 275 Interchange System.

276 (h) By June 30, 2014, the commissioner shall improve and
 277 streamline access to data maintained by the K-20 data warehouse
 278 by creating and fully implementing:

279 1. A web-based interface for parents, students, teachers,
 280 principals, local educational agency leaders, community members,
 281 researchers, policymakers, and other constituents which is
 282 engaging, informative, and customer-friendly.

283 a. The web-based interface must provide a single location
 284 for public access to aggregated data from the K-20 data
 285 warehouse which do not contain personally identifiable
 286 information or any other information that is confidential
 287 pursuant to applicable law.

288 b. Personally identifiable information from education
 289 records of students, or any other information that is
 290 confidential pursuant to applicable law, must be redacted or

26-00436L-13 2013878

291 aggregated, or the confidentiality otherwise protected by de-
 292 identification, anonymization, or any combination thereof.

293 2. A self-service, restricted access component of the K-20
 294 data warehouse, called the "Research Engine," which is:

295 a. Restricted to organizations and authorized
 296 representatives pursuant to subsection (4). The commissioner
 297 shall create a website for organizations and authorized
 298 representatives to submit data requests. The website shall
 299 generate an automated acknowledgement of each data request. Each
 300 acknowledgement of a data request must include a username and
 301 password to view the order and status of completion of the data
 302 request and a link to the directory of data elements which
 303 provides a detailed description of each data element. Within 90
 304 days after acknowledging each data request, the department shall
 305 provide to organizations or authorized representatives technical
 306 assistance regarding the written agreement required under sub-
 307 paragraph d. However, organizations and authorized
 308 representatives may execute the written agreement with the
 309 department at any time after submitting a data request. Data
 310 requests must be completed within 90 days after the written
 311 agreement is executed, unless the written agreement specifies
 312 otherwise.

313 b. Capable of providing access to education records of
 314 students which may contain students' personally identifiable
 315 information in the K-20 data warehouse.

316 c. Accessible at the department's headquarters or by other
 317 secure means as agreed upon in writing by the parties.

318 d. Accessible after an organization or an authorized
 319 representative executes a written agreement with the

26-00436L-13 2013878

320 commissioner. The written agreement must include, but need not
 321 be limited to:

322 (I) Identification of the purpose, scope, and duration of
 323 the activity with sufficient specificity to make clear that the
 324 activity falls within permissible uses authorized by FERPA and
 325 does not further a commercial, trade, or profit interest.

326 (II) Identification of the data elements necessary to
 327 complete a study, an audit, or an evaluation. The department
 328 shall provide assistance to organizations and authorized
 329 representatives regarding selection of data elements to fulfill
 330 data requests. Requests for additional data by an organization
 331 or an authorized representative may be made by amending the
 332 written agreement. The deadline for fulfilling a data request
 333 may be adjusted accordingly.

334 (III) Identification of the FERPA exception relied upon to
 335 obtain education records of students which may contain students'
 336 personally identifiable information.

337 (IV) Requirements regarding procedures for securing data,
 338 including, but not limited to, a data security plan. The
 339 Department of Education shall reserve the right to conduct
 340 security audits or reviews as necessary.

341 (V) Requirements limiting the use of education records of
 342 students which contain students' personally identifiable
 343 information to meet only the purpose stated in the written
 344 agreement.

345 (VI) Requirements establishing disciplinary policies for
 346 organizations and authorized representatives which violate FERPA
 347 or the written agreement.

348 (VII) Prohibitions regarding access to or use of education

26-00436L-13 2013878__

349 records of students which contain students' personally
 350 identifiable information obtained pursuant to the written
 351 agreement by anyone not authorized to have such access or use by
 352 the department.

353 (VIII) Requirements regarding destruction of all personally
 354 identifiable information from education records of students
 355 which are received pursuant to the written agreement and
 356 specification of when the information must be destroyed.

357 (IX) Requirements regarding background screening of
 358 organizations and authorized representatives.

359 (X) Requirements regarding the assessment of liquidated
 360 damages for unauthorized disclosure of education records of
 361 students which contain students' personally identifiable
 362 information or for violation of terms and conditions of the
 363 written agreement.

364 (XI) Identification of deliverables to be provided by the
 365 organization or authorized representative. The deliverables must
 366 include, but are not limited to, as appropriate: a copy of the
 367 final study, audit, or evaluation; or if no study, audit, or
 368 evaluation is completed, a report identifying such with a copy
 369 of unfinished research; a copy of reports, publications, papers,
 370 theses, or similar documents; and certification by the
 371 organization or authorized representative stating the final
 372 status of deliverables and confirming compliance with all
 373 provisions of the written agreement. The deliverables shall be
 374 provided to the department within 1 year after the date of
 375 execution of the written agreement, unless the written agreement
 376 specifies otherwise. The Commissioner of Education may assess
 377 liquidated damages specified in the written agreement if all

26-00436L-13 2013878__

378 deliverables are not timely provided to the Department of
 379 Education.

380 (XII) Requirements regarding maintaining the
 381 confidentiality of any information that is exempt from s.
 382 119.071(1) and s. 24(a), Art. I of the State Constitution, or
 383 that is otherwise made confidential by state or federal law.

384 (XIII) Requirements regarding a service charge identified
 385 in sub-subparagraph e.

386

387 The Department of Education shall develop and the State Board of
 388 Education shall adopt rules regarding the written agreement.

389 e. Funded by creating and implementing a pricing structure
 390 that is self-sustainable with the goal that the service charge
 391 for use of the Research Engine recovers actual costs to fulfill
 392 a data request. The commissioner may waive or reduce the service
 393 charge for fulfilling a data request. Funds collected from the
 394 service charge shall be deposited into the Operating Trust Fund.
 395 The department shall develop and the State Board of Education
 396 shall adopt rules regarding the service charge.

397 f. Linked to a list of organizations and authorized
 398 representatives that obtain data from the Research Engine on the
 399 web-based interface in subparagraph 1. The list must include,
 400 but need not be limited to, the date of receipt of each data
 401 request, response time to address each data request, and current
 402 status of each data request. The department shall continually
 403 update the list and maintain a copy of reports prepared and
 404 submitted by the organizations and authorized representatives.
 405

406 The department shall adopt procedures to implement the web-based

26-00436L-13 2013878

407 interface and the Research Engine established pursuant to this
408 subsection.

409 (4) ACCESS TO THE K-20 DATA WAREHOUSE.—Pursuant to the
410 studies exception under FERPA, and the federal regulations
411 issued pursuant thereto, specifically, including, but not
412 limited to, organizations conducting studies for, or on behalf
413 of, educational agencies and institutions as provided in 34
414 C.F.R. 99.31(a)(6), shall be given access to data maintained by
415 the K-20 data warehouse in a manner consistent with ss. 1002.22,
416 1002.221, and 1006.52 and FERPA. Pursuant to the audit or
417 evaluation exception under FERPA, specifically including, but
418 not limited to, authorized representatives conducting an audit
419 or an evaluation of a Federal- or state-supported education
420 program as provided in 34 C.F.R. 99.31(a)(3), shall be given
421 access to the data maintained by the K-20 data warehouse in a
422 manner consistent with ss. 1002.22, 1002.221, and 1006.52 and
423 FERPA.

424 (a) Requests by organizations or authorized representatives
425 for access to education records of students which may contain
426 students' personally identifiable information, with the
427 exception of requests from the Executive Office of the Governor,
428 the Florida Legislature, the Florida Auditor General, and the
429 Office of Program Policy Analysis and Government Accountability,
430 shall be submitted through the Research Engine established
431 pursuant to subparagraph (3)(h)2. Access to the Research Engine
432 is not conditioned upon or limited to studies, audits, or
433 evaluations that support the research agenda, interests, or
434 priorities of the State Board of Education, the commissioner, or
435 the department.

Page 15 of 23

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00436L-13 2013878

436 (b) Authorized representatives include, but are not limited
437 to, the Executive Office of the Governor, the Florida
438 Legislature, the Florida Auditor General, the Office of Program
439 Policy Analysis and Government Accountability, the Florida
440 district school boards, Florida College System institutions, and
441 Florida state universities.

442 (c) Requests for data from the Executive Office of the
443 Governor, the Florida Legislature, the Florida Auditor General,
444 and the Office of Program Policy Analysis and Government
445 Accountability, shall be given a priority over other data
446 requests and shall be provided free of charge.

447 Section 6. Present subsections (3) through (8) of section
448 1008.34, Florida Statutes, are redesignated as subsections (4)
449 through (9), respectively, a new subsection (3) is added, and
450 present subsection (3) is amended to read:

451 1008.34 School grading system; school report cards;
452 district grade.—

453 (3) SCHOOLS FOR ACCOUNTABILITY PURPOSES AND SCHOOLS WITHIN
454 SCHOOLS.—A school that is eligible to receive a school grade
455 must be a fully functioning, stand-alone school that provides
456 for the education of each of the students served. Each district
457 must annually identify each school-within-a-school operating at
458 the same physical location if those schools have different
459 school identification numbers. For accountability purposes, each
460 district shall report to the Department of Education the
461 appropriate accountability school type for these schools during
462 the department's annual review of accountability school types.
463 If more than one school is serving the same grade levels and
464 operating in the same location, one of the schools must be

Page 16 of 23

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00436L-13 2013878
 465 reported as the home school and each other school reported as a
 466 school-within-a-school. Performance data for students enrolled
 467 at a school-within-a-school must be assigned to the reported
 468 home school as described in this section for inclusion in the
 469 home school's grade.

470 (4)(3) DESIGNATION OF SCHOOL GRADES.—

471 (a) Each school that has students who are tested and
 472 included in the school grading system shall receive a school
 473 grade, except as follows:

474 1. A school may ~~shall~~ not receive a school grade if the
 475 number of its students tested and included in the school grading
 476 system is less than the minimum sample size necessary, based on
 477 accepted professional practice, for statistical reliability and
 478 prevention of the unlawful release of personally identifiable
 479 student data under s. 1002.22 or 20 U.S.C. s. 1232g.

480 2. An alternative school may choose to receive a school
 481 grade under this section or a school improvement rating under s.
 482 1008.341. For charter schools that meet the definition of an
 483 alternative school pursuant to State Board of Education rule,
 484 the decision to receive a school grade is the decision of the
 485 charter school governing board.

486 3. A school that serves any combination of students in
 487 kindergarten through grade 3 which does not receive a school
 488 grade because its students are not tested and included in the
 489 school grading system shall receive the school grade designation
 490 of a K-3 feeder pattern school identified by the Department of
 491 Education and verified by the school district. A school feeder
 492 pattern exists if at least 60 percent of the students in the
 493 school serving a combination of students in kindergarten through

26-00436L-13 2013878
 494 grade 3 are scheduled to be assigned to the graded school.
 495 4. Performance data for students attending a reported
 496 school-within-a-school must be assigned to the home school for
 497 inclusion in the home school's grade as described in this
 498 paragraph, and the school-within-a-school must not be graded
 499 separately.

500 (b)1. A school's grade shall be based on a combination of:

501 a. Student achievement scores, including achievement as
 502 measured by FCAT assessments under s. 1008.22(3)(c)1.,
 503 statewide, standardized end-of-course assessments under s.
 504 1008.22(3)(c)2.a. and b., and achievement scores for students
 505 seeking a special diploma.

506 b. Student learning gains in reading and mathematics as
 507 measured by FCAT and statewide, standardized end-of-course
 508 assessments, as described in s. 1008.22(3)(c)1. and 2.a.,
 509 including learning gains for students seeking a special diploma,
 510 as measured by an alternate assessment.

511 c. Improvement of the lowest 25th percentile of students in
 512 the school in reading and mathematics on the FCAT or end-of-
 513 course assessments described in s. 1008.22(3)(c)2.a., unless
 514 these students are exhibiting satisfactory performance.

515 2. Beginning with the 2011-2012 school year, for schools
 516 comprised of middle school grades 6 through 8 or grades 7 and 8,
 517 the school's grade shall include the performance and
 518 participation of its students enrolled in high school level
 519 courses with end-of-course assessments administered under s.
 520 1008.22(3)(c)2.a. Performance and participation must be weighted
 521 equally. As valid data becomes available, the school grades
 522 shall include the students' attainment of national industry

26-00436L-13 2013878

523 certification identified in the Industry Certification Funding
 524 List pursuant to rules adopted by the state board.

525 3. Beginning with the 2009-2010 school year for schools
 526 comprised of high school grades 9, 10, 11, and 12, or grades 10,
 527 11, and 12, at least 50 percent of the school grade shall be
 528 based on a combination of the factors listed in sub-
 529 subparagraphs 1.a.-c. and the remaining percentage on the
 530 following factors:

531 a. The high school graduation rate of the school;

532 b. As valid data becomes available, the performance and
 533 participation of the school's students in College Board Advanced
 534 Placement courses, International Baccalaureate courses, dual
 535 enrollment courses, and Advanced International Certificate of
 536 Education courses; and the students' achievement of national
 537 industry certification identified in the Industry Certification
 538 Funding List, pursuant to rules adopted by the state board;

539 c. Postsecondary readiness of all of the school's on-time
 540 graduates as measured by the SAT, the ACT, the Postsecondary
 541 Education Readiness Test, or the common placement test;

542 d. The high school graduation rate of at-risk students, who
 543 are students scoring at Level 1 or Level 2 on grade 8 FCAT
 544 Reading and FCAT Mathematics;

545 e. As valid data becomes available, the performance of the
 546 school's students on statewide, standardized end-of-course
 547 assessments administered under s. 1008.22(3)(c)2.c. and d.; and

548 f. The growth or decline in the components listed in sub-
 549 subparagraphs a.-e. from year to year.

550 (c) Student assessment data used in determining school
 551 grades must ~~shall~~ include:

26-00436L-13 2013878

552 1. The aggregate scores of all eligible students enrolled
 553 in the school who have been assessed on the FCAT and statewide,
 554 standardized end-of-course assessments in courses required for
 555 high school graduation, including, beginning with the 2011-2012
 556 school year, the end-of-course assessment in Algebra I; and
 557 beginning with the 2012-2013 school year, the end-of-course
 558 assessments in geometry and Biology I; and beginning with the
 559 2014-2015 school year, on the statewide, standardized end-of-
 560 course assessment in civics education at the middle school
 561 level.

562 2. The aggregate scores of all eligible students enrolled
 563 in the school who have been assessed on the FCAT and statewide,
 564 standardized end-of-course assessments as described in s.
 565 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
 566 percentile of students in the school in reading and mathematics,
 567 unless these students are exhibiting satisfactory performance.

568 3. The achievement scores and learning gains of eligible
 569 students attending alternative schools that provide dropout
 570 prevention and academic intervention services pursuant to s.
 571 1003.53. The term "eligible students" in this subparagraph does
 572 not include students attending an alternative school who are
 573 subject to district school board policies for expulsion for
 574 repeated or serious offenses, who are in dropout retrieval
 575 programs serving students who have officially been designated as
 576 dropouts, or who are in programs operated or contracted by the
 577 Department of Juvenile Justice. The student performance data for
 578 eligible students identified in this subparagraph shall be
 579 included in the calculation of the home school's grade. As used
 580 in this subparagraph and s. 1008.341, the term "home school"

26-00436L-13 2013878__

581 means the school to which the student would be assigned if the
 582 student were not assigned to an alternative school. If an
 583 alternative school chooses to be graded under this section,
 584 student performance data for eligible students identified in
 585 this subparagraph shall not be included in the home school's
 586 grade but shall be included only in the calculation of the
 587 alternative school's grade. A school district that fails to
 588 assign the FCAT and statewide, standardized end-of-course
 589 assessment as described in s. 1008.22(3)(c)2.a. scores of each
 590 of its students to his or her home school or to the alternative
 591 school that receives a grade shall forfeit Florida School
 592 Recognition Program funds for 1 fiscal year. School districts
 593 must require collaboration between the home school and the
 594 alternative school in order to promote student success. This
 595 collaboration must include an annual discussion between the
 596 principal of the alternative school and the principal of each
 597 student's home school concerning the most appropriate school
 598 assignment of the student.

599 4. The achievement scores and learning gains of students
 600 designated as hospital- or homebound. Student assessment data
 601 for students designated as hospital- or homebound shall be
 602 assigned to their home school for the purposes of school grades.
 603 As used in this subparagraph, the term "home school" means the
 604 school to which a student would be assigned if the student were
 605 not assigned to a hospital- or homebound program.

606 5. For schools comprised of high school grades 9, 10, 11,
 607 and 12, or grades 10, 11, and 12, the data listed in
 608 subparagraphs 1.-3. and the following data as the Department of
 609 Education determines such data are valid and available:

26-00436L-13 2013878__

610 a. The high school graduation rate of the school as
 611 calculated by the department;
 612 b. The participation rate of all eligible students enrolled
 613 in the school and enrolled in College Board Advanced Placement
 614 courses; International Baccalaureate courses; dual enrollment
 615 courses; Advanced International Certificate of Education
 616 courses; and courses or sequences of courses leading to national
 617 industry certification identified in the Industry Certification
 618 Funding List, pursuant to rules adopted by the State Board of
 619 Education;
 620 c. The aggregate scores of all eligible students enrolled
 621 in the school in College Board Advanced Placement courses,
 622 International Baccalaureate courses, and Advanced International
 623 Certificate of Education courses;
 624 d. Earning of college credit by all eligible students
 625 enrolled in the school in dual enrollment programs under s.
 626 1007.271;
 627 e. Earning of a national industry certification identified
 628 in the Industry Certification Funding List, pursuant to rules
 629 adopted by the State Board of Education;
 630 f. The aggregate scores of all eligible students enrolled
 631 in the school in reading, mathematics, and other subjects as
 632 measured by the SAT, the ACT, the Postsecondary Education
 633 Readiness Test, and the common placement test for postsecondary
 634 readiness;
 635 g. The high school graduation rate of all eligible at-risk
 636 students enrolled in the school who scored at Level 2 or lower
 637 on grade 8 FCAT Reading and FCAT Mathematics;
 638 h. The performance of the school's students on statewide,

26-00436L-13

2013878

639 standardized end-of-course assessments administered under s.
640 1008.22(3)(c)2.c. and d.; and

641 i. The growth or decline in the data components listed in
642 sub-subparagraphs a.-h. from year to year.

643

644 The State Board of Education shall adopt appropriate criteria
645 for each school grade. The criteria must also give added weight
646 to student achievement in reading. Schools earning a grade of
647 "C," making satisfactory progress, shall be required to
648 demonstrate that adequate progress has been made by students in
649 the school who are in the lowest 25th percentile in reading and
650 mathematics on the FCAT and end-of-course assessments as
651 described in s. 1008.22(3)(c)2.a., unless these students are
652 exhibiting satisfactory performance. For schools comprised of
653 high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
654 the criteria for school grades must also give added weight to
655 the graduation rate of all eligible at-risk students. In order
656 for a high school to earn a grade of "A," the school must
657 demonstrate that its at-risk students, as defined in this
658 paragraph, are making adequate progress.

659 Section 7. This act shall take effect July 1, 2013.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-6-13
Meeting Date

Topic 878

Bill Number 878
(if applicable)

Name Jane Fletcher

Amendment Barcode _____
(if applicable)

Job Title Dir. Accountability & Policy Rsch

Address 325 W. Gaines
Street

Phone 245-0699

Talla 32399
City State Zip

E-mail jane.fletcher@fldoe.org

Speaking: For Against Information

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/06/2013

Meeting Date

Topic Education Accountability

Bill Number 878
(if applicable)

Name Sara Clements

Amendment Barcode _____
(if applicable)

Job Title Legislative Analyst

Address 215 S Monroe Street

Phone 850-391-0329

Street

Tallahassee FL 32301

E-mail sara@afloridapromise.org

City

State

Zip

Speaking: For Against Information

Representing Foundation for Florida's Future

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date _____

Topic Ed Accountability

Bill Number SB 878
(if applicable)

Name Dawn Steward

Amendment Barcode _____
(if applicable)

Job Title _____

Address 1747 Orlando Central

Phone 907-645-0273

Street

Orlando FL 32809

City

State

Zip

E-mail _____

Speaking: For Against Information

Representing Florida PTA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13
Meeting Date

Topic Waive in support

Bill Number SB 878
(if applicable)

Name Ashley Spicola

Amendment Barcode _____
(if applicable)

Job Title Ed. Policy Chief

Address yle capitol
Street

Phone 850 717 9378

City _____ State _____ Zip _____

E-mail ashley.spicola @

Speaking: For Against Information

*1aspbs.state.
fl.us*

Representing Office of Gov. Rick Scott

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

03-06-2013
Meeting Date

Topic Confidentiality

Bill Number SB 878
(if applicable)

Name B Grassel

Amendment Barcode _____
(if applicable)

Job Title Guidance Counselor

Address 14322 Lake Juniatta Dr.
Street

Phone 352-989-7028

Tavares 32778
City State Zip

E-mail b.grassel@floridaea.org

Speaking: For Against Information

Representing Students

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 904

INTRODUCER: Committee on Education and Senator Brandes

SUBJECT: Education

DATE: March 6, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Fav/CS
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 904 creates the Florida Accredited Courses and Tests (FACTs) Initiative to expand student choice regarding courses and corresponding assessments which a student may take to satisfy various secondary and postsecondary education requirements. Under the initiative, Florida-accredited courses may be created or provided by any individual, institution, entity, or organization. However, the assessments associated with the Florida-accredited courses must be developed by regionally accredited public institutions.

The Florida-accredited courses and corresponding assessments must be approved by:

- The Commissioner of Education for application in K-12 public schools and the Florida College System institutions in accordance with the rules of the State Board of Education.
- The Chancellor of the State University System for application in state universities in accordance with the rules of the Board of Governors.

Approved Florida-accredited courses and corresponding assessments must be annually published in conjunction with the courses listed in the Statewide Course Numbering System and the Course Code Directory by the Articulation Coordinating Committee.

A Florida-accredited course or a corresponding assessment which is published in the Statewide Course Numbering System and the Course Code Directory may be applied as one whole unit course or as two or more discrete subunits which when combined are equivalent to the whole unit.

The bill authorizes school districts, Florida College System institutions, and state universities to execute contracts with qualified contractors for administering and proctoring the assessments associated with either the Florida-accredited courses or for the existing statewide, standardized assessments, as approved by the Florida Department of Education pursuant to State Board of Education rules. Additionally, the Florida Department of Education is authorized to execute contracts with qualified contractors on behalf of the state, a school district, a Florida College System institution, or a state university for administering and proctoring the assessments.

The effective date of the bill is July 1, 2013.

The bill amends section 1008.24 and creates section 1007.012 of the Florida Statutes:

II. Present Situation:

As online education has grown in popularity as an instructional delivery model, so has student interest in attaining education without constraints imposed by space, time, and location in both K-12 and postsecondary education sectors.

Breaking from the traditional model of offering courses, a number of universities are offering “massive open online courses” (MOOCs) to broaden access to higher education. For instance, Coursera¹ founded by two Stanford University professors² and edX³ founded by Harvard University and Massachusetts Institute of Technology, the two leading providers of MOOCs, announced expansions that will approximately double the number of university partners offering free online classes.⁴ Colleges also have put forward faculty to teach the free courses.⁵

¹ 62 universities have partnered with Coursera. Coursera, *Universities*, <https://www.coursera.org/#universities> (last visited March 3, 2013). Coursera officially launched on April 18, 2012. The Stanford Daily, *Coursera launches humanities courses*, <http://www.stanforddaily.com/2012/04/18/coursera-launches-humanities-courses/> (last visited March 3, 2013).

² The New York Times, *Online Education Venture Lures Cash Infusion and Deals with 5 Top Universities* (Apr. 18, 2012), <http://www.nytimes.com/2012/04/18/technology/coursera-plans-to-announce-university-partners-for-online-classes.html> (last visited March 2, 2013).

³ “EdX currently offers HarvardX, MITx, and BerkeleyX classes online for free. Beginning Fall 2013, edX will offer WellesleyX and GeorgetownX classes online for free.” EdX, *Organization*, <https://www.edx.org/faq> (last visited March 3, 2013). Harvard University and the Massachusetts Institute of Technology announced the launch of edX on May 2, 2012. Harvard University, *MIT and Harvard Announce edX*, <http://news.harvard.edu/gazette/story/2012/05/mit-and-harvard-announce-edx/> (last visited March 3, 2013).

⁴ Education Week, *More Top Universities to Offer Free Online Courses* (Feb. 21, 2013), http://www.edweek.org/ew/articles/2013/02/20/595132usmassiveonlinecourses_ap.html (last visited March 2, 2013).

⁵ The Wall Street Journal, *Online-Education Provider Coursera Signs 29 More Schools* (Feb. 21, 2013), <http://online.wsj.com/article/SB10001424127887323864304578316530544924000.html> (last visited March 2, 2013).

The American Council on Education, representing the presidents of U.S. accredited, degree-granting two- and four-year public and private universities, and nonprofit and not-for-profit entities⁶, endorsed for credit, five MOOCs that are offered through Coursera.⁷

In 2012, the University of Wisconsin (UW) System announced its innovative UW Flexible Option program.⁸ The UW System is expected to be the first public university system in the nation to offer the competency-based, self-paced learning option. However, unlike the other competency-based models, under the UW Flexible Option, UW faculty members modify existing college programs into self-paced, competency-based formats. Students will be able to use this format by passing a series of assessments that demonstrate mastery of required knowledge and skills that the students may have acquired through coursework, military training, on-the-job-training, and other learning experiences.⁹ Assessments are critical to the competency-based format because the assessments validate students' comprehension of the subject matter as the students make progress towards a degree.

The University of Florida (UF) partnered with Coursera in 2012 to offer UF's first free online course in human nutrition. Currently, approximately, 48,000 individuals are taking that human nutrition course.¹⁰ UF's interest in MOOCs coupled with Florida's statewide, nationally-recognized system of articulation could take the movement to a broader level of transferability and recognition.

Articulation ensures that students receive credit for comparable coursework without unnecessary repetition when transferring from one institution to another.¹¹ Unlike other states which rely on institutions to forge institutional-level partnerships for the transfer of quality instruction and credits, Florida, on a statewide level, guarantees transferability of credits¹² through a number of mechanisms including the statewide course numbering system and statewide articulation agreements. These mechanisms serve as the foundation of Florida's strong articulation system affording students the ability to take courses and assessments to earn credit across a variety of institutions by leveraging Florida's strong articulation system.

⁶ American Council on Education, *About The American Council on Education*, <http://www.acenet.edu/about-ace/Pages/default.aspx> (last visited March 2, 2013).

⁷ The American Council on Education operates a credit-recommendation service that evaluates individual courses and advises its 1,800 member colleges regarding conferring credit on students who pass such courses. The Chronicle of Higher Education, *American Council on Education Recommends 5 MOOCs for Credit* (Feb. 7, 2013), <http://chronicle.com/article/American-Council-on-Education/137155/> (last visited March 2, 2013).

⁸ Under the UW Flexible Option, UW-Milwaukee will offer four degree programs and one certificate program starting in Fall 2013: two Nursing degrees (R.N.-to-B.S.N. and R.N.-to-M.N.) for Registered Nurses who need additional college education to qualify for higher professional credentials, a bachelor's degree-completion program in Diagnostic Imaging, targeted toward certified diagnostic imaging professionals, a B.S. in information Science & Technology, preparing students for jobs in tomorrow's digital culture and economy, and a certificate in Professional and Technical Communication, providing students with the essential written and oral communication skills needed in today's workplace. University of Wisconsin System, *UW System Unveils First Flexible Option Degree Programs* (Nov. 28, 2012), <http://www.wisconsin.edu/news/2012/r121128.htm> (last visited March 2, 2013).

⁹ University of Wisconsin System, *UW System Unveils First Flexible Option Degree Programs* (Nov. 28, 2012), <http://www.wisconsin.edu/news/2012/r121128.htm> (last visited March 2, 2013).

¹⁰ The Gainesville Sun, Editorial: *Risk and Reward*, <http://www.gainesville.com/article/20130220/OPINION01/130219521?template=printart> (last visited March 3, 2013).

¹¹ Florida Department of Education, *Postsecondary Articulation*, <http://www.fldoe.org/fcs/postsecart.asp> (last visited March 4, 2013).

¹² Florida Department of Education, *Postsecondary Articulation*, <http://www.fldoe.org/fcs/postsecart.asp> (last visited March 4, 2013).

Course Offerings

The Florida Department of Education (DOE) maintains two course repositories: the Statewide Course Numbering System for courses that are offered at the postsecondary education level and the Course Code Directory for courses that are offered at the secondary education level.

Statewide Course Numbering System

Current law requires the DOE, in conjunction with the Board of Governors of the State University System of Florida (BOG), to develop, coordinate, and maintain a statewide course numbering system (SCNS) to improve program planning, increase communication among all delivery systems, facilitate student acceleration, and transfer of students and credits between public school districts, public postsecondary educational institutions, and participating nonpublic postsecondary institutions.¹³

Faculty committees representing school districts, public postsecondary educational institutions, and participating nonpublic postsecondary educational institutions assist in maintaining the SCNS. The faculty committees, appointed by the Commissioner of Education (commissioner) and the Chancellor of the State University System (SUS), recommend a single level for each course in the SCNS.¹⁴ The commissioner recommends the level for each course to the State Board of Education (SBE). The SBE, with input from the BOG, approves the level for each course.¹⁵

Any student who transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the SCNS must be awarded credit by the institution at which the student enrolls (receiving institution) for courses that the student completes satisfactorily at the previous institutions. Credit must be awarded for a course if the appropriate SCNS faculty committee responsible for reviewing the course determines that the course, for which a student is seeking credit, is equivalent to a course offered at the receiving institution.¹⁶

The DOE must ensure that credits that are accepted by a receiving institution be generated in courses for which the faculty members possess credentials recommended by the accrediting association of the receiving institution. A receiving institution may limit the award of credit to courses that are entered in the SCNS and the credit that is awarded must equally satisfy institutional requirements for both native students and transfer students.¹⁷

¹³ Section 1007.24(1), F.S. “Nonpublic colleges and schools that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and are either eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant or have been issued a regular license by the [Commission for Independent Education], may participate in the statewide course numbering system.” Participating colleges and schools must bear the costs associated with inclusion in the system and must meet the terms and conditions for participating in the SCNS. Section 1007.24(6), F.S.

¹⁴ Sections 1007.24(1), (2), and (7), F.S.

¹⁵ Section 1007.24(3), F.S.

¹⁶ Section 1007.24(7), F.S.

¹⁷ Section 1007.24(7), F.S.

Course Code Directory

The Course Code Directory (CCD) is the listing of all public preK-12 courses available for use by school districts. Programs and courses which are funded through the Florida Education Finance Program (FEFP) and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education, with details regarding appropriate teacher certification levels. The CCD provides for course information to schools, districts, and the state.¹⁸

Assessments

Statewide Assessment Program for Public Schools

The purpose of the student assessment program is to provide information regarding the learning gains of all students. By assessing how well students have mastered the standards, parents and educators are able to determine whether the student needs remediation, is ready for the next grade level, or is equipped to pursue college or career study.¹⁹

Current law requires the commissioner to design and implement a statewide program of educational assessment to improve the operation and management of the public schools. The commissioner may enter into contracts for the continued administration of the assessment program authorized and funded by the Legislature. Contracts may be initiated in one fiscal year and continue into next the fiscal year. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials under law.²⁰

Credit by Examination

Credit by examination is a program through which secondary and postsecondary students generate postsecondary credits based on the receipt of a specified minimum score on nationally standardized general or subject-area examinations. For the purposes of statewide application, such examinations and the corresponding minimum scores required for an award of credit must be delineated by the SBE and the BOG in the statewide articulation agreement. Additionally, the Florida College System (FCS) institutions and state universities may also award credit by exam based on student performance on examinations developed within and recognized by the individual postsecondary institutions.²¹

Articulation

Current law encourages the university boards of trustees, the FCS institution boards of trustees, and the district school boards to establish intrainstitutional and interinstitutional programs to maximize articulation. Such programs may include upper-division-level courses offered at the

¹⁸ Rule 6A-1.09441, F.A.C.

¹⁹ Section 1008.22, F.S.

²⁰ Section 1008.22(3), F.S.

²¹ Section 1007.27(6), F.S.

FCS institution, distance learning, transfer agreements to facilitate transfer of credits between public and nonpublic postsecondary institutions, and the concurrent enrollment of students at a FCS institution and a state university to enable students to take any level of baccalaureate degree coursework.²²

The postsecondary education sectors must collaborate to develop and provide articulated programs that allow acceleration opportunities to students so that the students are able to achieve their educational objectives quickly.²³ In addition to shortening the time for a student to complete the requirements associated with a high school diploma or a postsecondary degree, acceleration opportunities are also intended to increase the depth of study available in different subject areas.²⁴

Acceleration

High school and postsecondary education acceleration opportunities must include, but not be limited to, dual enrollment, early admission, advanced placement (AP), the International Baccalaureate Program (IB), Advanced International Certificate of Education Program (AICE), and credit by examination or demonstration of competency.²⁵ The DOE must:²⁶

- Annually identify and publish the minimum scores, maximum credit, course or courses for which credit must be awarded for each College Level Examination Program (CLEP) subject examination, College Board AP examination, and IB examination, and AICE examination.
- Use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit must be granted. Minimum scores may vary by subject area based on student performance data.
- Identify courses in the general education core curriculum of each state university and FCS institution.

Articulation Coordinating Committee

The Articulation Coordinating Committee (ACC) serves as an advisory board to the SBE and the BOG on postsecondary transition issues. The committee provides a unique K-20 forum for cross-sector collaboration that informs the policy decisions of the SBE and the BOG regarding the implementation of the statewide articulation agreement. The ACC reports to the commissioner and comprises of the following members: two members each representing the State University System (SUS), the FCS, public career and technical education, public K-12 education, and non-public education, and one member representing students.²⁷

²² Section 1007.22(1), F.S.

²³ Section 1007.22(2), F.S.

²⁴ Section 1007.27(1), F.S.

²⁵ Sections 1007.22(2) and 1007.27(1), F.S.

²⁶ Section 1007.27(2), F.S.

²⁷ Section 1007.01(2)-(3), F.S. The ACC was initially codified at 229.551, F.S., but was repealed January 7, 2003, by s. 3(7), ch. 2000-321. In 2011, the ACC was again codified in law by amending s. 1007.01, F.S. Section 7, ch. 2011-177, L.O.F.

The ACC is responsible for reviewing and monitoring the different components of Florida's articulation system and making policy recommendations to facilitate seamless articulation between and among public schools, career and technical education centers, FCS institutions, state universities, and nonpublic postsecondary institutions. For instance, the ACC annually reviews statewide articulation agreements as well as the SCNS, the levels of courses, and the application of transfer credit requirements among public and non-public institutions participating in the statewide course numbering system.²⁸

Statewide Articulation Agreement

The SBE and the BOG must enter into a statewide articulation agreement to preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit across and among Florida's educational entities, and reinforce articulation between secondary and postsecondary education; general education requirements and statewide course numbers; and the use of acceleration mechanisms, including nationally standardized examinations through which students may earn credit.²⁹

III. Effect of Proposed Changes:

Course Offerings

CS/SB 904 creates the Florida Accredited Courses and Tests (FACTs) Initiative to expand student choice regarding courses that a student may take to meet the requirements for promotion, graduation, and degree attainment at the secondary or postsecondary education level.

Breaking from the traditional model of offering courses, under the FACTs Initiative, the bill introduces a new set of courses called "Florida-accredited courses" which students may take as a whole unit or as two or more discrete subunits which when combined, are equivalent to the whole unit.

The bill authorizes any individual, institution, entity, or organization to create or provide the Florida-accredited courses. Currently, education stakeholders (e.g., states, policymakers, parents, and students) rely primarily on the accreditation of an institution as an indication of the institution's ability to provide quality education. Historically and operationally, "accreditation" standards have been associated with institutions rather than courses. For instance, all public colleges and universities in Florida are accredited by the Southern Association of Colleges and Schools (SACS) Commission on Colleges which is the regional body for accreditation of degree-granting higher education institutions in the southern states.³⁰ The accreditation process involves a comprehensive review of institutional mission, governance and administration, programs, faculty, and resources to determine whether an institution is in compliance with accrediting standards.³¹

²⁸ Section 1007.01(3), F.S.

²⁹ Section 1007.23(1), F.S.

³⁰ Southern Association of Colleges and Schools, *The Principles of Accreditation: Foundations for Quality Enhancement* (Revised 2011), at 1, available at <http://www.sacscoc.org/pdf/2012principlesofaccreditation.pdf>.

³¹ At least 25 percent of credit hours required for the degree must be earned through instruction offered by the institution awarding the degree and at least 25 percent of the course hours in each major at the baccalaureate level must be taught by

In keeping with growing national trends regarding MOOCs, the bill enables students to take courses that are offered by qualified individuals and entities for credit to meet the requirements for promotion, graduation, and degree attainment at the secondary or postsecondary education level, provided the student passes approved assessments that indicate competency in the course content. Additionally, the bill recognizes courses that are associated with rigorous industry certifications as eligible for consideration and approval as a Florida-accredited course. As a result, the bill expands students' access to courses and industry certifications through open, online, and potentially free resources.

- Approved by the commissioner for application in K-12 public schools and FCS institutions in accordance with the SBE rules and by the SUS Chancellor for application in state universities in accordance with the BOG rules. The FACTs Initiative also authorizes customization of programs to the unique interests of students.

Assessments

The bill authorizes school districts, FCS institutions, and state universities to execute contracts with qualified contractors for administering and proctoring the assessments associated with either the Florida-accredited courses or for the existing statewide, standardized assessments that are required under law, as approved by the DOE pursuant to the SBE rules. Additionally, the bill authorizes the DOE to execute contracts with qualified contractors on behalf of the state, a school district, a FCS institution, or a state university³². The bill requires that the assessments associated with the Florida-accredited courses be:

- Established by regionally accredited public institutions. The bill is not restricted to Florida-only institutions.
- Approved by the commissioner for application in K-12 public schools and FCS institutions in accordance with the SBE rules and by the SUS Chancellor for application in state universities in accordance with the BOG rules. As a result, students may be able to accelerate by demonstrating competency based on the approved assessments. To allow students to demonstrate subject area competency in segments, institutions may need to design assessments or contract with entities to design assessments and sub-assessments for various courses.
- Administered or proctored by qualified contractors at sites that meet specified requirements of the SBE rules³³. The bill conforms to current law regarding prohibiting

faculty members holding an appropriate terminal degree usually the earned doctorate or equivalent of the terminal degree. Southern Association of Colleges and Schools, *The Principles of Accreditation: Foundations for Quality Enhancement* (Revised 2011), available at <http://www.sacscoc.org/pdf/2012principlesofaccreditation.pdf>; see also Florida Board of Governors, *2013 Agency Legislative Bill Analysis for SB 904* (Feb. 27, 2013) at 2.

³² SB 904 does not expressly provide to the Board of Governors authority to execute contract with qualified contractors on behalf of the state universities. Florida Board of Governors, *2013 Agency Legislative Bill Analysis for SB 904* (Feb. 27, 2013) at 5.

³³ Sections 120.536(1) and 120.54, F.S.

individuals from knowingly and willfully violating test security rules in accordance with the SBE rules.³⁴

Articulation

The bill authorizes the application of Florida-accredited courses and corresponding assessments in whole, in subparts, or in a combination of whole and subparts toward requirements for promotion, graduation, or degree attainment. If a student completes a subunit of a Florida-accredited course satisfactorily as demonstrated by the student's performance on the corresponding assessment, the student must not be required to repeat that course subunit and the corresponding assessment.

Current law requires the ACC to establish passing scores and course and credit equivalents for AP, IB, AICE, and College-Level Examination Program (CLEP) exams.³⁵ The DOE maintains a Credit-by-Exam Equivalency List based on the annual recommendations by the ACC. The Credit-by-Exam Equivalency List also includes the Defense Activity of Non-Traditional Education Support (DANTES) Subject Standardized Tests (DSSTs) and Excelsior College exam equivalents which are adopted by the SBE rule.³⁶ To implement the provisions of the bill, the Credit-by-Exam Equivalency List will need to be expanded to include passing scores and course and credit equivalents for the Florida-accredited courses and corresponding assessments.

Other Potential Implications:

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

³⁴ Section 1008.24(1), F.S.

³⁵ Section 1007.27(2), F.S.

³⁶ Rule 6A-10.024, F.A.C.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Committee on Education on March 6, 2013:**

The committee substitute differs from SB 904 in that the committee substitute:

- Changes the name of the Florida Flexible Option Initiative to Florida Accredited Courses and Tests (FACTs) Initiative.
- Changes the name of Florida-accredited charter courses to Florida-accredited courses.
- Authorizes any individual, institution, entity, or organization to create or provide the Florida-accredited courses.

B. Amendments:

None.



239394

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
	.	
	.	
	.	

The Committee on Education (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1007.012, Florida Statutes, is created
to read:

1007.012 Florida Accredited Courses and Tests Initiative
(FACTs) .-

(1) The Florida Accredited Courses and Tests Initiative
(FACTs) is created to expand student choices in selecting
multiple, high-quality public and nonpublic courses and
assessments toward satisfying course, assessment, or credit
requirements for promotion, graduation, or degree attainment.



239394

14 The purpose of the initiative is to make available multiple
15 options to suit unique student interests, satisfy educational
16 requirements, and accelerate student accomplishment of goals in
17 a productive and effective manner.

18 (2) The Legislature intends that state and local rules,
19 policies, and administrative decisions are flexible in
20 interpreting and implementing the requirements in this section
21 in order to encourage creative, innovative, resourceful, and
22 forward-thinking practices that can be modeled throughout this
23 state and the country. The Legislature intends that the Florida
24 Accredited Courses and Tests Initiative generate sufficient
25 options for students to combine multiple instructional
26 experiences and build complete programs for attaining a standard
27 high school diploma and a postsecondary education degree which
28 are tailored to the unique interests of each student.

29 (3) The initiative allows students in this state to satisfy
30 public K-12 education promotion or high school graduation
31 course, assessment, or credit requirements, or to satisfy
32 requirements for public postsecondary credit or degree
33 attainment by successfully meeting the assessment requirements
34 of this subsection.

35 (a) As used in this section, the term "Florida-accredited
36 course" is a K-12 course or postsecondary education credit
37 course that:

38 1. Is created by individuals whose credentials and
39 documented knowledge of a specific science, technology,
40 engineering, or math field warrants consideration as a credible
41 and legitimate source of course content;

42 2. Is provided or distributed by individuals, institutions,



239394

43 entities, or organizations; and

44 3. Has fulfilled requirements under subsection (4) for
45 purposes of satisfying requirements for promotion, graduation,
46 or obtaining a degree. A massive, open online course and a
47 course associated with rigorous industry certifications are
48 eligible for consideration and approval as a Florida-accredited
49 course.

50 (b) Courses and assessments may be applied toward
51 requirements for promotion, graduation, or degree attainment in
52 whole, in subparts, or in a combination of whole and subparts.

53 1. A Florida-accredited course, a public K-12 course
54 identified on the course code directory, or a postsecondary
55 education course identified on the statewide course numbering
56 system, may be applied as one whole unit or as two or more
57 discrete subunits such that when combined, they are equivalent
58 to the whole unit. A student may not be required to repeat
59 subunits that are satisfactorily completed.

60 2. Assessments associated with a course must be established
61 by regionally accredited public institutions and must be
62 approved in accordance with subsection (4). The assessments may
63 be applied as one whole assessment or as two or more discrete
64 subassessments such that when combined, they are equivalent to
65 the whole assessment. A student may not be required to repeat
66 subassessments that are satisfactorily completed. Assessments
67 and subassessments shall be administered pursuant to s. 1008.24.

68 (4) A Florida-accredited course and its associated
69 assessments must be annually identified, approved, published,
70 and shared for consideration by interested students,
71 institutions, school districts, colleges, and universities.



239394

72 (a) Each Florida-accredited course and its associated
73 assessments must be:

74 1. Approved by the Commissioner of Education for
75 application in K-12 public schools and Florida College System
76 institutions in accordance with rules of the State Board of
77 Education.

78 2. Approved by the Chancellor of the State University
79 System for application in state universities in accordance with
80 rules of the Board of Governors.

81 (b) The Articulation Coordinating Committee established in
82 s. 1007.01 shall annually publish and share a consolidated list
83 of approved Florida-accredited courses and associated, approved
84 assessments in conjunction with the courses listed in the course
85 code directory and statewide course numbering system in a manner
86 that facilitates student and institutional knowledge of the
87 Florida-accredited courses as options available for credit.

88 Section 2. Section 1008.24, Florida Statutes, is amended to
89 read:

90 1008.24 Test administration and security.-

91 (1) A person may not ~~It is unlawful for anyone~~ knowingly
92 and willfully ~~to~~ violate test security rules adopted by the
93 State Board of Education for mandatory tests administered by or
94 through the State Board of Education or the Commissioner of
95 Education to students, educators, or applicants for
96 certification or administered by school districts pursuant to s.
97 1008.22, or, with respect to any such test, knowingly and
98 willfully to:

99 (a) Give examinees access to test questions prior to
100 testing;



239394

101 (b) Copy, reproduce, or use in any manner inconsistent with
102 test security rules all or any portion of any secure test
103 booklet;

104 (c) Coach examinees during testing or alter or interfere
105 with examinees' responses in any way;

106 (d) Make answer keys available to examinees;

107 (e) Fail to follow security rules for distribution and
108 return of secure test as directed, or fail to account for all
109 secure test materials before, during, and after testing;

110 (f) Fail to follow test administration directions specified
111 in the test administration manuals; or

112 (g) Participate in, direct, aid, counsel, assist in, or
113 encourage any of the acts prohibited in this section.

114 (2) A ~~Any~~ person who violates this section commits a
115 misdemeanor of the first degree, punishable as provided in s.
116 775.082 or s. 775.083.

117 (3) A school district, a Florida College System
118 institution, and a state university may contract with qualified
119 contractors to administer and proctor statewide, standardized
120 assessments required under s. 1008.22 or assessments associated
121 with Florida-accredited courses under s. 1007.012, as approved
122 by the Department of Education in accordance with rules of the
123 State Board of Education. The Department of Education may also
124 contract for these services on behalf of the state or any school
125 district, Florida College System institution, or state
126 university. Assessments may be administered or proctored by
127 qualified contractors at sites that meet criteria established by
128 rules of the State Board of Education and adopted pursuant to
129 ss. 120.536(1) and 120.54 to implement the contracting



239394

130 requirements of this subsection.

131 ~~(4)~~⁽³⁾(a) A district school superintendent, a president of
132 a public postsecondary educational institution, or a president
133 of a nonpublic postsecondary educational institution shall
134 cooperate with the Commissioner of Education in any
135 investigation concerning the administration of a test
136 administered pursuant to state statute or rule.

137 (b) The identity of a school or postsecondary educational
138 institution, the personally identifiable information of any
139 personnel of any school district or postsecondary educational
140 institution, or any specific allegations of misconduct obtained
141 or reported pursuant to an investigation conducted by the
142 Department of Education of a testing impropriety are
143 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
144 s. 24(a), Art. I of the State Constitution until the conclusion
145 of the investigation or until such time as the investigation
146 ceases to be active. For the purpose of this paragraph, an
147 investigation shall be deemed concluded upon a finding that no
148 impropriety has occurred, upon the conclusion of any resulting
149 preliminary investigation pursuant to s. 1012.796, upon the
150 completion of any resulting investigation by a law enforcement
151 agency, or upon the referral of the matter to an employer who
152 has the authority to take disciplinary action against an
153 individual who is suspected of a testing impropriety. For the
154 purpose of this paragraph, an investigation shall be considered
155 active so long as it is ongoing and there is a reasonable, good
156 faith anticipation that an administrative finding will be made
157 in the foreseeable future. This paragraph is subject to the Open
158 Government Sunset Review Act in accordance with s. 119.15 and



239394

159 shall stand repealed on October 2, 2014, unless reviewed and
160 saved from repeal through reenactment by the Legislature.

161 Section 3. This act shall take effect July 1, 2013.

162

163 ===== T I T L E A M E N D M E N T =====

164 And the title is amended as follows:

165 Delete everything before the enacting clause
166 and insert:

167 A bill to be entitled
168 An act relating to education; creating s. 1007.012,
169 F.S.; creating the Florida Accredited Courses and
170 Tests Initiative (FACTs); providing the purpose of the
171 initiative; providing legislative intent; providing
172 that implementing the initiative allows students to
173 satisfy certain requirements; defining the term
174 "Florida-accredited course" as it relates to the
175 initiative; providing for application of certain
176 courses and assessments toward promotion, graduation,
177 and degree attainment; requiring that Florida-
178 accredited courses and their assessments be annually
179 identified, approved, published, and shared for
180 consideration by certain students and entities;
181 requiring the Commissioner of Education and the
182 Chancellor of the State University System to approve
183 each Florida-accredited course and its assessments;
184 requiring the Articulation Coordinating Committee to
185 annually publish and share a list of approved Florida-
186 accredited courses, their assessments, and other
187 courses; amending s. 1008.24, F.S.; authorizing a



239394

188 school district, a Florida College System institution,
189 and a state university to contract with qualified
190 contractors to administer and proctor statewide
191 standardized assessments or assessments associated
192 with Florida-accredited courses; authorizing the
193 Department of Education to contract for these services
194 on behalf of the state or a school district, Florida
195 College System institution, or state university;
196 providing that assessments may be administered or
197 proctored by qualified contractors at sites that meet
198 certain criteria; providing an effective date.



215928

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
	.	
	.	
	.	

The Committee on Education (Brandes) recommended the following:

Senate Amendment to Amendment (239394)

Delete lines 38 - 44

and insert:

1. Is created or provided by individuals, institutions, entities, or organizations; and
2. Has fulfilled requirements under subsection (4) for

By Senator Brandes

22-00571A-13

2013904

1 A bill to be entitled
 2 An act relating to education; creating s. 1007.012,
 3 F.S.; creating the Florida Flexible Option Initiative;
 4 providing the purpose of the initiative; providing
 5 legislative intent; providing that implementing the
 6 initiative allows students to satisfy certain
 7 requirements; defining the term "Florida-accredited
 8 charter course" as it relates to the initiative;
 9 providing for application of certain courses and
 10 assessments toward promotion, graduation, and degree
 11 attainment; requiring that Florida-accredited charter
 12 courses and their assessments be annually identified,
 13 approved, published, and shared for consideration by
 14 certain students and entities; requiring the
 15 Commissioner of Education and the Chancellor of the
 16 State University System to approve each Florida-
 17 accredited charter course and its assessments;
 18 requiring the Articulation Coordinating Committee to
 19 annually publish and share a list of approved Florida-
 20 accredited charter courses, their assessments, and
 21 other courses; amending s. 1008.24, F.S.; authorizing
 22 a school district, a Florida College System
 23 institution, and a state university to contract with
 24 qualified contractors to administer and proctor
 25 statewide standardized assessments or assessments
 26 associated with Florida-accredited charter courses;
 27 authorizing the Department of Education to contract
 28 for these services on behalf of the state or a school
 29 district, Florida College System institution, or state

Page 1 of 7

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

22-00571A-13

2013904

30 university; providing that assessments may be
 31 administered or proctored by qualified contractors at
 32 sites that meet certain criteria; providing an
 33 effective date.
 34

35 Be It Enacted by the Legislature of the State of Florida:

36
 37 Section 1. Section 1007.012, Florida Statutes, is created
 38 to read:

39 1007.012 Florida Flexible Option Initiative.-

40 (1) The Florida Flexible Option Initiative is created to
 41 expand student choices in selecting multiple, high-quality
 42 public and nonpublic courses and assessments toward satisfying
 43 course, assessment, or credit requirements for promotion,
 44 graduation, or degree attainment. The purpose of the initiative
 45 is to make available multiple options to suit unique student
 46 interests, satisfy educational requirements, and accelerate
 47 student accomplishment of goals in a productive and effective
 48 manner.

49 (2) The Legislature intends that state and local rules,
 50 policies, and administrative decisions are flexible in
 51 interpreting and implementing the requirements in this section
 52 in order to encourage creative, innovative, resourceful, and
 53 forward-thinking practices that can be modeled throughout this
 54 state and the country. The Legislature intends that the Florida
 55 Flexible Option Initiative generate sufficient options for
 56 students to combine multiple instructional experiences and build
 57 complete programs for attaining a standard high school diploma
 58 and a postsecondary education degree which are tailored to the

Page 2 of 7

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

22-00571A-13 2013904

59 unique interests of each student.

60 (3) The initiative allows students in this state to satisfy
 61 public K-12 education promotion or high school graduation
 62 course, assessment, or credit requirements, or to satisfy
 63 requirements for public postsecondary credit or degree
 64 attainment by successfully meeting the assessment requirements
 65 of this subsection.

66 (a) As used in this section, the term "Florida-accredited
 67 charter course" is a K-12 course or postsecondary education
 68 credit course that:

69 1. Is created by individuals whose credentials and
 70 documented knowledge of a specific science, technology,
 71 engineering, or math field warrants consideration as a credible
 72 and legitimate source of course content;

73 2. Is provided or distributed by individuals, institutions,
 74 entities, or organizations; and

75 3. Has fulfilled requirements under subsection (4) for
 76 purposes of satisfying requirements for promotion, graduation,
 77 or obtaining a degree. A massive, open online course and a
 78 course associated with rigorous industry certifications are
 79 eligible for consideration and approval as a Florida-accredited
 80 charter course.

81 (b) Courses and assessments may be applied toward
 82 requirements for promotion, graduation, or degree attainment in
 83 whole, in subparts, or in a combination of whole and subparts.

84 1. A Florida-accredited charter course, a public K-12
 85 course identified on the course code directory, or a
 86 postsecondary education course identified on the statewide
 87 course numbering system, may be applied as one whole unit or as

22-00571A-13 2013904

88 two or more discrete subunits such that when combined, they are
 89 equivalent to the whole unit. A student may not be required to
 90 repeat subunits that are satisfactorily completed.

91 2. Assessments associated with a course must be established
 92 by regionally accredited public institutions and must be
 93 approved in accordance with subsection (4). The assessments may
 94 be applied as one whole assessment or as two or more discrete
 95 subassessments such that when combined, they are equivalent to
 96 the whole assessment. A student may not be required to repeat
 97 subassessments that are satisfactorily completed. Assessments
 98 and subassessments shall be administered pursuant to s. 1008.24.

99 (4) A Florida-accredited charter course and its associated
 100 assessments must be annually identified, approved, published,
 101 and shared for consideration by interested students,
 102 institutions, school districts, colleges, and universities.

103 (a) Each Florida-accredited charter course and its
 104 associated assessments must be:

105 1. Approved by the Commissioner of Education for
 106 application in K-12 public schools and Florida College System
 107 institutions in accordance with rules of the State Board of
 108 Education.

109 2. Approved by the Chancellor of the State University
 110 System for application in state universities in accordance with
 111 rules of the Board of Governors.

112 (b) The Articulation Coordinating Committee established in
 113 s. 1007.01 shall annually publish and share a consolidated list
 114 of approved Florida-accredited charter courses and associated,
 115 approved assessments in conjunction with the courses listed in
 116 the course code directory and statewide course numbering system

22-00571A-13 2013904
 117 in a manner that facilitates student and institutional knowledge
 118 of the Florida-accredited charter courses as options available
 119 for credit.

120 Section 2. Section 1008.24, Florida Statutes, is amended to
 121 read:

122 1008.24 Test administration and security.—

123 (1) A person may not ~~It is unlawful for anyone~~ knowingly
 124 and willfully ~~to~~ violate test security rules adopted by the
 125 State Board of Education for mandatory tests administered by or
 126 through the State Board of Education or the Commissioner of
 127 Education to students, educators, or applicants for
 128 certification or administered by school districts pursuant to s.
 129 1008.22, or, with respect to any such test, knowingly and
 130 willfully to:

131 (a) Give examinees access to test questions prior to
 132 testing;

133 (b) Copy, reproduce, or use in any manner inconsistent with
 134 test security rules all or any portion of any secure test
 135 booklet;

136 (c) Coach examinees during testing or alter or interfere
 137 with examinees' responses in any way;

138 (d) Make answer keys available to examinees;

139 (e) Fail to follow security rules for distribution and
 140 return of secure test as directed, or fail to account for all
 141 secure test materials before, during, and after testing;

142 (f) Fail to follow test administration directions specified
 143 in the test administration manuals; or

144 (g) Participate in, direct, aid, counsel, assist in, or
 145 encourage any of the acts prohibited in this section.

22-00571A-13 2013904
 146 (2) A ~~Any~~ person who violates this section commits a
 147 misdemeanor of the first degree, punishable as provided in s.
 148 775.082 or s. 775.083.

149 (3) A school district, a Florida College System
 150 institution, and a state university may contract with qualified
 151 contractors to administer and proctor statewide, standardized
 152 assessments required under s. 1008.22 or assessments associated
 153 with Florida-accredited charter courses under s. 1007.012, as
 154 approved by the Department of Education in accordance with rules
 155 of the State Board of Education. The Department of Education may
 156 also contract for these services on behalf of the state or any
 157 school district, Florida College System institution, or state
 158 university. Assessments may be administered or proctored by
 159 qualified contractors at sites that meet criteria established by
 160 rules of the State Board of Education and adopted pursuant to
 161 ss. 120.536(1) and 120.54 to implement the contracting
 162 requirements of this subsection.

163 (4)(3)(a) A district school superintendent, a president of
 164 a public postsecondary educational institution, or a president
 165 of a nonpublic postsecondary educational institution shall
 166 cooperate with the Commissioner of Education in any
 167 investigation concerning the administration of a test
 168 administered pursuant to state statute or rule.

169 (b) The identity of a school or postsecondary educational
 170 institution, the personally identifiable information of any
 171 personnel of any school district or postsecondary educational
 172 institution, or any specific allegations of misconduct obtained
 173 or reported pursuant to an investigation conducted by the
 174 Department of Education of a testing impropriety are

22-00571A-13

2013904

175 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and
176 s. 24(a), Art. I of the State Constitution until the conclusion
177 of the investigation or until such time as the investigation
178 ceases to be active. For the purpose of this paragraph, an
179 investigation shall be deemed concluded upon a finding that no
180 impropriety has occurred, upon the conclusion of any resulting
181 preliminary investigation pursuant to s. 1012.796, upon the
182 completion of any resulting investigation by a law enforcement
183 agency, or upon the referral of the matter to an employer who
184 has the authority to take disciplinary action against an
185 individual who is suspected of a testing impropriety. For the
186 purpose of this paragraph, an investigation shall be considered
187 active so long as it is ongoing and there is a reasonable, good
188 faith anticipation that an administrative finding will be made
189 in the foreseeable future. This paragraph is subject to the Open
190 Government Sunset Review Act in accordance with s. 119.15 and
191 shall stand repealed on October 2, 2014, unless reviewed and
192 saved from repeal through reenactment by the Legislature.

193 Section 3. This act shall take effect July 1, 2013.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/2013
Meeting Date

Topic Education

Bill Number 904
(if applicable)

Name Karen Schoen

Amendment Barcode _____
(if applicable)

Job Title Founder

Address 2196 Shelby Ct
Street

Phone 954-864-0530

Sunny Hills, FL 32428
City State Zip

E-mail kschoen@bellsouth.net

Speaking: For Against Information

Representing Panhandle Patriots, AgEnders, Save America Foundation, Florida Assessment Committee on Education

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/2013
Meeting Date

Topic Education

Bill Number 904
(if applicable)

Name Bob Root

Amendment Barcode _____
(if applicable)

Job Title Director

Address 1110 Pleasant Ln

Phone 850-⁶⁷²~~012~~4221

Perry, FL
City State Zip

E-mail TaylorTeaParty@hotmail.com

Speaking: For Against Information

Representing Taylor Tea Party, AgEnders

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 1076

INTRODUCER: Education Committee and Senator Legg

SUBJECT: Career and Professional Education Act

DATE: March 6, 2013 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Klebacha	ED	Fav/CS
2.			AED	
3.			AP	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 1076 revises educational programs and targets funding to increase the likelihood that educational programs in Florida’s public schools, colleges, and universities will better prepare students for their future work. The bill fosters students’ development of technology skills in prekindergarten through grade 12 and increases opportunities for students to earn industry certifications in high school and college. The bill targets university performance funding to three areas: computer and information technology; high-demand programs as identified by the Board of Governors (BOG) using a gap analysis; and cloud virtualization and related large data management.

CS/SB 1076 requires:

- The State Board of Education to designate multiple pathways for demonstrating the skills required for high school graduation including earning industry certifications for high school credit;
- Adult education students to complete a planning exercise called Action Steps to Career Readiness;

- Financial literacy to be included in high school graduation requirements as part of required credit in economics and requires an emphasis on entrepreneurship in the career education and planning course in middle school;
- Development of a Postsecondary Industry Certification Funding List for industry certifications that may be funded for school district workforce programs, Florida College System institutions, and state universities;
- Development of a Florida Cyber Security Recognition and a Florida Digital Arts Recognition for elementary school students with bonus funding for schools where students earn the recognitions; and
- Development of a Florida Digital Tools Certificate for middle school students with bonus funding for schools where students earn the certificate.

CS/SB 1076 amends, ss. 1001.42, 1001.706, 1002.3105, 1003.41, 1003.4156, 1003.4203, 1003.428, 1003.429, 1003.4295, 1003.433, 1003.4935, 1004.02, 1004.91, 1004.93, 1007.263, 1007.271, 1008.25, 1008.37, 1009.22, 1009.25, 1011.62, 1011.80, 1011.81, 1011.81, and 1011.905, Florida Statutes.

CS/SB 1076 creates ss. 1004.082 and 1008.44, Florida Statutes.

II. Present Situation:

The Value of a College Degree in Terms of Employment and Earnings

With the economic downturn in recent years and the difficulty many college graduates have had finding employment, many students have begun to question the economic value of a bachelor's degree.¹ In a survey by Rutgers University, 48 percent of the students surveyed said that in order to have economic security they would have been more careful in selecting a major or would have chosen a different major.² Research by the Center on Education and the Workforce at Georgetown University found that a student's choice of major substantially affects employment prospects and earnings.³ The study found that "majors with high technical, business, and healthcare content tend to earn the most among both recent and experienced college graduates."⁴

In a 2011 survey of 571 recent college graduates, only 53 percent held full-time jobs and were not in school; 21 percent were attending graduate school, and 16 percent were not employed⁵. Forty-four percent of the graduates said their first job was closely related to their academic degree, 26 percent said it was somewhat related, and 30 percent said it was not very much related

¹ Kwoh, L. "Generation Jobless", Wall Street Journal, November 12, 2011, readable at:

<http://online.wsj.com/article/SB10001424052970204224604577032551908947414.html?KEYWORDS=value+of+a+college+degree>; Wooldridge, A., "Angst for the Educated," Schumpeter column, The Economist, September 3, 2011, readable at: <http://www.economist.com/node/21528226>; and Fischer, Karin, "Crisis of Confidence Threatens Colleges", the Chronicle of Higher Education, May 15, 2011, readable at: <http://chronicle.com/article/Higher-Education-in-America-a/127530/>.

² Godofsky, J.; Zukin, C.; Van Horn, C.; "Unfulfilled Expectations: Recent College Graduates Struggle in a Troubled Economy", John J. Heldrich Center for Workforce Development, Rutgers University, May 2011, readable at: http://www.heldrich.rutgers.edu/sites/default/files/content/Work_Trends_May_2011.pdf.

³ Carnevale, A.P.; Cheah, B.; and Strohl, J.; "Hard Times: College Majors, Unemployment and Earnings: Not All College Degrees are Created Equal," Georgetown University Center for Education and the Workforce, January 4, 2012.

⁴ *Id.*, p. 6.

⁵ Godofsky, J., Zukin, C., and Van Horn, C., "Unfulfilled Expectations: Recent College Graduates Struggle in a Troubled Economy", *Worktrends*, John J. Heldrich Center for Workforce Development, May 2011, p. 2.

or not at all related to their degree.⁶ A 2012 analysis of government data regarding baccalaureate degree graduates under the age of 25 found that 53.6 percent were unemployed or underemployed.⁷

Rising tuition costs and student loan debt make it difficult for many baccalaureate degree graduates to be participating members of the economy at the level they anticipated when they incurred the student loan debt. According to the Student Loan Debt Clock, the total amount of student loan debt in the United States is more than \$1 trillion.⁸ According to the U.S. Department of Education, the three-year student loan default rate for 2009 graduates was 13.4 percent nationally.⁹

The importance of informing students of the employment outlook for their chosen baccalaureate-degree major is being emphasized by state legislatures and in legislation filed in the U.S. Congress. A bi-partisan bill filed in the U.S. Senate last year by Senators Ron Wyden and Marco Rubio, titled “Student Right to Know Before You Go Act”, required states to make salary data of college graduates accessible. The bill did not pass, but may be filed again in 2013.¹⁰

Florida, Virginia, Arkansas, California, and Texas have initiatives to make publicly available wage data regarding graduates of academic degree programs at institutions in their states.¹¹ The website, College Measures.org has the goal of making information from state data warehouses available in “data storefronts” in which performance metrics will be made accessible to the public to enable them “to get much better measures of the rate of return on their investment in higher education programs and institutions.”¹²

Florida’s Economic Security Report

Florida’s initiative to better inform students and their parents of the employment and economic outcomes for degrees earned at state universities and degrees and certificates earned at Florida College System (FCS) institutions is called the Economic Security Report¹³. The 2012 Legislature required the Department of Economic Opportunity (DEO) to prepare an economic security report on the employment and earnings of graduates of a degree or certificate program at a public postsecondary educational institution. Electronic access to the economic security report must be given to secondary school students and their parents and to university students when they register for classes. Secondary schools, Florida College System institutions, and state universities must provide students electronic access to the economic security report beginning in 2014-2015. The Florida College System recently unveiled a website titled Smart College

⁶ *Ibid.*, p. 5.

⁷ Associated Press, “Half of Recent College Grads Underemployed or Jobless, Analysis Says,” Cleveland.com, April 23, 2012, readable at: http://www.cleveland.com/business/index.ssf/2012/04/half_of_recent_college_grads_u.html

⁸ FinAid, “Student Loan Debt Clock,” readable at: <http://www.finaid.org/loans/studentloandebtclock.phtml>

⁹ U.S. Department of Education, “First Official Three-year Student Loan Default Rates Published”, September 28, 2012, readable at: <http://www.ed.gov/news/press-releases/first-official-three-year-student-loan-default-rates-published>

¹⁰ Simon, R., and Corkery, M., “Push to Gauge Bang for Buck from College Gains Steam,” Wall Street Journal, February 11, 2013.

¹¹ *Ibid.*, and College Measures .org, readable at: <http://collegemeasures.org/post/2012/08/Data-Offers-Insights-into-the-Earning-Power-of-College-Graduates-in-Arkansas.aspx>

¹² <http://collegemeasures.org/page/About-us.aspx>

¹³ s. 445.07, F.S.

Choices that provides employment and wage data for degree and certificate programs by Florida College System institution.¹⁴

Industry Certifications

An industry certification is a credential that indicates that an individual is qualified to perform a particular job or a task or set of tasks within an industry. The certification is conferred by a professional society or a corporation after the individual passes a test and meets any other requirements of the certification, such as employment experience. The Florida Education Finance Program (FEFP) provides funding for industry certifications attained by students in middle and high school¹⁵. The State Board of Education annually adopts by rule¹⁶ the list of industry certifications that are eligible for FEFP funding. The Department of Economic Opportunity (DEO) is required to define industry certifications for Florida “based upon the highest available national standards for specific industry certification, to ensure student skill proficiency and to address emerging labor market and industry trends”¹⁷. The list is adopted by reference in State Board Rule 6A-6.0573, F.A.C., and is published on the DOE website¹⁸.

Industry Certifications that articulate for college credit are called Gold Standard Career Pathways Industry Certifications.¹⁹ The Gold Standard list is a subset of the Industry Certified Funding List. Each Gold Standard certification is adopted as a statewide articulation agreement under s. 1007.23(1), F.S., after Florida College System administrators, program deans, and faculty agree that the certification articulates for college credit in an Associate of Science or Associate of Applied Science degree program. There are currently 116 Gold Standard Career Pathway Industry Certifications on the list.

Documenting Students’ Technology Skills

The European Computer Driving License, known outside of Europe as the International Computer Driving License (ICDL), is a credential provided through a global computer literacy initiative that is owned and coordinated by The European Computer Driving License Foundation Limited (ECDL-F), a not-for-profit organization based in Dublin, Ireland.²⁰ The ICDL is an internationally recognized certificate that indicates a person’s competence in computing knowledge and skills. Subjects covered by the ICDL include managing files, word processing, working with spreadsheets, using databases, making presentations, web browsing, and electronic communication. According to the ICDL website, ICDL/ ECDL Foundation has delivered certification programs to over 10 million people in 148 countries and in 41 languages.²¹ Corporations that recognize the ICDL that have Florida subsidiaries include Accenture, CitiBank, Orion One Development, Inc., and DHL.

¹⁴ <http://smart-college-choices.com/smart-college-choices.aspx>

¹⁵ s. 1011.62(1)(o), F.S.

¹⁶ s. 1003.492, F.S.

¹⁷ *Ibid.*

¹⁸ <http://www.fldoe.org/workforce/pdf/1213icfl.pdf>

¹⁹ Rule 6A-10.0401, F.A.C.

²⁰ http://www.icdlgcc.com/about_us/about_ICDL_history.htm

²¹ http://www.icdlgcc.com/For_Teachers%20and%20Students/ICDL_Why_Get_Certified.html

Alternative Pathways to a Standard High School Diploma

Current law requires each district school board, school district superintendent, and teacher to provide parents with specific information about their child's educational progress and comprehensive information about their choices and opportunities for involvement in their child's education.²² Public school choice options that are available to students include virtual instruction programs, special programs, dual enrollment, advanced placement (AP), International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), Advanced International Certificate of Education (AICE), early admissions, and credit by examination²³ or demonstration of competency. Additionally, Academically Challenging Curriculum to Enhance Learning (ACCEL) provide options for accelerated instruction, such as increased time for advanced content instruction, and self-paced student course completion.²⁴

Florida students entering their first year of high school may choose from one of the following options to earn a standard diploma:

- A four-year, 24-credit program;²⁵
- An International Baccalaureate (IB) curriculum;²⁶
- An Advanced International Certificate of Education (AICE) curriculum;²⁷
- A three-year, 18-credit college preparatory program;²⁸ or
- A three-year, 18-credit career preparatory program.²⁹

A student may also choose to graduate from high school in less than 8 semesters or the equivalent, providing the minimum graduation requirements in s. 1003.428, F.S., have been satisfied.³⁰

These options may not be suited for all students. Students who acquire skills best through applied learning could benefit from a pathway that leads to a high school diploma through attainment of rigorous industry certifications. With an emphasis on rigor rather than uniformity of subject matter, such a pathway could include earning industry certifications that articulate for college credit and also provide credit toward high school graduation.

A nationally-recognized drop-out recovery program in Pharr, Texas, the College, Career, and Technical Academy, leads students to finish high school by giving them the opportunity to earn college credit and develop skills for their future employment while they complete their high school requirements.³¹ Students are counseled regarding the possible career path for the

²² s. 1002.23(1)(a) and (b), F.S.

²³ Section 1003.4295, F.S., allows a student to earn high school credit in a course that requires a statewide, standardized end-of-course assessment if he or she attains a specified score on the assessment. Course credit must be given to a student who is not enrolled in the course, or who has not completed the course, if he or she earns a passing score on the corresponding end-of-course assessment.

²⁴ s.1002.3105, F.S.

²⁵ s. 1003.428, F.S.

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ s. 1003.429(1)(a) and (b), F.S.

²⁹ .s. 1003.429(1)(a) and (c), F.S.

³⁰ s. 1003.4281, F.S.

³¹ Mangan, K., "High School Dropouts Get a Taste of College at Texas Academy," The Chronicle of Higher Education, February 25, 2013.

credentials they earn—a certificate that could lead to an associate degree which could lead to a bachelor’s degree. Students who might not see the relevance of stand-alone academic subjects to their future employment plans, are more likely to see the relevance when the academic subject, such as mathematics, is tied to a skill they want to learn, such as welding.³²

Florida’s Career and Professional Education (CAPE) Act was enacted by the 2007 Legislature to attract and retain targeted, high-value industries and to develop a knowledge-based workforce.³³ In 2011-12, the fifth year of implementation of the Florida Career and Professional Education Act, school districts registered 1,511 high school and 56 middle school career and professional academies, representing all 67 of Florida’s school districts. This study found the following regarding enrollment patterns and student performance:

- The most frequent career cluster represented by academies was Information Technology with 284 registered academies followed by Health Sciences with 224 academies.
- The distribution of students by race and gender among academy students was similar to that of non-academy students.
- In the 2011-12 school year, 28,533 high school academy students earned 32,004 certifications with a pass rate of 84.3 percent.
- High school academy students were less likely to have dropped out of school than non-academy students.
- Graduates who earned academy and industry certifications outperformed the overall average high school population with a higher placement rate in employment or postsecondary education.
- Over the course of three years, the 2008-09 graduate cohort of industry certification earners showed higher earnings than the average high school graduate.³⁴

Aligning State University Degree Programs with Workforce Needs

In 2012, the Board of Governors convened a special Access and Educational Attainment Commission³⁵ with the intent of further aligning academic programs with workforce demands. The group, comprised of representatives of Florida’s education and business sectors, is working to determine high-demand degree programs using a gap analysis that compares projected workforce demand against current degree production. The work of this Commission is ongoing, with an expected completion date near the end of 2013.

Performance Funding for State Universities

The 2012 Legislature authorized performance funding for state universities that are most successful in educating students who earn degrees in, and become employed in, technology fields.³⁶ Up to \$15 million is authorized, as appropriated for that purpose.

In order to reverse the decline in bachelor’s degrees in technology fields and to support and expand Florida’s strong national position in tech employment and tech businesses, the law provides performance funding for state universities based on the percentage of graduates in

³² *Ibid.*

³³ Ch. 2007-216, L.O.F.

³⁴ Florida Department of Education, “Career and Professional Academy Enrollment and Performance Report, 2011-12”.

³⁵ Commission membership and meeting information readable at: <http://www.flbog.edu/about/commission.php>

³⁶ Ch. 2012-195, L.O.F.

specified technology fields. The funds must be provided directly to the departments offering the degree programs and universities are prohibited from using the funds to supplant existing funding in the departments granting the degrees. The universities that applied for the funding were ranked based on the following formula:

- Twenty-five percent of a state university's score was based on the percentage of employed graduates who have earned degrees in computer and information science, computer engineering, information systems technology, information technology, and management information systems;
- Twenty-five percent of a state university's score was based on the percentage of graduates who earned baccalaureate degrees in computer and information science, computer engineering, information systems technology, information technology, and
- Fifty percent of a university's score was based on factors related to graduates' high-skill, high-wage, high-demand employment in the designated technology fields.

The Board of Governors (BOG) awarded \$3.75 million each to four universities: Florida International University, the University of West Florida, the University of Central Florida, and the University of Florida.

Acknowledging Students' Achievement in Science and Mathematics

The Florida Education Foundation acknowledges 11th grade students from each school district in Florida for their outstanding achievements in science, technology, engineering, and mathematics. The acknowledgement is part of a recruitment effort by the foundation aimed at encouraging the students to attend Florida's colleges and universities. Eighty one students are acknowledged as Sunshine State Scholars each year.

Duke University conducts a talent identification program that begins with students in grades 4-6 and continues through grades 7-8 and 9-12. Students who are identified as having outstanding intellectual ability may enroll in the program which offers on-line lessons, publications, contests, and a book-club for younger students and distance learning, summer campus visits, and week-end-long courses on the Duke campus for older students.

III. Effect of Proposed Changes:

Aligning Education with Economic Opportunity for Graduates

This bill provides curricular innovations and targeted funding to enable Florida's public schools, colleges, and universities to better prepare students for their future work. The bill fosters students' development of technology skills in prekindergarten through grade 12 and increases opportunities for students to earn industry certifications in high school and college. The bill targets university performance funding to technology areas and to fields in which the Board of Governors (BOG) has identified gaps in the talent supply where the number of job openings exceeds the number of skilled graduates who might fill those jobs, under the gap analysis required in the bill.

Increasing Students' Technology Skills and Knowledge

The bill requires the development of recognitions and certificates that will be earned by elementary and middle school students as they develop technology skills and knowledge. The

bill also requires that students with disabilities be provided access to technology applications in prekindergarten through grade 12.

Two recognitions for elementary school students, the Florida Cyber Security Recognition and the Florida Digital Arts Recognition, will be developed by technology companies that have approved certifications on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List. The recognitions will be provided by the Department of Education (DOE) to school districts at no cost, and made available for elementary school students at the option of the school district. Bonus funding is authorized for schools in which students earn the recognitions. The developers of the recognitions must provide technical assistance and training for teachers, and model policies for school districts.

Elementary school students earning the Florida Cyber Security Recognition will learn about the need to be aware of safety when using the internet and will develop skills for doing so. Earning the Florida Digital Arts Recognition will give students an opportunity to combine their artistic talent with technology skills.

By December 2013, the DOE must contract with a company or companies that provide certifications that are on the Industry Certification Funding List under s. 1003.492, F.S., to develop the Florida Digital Tools Certificate for middle school students, which will indicate that a student has mastered digital technology skills that he or she will need for future academic work and future employment. The certification must be made available to all public middle school students at no cost to school districts. The certificate must be consistent with certifications that are listed on the Industry Certification Funding List. Thus, the Florida Digital Tools Certificate will be a middle school certificate awarded for the attainment of skills that are comparable in content and rigor to those required for certifications that are currently on the list. The skills must include word processing, spreadsheet display, and the creation of presentations that include sound, text, and graphics. The bill states the Legislature's intent that 75 percent of middle school students will earn the Florida Digital Tools Certificate by July 1, 2018.

Revising the Funding for Industry Certifications Earned in High School and at Postsecondary Institutions

The bill provides incentives for high schools, postsecondary workforce education programs and Florida colleges to offer rigorous industry certifications in the following ways:

- The current Florida Education Finance Program (FEFP) funding formula for industry certifications earned in middle school and high school will be streamlined so that there are two weights for Industry Certifications earned in high school. The current system of three weights at 0.1, 0.2 and 0.3 FTE are streamlined into a system of two weights: 0.15 for industry certifications that do not articulate for college credit, and 0.3 for those that do articulate for college credit.
- The current authorization for school districts to receive 0.1 FTE for certifications earned in middle school is repealed; instead middle schools will receive bonus funding for each Florida Digital Tools Certificate earned by a middle school student.
- School district workforce education programs and Florida College System institutions will earn bonus funding when students earn industry certifications in occupational areas specified by the Legislature in the General Appropriations Act.

Requiring Rigorous, Alternative Pathways for Students to Meet High School Graduation Requirements

The bill requires the DOE to develop, the State Board of Education to approve, and each school district to provide multiple pathways through which students may demonstrate mastery of the standards that satisfy high school graduation core curriculum credit requirements. The pathways must include:

- Integration of course content with practical applications;
- Rigorous pathways that result in one or more industry certifications;
- Course, credit, and industry certification options that satisfy course or credit requirements for high school graduation, with the exception of Algebra I assessment and English/Language Arts assessment requirements, including:
 - Industry certifications approved by the State Board of Education that may substitute for one or more courses or credits in mathematics and science, including but not limited to Algebra II, chemistry, and physics.
 - Industry certifications or bundles of industry certifications that satisfy English credit(s).
 - Industry certifications that articulate to at least 15 college credits that satisfy three core curriculum credit requirements (except Algebra I and English/Language Arts).
 - Middle school Algebra I coursework that is offered in two or more discrete instructional segments with corresponding end-of-segment assessments.

The bill also:

- Authorizes students to earn more than one credit in Algebra I as required math credit, with the expectation that the student pass the Algebra I end-of-course assessment prior to high school graduation.
- Requires financial literacy content as a component of economics in the general requirements for high school graduation instead of the current requirement for financial literacy as part of a mathematics requirement.
- Requires an emphasis on entrepreneurship in career education and planning course in middle school.

Strengthening Career Readiness Initiatives

The bill makes a number of statutory changes to strengthen adult education and career education programs.

FEFP funding for career dual enrollment programs is limited to those in which students earn industry certifications that articulate for college credit.

District school boards are authorized to appoint a governing board for a school district technical center or a system of technical centers, consisting of school board members (or their designees) and leaders of the local business community, to design and implement partnerships for industry certifications tailored to the needs of the local economy.

The term “vocational preparatory” instruction is changed to “applied academics instruction.” The bill requires adult education students to complete activities that emphasize the important link between an adult general education program and employability upon completion of the program.

Students entering adult general education programs after July 1, 2013, must complete “Action Steps to Employment” activities prior to the completion of the first term. The action steps are:

- Identify employment opportunities using market-driven tools;
- Create a personalized employment goal;
- Conduct a personalized skill and knowledge inventory;
- Compare the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal; and
- Upgrade skills and knowledge needed through adult general education programs and additional educational pursuits based on the employment goal.

The “Action Steps to Employment” may be developed through a blended approach with assistance provided to adult general education students by teachers, employment specialists, guidance counselors, business and industry representatives, and online resources. The bill recommends that students be directed to online resources or provided information on financial literacy, student financial aid, industry certification, occupational skills and knowledge tools, and a listing of job openings.

Targeting State University System Performance Funding

The bill requires the Board of Governors (BOG) to add to its Strategic Plan criteria for designating bachelor’s and master’s degree programs at specified state universities as high-demand programs of emphasis, based on performance measures (50% on performance measures and outcomes determined by the BOG, and 50% on job placement of graduates and a gap analysis of the job market and demands as determined by the BOG).

The bill extends State University System performance funding to new academic areas. The four universities that received performance funding for computer and information technology degree programs will receive the same amounts for 2013-2014. New degree areas for performance funding during the next two fiscal years will be in the areas the BOG identifies in its gap analysis of the job market and in cloud virtualization and related large data management.

Talent Retention Program

The bill creates a new “Talent Retention Program”, lead by the State University system (SUS) Chancellor in cooperation with the Commissioner of Education, to encourage middle and high school students who indicate an interest in or aptitude for physics or mathematics to continue their postsecondary education at a state university with excellent departments in selected fields.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private companies that have approved certifications on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List would develop the recognitions and certificate.

Students will be provided educational options that are more closely aligned with opportunities for employment, thus making it more likely that they will be employed in a high-skill, high wage job.

C. Government Sector Impact:

The bill makes the following changes to the FEFP:

- Revises Advanced Placement course funding incentives to require at least 50% of the students enrolled in the course earn a score of 3 or higher on the AP exam in order for the teacher to receive a bonus, and raises to \$3,000 (from \$2,000) the total bonus amount a teacher can earn annually.
- Increases the cap on industry certification funding from \$15 million to \$60 million and increases requirements for the rigor of the certifications that receive funding.
- Provides two levels of weighted funding for industry certifications and teacher bonus amounts:
 - 0.3 for certifications of sufficient rigor to articulate to college credit (\$50/student taught).
 - 0.15 for less rigorous certifications (\$25/student taught).
- Establishes bonus funding for schools that voluntarily participate in awarding:
 - Florida Cyber Security Recognition and Florida Digital Arts Recognition (annual \$50/student to maximum of \$100/student, and minimum award of \$1,000 and maximum of \$15,000 per elementary school).
 - Florida Digital Tool Certification (annual \$50/student with minimum award of \$1,000 and maximum of \$15,000 per middle school).

The bill authorizes up to \$15 million in performance funding for targeted industry certifications and expansion of targeted training programs in school district adult workforce programs. The funding is established at \$1,000 per industry certification earned, and the amount will be prorated if funds are insufficient to fully fund the total calculated award.

The bill authorizes up to \$15 million in performance funding for targeted industry certifications and expansion of targeted training programs in Florida College System institutions. The funding is established at \$1,000 per industry certification earned, and the amount will be prorated if funds are insufficient to fully fund the total calculated award.

Performance funding, as provided in the General Appropriations Act, will be awarded to state universities with degree programs in specified fields or in areas the BOG will identify in a gap analysis.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on March 6, 2013:

CS/SB 1076 differs from SB 1076 in the following ways:

- A section of SB 1076 that required the Florida Virtual Campus to provide information about industry certifications is not included in CS/SB 1076.
- CS/SB 1076 clarifies that state university performance funding for computer and information technology programs will not be awarded competitively in 2013-2014, and the universities that received performance funding in this category in 2012-2013 will receive awards in the same amounts in 2013-2014.

- B. **Amendments:**

None.



526290

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
	.	
	.	
	.	

The Committee on Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Delete lines 965 - 1083.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 104 - 107

and insert:

employment activities;



416792

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
	.	
	.	
	.	

The Committee on Education (Legg) recommended the following:

Senate Amendment

Delete lines 1559 - 1560

and insert:

In the 2013-2014 fiscal year, funds awarded under subparagraph 1. may not be awarded on the basis of a new competition, and the universities that received awards under subparagraph 1. in the 2012-2013 fiscal year shall be awarded the same amount in the 2013-2014 fiscal year.

By Senator Legg

17-00435G-13

20131076__

1 A bill to be entitled
 2 An act relating to education; providing a short title;
 3 amending s. 1001.42, F.S.; authorizing a district
 4 school board to appoint a governing board for a school
 5 district technical center or a system of technical
 6 centers; providing for membership of the board;
 7 amending s. 1001.706, F.S.; revising the requirements
 8 that must be included in the strategic plan that the
 9 Board of Governors must develop which includes
 10 criteria for the designation of certain baccalaureate
 11 degree programs and graduate degree programs as high-
 12 demand programs; amending s. 1002.3105, F.S.; adding
 13 attainment of industry certifications to the list of
 14 acceleration options available to public school
 15 students; amending s. 1003.41, F.S.; revising the core
 16 curricular content for mathematics and social studies
 17 within the Next Generation Sunshine State Standards;
 18 amending s. 1003.4156, F.S.; revising the requirements
 19 for the course in career and education planning which
 20 students in middle grades must successfully complete
 21 for promotion; amending s. 1003.4203, F.S.; requiring
 22 each district school board to make available digital
 23 materials for students in kindergarten through grade
 24 12; revising the digital curriculum; authorizing the
 25 digital materials to be integrated into subject area
 26 curricula, offered as a separate course, or made
 27 available through other options; requiring the
 28 Department of Education to confirm that each school
 29 district has made available digital instructional

Page 1 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13

20131076__

30 materials for certain students with disabilities by a
 31 specified date; requiring the department to contract
 32 with technology companies or affiliated nonprofit
 33 organizations by a specified date to develop a cyber
 34 security recognition and a digital arts and technology
 35 recognition; requiring that the recognitions be made
 36 available to all public elementary school students at
 37 no cost to the districts; requiring the department to
 38 contract by a specified date with technology companies
 39 to provide a digital tools certificate; requiring that
 40 the digital tools certificate be made available to all
 41 public middle school students at no cost to the school
 42 districts; providing legislative intent; requiring the
 43 department or a contracted company or companies to
 44 provide technical assistance to district school
 45 boards; providing criteria for the assistance;
 46 authorizing a district school board to seek
 47 partnerships with other school districts, private
 48 businesses, colleges, universities, or consultants to
 49 offer classes and instruction to teachers and students
 50 to assist the school district in providing digital
 51 materials and certifications; requiring the State
 52 Board of Education to adopt rules; amending s.
 53 1003.428, F.S.; revising requirements for high school
 54 graduation to include financial literacy and a
 55 rigorous industry certification program of study;
 56 requiring students to pass certain assessments before
 57 high school graduation; amending s. 1003.429, F.S.;
 58 revising requirements for accelerated high school

Page 2 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13

20131076__

59 graduation to include financial literacy and a
 60 rigorous industry certification program of study;
 61 requiring students to pass certain assessments before
 62 high school graduation; amending s. 1003.4295, F.S.;
 63 requiring the department to develop, the State Board
 64 of Education to approve, and each school district to
 65 provide alternative pathways of earning accelerated
 66 credit toward meeting general credit requirements for
 67 high school graduation; amending s. 1003.433, F.S.;
 68 deleting a provision that exempts students attending
 69 adult basic, adult secondary, or vocational-
 70 preparatory instruction from payment of certain fees
 71 and tuition; repealing s. 1003.4935(4), F.S., relating
 72 to the adoption of rules by the State Board of
 73 Education that identify industry certifications in
 74 science, technology, engineering, and mathematics
 75 offered in middle school to be included on the
 76 Industry Certification Funding List and which are
 77 eligible for additional full-time equivalent
 78 membership; amending s. 1004.02, F.S.; revising
 79 definitions; creating s. 1004.082, F.S.; requiring the
 80 Chancellor of the State University System to cooperate
 81 with the Commissioner of Education to support the
 82 operation of programs to encourage talented secondary
 83 school students and students of physics or mathematics
 84 programs to pursue a postsecondary education at a
 85 state university; amending s. 1004.91, F.S.; providing
 86 requirements for basic skills for a career education
 87 program; requiring each school district and Florida

17-00435G-13

20131076__

88 College System institution that conducts programs that
 89 confer career and technical certificates to provide
 90 applied academics instruction through which students
 91 receive basic skills instruction; requiring certain
 92 students to be referred to applied academics
 93 instruction or another adult general education program
 94 for a structured program or basic skills instruction;
 95 revising the types of students who are exempt from
 96 completing the basic skills for a career education
 97 program; amending s. 1004.93, F.S.; revising the
 98 priority in which an adult education program must
 99 provide academic services to students; requiring
 100 students who are entering adult general education
 101 programs to complete certain activities before a
 102 specified date in order to accelerate employment;
 103 providing for the development of the action-steps-to-
 104 employment activities; amending s. 1006.73, F.S.;
 105 revising the primary purposes and the duties of the
 106 Florida Virtual Campus to include enhancing and
 107 expanding programs leading to industry certification;
 108 amending s. 1007.263, F.S.; conforming a provision to
 109 changes made by the act; amending s. 1007.271, F.S.;
 110 conforming a provision to changes made by the act;
 111 revising requirements for career dual enrollment
 112 programs to include the earning of an industry
 113 certification; amending s. 1008.25, F.S.; requiring
 114 each school district to establish a comprehensive plan
 115 for student progression which must provide
 116 instructional sequences for students in kindergarten

17-00435G-13

20131076__

117 through high school to progressively higher levels of
 118 competency in the use of digital tools; amending
 119 1008.37, F.S.; conforming a provision to changes made
 120 by the act; creating s. 1008.44, F.S.; requiring the
 121 Department of Education to annually identify the
 122 Industry Certification Funding List; requiring the
 123 State Board of Education to adopt the Postsecondary
 124 Industry Certification List; requiring the
 125 Commissioner of Education to recommend to the State
 126 Board of Education the Postsecondary Industry
 127 Certification Funding List; authorizing the
 128 commissioner to recommend adding certifications;
 129 requiring the Chancellor of the State University
 130 System, the Chancellor of the Florida College System,
 131 and the Chancellor of Career and Adult Education to
 132 recommend to the commissioner industry certifications
 133 to be placed on the funding list; requiring that the
 134 Postsecondary Industry Certification Funding List be
 135 used in determining annual performance funding
 136 distributions to school districts and Florida College
 137 System institutions; requiring the chancellors to
 138 consider results of the economic security report of
 139 employment and earnings outcomes when recommending
 140 certifications for the list; requiring the
 141 commissioner to differentiate content, instructional,
 142 and assessment requirements that, when provided by a
 143 public institution and satisfactorily attained by a
 144 student, indicate accomplishment of requirements
 145 necessary for funding under certain circumstances;

Page 5 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13

20131076__

146 requiring differentiated requirements to be included
 147 in the Industry Certification Funding List; amending
 148 ss. 1009.22 and 1009.25, F.S.; conforming provisions
 149 to changes made by the act; amending s. 1011.62, F.S.;
 150 conforming provisions to changes made by the act;
 151 revising the procedure for annual allocation of funds
 152 to each school district; revising the bonus funding
 153 for enrollment in advanced placement courses;
 154 increasing the funding cap on funding associated with
 155 industry certifications; providing a performance bonus
 156 for teachers of specified subjects; revising the
 157 calculation of additional full-time equivalent
 158 membership based on certification of successful
 159 completion of a career-themed course and issuance of
 160 an industry certification; requiring that industry
 161 certification courses be reported and funded;
 162 authorizing bonus funding for elementary and middle
 163 schools where students earn certain recognitions and
 164 digital competency certificates; amending s. 1011.80,
 165 F.S.; deleting the performance output measure for a
 166 career program of study; providing that continuing
 167 postsecondary education at a level that will further
 168 enhance employment is a performance outcome for adult
 169 general education programs; providing distribution and
 170 calculation of performance funding for school district
 171 workforce education programs; amending s. 1011.81,
 172 F.S.; providing for performance funding for industry
 173 certifications for Florida College System
 174 institutions; amending s. 1011.905, F.S.; revising

Page 6 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13

20131076__

175 requirements for performance funding for state
176 universities; providing an effective date.

177
178 Be It Enacted by the Legislature of the State of Florida:

179
180 Section 1. Short title.—This act may be cited as the
181 “Career and Professional Education Act (CAPE).”

182 Section 2. Subsection (26) of section 1001.42, Florida
183 Statutes, is renumbered as subsection (27), and a new subsection
184 (26) is added to that section, to read:

185 1001.42 Powers and duties of district school board.—The
186 district school board, acting as a board, shall exercise all
187 powers and perform all duties listed below:

188 (26) TECHNICAL CENTER GOVERNING BOARD.—Each district school
189 board may appoint a governing board for a school district
190 technical center or a system of technical centers for the
191 purpose of aligning the educational programs of the technical
192 center with the needs of local businesses and responding quickly
193 to local businesses’ needs for employees holding industry
194 certifications. A technical center governing board must be
195 comprised of seven members, three of whom must be members of the
196 school board or their designees and four of whom must be local
197 business leaders. The district school board shall delegate to
198 the technical center governing board decisions regarding
199 entrance requirements for students, curriculum, program
200 development, budget and funding allocations, and the development
201 of partnership agreements and appropriate industry
202 certifications with local businesses in order to meet local and
203 regional economic needs. A technical center governing board may

Page 7 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13

20131076__

204 approve only courses and programs that contain industry
205 certifications. A course may be continued if at least 25 percent
206 of the students enrolled in the course attain an industry
207 certification. If fewer than 25 percent of the students enrolled
208 in a course attain an industry certification, the course must be
209 discontinued the following year.

210 Section 3. Paragraph (b) of subsection (5) of section
211 1001.706, Florida Statutes, is amended to read:

212 1001.706 Powers and duties of the Board of Governors.—

213 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

214 (b) The Board of Governors shall develop a strategic plan
215 specifying goals and objectives for the State University System
216 and each constituent university, including each university’s
217 contribution to overall system goals and objectives. The
218 strategic plan must:

219 1. Include performance metrics and standards common for all
220 institutions and metrics and standards unique to institutions
221 depending on institutional core missions, including, but not
222 limited to, student admission requirements, retention,
223 graduation, employment, continued education, licensure passage,
224 excess hours, student loan burden and default rates, faculty
225 awards, total annual research expenditures, patents, licenses
226 and royalties, intellectual property, startup companies, annual
227 giving, endowments, and well-known, highly respected national
228 rankings for institutional and program achievements.

229 2. Consider reports and recommendations of the Higher
230 Education Coordinating Council pursuant to s. 1004.015 and the
231 Articulation Coordinating Committee pursuant to s. 1007.01.

232 3. Include student enrollment and performance data

Page 8 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13 20131076

233 delineated by method of instruction, including, but not limited
234 to, traditional, online, and distance learning instruction.

235 4. Include criteria for designating baccalaureate degree
236 and master's degree programs at specified universities as high-
237 demand programs. Fifty percent of the criteria for designation
238 as high-demand programs of emphasis must be based on achievement
239 of performance measures and performance outcome thresholds
240 determined by the Board of Governors, and 50 percent of the
241 criteria must be based on achievement of performance measures
242 and performance outcome thresholds specifically linked to:

243 a. Job placement in employment of 36 hours or more per week
244 and average full-time wages of graduates of the degree programs
245 1 year and 5 years after graduation, based in part on data
246 provided in the economic security report of employment and
247 earnings outcomes produced annually pursuant to s. 445.07; and

248 b. Data-driven gap analyses, conducted by the board, of the
249 state's job market demands and outlook for jobs that require a
250 baccalaureate degree or a higher degree.

251 Section 4. Paragraph (b) of subsection (1) of section
252 1002.3105, Florida Statutes, is amended to read:

253 1002.3105 Academically Challenging Curriculum to Enhance
254 Learning (ACCEL) options.—

255 (1) ACCEL OPTIONS.—

256 (b) At a minimum, each school must offer the following
257 ACCEL options: whole-grade and midyear promotion; subject-matter
258 acceleration; virtual instruction in higher grade level
259 subjects; acceleration options, pathways, and the Credit
260 Acceleration Program under s. 1003.4295. Additional ACCEL
261 options may include, but are not limited to, enriched science,

17-00435G-13 20131076

262 technology, engineering, and mathematics ~~(STEM)~~ coursework;
263 enrichment programs; flexible grouping; advanced academic
264 courses; combined classes; self-paced instruction; curriculum
265 compacting; advanced-content instruction; rigorous industry
266 certifications that are articulated to college credit and
267 approved pursuant to ss. 1003.492 and 1008.44; work-related
268 internships or apprenticeships; and telescoping curriculum.

269 Section 5. Paragraph (a) of subsection (1) of section
270 1003.41, Florida Statutes, is amended to read:

271 1003.41 Sunshine State Standards.—

272 (1) Public K-12 educational instruction in Florida is based
273 on the "Sunshine State Standards." The State Board of Education
274 shall review the Sunshine State Standards and replace them with
275 the Next Generation Sunshine State Standards that establish the
276 core content of the curricula to be taught in this state and
277 that specify the core content knowledge and skills that K-12
278 public school students are expected to acquire. The Next
279 Generation Sunshine State Standards must, at a minimum:

280 (a) Establish the core curricular content for language
281 arts, science, mathematics, and social studies, as follows:

282 1. Language arts standards must establish specific
283 curricular content for, at a minimum, the reading process,
284 literary analysis, the writing process, writing applications,
285 communication, and information and media literacy. The standards
286 must include distinct grade level expectations for the core
287 content knowledge and skills that a student is expected to have
288 acquired by each individual grade level from kindergarten
289 through grade 8. The language arts standards for grades 9
290 through 12 may be organized by grade clusters of more than one

17-00435G-13 20131076
 291 grade level. The language arts standards must also identify
 292 significant literary genres and authors that encompass a
 293 comprehensive range of historical periods. Beginning with the
 294 2011-2012 school year, the reading portion of the language arts
 295 curriculum shall include civics education content for all grade
 296 levels. The State Board of Education shall, in accordance with
 297 the expedited schedule established under subsection (2), review
 298 and replace the language arts standards adopted by the state
 299 board in 2007 with Next Generation Sunshine State Standards that
 300 comply with this subparagraph.

301 2. Science standards must establish specific curricular
 302 content for, at a minimum, the nature of science, earth and
 303 space science, physical science, and life science. The standards
 304 must include distinct grade level expectations for the core
 305 content knowledge and skills that a student is expected to have
 306 acquired by each individual grade level from kindergarten
 307 through grade 8. The science standards for grades 9 through 12
 308 may be organized by grade clusters of more than one grade level.

309 3. Mathematics standards must establish specific curricular
 310 content for, at a minimum, algebra, geometry, probability,
 311 statistics, calculus, discrete mathematics, ~~financial literacy,~~
 312 and trigonometry. The standards must include distinct grade
 313 level expectations for the core content knowledge and skills
 314 that a student is expected to have acquired by each individual
 315 grade level from kindergarten through grade 8. The mathematics
 316 standards for grades 9 through 12 may be organized by grade
 317 clusters of more than one grade level.

318 4. Social studies standards must establish specific
 319 curricular content for, at a minimum, geography; ~~United States~~

17-00435G-13 20131076
 320 and world history; ~~government;~~ civics; ~~economics,~~ to include
 321 financial literacy; and humanities. The standards must include
 322 distinct grade level expectations for the core content knowledge
 323 and skills that a student is expected to have acquired by each
 324 individual grade level from kindergarten through grade 8. The
 325 social studies standards for grades 9 through 12 may be
 326 organized by grade clusters of more than one grade level.

327 Section 6. Paragraph (a) of subsection (1) of section
 328 1003.4156, Florida Statutes, is amended to read:

329 1003.4156 General requirements for middle grades
 330 promotion.—

331 (1) Promotion from a school composed of middle grades 6,
 332 7, and 8 requires that:

333 (a) The student must successfully complete academic courses
 334 as follows:

335 1. Three middle school or higher courses in English. These
 336 courses shall emphasize:

337 a. Literature, composition, and technical text; or

338 b. Reading.

339 2. Three middle school or higher courses in mathematics.

340 Each middle school must offer at least one high school level
 341 mathematics course for which students may earn high school
 342 credit. Successful completion of a high school level Algebra I
 343 or geometry course is not contingent upon the student's
 344 performance on the end-of-course assessment required under s.
 345 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012
 346 school year, to earn high school credit for an Algebra I course,
 347 a middle school student must pass the Algebra I end-of-course
 348 assessment, and beginning with the 2012-2013 school year, to

17-00435G-13 20131076__

349 earn high school credit for a geometry course, a middle school
350 student must pass the geometry end-of-course assessment.

351 3. Three middle school or higher courses in social studies,
352 one semester of which must include the study of state and
353 federal government and civics education. Beginning with students
354 entering grade 6 in the 2012-2013 school year, one of these
355 courses must be at least a one-semester civics education course
356 that a student successfully completes in accordance with s.
357 1008.22(3)(c) and that includes the roles and responsibilities
358 of federal, state, and local governments; the structures and
359 functions of the legislative, executive, and judicial branches
360 of government; and the meaning and significance of historic
361 documents, such as the Articles of Confederation, the
362 Declaration of Independence, and the Constitution of the United
363 States.

364 4. Three middle school or higher courses in science.
365 Successful completion of a high school level Biology I course is
366 not contingent upon the student's performance on the end-of-
367 course assessment required under s. 1008.22(3)(c)2.a.(II).
368 However, beginning with the 2012-2013 school year, to earn high
369 school credit for a Biology I course, a middle school student
370 must pass the Biology I end-of-course assessment.

371 5. One course in career and education planning to be
372 completed in 6th, 7th, or 8th grade. The course may be taught by
373 any member of the instructional staff; must result in a
374 completed personalized academic and career plan for the student;
375 must emphasize the importance of entrepreneurship skills; must
376 emphasize technology or the application of technology in career
377 fields; and, beginning in the 2014-2015 academic year, must

17-00435G-13 20131076__

378 include information from the Department of Economic
379 Opportunity's economic security report as described in s.
380 445.07. The required personalized academic and career plan must
381 inform students of high school graduation requirements, high
382 school assessment and college entrance test requirements,
383 Florida Bright Futures Scholarship Program requirements, state
384 university and Florida College System institution admission
385 requirements, and programs through which a high school student
386 can earn college credit, including Advanced Placement,
387 International Baccalaureate, Advanced International Certificate
388 of Education, dual enrollment, career academy and career-themed
389 course opportunities, and courses that lead to national industry
390 certification.

391
392 A student with a disability, as defined in s. 1007.02(2), for
393 whom the individual education plan team determines that an end-
394 of-course assessment cannot accurately measure the student's
395 abilities, taking into consideration all allowable
396 accommodations, shall have the end-of-course assessment results
397 waived for purposes of determining the student's course grade
398 and completing the requirements for middle grades promotion.
399 Each school must inform parents about the course curriculum and
400 activities. Each student shall complete a personal education
401 plan that must be signed by the student and the student's
402 parent. The Department of Education shall develop course
403 frameworks and professional development materials for the career
404 and education planning course. The course may be implemented as
405 a stand-alone course or integrated into another course or
406 courses. The Commissioner of Education shall collect

17-00435G-13 20131076__

407 longitudinal high school course enrollment data by student
408 ethnicity in order to analyze course-taking patterns.

409 Section 7. Section 1003.4203, Florida Statutes, is amended
410 to read:

411 1003.4203 Digital technology materials, certificates, and
412 technical assistance curriculum.—

413 (1) Each district school board, in consultation with the
414 district school superintendent, shall make available ~~may develop~~
415 ~~and implement~~ a digital materials curriculum for students in
416 prekindergarten through grade grades 6 through 12 in order to
417 enable students to attain digital skills competencies in web
418 communications and web design. A digital curriculum may include
419 web-based skills, web-based core technologies, web design, use
420 of digital technologies and markup language to show competency
421 in computer skills, and use of web-based core technologies to
422 design creative, informational, and content standards for web-
423 based digital products that demonstrate proficiency in creating,
424 publishing, testing, monitoring, and maintaining a website.

425 (2) The digital materials curriculum instruction may be
426 integrated into ~~middle school and high school~~ subject area
427 curricula, ~~or~~ offered as a separate course, made available
428 through open-access options, or deployed through online or
429 digital computer applications, subject to available funding.

430 (2) Beginning with the 2013-2014 school year, each district
431 school board, in consultation with the district school
432 superintendent, shall make available digital instructional
433 materials, including software applications, for students with
434 disabilities who are in prekindergarten through grade 12.

435 (3) Subject to available funding, the department shall

17-00435G-13 20131076__

436 contract by December 1, 2013, with one or more of the technology
437 companies or affiliated nonprofit organizations that have
438 approved industry certifications identified on the Industry
439 Certification Funding List or the Postsecondary Industry
440 Certification Funding List, pursuant to s. 1003.492 or s.
441 1008.44, for the development of a Florida Cyber Security
442 Recognition and a Florida Digital Arts Recognition to indicate a
443 student's attainment of knowledge and skills in digital
444 technology. The recognitions shall be made available to all
445 public elementary school students, at no cost to the districts.

446 (a) Targeted knowledge and skills to be mastered for each
447 recognition shall be identified by the department. Knowledge and
448 skills may be demonstrated through student attainment of
449 recognitions in particular content areas.

450 1. The Florida Cyber Security Recognition must be based on
451 understanding of computer processing operations and, in most
452 part, on cyber security skills that increase a student's cyber-
453 safe practices.

454 2. The Florida Digital Arts Recognition must reflect a
455 balance of skills in technology and the arts.

456 (b) The companies that provide the recognitions must
457 provide open access to materials for teaching and assessing the
458 skills necessary to earn the recognitions. Each elementary
459 school advisory council shall be notified of the methods of
460 delivery of the open-access content and assessments for the
461 recognitions.

462 (4) Subject to available funding, the department shall
463 contract, by December 1, 2013, with one or more of the
464 technology companies that have approved industry certifications

17-00435G-13 20131076

465 identified on the Industry Certification Funding List or the
 466 Postsecondary Industry Certification Funding List, pursuant to
 467 s. 1003.492 or s. 1008.44, to develop a Florida Digital Tools
 468 Certificate to indicate a student's technology skills. The
 469 certificate shall be made available to all public middle school
 470 students, at no cost to school districts.

471 (a) Targeted skills to be mastered for the certificate must
 472 be digital technology skills that are necessary in the student's
 473 academic work and digital technology skills the student may need
 474 in future employment. The skills must include, but need not be
 475 limited to, word processing, spreadsheet display, and the
 476 creation of presentations, including sound, text, and graphic
 477 presentations, consistent with industry certifications that are
 478 listed on the Industry Certification Funding List, pursuant to
 479 s. 1003.492.

480 (b) The companies that provide the certificate must provide
 481 open access to materials for teaching and assessing the skills
 482 necessary to earn the certificate. Each middle school advisory
 483 council shall be notified of the methods of delivery of the
 484 open-access content and assessments for the recognitions.

485 (c) The Legislature intends that at least 75 percent of
 486 public middle school students earn the certificate by July 1,
 487 2018.

488 (5)(3) The Department of Education or company or companies
 489 contracted under subsection (4) or this subsection shall provide
 490 technical assistance to ~~develop a model digital curriculum to~~
 491 ~~serve as a guide for~~ district school boards in the
 492 implementation ~~development~~ of this section. Assistance to
 493 districts shall include, but need not be limited to:

17-00435G-13 20131076

494 identification of digital technology resources, primarily open-
 495 access resources, including digital curriculum, instructional
 496 materials, media assets, and other digital tools and
 497 applications; training mechanisms for teachers and others to
 498 facilitate integration of digital technologies into
 499 instructional strategies; and model policies and procedures that
 500 support sustainable implementation practices ~~a digital~~
 501 curriculum.

502 (6)(4) A district school board may seek partnerships with
 503 other school districts, private businesses, colleges,
 504 universities, or ~~and~~ consultants to offer classes and
 505 instruction to teachers and students to assist the school
 506 district in providing digital materials and certifications
 507 established pursuant to this section ~~curriculum instruction.~~

508 (7) The State Board of Education shall adopt rules pursuant
 509 to ss. 120.536(1) and 120.54 to administer the requirements of
 510 this section.

511 Section 8. Subsection (1) and paragraph (a) of subsection
 512 (2) of section 1003.428, Florida Statutes, are amended to read:
 513 1003.428 General requirements for high school graduation;
 514 revised.—

515 (1) Except as otherwise authorized pursuant to s. 1003.429,
 516 beginning with students entering grade 9 in the 2007-2008 school
 517 year, graduation requires the successful completion of a minimum
 518 of 24 credits, an International Baccalaureate curriculum, or an
 519 Advanced International Certificate of Education curriculum.
 520 Beginning with the 2013-2014 school year, a student may meet
 521 high school graduation requirements through a rigorous industry
 522 certification program of study approved by the State Board of

17-00435G-13 20131076
 523 Education; however, the student must pass the Algebra I end-of-
 524 course assessment and the high school English/Language Arts
 525 assessment adopted pursuant to s. 1008.22 before high school
 526 graduation. Students must be advised of eligibility requirements
 527 for state scholarship programs and postsecondary admissions.

528 (2) The 24 credits may be earned through applied,
 529 integrated, and combined courses, or rigorous industry
 530 certifications, approved by the Department of Education. The 24
 531 credits shall be distributed as follows:

532 (a) Sixteen core curriculum credits:

533 1. Four credits in English, with major concentration in
 534 composition, reading for information, and literature.

535 2. Four credits in mathematics, one of which must be
 536 Algebra I, a series of courses equivalent to Algebra I, or a
 537 higher-level mathematics course; however, beginning with the
 538 2013-2014 school year, a student may repeat Algebra I courses
 539 and count those courses toward satisfying the credit
 540 requirements of this subparagraph if the student passes the
 541 Algebra I end-of-course assessment before high school
 542 graduation. Beginning with students entering grade 9 in the
 543 2010-2011 school year, in addition to the Algebra I credit
 544 requirement, one of the four credits in mathematics must be
 545 geometry or a series of courses equivalent to geometry as
 546 approved by the State Board of Education. Beginning with
 547 students entering grade 9 in the 2010-2011 school year, the end-
 548 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
 549 must be met in order for a student to earn the required credit
 550 in Algebra I. Beginning with students entering grade 9 in the
 551 2011-2012 school year, the end-of-course assessment requirements

17-00435G-13 20131076
 552 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
 553 to earn the required credit in geometry. Beginning with students
 554 entering grade 9 in the 2012-2013 school year, in addition to
 555 the Algebra I and geometry credit requirements, one of the four
 556 credits in mathematics must be Algebra II or a series of courses
 557 equivalent to Algebra II as approved by the State Board of
 558 Education.

559 3. Three credits in science, two of which must have a
 560 laboratory component. Beginning with students entering grade 9
 561 in the 2011-2012 school year, one of the three credits in
 562 science must be Biology I or a series of courses equivalent to
 563 Biology I as approved by the State Board of Education. Beginning
 564 with students entering grade 9 in the 2011-2012 school year, the
 565 end-of-course assessment requirements under s.
 566 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 567 the required credit in Biology I. Beginning with students
 568 entering grade 9 in the 2013-2014 school year, one of the three
 569 credits must be Biology I or a series of courses equivalent to
 570 Biology I as approved by the State Board of Education, one
 571 credit must be chemistry or physics or a series of courses
 572 equivalent to chemistry or physics as approved by the State
 573 Board of Education, and one credit must be an equally rigorous
 574 course, as determined by the State Board of Education.

575 4. Three credits in social studies as follows: one credit
 576 in United States history; one credit in world history; one-half
 577 credit in economics, to include financial literacy; and one-half
 578 credit in United States government.

579 5. One credit in fine or performing arts, speech and
 580 debate, or a practical arts course that incorporates artistic

17-00435G-13 20131076__
 581 content and techniques of creativity, interpretation, and
 582 imagination. Eligible practical arts courses shall be identified
 583 through the Course Code Directory.

584 6. One credit in physical education to include integration
 585 of health. Participation in an interscholastic sport at the
 586 junior varsity or varsity level for two full seasons shall
 587 satisfy the one-credit requirement in physical education if the
 588 student passes a competency test on personal fitness with a
 589 score of "C" or better. The competency test on personal fitness
 590 must be developed by the Department of Education. A district
 591 school board may not require that the one credit in physical
 592 education be taken during the 9th grade year. Completion of one
 593 semester with a grade of "C" or better in a marching band class,
 594 in a physical activity class that requires participation in
 595 marching band activities as an extracurricular activity, or in a
 596 dance class shall satisfy one-half credit in physical education
 597 or one-half credit in performing arts. This credit may not be
 598 used to satisfy the personal fitness requirement or the
 599 requirement for adaptive physical education under an individual
 600 education plan (IEP) or 504 plan. Completion of 2 years in a
 601 Reserve Officer Training Corps (R.O.T.C.) class, a significant
 602 component of which is drills, shall satisfy the one-credit
 603 requirement in physical education and the one-credit requirement
 604 in performing arts. This credit may not be used to satisfy the
 605 personal fitness requirement or the requirement for adaptive
 606 physical education under an individual education plan (IEP) or
 607 504 plan.

608 Section 9. Paragraphs (b) and (c) of subsection (1) of
 609 section 1003.429, Florida Statutes, are amended to read:

17-00435G-13 20131076__
 610 1003.429 Accelerated high school graduation options.-
 611 (1) Students who enter grade 9 in the 2006-2007 school year
 612 and thereafter may select, upon receipt of each consent required
 613 by this section, one of the following three high school
 614 graduation options:

615 (b) Completion of a 3-year standard college preparatory
 616 program requiring successful completion of a minimum of 18
 617 academic credits in grades 9 through 12. At least 6 of the 18
 618 credits required for completion of this program must be received
 619 in classes that are offered pursuant to the International
 620 Baccalaureate Program, the Advanced Placement Program, dual
 621 enrollment, Advanced International Certificate of Education,
 622 rigorous industry certifications that are approved by the State
 623 Board of Education, or classes specifically listed or identified
 624 by the Department of Education as rigorous pursuant to s.
 625 1009.531(3); however, students must pass the Algebra I end-of-
 626 course assessment and the high school English/Language Arts
 627 assessment adopted pursuant to s. 1008.22 before high school
 628 graduation. The 18 credits required for completion of this
 629 program shall be primary requirements and shall be distributed
 630 as follows:

631 1. Four credits in English, with major concentration in
 632 composition and literature;

633 2. Three credits and, beginning with students entering
 634 grade 9 in the 2010-2011 school year, four credits in
 635 mathematics at the Algebra I level or higher from the list of
 636 courses that qualify for state university admission; however,
 637 beginning with the 2013-2014 school year, a student may repeat
 638 Algebra I courses and count those courses toward satisfying the

17-00435G-13 20131076__

639 credit requirements of this subparagraph if the student passes
 640 the Algebra I end-of-course assessment before high school
 641 graduation. Beginning with students entering grade 9 in the
 642 2010-2011 school year, in addition to the Algebra I credit
 643 requirement, one of the four credits in mathematics must be
 644 geometry or a series of courses equivalent to geometry as
 645 approved by the State Board of Education. Beginning with
 646 students entering grade 9 in the 2010-2011 school year, the end-
 647 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
 648 must be met in order for a student to earn the required credit
 649 in Algebra I. Beginning with students entering grade 9 in the
 650 2011-2012 school year, the end-of-course assessment requirements
 651 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
 652 to earn the required credit in geometry. Beginning with students
 653 entering grade 9 in the 2012-2013 school year, in addition to
 654 the Algebra I and geometry credit requirements, one of the four
 655 credits in mathematics must be Algebra II or a series of courses
 656 equivalent to Algebra II as approved by the State Board of
 657 Education;

658 3. Three credits in science, two of which must have a
 659 laboratory component. Beginning with students entering grade 9
 660 in the 2011-2012 school year, one of the three credits in
 661 science must be Biology I or a series of courses equivalent to
 662 Biology I as approved by the State Board of Education. Beginning
 663 with students entering grade 9 in the 2011-2012 school year, the
 664 end-of-course assessment requirements under s.
 665 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 666 the required credit in Biology I. Beginning with students
 667 entering grade 9 in the 2013-2014 school year, one of the three

17-00435G-13 20131076__

668 credits must be Biology I or a series of courses equivalent to
 669 Biology I as approved by the State Board of Education, one
 670 credit must be chemistry or physics or a series of courses
 671 equivalent to chemistry or physics as approved by the State
 672 Board of Education, and one credit must be an equally rigorous
 673 course, as approved by the State Board of Education;

674 4. Three credits in social sciences, which must include one
 675 credit in United States history, one credit in world history,
 676 one-half credit in United States government, and one-half credit
 677 in economics, to include financial literacy;

678 5. Two credits in the same second language unless the
 679 student is a native speaker of or can otherwise demonstrate
 680 competency in a language other than English. If the student
 681 demonstrates competency in another language, the student may
 682 replace the language requirement with two credits in other
 683 academic courses; and

684 6. Three credits in electives and, beginning with students
 685 entering grade 9 in the 2010-2011 school year, two credits in
 686 electives; or

687 (c) Completion of a 3-year career preparatory program
 688 requiring successful completion of a minimum of 18 academic
 689 credits in grades 9 through 12. The 18 credits shall be primary
 690 requirements and shall be distributed as follows:

691 1. Four credits in English, with major concentration in
 692 composition and literature;

693 2. Three credits and, beginning with students entering
 694 grade 9 in the 2010-2011 school year, four credits in
 695 mathematics, one of which must be Algebra I; however, beginning
 696 with the 2013-2014 school year, a student may repeat Algebra I

17-00435G-13 20131076__

697 courses and count those courses toward satisfying the credit
 698 requirements of this subparagraph if the student passes the
 699 Algebra I end-of-course assessment before high school
 700 graduation. Beginning with students entering grade 9 in the
 701 2010-2011 school year, in addition to the Algebra I credit
 702 requirement, one of the four credits in mathematics must be
 703 geometry or a series of courses equivalent to geometry as
 704 approved by the State Board of Education. Beginning with
 705 students entering grade 9 in the 2010-2011 school year, the end-
 706 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
 707 must be met in order for a student to earn the required credit
 708 in Algebra I. Beginning with students entering grade 9 in the
 709 2011-2012 school year, the end-of-course assessment requirements
 710 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
 711 to earn the required credit in geometry. Beginning with students
 712 entering grade 9 in the 2012-2013 school year, in addition to
 713 the Algebra I and geometry credit requirements, one of the four
 714 credits in mathematics must be Algebra II or a series of courses
 715 equivalent to Algebra II as approved by the State Board of
 716 Education;

717 3. Three credits in science, two of which must have a
 718 laboratory component. Beginning with students entering grade 9
 719 in the 2011-2012 school year, one of the three credits in
 720 science must be Biology I or a series of courses equivalent to
 721 Biology I as approved by the State Board of Education. Beginning
 722 with students entering grade 9 in the 2011-2012 school year, the
 723 end-of-course assessment requirements under s.
 724 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 725 the required credit in Biology I. Beginning with students

Page 25 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13 20131076__

726 entering grade 9 in the 2013-2014 school year, one of the three
 727 credits must be Biology I or a series of courses equivalent to
 728 Biology I as approved by the State Board of Education, one
 729 credit must be chemistry or physics or a series of courses
 730 equivalent to chemistry or physics as approved by the State
 731 Board of Education, and one credit must be an equally rigorous
 732 course, as approved by the State Board of Education;

733 4. Three credits in social sciences, which must include one
 734 credit in United States history, one credit in world history,
 735 one-half credit in United States government, and one-half credit
 736 in economics, to include financial literacy;

737 5. Three credits in a single vocational or career education
 738 program, three credits in career and technical certificate dual
 739 enrollment courses, or five credits in vocational or career
 740 education courses; and

741 6. Two credits and, beginning with students entering grade
 742 9 in the 2010-2011 school year, one credit in electives unless
 743 five credits are earned pursuant to subparagraph 5.

744
 745 Any student who selected an accelerated graduation program
 746 before July 1, 2004, may continue that program, and all
 747 statutory program requirements that were applicable when the
 748 student made the program choice shall remain applicable to the
 749 student as long as the student continues that program.

750 Section 10. Subsection (4) is added to section 1003.4295,
 751 Florida Statutes, to read:

752 1003.4295 Acceleration options.—

753 (4) By July 1, 2014, the department shall develop, the
 754 State Board of Education shall approve, and each school district

Page 26 of 56

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

17-00435G-13 20131076
 755 shall provide alternative pathways for students to earn a high
 756 school diploma and demonstrate mastery of standards that satisfy
 757 the credit requirements for the core curricula established in
 758 ss. 1003.428, 1003.4281, 1003.429, and 1003.43 for high school
 759 graduation.

760 (a) The pathways must include, but are not limited to,
 761 integrating course content with practical applications;
 762 designating rigorous pathways that result in one or more
 763 industry certifications, including high school junior and senior
 764 year work-related internships or apprenticeships; course and
 765 credit options; and segmenting assessments and end-of-course
 766 assessments.

767 (b) Course, credit, and industry certification options
 768 shall be considered to satisfy credit requirements of s.
 769 1003.436 for purposes of awarding credit for high school
 770 graduation, with an emphasis on credit based on competencies,
 771 rather than the number of instructional hours required for
 772 credit regardless of student enrollment in a class. At a
 773 minimum, the State Board of Education shall identify and approve
 774 rigorous options under which a student may satisfy course or
 775 credit requirements for high school graduation under s.
 776 1003.428(2) or s. 1003.429, with the exception of Algebra I
 777 assessment and high school English/Language Arts assessment
 778 requirements pursuant to s. 1008.22, by selecting the following
 779 options:

780 1. A student who earns an industry certification,
 781 identified on the Industry Certification Funding List or the
 782 Postsecondary Industry Certification Funding List established
 783 pursuant to s. 1003.492 or s. 1008.44, of sufficient rigor to

17-00435G-13 20131076
 784 earn articulated college credit, as approved by the State Board
 785 of Education, may substitute the industry certification for one
 786 or more courses or credits in mathematics and science,
 787 including, but not limited to, Algebra II, chemistry, and
 788 physics.

789 2. A student who earns an industry certification or bundles
 790 of industry certifications from the Industry Certification
 791 Funding List or the Postsecondary Industry Certification Funding
 792 List which demonstrate attainment of standards associated with
 793 digital composition, word processing, and presentation skills,
 794 may satisfy one or more core curricular credits in English.

795 3. A student who earns industry certifications that
 796 articulate to at least 15 college credits shall satisfy three
 797 core curriculum credit requirements for a standard high school
 798 diploma, except Algebra I or high school English/Language Arts.

799 4. A middle school student may complete Algebra I
 800 requirements through coursework that is offered in two or more
 801 discrete instructional segments with corresponding end-of-
 802 segment assessments such that, when combined, they are
 803 equivalent to the Algebra I end-of-course assessment.

804 Section 11. Paragraph (c) of subsection (2) of section
 805 1003.433, Florida Statutes, is amended to read:

806 1003.433 Learning opportunities for out-of-state and out-
 807 of-country transfer students and students needing additional
 808 instruction to meet high school graduation requirements.-

809 (2) Students who have met all requirements for the standard
 810 high school diploma except for passage of the grade 10 FCAT or
 811 an alternate assessment by the end of grade 12 must be provided
 812 the following learning opportunities:

17-00435G-13 20131076__

813 (c) Participation in an adult general education program as
 814 provided in s. 1004.93 for such time as the student requires to
 815 master English, reading, mathematics, or any other subject
 816 required for high school graduation. ~~Students attending adult~~
 817 ~~basic, adult secondary, or vocational-preparatory instruction~~
 818 ~~are exempt from any requirement for the payment of tuition and~~
 819 ~~fees, including lab fees, pursuant to s. 1009.25.~~ A student
 820 attending an adult general education program shall have the
 821 opportunity to take the grade 10 FCAT an unlimited number of
 822 times in order to receive a standard high school diploma.

823 Section 12. Subsection (4) of section 1003.4935, Florida
 824 Statutes, is repealed.

825 Section 13. Subsections (3) and (24) of section 1004.02,
 826 Florida Statutes, are amended to read:

827 1004.02 Definitions.—As used in this chapter:

828 (3) "Adult general education" means comprehensive
 829 instructional programs designed to improve the employability of
 830 the state's workforce through adult basic education, adult
 831 secondary education, English for Speakers of Other Languages,
 832 applied academics for adult education ~~vocational-preparatory~~
 833 instruction, and instruction for adults who have with
 834 disabilities.

835 (24) "Applied academics for adult education" or "applied
 836 academics ~~Vocational-preparatory~~ instruction" means adult
 837 general education through which persons attain academic and
 838 workforce readiness skills at the level of functional literacy
 839 (grade levels 6.0-8.9) or higher so that such persons may pursue
 840 technical certificate education or higher-level technical
 841 education.

17-00435G-13 20131076__

842 Section 14. Section 1004.082, Florida Statutes, is created
 843 to read:

844 1004.082 Talent retention program.—The Chancellor of the
 845 State University System shall cooperate with the Commissioner of
 846 Education to support talent retention programs that encourage
 847 middle school and high school students who indicate an interest
 848 in or aptitude for physics or mathematics to continue their
 849 education at a state university that has excellent departments
 850 in selected fields. The commissioner and chancellor shall work
 851 with state university department chairs to enable department
 852 chairs of outstanding state university departments to send
 853 letters to students who indicate an interest in and aptitude for
 854 those subjects. At a minimum, the letter should provide an open
 855 invitation for the student to communicate with the department,
 856 at least annually, and to schedule a tour of the department and
 857 the campus.

858 Section 15. Section 1004.91, Florida Statutes, is amended
 859 to read:

860 1004.91 Requirements for career education program basic
 861 skills ~~career-preparatory instruction.—~~

862 (1) The State Board of Education shall adopt, by rule,
 863 standards of basic skill mastery for completion of certificate
 864 career education programs. Each school district and Florida
 865 College System institution that conducts programs that confer
 866 career and technical certificates ~~credit~~ shall provide applied
 867 academics ~~career-preparatory~~ instruction through which students
 868 receive the basic skills instruction required pursuant to this
 869 section.

870 (2) Students who enroll in a program offered for career

17-00435G-13

20131076__

871 credit of 450 hours or more shall complete an entry-level
 872 examination within the first 6 weeks ~~after~~ of admission into the
 873 program. The State Board of Education shall designate
 874 examinations that are currently in existence, the results of
 875 which are comparable across institutions, to assess student
 876 mastery of basic skills. Any student found to lack the required
 877 level of basic skills for such program shall be referred to
 878 applied academics career-preparatory instruction or another
 879 adult general basic education program for a structured program
 880 of basic skills instruction. Such instruction may include
 881 English for speakers of other languages. A student may not
 882 receive a career certificate of completion without first
 883 demonstrating the basic skills required in the state curriculum
 884 frameworks for the career education program.

885 (3) The following students are exempt from the provisions
 886 of this section:

887 (a) An adult student who has with a disability may be
 888 exempted from the provisions of this section.

889 (b) A student who possesses a college degree at the
 890 associate in applied science level or higher is exempt from this
 891 section.

892 (c) A student who demonstrates readiness for public
 893 postsecondary education pursuant to s. 1008.30 and applicable
 894 rules adopted by the State Board of Education. A student who has
 895 completed or who is exempt from the college level communication
 896 and computation skills examination pursuant to s. 1008.29, or
 897 who is exempt from the college entry-level examination pursuant
 898 to s. 1008.29, is exempt from the provisions of this section.

899 (d) A student ~~Students who passes have passed a state or,~~

17-00435G-13

20131076__

900 national, ~~or~~ industry certification or licensure exam that is
 901 identified in the rules of the State Board of Education and
 902 aligned to the career education program in which the student is
 903 enrolled are exempt from this section.

904 (e) An adult student who is enrolled in an apprenticeship
 905 program that is registered with the Department of Education in
 906 accordance with the provisions of chapter 446 is exempt from the
 907 provisions of this section.

908 Section 16. Subsection (2) of section 1004.93, Florida
 909 Statutes, is amended, present subsection (8) is redesignated as
 910 subsection (9), and a new subsection (8) is added to that
 911 section, to read:

912 1004.93 Adult general education.—

913 (2) The adult education program must provide academic
 914 services to students in the following priority:

915 (a) Students who demonstrate skills at less than a fifth
 916 grade level, as measured by tests approved for this purpose by
 917 the State Board of Education, and who are studying to achieve
 918 basic literacy.

919 (b) Students who demonstrate skills at the fifth grade
 920 level or higher, but below the ninth grade level, as measured by
 921 tests approved for this purpose by the State Board of Education,
 922 and who are studying to achieve functional literacy.

923 (c) Students who are earning credit required for a high
 924 school diploma or who are preparing for the General Educational
 925 Development test.

926 (d) Students who have earned high school diplomas and
 927 require specific improvement in order to:

928 1. Obtain or maintain employment or benefit from

17-00435G-13

20131076__

929 certificate career education programs;

930 2. Pursue a postsecondary degree; or

931 3. Develop competence in the English language to qualify
932 for employment.

933 ~~(e) Students who enroll in lifelong learning courses or
934 activities that seek to address community social and economic
935 issues that consist of health and human relations, government,
936 parenting, consumer economics, and senior citizens.~~

937 ~~(f) Students who enroll in courses that relate to the
938 recreational or leisure pursuits of the students. The cost of
939 courses conducted pursuant to this paragraph shall be borne by
940 the enrollees.~~

941 (8) In order to accelerate the employment of adult
942 education students, students entering adult general education
943 programs after July 1, 2013, must complete the following action-
944 steps-to-employment activities before the completion of the
945 first term:

946 (a) Identify employment opportunities using market-driven
947 tools.

948 (b) Create a personalized employment goal.

949 (c) Conduct a personalized skill and knowledge inventory.

950 (d) Compare the results of the personalized skill and
951 knowledge inventory with the knowledge and skills needed to
952 attain the personalized employment goal.

953 (e) Upgrade skills and knowledge needed through adult
954 general education programs and additional educational pursuits
955 based on the personalized employment goal.

956
957 The action-steps-to-employment activities may be developed

17-00435G-13

20131076__

958 through a blended approach with assistance provided to adult
959 general education students by teachers, employment specialists,
960 guidance counselors, business and industry representatives, and
961 online resources. Students may be directed to online resources
962 and provided information on financial literacy, student
963 financial aid, industry certifications, and occupational
964 services and a listing of job openings.

965 Section 17. Paragraph (b) of subsection (1) and paragraphs
966 (b), (c), (d), and (h) of subsection (5) of section 1006.73,
967 Florida Statutes, are amended to read:

968 1006.73 Florida Virtual Campus.—

969 (1) The Florida Virtual Campus is established to provide
970 access to online student and library support services and to
971 serve as a statewide resource and clearinghouse for public
972 postsecondary education distance learning courses and degree
973 programs. The primary purposes of the Florida Virtual Campus are
974 to:

975 (b) Enhance and expand educational access and increase
976 public postsecondary education degree and industry certification
977 attainment across the state.

978 (5) The Florida Virtual Campus shall:

979 (b) Develop and manage a statewide Internet-based catalog
980 of distance learning courses, degree programs, programs leading
981 to industry certifications, and resources offered by public
982 postsecondary education institutions which is intended to assist
983 in the coordination and collaboration of articulation and access
984 pursuant to parts II and III of chapter 1007. The campus shall
985 establish operational guidelines and procedures for the catalog
986 which must:

17-00435G-13

20131076__

- 987 1. Require participating institutions to provide
 988 information concerning the distance learning course to include
 989 information on the availability of the course; the type of
 990 required technology; any prerequisite course or technology
 991 competency or skill; the availability of academic support
 992 services and financial aid resources; and course costs, fees,
 993 and payment policies.
- 994 2. Require that distance learning courses and degree
 995 programs meet applicable accreditation standards and criteria.
- 996 3. Require that, at a minimum, the catalog is reviewed at
 997 the start of each academic semester to ensure that programs
 998 leading to industry certifications, distance learning courses,
 999 and degree programs comply with all operational guidelines and
 1000 procedures.
- 1001 4. Use an Internet-based analytic tool that allows for the
 1002 collection and analysis of data, including, but not limited to:
- 1003 a. The number and type of students who use the catalog to
 1004 search for programs leading to industry certifications, distance
 1005 learning courses, and degree programs.
- 1006 b. The number and type of requests for information on
 1007 programs leading to industry certifications, distance learning
 1008 courses, and degree programs that are not listed in the catalog.
- 1009 c. A summary of specific requests by course type or course
 1010 number, delivery method, offering institution, and semester.
- 1011 5. Periodically obtain and analyze data from the Florida
 1012 College System and the State University System concerning:
- 1013 a. Costs of programs leading to industry certifications,
 1014 distance learning courses, and degree programs.
- 1015 b. Graduation and retention rates of students enrolled in

17-00435G-13

20131076__

- 1016 programs leading to industry certifications, and distance
 1017 learning programs.
- 1018 c. ~~Distance learning course~~ Completion of programs leading
 1019 to industry certifications and distance learning courses.
- 1020 (c) Implement a streamlined, automated, online admissions
 1021 application process for undergraduate transient students who are
 1022 currently enrolled and pursuing a degree or industry
 1023 certification at a public postsecondary education institution
 1024 and who enroll in a course or a program leading to an industry
 1025 certification offered by a public postsecondary education
 1026 institution that is not the student's degree-granting
 1027 institution. The Florida Virtual Campus shall work with the
 1028 Florida College System and the State University System to
 1029 implement this process which requires all Florida College System
 1030 institutions and state universities to:
- 1031 1. Use the transient student admissions application
 1032 available through the statewide computer-assisted student
 1033 advising system established pursuant to paragraph (d). This
 1034 admissions application is the only application required for the
 1035 enrollment of a transient student as described in this
 1036 paragraph.
- 1037 2. Implement the financial aid procedures required by the
 1038 transient student admissions application process.
- 1039 3. Transfer credit awarded by the institutions offering the
 1040 course to the transient student's degree-granting institution.
- 1041 4. By December 1, 2012, provide for an interface between
 1042 the institutional advising system and the statewide computer-
 1043 assisted student advising system established pursuant to
 1044 paragraph (d) in order to electronically send, receive, and

17-00435G-13 20131076__

1045 process the transient student admissions application.

1046 (d) Develop and manage a statewide computer-assisted

1047 student advising system which shall support the process of

1048 advising, registering, and certifying students for graduation

1049 and include a degree audit and an articulation component. The

1050 Florida College System institutions and state universities shall

1051 interface institutional advising systems with the statewide

1052 computer-assisted student advising system. At a minimum, the

1053 statewide computer-assisted student advising system shall:

1054 1. Allow a student to access the system at any time, search

1055 public postsecondary education institutions, and identify course

1056 options that will meet the requirements of a selected path

1057 toward a degree or industry certification.

1058 2. Audit transcripts of students enrolled in a public

1059 postsecondary education institution to assess current academic

1060 standing, the impact of changing majors or institutions, the

1061 requirements for a student to transfer to another institution,

1062 and all requirements necessary for graduation.

1063 3. Serve as the official statewide repository for the

1064 common prerequisite manual, admissions information for

1065 transferring programs, foreign language requirements, residency

1066 requirements, and statewide articulation agreements.

1067 4. Provide information relating to career descriptions and

1068 corresponding educational requirements, admissions requirements,

1069 and available sources of student financial assistance.

1070 5. Provide the admissions application for transient

1071 students pursuant to paragraph (c) which must include the

1072 electronic transfer and receipt of information and records for:

1073 a. Admissions and readmissions.

17-00435G-13 20131076__

1074 b. Financial aid.

1075 c. Transfer of credit awarded by the institution offering

1076 the course to the transient student's degree-granting

1077 institution.

1078 (h) Identify and evaluate new technologies and

1079 instructional methods that can be used for improving distance

1080 learning instruction, student learning, the efficient delivery

1081 of student support services, and the overall quality of programs

1082 leading to industry certifications, undergraduate distance

1083 learning courses, and degree programs.

1084 Section 18. Subsection (1) of section 1007.263, Florida

1085 Statutes, is amended to read:

1086 1007.263 Florida College System institutions; admissions of

1087 students.—Each Florida College System institution board of

1088 trustees is authorized to adopt rules governing admissions of

1089 students subject to this section and rules of the State Board of

1090 Education. These rules shall include the following:

1091 (1) Admissions counseling shall be provided to all students

1092 entering college or career credit programs. Counseling shall

1093 utilize tests to measure achievement of college-level

1094 communication and computation competencies by all students

1095 entering college credit programs or tests to measure achievement

1096 of basic skills for career education programs as prescribed in

1097 s. 1004.91.

1098

1099 Each board of trustees shall establish policies that notify

1100 students about, and place students into, adult basic education,

1101 adult secondary education, or other instructional programs that

1102 provide students with alternatives to traditional college-

17-00435G-13 20131076__
 1103 preparatory instruction, including private provider instruction.
 1104 A student is prohibited from enrolling in additional college-
 1105 level courses until the student scores above the cut-score on
 1106 all sections of the common placement test.

1107 Section 19. Subsections (2), (7), and (11) of section
 1108 1007.271, Florida Statutes, are amended to read:

1109 1007.271 Dual enrollment programs.—

1110 (2) For the purpose of this section, an eligible secondary
 1111 student is a student who is enrolled in a Florida public
 1112 secondary school or in a Florida private secondary school which
 1113 is in compliance with s. 1002.42(2) and provides a secondary
 1114 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.
 1115 Students who are eligible for dual enrollment pursuant to this
 1116 section may enroll in dual enrollment courses conducted during
 1117 school hours, after school hours, and during the summer term.
 1118 However, if the student is projected to graduate from high
 1119 school before the scheduled completion date of a postsecondary
 1120 course, the student may not register for that course through
 1121 dual enrollment. The student may apply to the postsecondary
 1122 institution and pay the required registration, tuition, and fees
 1123 if the student meets the postsecondary institution's admissions
 1124 requirements under s. 1007.263. Instructional time for dual
 1125 enrollment may vary from 900 hours; however, the school district
 1126 may only report the student for a maximum of 1.0 FTE, as
 1127 provided in s. 1011.61(4). Any student enrolled as a dual
 1128 enrollment student is exempt from the payment of registration,
 1129 tuition, and laboratory fees. Applied academics for adult
 1130 education ~~Vocational-preparatory~~ instruction, college-
 1131 preparatory instruction, and other forms of precollegiate

17-00435G-13 20131076__
 1132 instruction, as well as physical education courses that focus on
 1133 the physical execution of a skill rather than the intellectual
 1134 attributes of the activity, are ineligible for inclusion in the
 1135 dual enrollment program. Recreation and leisure studies courses
 1136 shall be evaluated individually in the same manner as physical
 1137 education courses for potential inclusion in the program.

1138 (7) Career dual enrollment shall be provided as a
 1139 curricular option for secondary students to pursue in order to
 1140 earn industry certifications adopted pursuant to s. 1008.44,
 1141 which count as a series of elective credits toward the high
 1142 school diploma. Career dual enrollment shall be available for
 1143 secondary students seeking a degree and industry certification
 1144 through or certificate from a complete career-preparatory
 1145 program or a career course and may not be used to enroll
 1146 students in isolated career courses.

1147 (11) Career early admission is a form of career dual
 1148 enrollment through which eligible secondary students enroll full
 1149 time in a career center or a Florida College System institution
 1150 in postsecondary programs leading to industry certifications, as
 1151 listed in the Postsecondary Industry Certification Funding List
 1152 pursuant to s. 1008.44, which ~~courses that~~ are creditable toward
 1153 the high school diploma and ~~the~~ certificate or associate degree.
 1154 Participation in the career early admission program is limited
 1155 to students who have completed a minimum of 6 semesters of full-
 1156 time secondary enrollment, including studies undertaken in the
 1157 ninth grade. Students enrolled pursuant to this section are
 1158 exempt from the payment of registration, tuition, and laboratory
 1159 fees.

1160 Section 20. Paragraph (h) is added to subsection (2) of

17-00435G-13 20131076__

1161 section 1008.25, Florida Statutes, to read:

1162 1008.25 Public school student progression; remedial
1163 instruction; reporting requirements.-

1164 (2) COMPREHENSIVE STUDENT PROGRESSION PLAN.--Each district
1165 school board shall establish a comprehensive plan for student
1166 progression which must:

1167 (h) Provide instructional sequences by which students in
1168 kindergarten through high school may attain progressively higher
1169 levels of skill in the use of digital tools and applications.

1170 The instructional sequences must include participation in
1171 curricular and instructional options and the demonstration of
1172 competence of standards required pursuant to ss. 1003.41 and
1173 1003.4203 through attainment of industry certifications and
1174 other means of demonstrating credit requirements identified
1175 under ss. 1002.3105, 1003.4203, and 1003.4295.

1176 Section 21. Subsection (2) of section 1008.37, Florida
1177 Statutes, is amended to read:

1178 1008.37 Postsecondary feedback of information to high
1179 schools.-

1180 (2) The Commissioner of Education shall report, by high
1181 school, to the State Board of Education, the Board of Governors,
1182 and the Legislature, no later than November 30 of each year, on
1183 the number of prior year Florida high school graduates who
1184 enrolled for the first time in public postsecondary education in
1185 this state during the previous summer, fall, or spring term,
1186 indicating the number of students whose scores on the common
1187 placement test indicated the need for remediation through
1188 applied academics instruction or college-preparatory or
1189 vocational-preparatory instruction pursuant to s. 1004.91 or s.

17-00435G-13 20131076__

1190 1008.30.

1191 Section 22. Section 1008.44, Florida Statutes, is created
1192 to read:

1193 1008.44 Industry certifications; Industry Certification
1194 Funding List and Postsecondary Industry Certification Funding
1195 List.-

1196 (1) Pursuant to s. 1003.492, the Department of Education
1197 shall, at least annually, identify, under rules approved by the
1198 State Board of Education, the Industry Certification Funding
1199 List that must be applied in the distribution of funding to
1200 school districts pursuant to s. 1011.62.

1201 (2) The State Board of Education shall adopt, at least
1202 annually, the Postsecondary Industry Certification Funding List
1203 pursuant to this section. The commissioner shall recommend, at
1204 least annually, the Postsecondary Industry Certification Funding
1205 List to the State Board of Education and may at any time
1206 recommend adding certifications. The Chancellor of the State
1207 University System, the Chancellor of the Florida College System,
1208 and the Chancellor of Career and Adult Education shall recommend
1209 to the commissioner industry certifications to be placed on the
1210 funding list. The list shall be used in determining annual
1211 performance funding distributions to school districts and
1212 Florida College System institutions as specified in ss. 1011.80
1213 and 1011.81, respectively. The chancellors shall consider
1214 results of the economic security report of employment and
1215 earnings outcomes produced annually pursuant to s. 445.07 when
1216 recommending certifications for the list.

1217 (3) In the case of rigorous industry certifications that
1218 have embedded prerequisite minimum age, grade level, diploma or

17-00435G-13 20131076__
 1219 degree, post-graduation period of work experience of at least 12
 1220 months, or other reasonable requirements that may limit the
 1221 extent to which a student can complete all requirements of the
 1222 certification recognized by industry for employment purposes,
 1223 the commissioner shall differentiate content, instructional, and
 1224 assessment requirements that, when provided by a public
 1225 institution and satisfactorily attained by a student, indicate
 1226 accomplishment of requirements necessary for funding pursuant to
 1227 ss. 1011.62, 1011.80, and 1011.81, notwithstanding attainment of
 1228 prerequisite requirements necessary for recognition by industry
 1229 for employment purposes. The differentiated requirements
 1230 established by the commissioner shall be included in the
 1231 Industry Certification Funding List at the time the
 1232 certification is adopted.

1233 Section 23. Paragraph (a) of subsection (3) of section
 1234 1009.22, Florida Statutes, is amended to read:

1235 1009.22 Workforce education postsecondary student fees.—

1236 (3) (a) Except as otherwise provided by law, fees for
 1237 students who are nonresidents for tuition purposes must offset
 1238 the full cost of instruction. Residency of students shall be
 1239 determined as required in s. 1009.21. Fee-nonexempt students
 1240 enrolled in applied academics for adult education ~~vocational-~~
 1241 ~~preparatory~~ instruction shall be charged fees equal to the fees
 1242 charged for adult general education programs. Each Florida
 1243 College System institution that conducts college-preparatory and
 1244 applied academics for adult education ~~vocational-preparatory~~
 1245 instruction in the same class section may charge a single fee
 1246 for both types of instruction.

1247 Section 24. Paragraphs (c) and (d) of subsection (1) of

17-00435G-13 20131076__
 1248 section 1009.25, Florida Statutes, are amended to read:
 1249 1009.25 Fee exemptions.—
 1250 (1) The following students are exempt from the payment of
 1251 tuition and fees, including lab fees, at a school district that
 1252 provides workforce education programs, Florida College System
 1253 institution, or state university:
 1254 (c) A student who is or was at the time he or she reached
 1255 18 years of age in the custody of the Department of Children and
 1256 Family Services or who, after spending at least 6 months in the
 1257 custody of the department after reaching 16 years of age, was
 1258 placed in a guardianship by the court. Such exemption includes
 1259 fees associated with enrollment in applied academics for adult
 1260 education ~~career-preparatory~~ instruction. The exemption remains
 1261 valid until the student reaches 28 years of age.

1262 (d) A student who is or was at the time he or she reached
 1263 18 years of age in the custody of a relative under s. 39.5085 or
 1264 who was adopted from the Department of Children and Family
 1265 Services after May 5, 1997. Such exemption includes fees
 1266 associated with enrollment in applied academics for adult
 1267 education ~~career-preparatory~~ instruction. The exemption remains
 1268 valid until the student reaches 28 years of age.

1269 Section 25. Present paragraphs (s) and (t) of subsection
 1270 (1) of section 1011.62, Florida Statutes, are redesignated as
 1271 paragraphs (t) and (u), respectively, a new paragraph (s) is
 1272 added to that subsection, and paragraphs (c), (n), and (o) and
 1273 present paragraph (t) of that subsection are amended, to read:

1274 1011.62 Funds for operation of schools.—If the annual
 1275 allocation from the Florida Education Finance Program to each
 1276 district for operation of schools is not determined in the

17-00435G-13 20131076__

1277 annual appropriations act or the substantive bill implementing
1278 the annual appropriations act, it shall be determined as
1279 follows:

1280 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1281 OPERATION.—The following procedure shall be followed in
1282 determining the annual allocation to each district for
1283 operation:

1284 (c) *Determination of programs.*—Cost factors based on
1285 desired relative cost differences between the following programs
1286 shall be established in the annual General Appropriations Act.
1287 The cost factor for secondary career education programs and
1288 basic programs grades 9 through 12 shall be equal. The
1289 Commissioner of Education shall specify a matrix of services and
1290 intensity levels to be used by districts in the determination of
1291 the two weighted cost factors for exceptional students with the
1292 highest levels of need. For these students, the funding support
1293 level shall fund the exceptional students' education program,
1294 with the exception of extended school year services for students
1295 with disabilities.

- 1296 1. Basic programs.—
1297 a. Kindergarten and grades 1, 2, and 3.
1298 b. Grades 4, 5, 6, 7, and 8.
1299 c. Grades 9, 10, 11, and 12.
1300 2. Programs for exceptional students.—
1301 a. Support Level IV.
1302 b. Support Level V.
1303 3. Secondary career education programs.—
1304 4. English for Speakers of Other Languages.—
1305 (n) *Calculation of additional full-time equivalent*

17-00435G-13 20131076__

1306 *membership based on college board advanced placement scores of*
1307 *students.*—A value of 0.16 full-time equivalent student
1308 membership shall be calculated for each student enrolled in each
1309 advanced placement course who receives a score of 3 or higher on
1310 the College Board Advanced Placement Examination for the prior
1311 year and added to the total full-time equivalent student
1312 membership in basic programs for grades 9 through 12 in the
1313 subsequent fiscal year. Each district must allocate at least 80
1314 percent of the funds provided to the district for advanced
1315 placement instruction, in accordance with this paragraph, to the
1316 high school that generates the funds. The school district shall
1317 distribute to each classroom teacher who provided advanced
1318 placement instruction:

1319 1. A bonus in the amount of \$50 for each student taught by
1320 the Advanced Placement teacher in each advanced placement course
1321 who receives a score of 3 or higher on the College Board
1322 Advanced Placement Examination, if at least 50 percent of the
1323 students enrolled in the course earn a score of 3 or higher on
1324 the examination.

1325 2. An additional bonus of \$1,000 ~~\$500~~ to each Advanced
1326 Placement teacher in a school designated with a grade of "D" or
1327 "F" who has at least 25 percent of students enrolled in the
1328 teacher's class ~~one student~~ scoring 3 or higher on the College
1329 Board Advanced Placement Examination, regardless of the number
1330 of classes taught or of the number of students scoring a 3 or
1331 higher on the College Board Advanced Placement Examination.

1332
1333 Bonuses awarded to a teacher according to this paragraph shall
1334 not exceed \$3,000 ~~\$2,000~~ in any given school year and shall be

17-00435G-13 20131076__

1335 in addition to any regular wage or other bonus the teacher
 1336 received or is scheduled to receive.

1337 (o) Calculation of additional full-time equivalent
 1338 membership based on ~~certification of successful completion of a~~
 1339 ~~career-themed course or career and professional academy program~~
 1340 ~~pursuant to ss. 1003.491, 1003.492, and 1003.493, and 1003.4935~~
 1341 ~~and issuance of the highest level of industry certification~~
 1342 ~~identified in the Industry Certification Certified Funding List~~
 1343 ~~pursuant to rules adopted by the State Board of Education.-~~

1344 1. A value of 0.15 ~~0.1, 0.2,~~ or 0.3 full-time equivalent
 1345 student membership shall be calculated for each student who
 1346 completes a career-themed course as defined in s. 1003.493(1) (b)
 1347 ~~or a career and professional academy program under ss. 1003.491,~~
 1348 ~~1003.492, 1003.493, and 1003.4935~~ and who is issued an the
 1349 ~~highest level of~~ industry certification identified annually in
 1350 the Industry Certification Funding List approved under rules
 1351 adopted by the State Board of Education ~~upon promotion to the~~
 1352 ~~9th grade under subparagraph 2. or upon earning a high school~~
 1353 ~~diploma.~~ The maximum full-time equivalent student membership
 1354 value for any student in grades 9 through 12 is 0.3. A value of
 1355 0.3 full-time equivalent membership shall be calculated for each
 1356 student who is issued an industry certification that has a
 1357 statewide articulation agreement for college credit approved by
 1358 the State Board of Education. For industry certifications that
 1359 do not articulate for college credit, the Department of
 1360 Education shall assign a the appropriate full-time equivalent
 1361 value of 0.15 for each certification, ~~50 percent of which is~~
 1362 ~~based on rigor and the remaining 50 percent on employment value.~~
 1363 The State Board of Education shall include the assigned values

17-00435G-13 20131076__

1364 in the Industry Certification Funding List under rules adopted
 1365 by the state board. ~~Rigor shall be based on the number of~~
 1366 ~~instructional hours, including work experience hours, required~~
 1367 ~~to earn the certification, with a bonus for industry~~
 1368 ~~certifications that have a statewide articulation agreement for~~
 1369 ~~college credit approved by the State Board of Education.-~~
 1370 ~~Employment value shall be based on the entry wage, growth rate~~
 1371 ~~in employment for each occupational category, and average annual~~
 1372 ~~openings for the primary occupation linked to the industry~~
 1373 ~~certification.-~~ Such value shall be added to the total full-time
 1374 equivalent student membership in secondary career education
 1375 programs for grades 9 through 12 in the subsequent year for
 1376 courses that were not provided funded through dual enrollment.
 1377 Industry certifications earned through dual enrollment must be
 1378 reported and funded pursuant to ss. 1011.80 and 1011.81.

1379 2. ~~Upon promotion to the 9th grade, a value of 0.1 full-~~
 1380 ~~time equivalent student membership shall be calculated for each~~
 1381 ~~student who completes a career-themed course or a career and~~
 1382 ~~professional academy program under s. 1003.4935 and who is~~
 1383 ~~issued the highest level of industry certification in science,~~
 1384 ~~technology, engineering, or mathematics identified on the~~
 1385 ~~Industry Certification Funding List under rules adopted by the~~
 1386 ~~State Board of Education.-~~

1387 2.3. ~~The additional full-time equivalent membership~~
 1388 ~~authorized under this paragraph may not exceed 0.3 per student.-~~
 1389 Each district must allocate at least 80 percent of the funds
 1390 provided for industry certification, in accordance with this
 1391 paragraph, to the program that generated the funds. This
 1392 allocation may not be used to supplant funds provided for basic

17-00435G-13 20131076__
 1393 operation of the program. Unless a different amount is specified
 1394 in the General Appropriations Act, the appropriation for this
 1395 calculation is limited to \$60 \$15 million annually. If the
 1396 appropriation is insufficient to fully fund the total
 1397 calculation, the appropriation shall be prorated.

1398 3. For industry certifications earned in the 2012-2013
 1399 school year and in subsequent years, the school district shall
 1400 distribute to each classroom teacher who provided direct
 1401 instruction toward the attainment of an industry certification
 1402 that qualified for additional full-time equivalent membership
 1403 under subparagraph 1.:

1404 a. A bonus in the amount of \$25 for each student taught by
 1405 a teacher who provided instruction in a course that led to the
 1406 attainment of an industry certification on the Industry
 1407 Certification Funding List with a weight of 0.15.

1408 b. A bonus in the amount of \$50 for each student taught by
 1409 a teacher who provided instruction in a course that led to the
 1410 attainment of an industry certification on the Industry
 1411 Certification Funding List with a weight of 0.3.

1412 4. For the 2013-14 fiscal year, the additional FTE
 1413 membership calculation must include the additional FTE for any
 1414 student who earned a certification in the 2009-2010, 2010-2011,
 1415 and 2011-2012 fiscal years, who was not previously funded and
 1416 was enrolled in 2012-2013.

1417 Bonuses awarded according to this paragraph shall be provided to
 1418 teachers who are employed by the district in the year in which
 1419 the additional FTE membership calculation is included in the
 1420 calculation. Bonuses shall be calculated based upon the
 1421

17-00435G-13 20131076__
 1422 associated weight of an industry certification on the Industry
 1423 Certification Funding List for the year in which the
 1424 certification is earned by the student. Any bonus awarded to a
 1425 teacher under this paragraph may not exceed \$2,000 in any given
 1426 school year and is in addition to any regular wage or other
 1427 bonus the teacher received or is scheduled to receive.

1428 (s) Florida Cyber Security Recognition, Florida Digital
 1429 Arts Recognition, and Florida Digital Tools Certificate
 1430 established pursuant to s. 1003.4203.

1431 1. Each public elementary school shall receive \$50 for each
 1432 student who earns, annually, the Florida Cyber Security
 1433 Recognition or the Florida Digital Arts Recognition established
 1434 pursuant to s. 1003.4203. The maximum award per student is \$100
 1435 per year. The minimum award per school shall be \$1,000 and the
 1436 maximum \$15,000 annually. This performance payment shall be
 1437 calculated in the FEFP as a full-time equivalent student.

1438 2. Each middle school shall receive \$50 for each student
 1439 who earns the Florida Digital Tools Certificate established
 1440 pursuant to s. 1003.4203, with a minimum award per school of
 1441 \$1,000 annually and a maximum of \$15,000 annually. This
 1442 performance payment shall be calculated in the FEFP as a full-
 1443 time equivalent student.

1444 (u)-(t) Computation for funding through the Florida
 1445 Education Finance Program.—The State Board of Education may
 1446 adopt rules establishing programs, industry certifications, and
 1447 courses for which the student may earn credit toward high school
 1448 graduation.

1449 Section 26. Subsection (4) of section 1011.80, Florida
 1450 Statutes, is amended, paragraph (b) of subsection (6) is

17-00435G-13 20131076__

1451 redesignated as paragraph (c), and a new paragraph (b) is added
1452 to that subsection, to read:

1453 1011.80 Funds for operation of workforce education
1454 programs.—

1455 (4) Funding for all workforce education programs must be
1456 based on cost categories, performance output measures, and
1457 performance outcome measures.

1458 (a) The cost categories must be calculated to identify
1459 high-cost programs, medium-cost programs, and low-cost programs.
1460 The cost analysis used to calculate and assign a program of
1461 study to a cost category must include at least both direct and
1462 indirect instructional costs, consumable supplies, equipment,
1463 and standard program length.

1464 (b)1. ~~The performance output measure for career education~~
1465 ~~programs of study is student completion of a career program of~~
1466 ~~study that leads to an occupational completion point associated~~
1467 ~~with a certificate, an apprenticeship program, or a program that~~
1468 ~~leads to an applied technology diploma or an associate in~~
1469 ~~applied science or associate in science degree. Performance~~
1470 ~~output measures for registered apprenticeship programs shall be~~
1471 ~~based on program lengths that coincide with lengths established~~
1472 ~~pursuant to the requirements of chapter 446.~~

1473 ~~2.~~ The performance output measure for an adult general
1474 education course of study is measurable improvement in student
1475 skills. This measure shall include improvement in literacy
1476 skills, grade level improvement as measured by an approved test,
1477 or attainment of a State of Florida diploma or an adult high
1478 school diploma.

1479 (c) The performance outcome measures for adult general

17-00435G-13 20131076__

1480 ~~workforce~~ education programs are associated with placement and
1481 retention of students after reaching a completion point or
1482 completing a program of study. These measures include placement
1483 or retention in employment ~~that is related to the program of~~
1484 ~~study; placement into or retention in employment in an~~
1485 ~~occupation on the Workforce Estimating Conference list of high-~~
1486 ~~wage, high-skill occupations with sufficient openings, or other~~
1487 ~~High Wage/High Skill Program occupations as determined by~~
1488 ~~Workforce Florida, Inc.; and placement and retention of~~
1489 ~~participants or former participants in the welfare transition~~
1490 ~~program in employment.~~ Continuing postsecondary education at a
1491 level that will further enhance employment is a performance
1492 outcome for adult general education programs. ~~Placement and~~
1493 ~~retention must be reported pursuant to ss. 1008.39 and 1008.43.~~

1494 (6)

1495 (b) Performance funding for industry certifications for
1496 school district workforce education programs shall be determined
1497 as follows:

1498 1. The General Appropriations Act must specify occupational
1499 areas for which industry certifications may be earned for
1500 performance funding. Priority shall be given to the occupational
1501 areas emphasized in state, national, or corporate grants
1502 provided to Florida educational institutions.

1503 2. The Chancellor of Career and Adult Education shall
1504 identify the industry certifications eligible for funding on the
1505 Postsecondary Industry Certification Funding List adopted
1506 pursuant to s. 1008.44, based on the occupational areas
1507 specified in the General Appropriations Act.

1508 3. Each school district shall be provided \$1,000 for each

17-00435G-13 20131076

1509 industry certification earned by a workforce education student.
 1510 The maximum amount of funding appropriated for performance
 1511 funding pursuant to this paragraph shall be limited to \$15
 1512 million annually. If funds are insufficient to fully fund the
 1513 calculated total award, they shall be prorated.

1514 Section 27. Present subsections (2) and (3) of section
 1515 1011.81, Florida Statutes, are redesignated as subsections (3)
 1516 and (4), respectively, and a new subsection (2) is added to that
 1517 section, to read:

1518 1011.81 Florida College System Program Fund.—

1519 (2) Performance funding for industry certifications for
 1520 Florida College System institutions shall be determined as
 1521 follows:

1522 (a) The General Appropriations Act must specify
 1523 occupational areas for which industry certifications may be
 1524 earned for performance funding. Priority shall be given to the
 1525 occupational areas emphasized in state, national, or corporate
 1526 grants provided to Florida educational institutions.

1527 (b) The Chancellor of the Florida College System shall
 1528 identify the industry certifications eligible for funding on the
 1529 Postsecondary Industry Certification Funding List adopted
 1530 pursuant to s. 1008.44, based on the occupational areas
 1531 specified in the General Appropriations Act.

1532 (c) Each Florida College System institution shall be
 1533 provided \$1,000 for each industry certification earned by a
 1534 student. The maximum amount of funding appropriated for
 1535 performance funding pursuant to this subsection shall be limited
 1536 to \$15 million annually. If funds are insufficient to fully fund
 1537 the calculated total award, they shall be prorated.

17-00435G-13 20131076

1538 Section 28. Section 1011.905, Florida Statutes, is amended
 1539 to read:

1540 1011.905 Performance funding for state universities.—

1541 (1) The Legislature intends that state performance funds
 1542 for the state university system be based on indicators of system
 1543 and institutional attainment of performance expectations. For
 1544 the 2012-2013 through at least 2016-2017 ~~2012-2013 and 2013-2014~~
 1545 fiscal years, the Board of Governors shall review and rank each
 1546 state university that applies for performance funding, as
 1547 provided in the General Appropriations Act, based on the
 1548 following formula:

1549 (a) Twenty-five percent of a state university's score shall
 1550 be based on the percentage of employed graduates who have earned
 1551 degrees which have a primary focus in the following programs:

1552 1. For the 2012-2013 and 2013-2014 fiscal years:

1553 a.1- Computer and information science;

1554 b.2- Computer engineering;

1555 c.3- Information systems technology;

1556 d.4- Information technology; and

1557 e.5- Management information systems.

1558
 1559 The 2012-2013 award recipients shall receive the same award for
 1560 2013-2014.

1561 2. For the 2013-2014 and 2014-2015 fiscal years, high-
 1562 demand programs determined by the Board of Governors using gap
 1563 analysis data adopted pursuant to s. 1001.706(5).

1564 3. For the 2013-2014 and 2014-2015 fiscal years, a master's
 1565 degree in cloud virtualization technology and related large data
 1566 management.

17-00435G-13 20131076__

1567 (b) Twenty-five percent of a state university's score shall
 1568 be based on the percentage of graduates who have earned
 1569 baccalaureate degrees in the programs in paragraph (a) and who
 1570 have earned industry certifications, identified on the
 1571 Postsecondary Industry Certification Funding List pursuant to s.
 1572 1008.44, in a related field from a Florida College System
 1573 institution or state university prior to graduation.

1574 (c) Fifty percent of a state university's score shall be
 1575 based on factors determined by the Board of Governors which
 1576 relate to increasing the probability that graduates who have
 1577 earned degrees in the programs described in paragraph (a) will
 1578 be employed in high-skill, high-wage, and high-demand
 1579 employment.

1580 (2) The submission from a state university that has the
 1581 highest score shall be ranked first, with each remaining
 1582 submission from a state university ranked sequentially by score.

1583 (3) (a) Each year, the Board of Governors shall award up to
 1584 \$15 million to the highest-ranked state universities in support
 1585 of each program identified in paragraph (1)(a) from funds
 1586 appropriated for the purposes in this section and as specified
 1587 in the General Appropriations Act. The award per state
 1588 university shall be a minimum of 25 percent of the total amount
 1589 appropriated pursuant to this section.

1590 (b) The funds shall be awarded to the department of the
 1591 state university which offers the degrees described in paragraph
 1592 (1) (a) .

1593 (c) The funds may not be used to supplant funding for the
 1594 degree programs described in paragraph (1) (a) .

1595 (4) By December 31 of each year funds are appropriated for

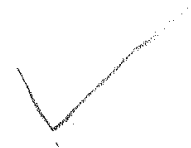
17-00435G-13 20131076__

1596 performance funding, the Board of Governors shall submit a
 1597 report containing the rankings and award distributions to the
 1598 Governor, the President of the Senate, and the Speaker of the
 1599 House of Representatives.

1600 Section 29. This act shall take effect upon becoming a law.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/6/13
Meeting Date

Topic Education

Bill Number SB 1076
(if applicable)

Name NANCY STEPHENS

Amendment Barcode _____
(if applicable)

Job Title EXECUTIVE DIRECTOR

Address 1625 SUMMIT LAKE DR
Street

Phone 850 445 1607

TALLAHASSEE FL 32317
City State Zip

E-mail nancy@nstephens.com

Speaking: For Against Information

Representing MANUFACTURERS ASSOCIATION OF FLORIDA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD



(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-6-13
Meeting Date

Topic SB1076

Bill Number SB1076
(if applicable)

Name Jessica Blackband

Amendment Barcode _____
(if applicable)

Job Title Undergraduate Student

Address 500 Chapel Drive

Phone (352) 871-5234

Tallahassee FL 32304
City State Zip

E-mail jkblackband@gmail.com

Speaking: For Against Information

Representing Florida State University College of Arts and Sciences

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

6. III - 13

Meeting Date



Topic SB 1076 - RAPE Bill

Bill Number 1076
(if applicable)

Name Joseph Lebowitz

Amendment Barcode _____
(if applicable)

Job Title Student

Address 516 W Jefferson St.
Street

Phone (561) 504-3610

Tallahassee FL 32301
City State Zip

E-mail JL09U@my.fsu.edu

Speaking: For Against Information

Representing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD



(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-6-13

Meeting Date

Topic SB 1076

Bill Number SB 1076
(if applicable)

Name Adam Arnold

Amendment Barcode _____
(if applicable)

Job Title Student ^{Senator} at Florida State University

Address 2208 Mendoza Ave

Phone 239-935-9075

Tallahassee FL 32304
City State Zip

E-mail eraathos@gmail.com

Speaking: For Against Information

Representing Florida State student body

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD



(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13

Meeting Date

Topic SB 1076

Bill Number SB 1076
(if applicable)

Name Ralph Wilson

Amendment Barcode _____
(if applicable)

Job Title Student

Address 751 California St
Street

Phone 334 477 2749

Tallahassee FL 32304
City State Zip

E-mail ralph.wilson.ralph@gmail.com

Speaking: For Against Information

Representing FSU student body & college of graduate studies

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13

Meeting Date

May m 15 take
I wish to
waive in
support
of 1076
(if applicable)
(if applicable)

Topic Career Education

Bill Number 1076

Name Ruth Melton

Amendment Barcode _____
(if applicable)

Job Title Director of Legislative Relations

Address 203 South Monroe

Phone 850/414-2578

Tallahassee

E-mail melton@fsba.org

City State Zip

Speaking: For Against Information

Representing Florida School Boards Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/6/13
Meeting Date

Topic C A P E Bill Number 1076
(if applicable)

Name Adam Giery (Gear e') Amendment Barcode _____
(if applicable)

Job Title Dir of Education, Talent + Quality of Life

Address 136 Bronough Phone _____
Street

Tallahassee FL 32311
City State Zip

E-mail _____

Speaking: For Against Information

Representing Florida Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD



(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13

Meeting Date

Topic SB 1076

Bill Number 1076
(if applicable)

Name Seremy Funt (Funt)

Amendment Barcode _____
(if applicable)

Job Title Student

Address 1505 W Tharpe St. Apt. #1336

Phone (813)-751-7077

Street

Tallahassee

FL

32303

City

State

Zip

E-mail Jerry Funt@gmail.com

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)



3/8/13
Meeting Date

Topic CAPE

Bill Number 1076
(if applicable)

Name Joy Frank

Amendment Barcode _____
(if applicable)

Job Title General Counsel

Address 108 S. Monroe St
Street
Tallahassee FL 32301
City State Zip

Phone 577-5784

E-mail JFRANK@CAPSS.org

Speaking: For Against Information

Representing CAPSS (Supt. Assoc)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/2013

Meeting Date

Topic _____

Bill Number 1076
(if applicable)

Name JIM HORNE

Amendment Barcode _____
(if applicable)

Job Title _____

Address PO BOX 8339

Phone 904-759-4596

Street
FLEMING ISLAND FL

E-mail jim@strategiespublicaffairs.com

City _____ *State* _____ *Zip* _____

Speaking: For Against Information

Representing AIF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13
Meeting Date

Topic _____

Bill Number 1076
(if applicable)

Name Pablo Diaz

Amendment Barcode _____
(if applicable)

Job Title Legislative Director

Address _____
Street

Phone _____

City _____ State _____ Zip _____

E-mail pablo.diaz@nfib.org

Speaking: For Against Information

Representing National Federation of Independent Business

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 1096

INTRODUCER: Education Committee and Senator Montford

SUBJECT: Repeal of Education Provisions

DATE: March 6, 2013 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McLaughlin	Klebacha	ED	Fav/CS
2.	_____	_____	AP	_____
3.	_____	_____	RC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

CS/SB 1096 is a combined effort by the Governor, Legislature, district school superintendents, and other education stakeholders to reduce regulation of public educational institutions. The bill repeals:

- Inactive or underutilized programs, including the Alternative Credit for High School Courses Pilot Project, the High School to Business Career Enhancement Program, Incentives for Urban or Socially and Economically Disadvantaged Area Internships, Centers of Technology Innovation, Dropout Reentry and Mentor Project, Sunshine Workforce Solutions Grants, Florida Minority Medical Education Program, Transition to Teaching Program, School Infrastructure Thrift (SIT) Program, A Business-Community (ABC) School Program, and Effort Index Grants.
- Provisions that are unnecessary or duplicate other law, including State Board of Education review of school district compliance with the Family and School Partnership for Student Achievement Act, certain requirements regarding school-to-work transition and postsecondary and workforce readiness, school district reporting of suspensions and expulsions, provisions requiring alignment of public high school athletic programs with those offered by public postsecondary institutions, certain public postsecondary

- institution safety policies, and Commissioner of Education authority to grant exceptions to recommendations in educational plant surveys.
- Provisions that are not being implemented or contain outdated or expired statutory authority, including reporting of K-12 Foreign Language Curriculum plans, the Department of Education parent-response center, Florida School for the Deaf and the Blind authority to create a direct-support organization, high school diploma designations related to high school major areas of interest, high school graduation requirements for students who entered 9th grade before the 2007-08 school year, certain substance abuse training programs, the Florida Teachers Lead Program electronic management system pilot project, provisions relating to reduction of energy consumption by public postsecondary institutions, and exceptions to Special Facilities Construction Account millage contribution requirements granted to three school districts.
 - Burdensome, incorrect, or unnecessary reporting requirements relating to K-12 public school recycling efforts, school board family involvement rules, school wellness and physical education policies, and paperwork reduction.

The bill takes effect upon becoming law except as otherwise expressly provided in this act.

This bill substantially repeals ss. 1001.26(3), 1001.435, 1002.23(4), (6), and (9), 1002.32(10), 1002.361, 1002.375, 1003.4285(1), 1003.43, 1003.433(5), 1003.453(2), 1003.496, 1004.05, 1004.62, 1004.77, 1006.02, 1006.035, 1006.051, 1006.09(1)(d), 1006.17, 1006.65, 1006.70, 1007.21, 1007.35(10), 1008.31(3)(d) and (e), 1009.68, 1012.58, 1012.71(6), 1013.231, 1013.32, 1013.42, 1013.72, 1013.502, 1013.721, 1013.64(7), and 1013.73 of the Florida Statutes.

The bill amends ss. 120.81, 250.115, 403.7032, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34, 1002.45, 1003.03, 1003.429, 1003.438, 1003.49, 1004.435(5), 1004.45, 1004.70, 1004.71, 1006.025, 1006.15, 1007.263, 1007.271, 1008.22, 1008.23, 1009.40, 1009.531, 1009.85, 1009.94, 1011.61, 1013.35, 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738 of the Florida Statutes.

II. Present Situation:

CS/SB 1096 is a coordinated effort by the Governor, the Legislature, district school superintendents, and other education stakeholders to reduce regulation of public educational institutions. In October 2012, the Governor selected seven district school superintendents to formulate recommendations for eliminating unnecessary or outdated statutes and State Board of Education rules. The Department of Education distributed a statewide survey soliciting recommendations from the remaining 60 superintendents. The statutes proposed for repeal by this bill are the product of these combined efforts.¹

¹Press Release, Florida Department of Education, *Superintendents Recommend Ways to Reduce Red Tape, Regulations* (Nov. 5, 2012), http://www.fldoe.org/news/2012/2012_11_05-2.asp (last visited Jan. 8, 2013). The superintendents of Bay County, Broward County, Charlotte County, Highlands County, Orange County, St. Johns County, and Volusia County school districts participated on the governor's panel.

III. Effect of Proposed Changes:

Recycling

Legislation enacted in 2010 required, among others, each state agency, local government, and K-12 public school, public institution of higher learning, community college, and state university to annually report all recycled materials to the appropriate county.² The Department of Environmental Protection was directed to designate a reporting format, but has not done so.³ Thus, reporting by public sector entities has not yet commenced.

The bill amends s. 403.7032(3), F.S., eliminating the recycling reporting requirement for K-12 public schools, as requested by school district superintendents.⁴

K-12 Foreign Language Curriculum Plan Submittal

Legislation enacted in 2002 required each district school board to develop a K-12 foreign language curriculum plan to be submitted to the Commissioner of Education by June 30, 2004.⁵ Kindergarten through grade twelve foreign language curriculum plans were submitted to the commissioner in 2004 and subsequently implemented by school districts.

The bill repeals s. 1001.435, F.S., relating to the K-12 foreign language curriculum, as the purpose of this statute has been accomplished.

Family and School Partnership for Student Achievement Act

Enacted in 2003, the Family and School Partnership for Student Achievement Act established several requirements designed to strengthen collaboration among parents and school personnel.⁶ Among other things, the Act requires the DOE to establish a parent-response center; annual submission of family involvement rules by school boards to the DOE; and an annual State Board of Education review of school district's compliance.⁷ The parent-response center does not exist, as the DOE uses other means to assist parents and the public.⁸ The DOE simply acknowledges receipt of school board family involvement rules, but does nothing further. State board review of school board compliance with the Act duplicates another law which provides the Commissioner of Education with the authority to investigate school board noncompliance with state law and the State Board of Education with the authority to withhold funds for such noncompliance.⁹

The bill repeals subsections (4), (6), and (9) of s. 1002.23, F.S., relating to the parent-response center, school board reporting of parent involvement rules, and state board review of compliance

² Section 3, ch. 2010-143, L.O.F., *codified at* s. 403.7032(3), F.S.

³ Telephone conversation, Board of Governors, State University System of Florida, Staff (Dec. 20, 2012).

⁴ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

⁵ Section 1061, ch. 2002-387, L.O.F., *codified at* s. 1001.435, F.S.

⁶ Section 2, ch. 2003-118, L.O.F., *codified at* s. 1002.23, F.S.

⁷ Section 1002.23(4), (6), and (9), F.S.

⁸ Telephone conversation, Florida Department of Education, Bureau of Family and Community Outreach (December 18, 2012).

⁹ *See* s. 1008.32, F.S.

with the Act, respectively. The DOE and district school superintendents concur with these repeals.

Florida School for the Deaf and the Blind Direct-Support Organization

Legislation enacted in 2004 authorized the Florida School for the Deaf and the Blind (FSDB) board to establish a direct support organization (DSO). The DSO may receive, hold, invest, and administer property and make expenditures to or for the benefit of FSDB or the board.¹⁰

The bill repeals s. 1002.361, F.S., relating to a DSO for the FSDB, as no DSO exists and the FSDB has no future intent to create one. The FSDB concurs with repeal of this statute.

Alternative Credit for High School Courses Pilot Project

Legislation enacted in 2008 established the Alternative Credit for High School Courses Pilot Project to enable high school students enrolled in industry certification courses to simultaneously earn credit in Algebra, Geometry, or Biology without having to enroll in a separate course.¹¹ In order to earn such credit, students were required to pass an end-of-course (EOC) assessment. The legislation required the Commissioner of Education to select up to three school districts to participate in the pilot project, beginning in the 2008-09 school year, and authorized the DOE to approve eligible courses and EOC assessments.¹² Only one high school participated in the pilot project and no eligible students sought credit through the pilot program.¹³

The bill repeals s. 1002.375, F.S., relating to the Alternative Credit for High School Courses Pilot Project, which is no longer in existence, and has been made unnecessary by the Legislature's enactment of the Credit Acceleration Program (CAP) in 2010. Similar to the pilot project, CAP enables students to earn credit in courses tested by a statewide standardized EOC assessment without enrolling in the course. The bill also amends s. 1011.61, F.S., which is a conforming provision. The DOE and district school superintendents concur with repeal of this statute.¹⁴

Standard High School Diploma Designations

Legislation enacted in 2006 required high school students to select a major area of interest comprised of four credits in a career, academic, or fine or performing arts content area, in order to earn a standard high school diploma.¹⁵ Legislation enacted in 2008 created a standard high school diploma designation signifying the student's completion of a major.¹⁶ Legislation enacted

¹⁰ Section 6, ch. 2004-331, L.O.F., *codified at* s. 1002.361, F.S.

¹¹ Section 1, ch. 2008-174, L.O.F., *codified at* s. 1002.375, F.S.

¹² Section 1002.375(1), (2), and (4), F.S. The law authorizes use of a statewide standardized EOC assessment or EOC assessment developed by the Florida Virtual School for assessing student mastery of Algebra, Geometry, or Biology. Section 1002.375(4), F.S.

¹³ Florida Department of Education, *Legislative Bill Analysis for HB 4185* (2011).

¹⁴ Florida Department of Education, *Legislative Report on Alternative Credit for High School Courses Pilot*, (2010).(on file with the Senate Committee on Education); Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012); *see* s. 5, ch. 2010-22, L.O.F., *codified at* s. 1003.4295(3), F.S.

¹⁵ Section 23, ch. 2006-74, L.O.F., *codified at* s. 1003.428(2)(b)1., F.S.

¹⁶ Section 8, ch. 2008-235, L.O.F., *codified at* s. 1003.4285(1), F.S.

in 2010 repealed the major area of interest graduation requirement, but did not eliminate the diploma designation.¹⁷

The bill repeals s. 1003.4285(1), F.S., relating to the major area of interest diploma designation, which is now obsolete due to the repeal of the corresponding graduation requirement.

General Requirements for High School Graduation

Since 2006, Florida law has specified two provisions in law for high school graduation requirements. Section 1003.43, F.S., was enacted in 1978 and applies to students who entered 9th grade before the 2007-08 school year, whereas s. 1003.428, F.S., applies to students entering the 9th grade in the 2007-08 school year and thereafter.¹⁸ Six school years have passed since entering 9th graders have been subject to s. 1003.43, F.S.

The bill repeals s. 1003.43, F.S., relating to the general requirements for high school graduation for students entering 9th grade before the 2007-08 school year. Despite repeal, these requirements will remain applicable to any students still enrolled in Florida public schools who were subject to them at the time they entered 9th grade.¹⁹ The DOE and district school superintendents concur with repeal of this statute.²⁰

School Wellness and Physical Education Policies

Legislation enacted in 2006 required each school district to provide the most recent version of its school wellness and physical education policy on its website. The DOE was required to post on its website links to these policies.²¹

School wellness policies are required by federal law governing child nutrition programs. Legislation enacted in 2011 transferred oversight of federal child nutrition programs from the DOE to the Department of Agriculture and Consumer Services (DACS).²² Accordingly, the DACS, not the DOE, posts school wellness policies on its website. However, the law was never changed to reflect this.

¹⁷ Section 3, ch. 2010-22, L.O.F.

¹⁸ Chapter 78-424, L.O.F., initially codified at s. 232.246, F.S., redesignated in 2002 as s. 1003.43, F.S., and s. 23, ch. 2006-74, L.O.F., codified as s. 1003.428, F.S.

¹⁹ *Memorial Hospital-West Volusia, Inc. v. News-Journal Corp.*, 784 So. 2d 438 (Fla. 2001). The general rule is that in the absence of clear legislative intent to the contrary, a law affecting substantive rights, liabilities and duties is presumed to apply prospectively.

²⁰ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

²¹ Section 18, ch. 2006-301, L.O.F., codified at s. 1003.453(2), F.S.

²² See Healthy, Hunger Free Kids Act of 2010, Pub. L. No.111-296, 124 Stat. 3183; s. 8, ch. 2011-217, L.O.F.; Florida Department of Agriculture and Consumer Services, *Wellness*, <http://www.freshforfloridakids.com/Sponsors/Programs/Wellness.aspx> (last visited Jan. 7, 2013)(see Florida Links to Local Wellness Policies).

The DOE website includes a page devoted entirely to physical education.²³ The webpage includes online links to school district physical education policies and numerous additional resources. Posting of physical education policies is the only resource that is statutorily required.²⁴

The bill repeals s. 1003.453(2), F.S., relating to online posting of school wellness and physical education policies, thereby removing the outdated requirement that the DOE post links to school wellness policies on its website. The DOE and district school superintendents requested repeal of this outdated and unnecessary reporting requirement.²⁵

High School to Business Career Enhancement Program

Legislation enacted in 2007 established the High School to Business Career Enhancement Program, which authorizes school boards to adopt policies for providing high school students internships with local employers.²⁶ Among other things, participating students must earn at least a 2.0 GPA, internships must be between 8 and 20 consecutive weeks in duration, and participants are limited to 20 work hours weekly and one internship annually.²⁷ No school districts have participated in this program in recent years.

The bill repeals s. 1003.496, F.S., relating to the High School to Business Career Enhancement Program, as the program is not currently being implemented by school districts.

Substance Abuse Training Programs

Legislation enacted in 1993 authorized state universities and the Florida College System (FCS) institutions to develop courses designed to train public school teachers, counselors, physicians, law enforcement personnel, and other professionals in recognizing symptoms of substance abuse impairment.²⁸ These programs are inactive and unfunded.

The bill repeals s. 1004.05, F.S., which created the Substance Abuse Training Programs. The DOE and the Board of Governors of the State University System (BOG) concur with the repeal of this statute.²⁹

Incentives for Urban or Socially and Economically Disadvantaged Area Internships

Legislation enacted in 1994 established the Incentives for Urban or Socially and Economically Disadvantaged Area Internships program to give university students the opportunity to study the social, economic, educational, and political life of inner cities and economically disadvantaged

²³ See, Florida Department of Education, *Physical Education*, http://www.fldoe.org/BII/CSHP/Education/Physical_Ed/default.asp (last visited Jan. 7, 2013) (see Links to Florida School District's Physical Education Policies); see ss. 1003.453 and 1003.455, F.S.

²⁴ *Id.*

²⁵ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

²⁶ Section 1, ch. 2007-122, L.O.F., *codified at* s. 1003.496, F.S.

²⁷ Section 1003.496(2), F.S.

²⁸ Section 12, ch. 93-39, L.O.F., *initially codified at* s. 240.70, F.S., *redesignated in* 2002 as s. 1004.05, F.S.

²⁹ Telephone conversation, Board of Governors, State University System of Florida, Staff (Dec. 11, 2012).

areas of the state.³⁰ This program is not currently being implemented and has not received funding since FY 1999-2000.

The bill repeals s. 1004.62, F.S., relating to Incentives for Urban or Socially and Economically Disadvantaged Area Internships. The BOG concurs with the repeal of this inactive program.³¹

Centers of Technology Innovation

Legislation enacted in 1994 authorized individual FCS institutions, consortia of multiple FCS institutions, or consortia of FCS institutions and other educational institutions to establish centers of technology innovation.³² These centers were authorized to perform various functions, including curriculum and faculty development; research, testing, and technology transfer; instructional materials development; and the formation of partnerships with technology industries seeking to update or expand existing technology.³³ According to the DOE, no such centers exist.³⁴

The bill repeals s. 1004.77, F.S., relating to Centers of Technology Innovation, as the program is inactive. The DOE concurs with repeal of this statute.³⁵

Provision of Information to Students and Parents Regarding School-to-Work Transition

Legislation enacted in 1994 required, among other things, each K-12 public school to document actions taken to prepare students for the workforce. Each public high school was required to assess each student's preparation for employment before graduation and provide the student and the student's parent with the results of the assessment.³⁶

Subsequent legislation has increased the state's focus on workforce preparation. Among other things, each school district, in collaboration with the local workforce board and public postsecondary institutions serving the district, must develop a 3-year strategic plan for identifying high-demand career fields and creating career academies in those fields; recruiting students to enroll in career academies; providing personalized student advisement with parent participation; supporting education planning; and coordinating middle school and high school career education programs.³⁷ Additionally, middle school students must complete a career and education planning course which results in completion of an academic and career plan for the student.³⁸

The bill repeals s. 1006.02, F.S., relating to Provision of Information to Students and Parents Regarding School-to-Work Transition and amends s. 1006.025, F.S. which is a conforming

³⁰ Section 38, ch. 94-230, L.O.F., *initially codified at s. 240.701, F.S., redesignated in 2002 as s. 1004.62, F.S.*

³¹ Email, Board of Governors, State University System of Florida, General Counsel (Dec. 20, 2012).

³² Section 39, ch. 94-230, L.O.F., *initially codified at s. 240.3335, F.S., redesignated in 2002 as s. 1004.77, F.S.*

³³ Section 1004.77(2), F.S.

³⁴ Telephone conversation, Division of Florida Colleges, Staff (Jan. 5, 2013).

³⁵ *Id.*

³⁶ Section 5, ch. 94-319, L.O.F., *initially codified at s. 229.595, F.S., redesignated in 2002 as s. 1006.02, F.S.*

³⁷ Section 1003.491(3), F.S.; *see e.g.* s. 1, ch. 2007-216 and s. 13, ch. 2012-191, L.O.F.

³⁸ Section 1003.4156(1)(a)5., F.S.; s. 21, ch. 2006-74, L.O.F.

provision. These requirements have been supplanted by other provisions governing workforce preparation and education planning.³⁹

Dropout Reentry and Mentor Project

Legislation enacted in 1990 created the Dropout Reentry and Mentoring Project, a pilot project to be implemented by the Florida Agricultural and Mechanical University National Alumni Association in Tallahassee, Jacksonville, Daytona Beach, and Miami.⁴⁰ The project assisted 15 African American students in each of these four locations who had dropped out of high school for reasons unrelated to academic difficulty. Participants received mentoring; academic evaluation for, and enrollment in, a regular high school, General Educational Development (GED) program, career center, or alternative school; and instruction regarding test-taking, study, goal setting, conflict management, and time management skills.⁴¹ This project is no longer operational and has received no funding in over 10 years.

The bill repeals s. 1006.035, F.S., which created the Dropout Reentry and Mentor Project. The Florida Agricultural and Mechanical University and district school superintendents concur with repeal of this statute.

Sunshine Workforce Solutions Grant Program

Legislation enacted in 2002 created the Sunshine Workforce Solutions Grant Program, to provide school districts with grants for establishing nursing-themed middle school and high school career education programs.⁴² The program was never implemented or funded.

The bill repeals s. 1006.051, F.S., which created the Sunshine Workforce Solutions Grant Program. The DOE and district school superintendents concur with repeal of this statute.⁴³

Duties of School Principal relating to Student Discipline and School Safety

Section 1006.09(1)(d), F.S., requires each school principal (or designee) to include an analysis of suspensions and expulsions in the annual report of school progress. Subsection (6) of s. 1006.09, F.S., requires each school principal to report data concerning school safety and discipline to the DOE.⁴⁴ The discipline data reported to DOE includes information regarding suspensions and expulsions. Thus, it appears these two provisions are redundant.⁴⁵

The bill repeals s. 1006.09(1)(d), F.S., relating to duties of school principals for student discipline and school safety, as the information reported under this paragraph duplicates that

³⁹ Telephone conversation, Board of Governors, State University System of Florida, Staff (Dec. 11, 2012).

⁴⁰ Section 11, ch. 90-365, L.O.F., *initially codified at s. 228.503, F.S., redesignated in 2002 as s. 1006.035, F.S.*

⁴¹ Section 1006.035(2), (5), and (7), F.S.

⁴² Section 4, ch. 2002-230, L.O.F., *codified at s. 1006.051, F.S.*

⁴³ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

⁴⁴ Section 279, ch. 2002-387, L.O.F., *codified at s. 1006.09(1)(d) and (6), F.S.*

⁴⁵ Telephone conversation, Florida Department of Education, Staff, (Dec. 11, 2012).

reported under s. 1006.09(6), F.S. DOE and district school superintendents concur with repeal of this statute.⁴⁶

Sponsorship of Athletic Activities

Two substantively identical statutes enacted in 1986 required public high schools, FCS institutions, and state universities to align their sports offerings to enable opportunities for students to play sports for which collegiate scholarships are offered.⁴⁷ The law was specifically enacted in order to induce public schools to transition from slow pitch softball to fast pitch softball.⁴⁸

The bill repeals ss. 1006.17 and 1006.70, F.S., relating to Sponsorship of Athletic Activities Similar to those for which Scholarships Offered. Fast-pitch softball is the version of softball currently sponsored by the Florida High School Athletic Association (FHSAA), the Florida College System Athletic Association (FCSAA), and the National Collegiate Athletic Association.⁴⁹ The FHSAA and the FCSAA concur with these repeals.⁵⁰

Safety Issues in Courses Offered by Public Postsecondary Educational Institutions

Legislation enacted in 2002 required the State Board of Education and the BOG to adopt policies for protecting the health and safety of students, instructional personnel, and visitors who participate in courses offered by the FCS institutions or state universities, respectively.⁵¹

According to the DOE, these safety policies are already required by federal law and accrediting bodies and included in affiliation contracts with hospitals and law enforcement agencies.⁵²

The bill repeals s. 1006.65, F.S, relating to safety issues in courses offered by public postsecondary institutions. The DOE concurs with repeal of this statute.

Readiness for Postsecondary Education and the Workplace

Legislation enacted in 1997 required that entering 9th graders and their parents develop a four to five year academic and career plan while the student is in middle school, based upon the student's postsecondary and career goals.⁵³ Legislation enacted subsequently required middle

⁴⁶ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

⁴⁷ Section 4, ch. 86-172, L.O.F., *initially codified at s. 232.426, F.S., redesignated in 2002 as ss. 1006.17 and 1006.70, F.S.*

⁴⁸ Florida House of Representatives, *Legislative Bill Analysis for CS/HB 90*(1986).

⁴⁹ Florida High School Athletic Association, *Sports and Programs*, <http://www.fhsaa.org/sports> (last visited Jan. 8, 2013);

Florida College System Activities Association, *Athletics*, <http://www.thefcsaa.com/> (last visited Jan. 8, 2013); National

Collegiate Athletic Association, *Championships List*,

<http://www.ncaa.org/wps/wcm/connect/public/ncaa/championships/championships+list> (last visited Jan. 8, 2013).

⁵⁰ Florida Department of Education, *Legislative Bill Analysis for HB 4041* (2012).

⁵¹ Section 335, ch. 2002-387, L.O.F., *codified at s. 1006.65, F.S.*

⁵² Email, Board of Governors, State University System of Florida (Dec. 20, 2012); *see* 20 U.S.C. s. 1092(f), requiring disclosure of campus security policies and crime statistics by postsecondary institutions participating federal financial aid programs.

⁵³ Section 1, ch. 97-21, L.O.F., *initially codified at s. 232.2451, F.S., redesignated in 2002 as s. 1007.21, F.S.*

school students to complete a career and education planning course which results in completion of an academic and career plan for the student.⁵⁴

The bill repeals s. 1007.21, F.S., relating to readiness for postsecondary education and the workplace, as this provision is duplicative. The DOE and district school superintendents concur with repeal of this statute.⁵⁵

Paperwork Reduction

Legislation enacted in 2010 required the Commissioner of Education to annually monitor and review paperwork, data collection, and reporting requirements and report recommendations for eliminating or consolidating such requirements to school districts.⁵⁶ Although this provision is intended to reduce paperwork, it actually creates more paperwork for DOE and school districts.⁵⁷

The bill repeals s. 1008.31(3)(d) and (e), F.S., relating to paperwork reduction. The DOE and school district superintendents concur with repeal of these provisions.⁵⁸

Florida Minority Medical Education Program

Legislation enacted in 1991 established a scholarship program for minority students pursuing medical education at the University of Florida, the University of South Florida, Florida State University, and the University of Miami, or Southeastern University Health Sciences, for the purpose of addressing the primary health care needs of underserved groups.⁵⁹ According to the DOE, the program has not been funded in 15 years.⁶⁰

The bill repeals s. 1009.68, F.S., relating to the Florida minority medical education program. The DOE concurs with repeal of this statute.⁶¹

Transition to Teaching Program

Legislation enacted in 2001 created the Transition to Teaching Program to award grants for establishing programs to facilitate the transition of midcareer professionals into the teaching profession.⁶² An individual participating in programs created under the grant was eligible for financial assistance, upon condition that he or she commit to teach in a Florida school district for at least three years. The award of grants was contingent upon legislative funding. The DOE was awarded federal Transition to Teaching grants in 2003 and 2007. However, these grants expired in October 2011.

⁵⁴ Section 1003.4156(1)(a)5., F.S.; s. 21, ch. 2006-74, L.O.F.

⁵⁵ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

⁵⁶ Section 199, ch. 2010-102, L.O.F., *codified at* s. 1008.31(3)(d)-(e), F.S.

⁵⁷ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012)

⁵⁸ *Id.*

⁵⁹ Section 1, ch. 91-203, L.O.F., *initially codified at* s. 240.4987, F.S., *redesignated in* 2002 as s. 1009.68, F.S.

⁶⁰ Telephone conversation, Florida Department of Education, Staff (Jan. 15, 2013).

⁶¹ *Id.*

⁶² Sections 1 and 2, ch. 2001-219, L.O.F., *initially codified at* s. 229.604, F.S., *redesignated in* 2002 as s. 1012.58, F.S.

The bill repeals s. 1012.58, F.S. creating the Transition to Teaching Program, which is inactive and no longer funded. The DOE concurs with the repeal of this statute.

The Florida Teachers Lead Program

The Florida Teachers Lead program provides a classroom materials and supplies stipend to each public school classroom teacher.⁶³ Legislation enacted in 2009, authorized the DOE to establish a pilot program to study the feasibility of creating a centralized electronic system for managing Florida Teachers Lead Program disbursements. The program was authorized only for FY 2009-10. School district participation was voluntary and the DOE was not required to implement the program if school district participation was insufficient to measure the viability of an electronic management system.⁶⁴ According to the DOE, no school districts agreed to participate and the program was never implemented.⁶⁵

The bill repeals s. 1012.71(6), F.S., relating to the Florida Teachers Lead Program centralized electronic management system pilot program, as authority for the program has expired.

Florida College System Institution and University Energy Consumption

Legislation enacted in 2010 required each FCS institution and state university to strive to reduce campus-wide energy consumption by ten percent and submit a report to the Governor, Speaker of the House of Representatives, and President of the Senate by January 1, 2011, describing how this goal was met or providing a plan for meeting the goal in the future.⁶⁶ While this statute requires a plan, it does not require that the institutions actually meet this goal. Furthermore, the report submission deadline of January 1, 2011, has passed.⁶⁷

The bill repeals s. 1013.231, F.S., relating to reduction in energy consumption by the FCS institutions and universities, as the purpose of this statute has been served.

Exception to Recommendations in Educational Plant Survey

Legislation enacted in 1977 authorized school districts to request exceptions to recommendations made in an educational plant survey based upon potential cost savings or other educational benefits. These exceptions must be approved by the Commissioner of Education.⁶⁸ A separate provision of law similarly authorizes the commissioner to waive survey requirements upon school district request.⁶⁹

The bill repeals s. 1013.32, F.S., relating to exceptions to recommendations in educational plant surveys. The DOE concurs with repeal of this statute.⁷⁰

⁶³ Section 1012.71, F.S.

⁶⁴ *Id.*

⁶⁵ Section 37, ch. 2009-59, L.O.F., *codified at* s. 1012.71(6), F.S.

⁶⁶ Section 30, ch. 2010-155, L.O.F., *codified at* s. 1013.321, F.S.

⁶⁷ Section. 1013.231, F.S.

⁶⁸ Section 9, ch. 77-458, L.O.F., *initially codified at* s. 235.155, F.S., *redesignated in* 2002 as s. 1013.32, F.S.

⁶⁹ Section 1013.03(10), F.S.

⁷⁰ Telephone conversation, Florida Department of Education, Staff (Dec. 11, 2012).

School Infrastructure Thrift Program

Legislation enacted in 1997 established the School Infrastructure Thrift (SIT) program, which was designed to reward school districts that achieved construction cost savings.⁷¹ Among other things, the legislation required the DOE to identify for elimination obsolete, excessively restrictive, and unnecessary education facilities regulations and practices.⁷² School districts that achieved reduced costs per student station specified in statute were eligible to apply for SIT program awards.⁷³ The SIT program has not been funded since FY 2004-05, when funding was awarded to the Orange and Osceola County school districts.⁷⁴ A related program, the SMART Schools Clearinghouse, was repealed in 2010.⁷⁵

The bill repeals ss. 1013.42 and 1013.72, F.S., relating to the SIT program. DOE concurs with these repeals.

A Business-Community School Program

The A Business-Community (ABC) School Program encourages the formation of business and education partnership schools which operate in facilities owned or operated by a local business.⁷⁶ The ABC schools may serve students in kindergarten through 3rd grade. Children of employees of the business must be given first preference for enrollment.⁷⁷ School districts are not required to establish an ABC school, nor do they need statutory authority to do so.

The bill repeals ss. 1013.502 and 1013.721, F.S., relating to the ABC School Program. School district superintendents concur with these repeals.⁷⁸

Exceptions to Special Facilities Construction Account requirements

The Special Facility Construction Account (SFCA) provides funding to school districts with urgent construction needs that cannot be met by existing resources or resources anticipated in the next three year period.⁷⁹ Among other things, school districts receiving SFCA funding must levy the maximum authorized discretionary millage for capital outlay (1.5 mills), or its equivalent from the school capital outlay surtax.⁸⁰ Legislation enacted in 2009 reduced this millage contribution for the school districts of Wakulla county (1 mill for FY 2009-10 and .5 mill for FY 2010-11), Liberty county (1 mill for FYs 2009-10 to 2011-12), and Calhoun county (1.125 mills

⁷¹ Section 22 ch. 97-153, L.O.F., *initially codified at s. 235.2155, F.S., redesignated in 2002 as s. 1013.42, F.S.*; Section 23, ch. 97-153, L.O.F., *initially codified at s. 235.216, F.S., redesignated in 2002 as s. 1013.72, F.S.*

⁷² Section 1013.42(2), F.S.

⁷³ Section 1013.72(2), F.S.

⁷⁴ Telephone conversation, Florida Department of Education, Staff (Dec. 11, 2012).

⁷⁵ Chapter 2010-70, L.O.F.

⁷⁶ Section 21, ch. 2003-391, L.O.F., *initially codified at s. 1013.501, F.S., redesignated in 2006 as s. 1013.721, F.S.* Initially known as the Florida Business and Education in School Together (Florida BEST) Program, the name of the program was changed to the ABC Schools Program in 2006.

⁷⁷ Section 1013.721(2) and (5)(a), F.S.

⁷⁸ Florida Department of Education, *School District Superintendent Deregulation Survey* (Oct. 25, 2012).

⁷⁹ Section 1013.64(2)(a), F.S.

⁸⁰ Section 1013.64(2)(a)8., F.S.; *see s. 1011.71(2), F.S.*

for FYs 2009-10 to 2012-13).⁸¹ This provision will be obsolete as of June 30, 2013, when Calhoun County's exception expires. Wakulla County's exception expired June 30, 2011, and Liberty County's exception expired June 30, 2012.

The bill repeals s. 1013.64(7), F.S., relating to exceptions to SFCA millage contribution requirements, as the last exception expires June 30, 2013 rendering the provision obsolete. The DOE concurs with repeal of this provision.⁸²

Effort Index Grants

Legislation enacted in 1997 provided grants to school districts which met a specified level of local effort funding, but still had a need for new student stations or core facilities to meet student demand.⁸³ The legislation provided a one-time appropriation of \$300 million for the grants, the last of which was disbursed in 2008.⁸⁴ A related program, the SMART Schools Clearinghouse, was repealed in 2010.⁸⁵

The bill repeals s. 1013.73(7), F.S., relating to effort index grants, which are no longer funded. The DOE concurs with the repeal of this statute.

Rulemaking Authority

- The Department of Education states that the rulemaking authority of ss. 1001.26(3), 1002.32(10), 1007.35(10), and 1009.85, F.S. is unnecessary because the statutes are self-executing.⁸⁶
- DOE further states that s. 1003.433(5), F.S., is unnecessary due to duplicative statutory authority.⁸⁷
- The Board of Governors states that the rulemaking authority of s. 1004.435(5)(c) and (d), F.S., is unnecessary and no rules have been created.⁸⁸
- Florida State University states that the rulemaking authority of s. 1004.45(2)(g), F.S. is unnecessary because the property in question belongs to the Ringling estate and not to the university.⁸⁹
- The bill repeals the rulemaking authority in these statutes previously identified as duplicative, redundant, or unused pursuant to s. 11.242(5)(j), F.S.

⁸¹ Section 40, ch. 2009-59, L.O.F., *codified at* s. 1013.64(7), F.S.

⁸² *Id.*

⁸³ Section 5, ch. 97-384, L.O.F., *initially codified at* s. 235.186, F.S., *redesignated in* 2002 as s. 1013.73, F.S.

⁸⁴ Section 870, ch. 2002-387, L.O.F.

⁸⁵ Chapter 2010-70, L.O.F.

⁸⁶ Telephone conversation, Florida Department of Education, Staff (Dec. 18, 2012).

⁸⁷ *Id.*

⁸⁸ Telephone conversation, Board of Governors, State University System of Florida (Dec. 20, 2012).

⁸⁹ Telephone conversation, Florida State University, Office of General Counsel (December 18, 2012).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by the Education Committee on March 6, 2013:

The committee substitute retains the original provisions of SB 1096 and

- Repeals s. 1002.375, F.S., relating to the Alternative Credit for High School Courses Pilot Project, s. 1006.02, F. S., relating to the provision of information to students and parents regarding school-to-work transition, s. 1006.051, F.S., relating to the Sunshine Workforce Solutions Grant Program, and the rulemaking authority in ss. 1001.26(3), 1002.32(10), 1003.433(5), 1004.435(5)(c) and (d), 1004.45(2)(g), 1007.35(10), and 1009.85 of the Florida Statutes.

- Amends s. 1006.025, F.S., which is a conforming provision for s. 1006.02, F.S., and s. 1011.61, F.S., which is a conforming provision for s. 1002.375, F.S.
- Amends s. 1013.64(7), F.S., providing for an effective date that corresponds with the exception granted to Calhoun County.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



730152

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/06/2013	.	
	.	
	.	
	.	

The Committee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) of section 403.7032, Florida
Statutes, is amended to read:

403.7032 Recycling.—

(3) Each state agency, ~~K-12 public school~~, public
institution of higher learning, community college, and state
university, including all buildings that are occupied by
municipal, county, or state employees and entities occupying
buildings managed by the Department of Management Services,
must, at a minimum, annually report all recycled materials to



730152

14 the county using the department's designated reporting format.
15 Private businesses, other than certified recovered materials
16 dealers, that recycle paper, metals, glass, plastics, textiles,
17 rubber materials, and mulch, are encouraged to report the amount
18 of materials they recycle to the county annually beginning
19 January 1, 2011, using the department's designated reporting
20 format. Using the information provided, the department shall
21 recognize those private businesses that demonstrate outstanding
22 recycling efforts. Notwithstanding any other provision of state
23 or county law, private businesses, other than certified
24 recovered materials dealers, shall not be required to report
25 recycling rates. Cities with less than a population of 2,500 and
26 per capita taxable value less than \$48,000 and cities with a per
27 capita taxable value less than \$30,000 are exempt from the
28 reporting requirement specified in this subsection.

29 Section 2. Subsection (3) of section 1001.26, Florida
30 Statutes, is repealed.

31 Section 3. Section 1001.435, Florida Statutes, is repealed.

32 Section 4. Subsections (4), (6), and (9) of section
33 1002.23, Florida Statutes, are repealed.

34 Section 5. Subsection (10) of section 1002.32, Florida
35 Statutes, is repealed.

36 Section 6. Section 1002.361, Florida Statutes, is repealed.

37 Section 7. Section 1002.375, Florida Statutes, is repealed.

38 Section 8. Subsection (1) of section 1003.4285, Florida
39 Statutes, is repealed.

40 Section 9. Section 1003.43, Florida Statutes, is repealed.

41 Section 10. Subsection (5) of section 1003.433, Florida
42 Statutes, is repealed.



730152

43 Section 11. Subsection (2) of section 1003.453, Florida
44 Statutes, is repealed.

45 Section 12. Section 1003.496, Florida Statutes, is
46 repealed.

47 Section 13. Section 1004.05, Florida Statutes, is repealed.

48 Section 14. Paragraphs (c) and (d) of subsection (5) of
49 section 1004.435, Florida Statutes, are amended to read:

50 1004.435 Cancer control and research.—

51 (5) RESPONSIBILITIES OF THE BOARD OF GOVERNORS, THE H. LEE
52 MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC., AND THE
53 STATE SURGEON GENERAL.—

54 ~~(c) The Board of Governors or the State Surgeon General,~~
55 ~~after consultation with the council, may adopt rules necessary~~
56 ~~for the implementation of this section.~~

57 (c) ~~(d) The State Surgeon General, after consultation with~~
58 ~~the council, shall make rules specifying to what extent and on~~
59 ~~what terms and conditions cancer patients of the state may~~
60 ~~receive financial aid for the diagnosis and treatment of cancer~~
61 ~~in any hospital or clinic selected.~~ The department may furnish
62 to citizens of this state who are afflicted with cancer
63 financial aid to the extent of the appropriation provided for
64 that purpose in a manner which in its opinion will afford the
65 greatest benefit to those afflicted and may make arrangements
66 with hospitals, laboratories, or clinics to afford proper care
67 and treatment for cancer patients in this state.

68 Section 15. Paragraph (g) of subsection (2) of section
69 1004.45, Florida Statutes, is amended to read:

70 1004.45 Ringling Center for Cultural Arts.—

71 (2)



730152

72 (g) The university, in consultation with the direct-support
73 organization, shall establish policies ~~and may adopt rules~~ for
74 the sale or exchange of works of art.

75 Section 16. Section 1004.62, Florida Statutes, is repealed.

76 Section 17. Section 1004.77, Florida Statutes, is repealed.

77 Section 18. Section 1006.02, Florida Statutes, is repealed.

78 Section 19. Section 1006.035, Florida Statutes, is
79 repealed.

80 Section 20. Section 1006.051, Florida Statutes, is
81 repealed.

82 Section 21. Paragraph (d) of subsection (1) of section
83 1006.09, Florida Statutes, is repealed.

84 Section 22. Sections 1006.17 and 1006.70, Florida Statutes,
85 are repealed.

86 Section 23. Section 1006.65, Florida Statutes, is repealed.

87 Section 24. Section 1007.21, Florida Statutes, is repealed.

88 Section 25. Subsection (10) of section 1007.35, Florida
89 Statutes, is repealed.

90 Section 26. Paragraphs (d) and (e) of subsection (3) of
91 section 1008.31, Florida Statutes, are repealed.

92 Section 27. Section 1009.68, Florida Statutes, is repealed.

93 Section 28. Section 1009.85, Florida Statutes, is amended
94 to read:

95 1009.85 Participation in guaranteed student loan program.-
96 ~~The State Board of Education shall adopt rules necessary for~~
97 ~~participation in the guaranteed student loan program, as~~
98 ~~provided by the Higher Education Act of 1965 (20 U.S.C. ss. 1071~~
99 ~~et seq.), as amended or as may be amended. The intent of this~~
100 act is to authorize student loans when this state, through the



730152

101 Department of Education, has become an eligible lender under the
102 provisions of the applicable federal laws providing for the
103 guarantee of loans to students and the partial payment of
104 interest on such loans by the United States Government.

105 Section 29. Section 1012.58, Florida Statutes, is repealed.

106 Section 30. Subsection (6) of section 1012.71, Florida
107 Statutes, is repealed.

108 Section 31. Section 1013.231, Florida Statutes, is
109 repealed.

110 Section 32. Section 1013.32, Florida Statutes, is repealed.

111 Section 33. Sections 1013.42 and 1013.72, Florida Statutes,
112 are repealed.

113 Section 34. Sections 1013.502 and 1013.721, Florida
114 Statutes, are repealed.

115 Section 35. Effective July 1, 2013, subsection (7) of
116 section 1013.64, Florida Statutes, is repealed.

117 Section 36. Section 1013.73, Florida Statutes, is repealed.

118 Section 37. Paragraph (c) of subsection (1) of section
119 120.81, Florida Statutes, is amended to read:

120 120.81 Exceptions and special requirements; general areas.—

121 (1) EDUCATIONAL UNITS.—

122 (c) Notwithstanding s. 120.52(16), any tests, test scoring
123 criteria, or testing procedures relating to student assessment
124 which are developed or administered by the Department of
125 Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.
126 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
127 educational tests required by law, are not rules.

128 Section 38. Subsection (5) of section 250.115, Florida
129 Statutes, is amended to read:



730152

130 250.115 Department of Military Affairs direct-support
131 organization.—

132 (5) ACTIVITIES; RESTRICTIONS.—Any transaction or agreement
133 between the direct-support organization organized pursuant to
134 this section and another direct-support organization ~~or center~~
135 ~~of technology innovation designated under s. 1004.77~~ must be
136 approved by the Department of Military Affairs.

137 Section 39. Paragraph (b) of subsection (5) of section
138 409.1451, Florida Statutes, is amended to read:

139 409.1451 Independent living transition services.—

140 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.—
141 Based on the availability of funds, the department shall provide
142 or arrange for the following services to young adults formerly
143 in foster care who meet the prescribed conditions and are
144 determined eligible by the department. The department, or a
145 community-based care lead agency when the agency is under
146 contract with the department to provide the services described
147 under this subsection, shall develop a plan to implement those
148 services. A plan shall be developed for each community-based
149 care service area in the state. Each plan that is developed by a
150 community-based care lead agency shall be submitted to the
151 department. Each plan shall include the number of young adults
152 to be served each month of the fiscal year and specify the
153 number of young adults who will reach 18 years of age who will
154 be eligible for the plan and the number of young adults who will
155 reach 23 years of age and will be ineligible for the plan or who
156 are otherwise ineligible during each month of the fiscal year;
157 staffing requirements and all related costs to administer the
158 services and program; expenditures to or on behalf of the



730152

159 eligible recipients; costs of services provided to young adults
160 through an approved plan for housing, transportation, and
161 employment; reconciliation of these expenses and any additional
162 related costs with the funds allocated for these services; and
163 an explanation of and a plan to resolve any shortages or
164 surpluses in order to end the fiscal year with a balanced
165 budget. The categories of services available to assist a young
166 adult formerly in foster care to achieve independence are:

167 (b) *Road-to-Independence Program.*—

168 1. The Road-to-Independence Program is intended to help
169 eligible students who are former foster children in this state
170 to receive the educational and vocational training needed to
171 achieve independence. The amount of the award shall be based on
172 the living and educational needs of the young adult and may be
173 up to, but may not exceed, the amount of earnings that the
174 student would have been eligible to earn working a 40-hour-a-
175 week federal minimum wage job.

176 2. A young adult who has earned a standard high school
177 diploma or its equivalent as described in s. 1003.428, s.
178 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma
179 or special certificate of completion as described in s.
180 1003.438, or has reached 18 years of age but is not yet 21 years
181 of age is eligible for the initial award, and a young adult
182 under 23 years of age is eligible for renewal awards, if he or
183 she:

184 a. Was a dependent child, under chapter 39, and was living
185 in licensed foster care or in subsidized independent living at
186 the time of his or her 18th birthday or is currently living in
187 licensed foster care or subsidized independent living, or, after



730152

188 reaching the age of 16, was adopted from foster care or placed
189 with a court-approved dependency guardian and has spent a
190 minimum of 6 months in foster care immediately preceding such
191 placement or adoption;

192 b. Spent at least 6 months living in foster care before
193 reaching his or her 18th birthday;

194 c. Is a resident of this state as defined in s. 1009.40;
195 and

196 d. Meets one of the following qualifications:

197 (I) Has earned a standard high school diploma or its
198 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or
199 s. 1003.435, or has earned a special diploma or special
200 certificate of completion as described in s. 1003.438, and has
201 been admitted for full-time enrollment in an eligible
202 postsecondary education institution as defined in s. 1009.533;

203 (II) Is enrolled full time in an accredited high school; or

204 (III) Is enrolled full time in an accredited adult
205 education program designed to provide the student with a high
206 school diploma or its equivalent.

207 3. A young adult applying for the Road-to-Independence
208 Program must apply for any other grants and scholarships for
209 which he or she may qualify. The department shall assist the
210 young adult in the application process and may use the federal
211 financial aid grant process to determine the funding needs of
212 the young adult.

213 4. An award shall be available to a young adult who is
214 considered a full-time student or its equivalent by the
215 educational institution in which he or she is enrolled, unless
216 that young adult has a recognized disability preventing full-



730152

217 time attendance. The amount of the award, whether it is being
218 used by a young adult working toward completion of a high school
219 diploma or its equivalent or working toward completion of a
220 postsecondary education program, shall be determined based on an
221 assessment of the funding needs of the young adult. This
222 assessment must consider the young adult's living and
223 educational costs and other grants, scholarships, waivers,
224 earnings, and other income to be received by the young adult. An
225 award shall be available only to the extent that other grants
226 and scholarships are not sufficient to meet the living and
227 educational needs of the young adult, but an award may not be
228 less than \$25 in order to maintain Medicaid eligibility for the
229 young adult as provided in s. 409.903.

230 5. The amount of the award may be disregarded for purposes
231 of determining the eligibility for, or the amount of, any other
232 federal or federally supported assistance.

233 6.a. The department must advertise the criteria,
234 application procedures, and availability of the program to:

235 (I) Children and young adults in, leaving, or formerly in
236 foster care.

237 (II) Case managers.

238 (III) Guidance and family services counselors.

239 (IV) Principals or other relevant school administrators.

240 (V) Guardians ad litem.

241 (VI) Foster parents.

242 b. The department shall issue awards from the program for
243 each young adult who meets all the requirements of the program
244 to the extent funding is available.

245 c. An award shall be issued at the time the eligible



730152

246 student reaches 18 years of age.

247 d. A young adult who is eligible for the Road-to-
248 Independence Program, transitional support services, or
249 aftercare services and who so desires shall be allowed to reside
250 with the licensed foster family or group care provider with whom
251 he or she was residing at the time of attaining his or her 18th
252 birthday or to reside in another licensed foster home or with a
253 group care provider arranged by the department.

254 e. If the award recipient transfers from one eligible
255 institution to another and continues to meet eligibility
256 requirements, the award must be transferred with the recipient.

257 f. Funds awarded to any eligible young adult under this
258 program are in addition to any other services or funds provided
259 to the young adult by the department through transitional
260 support services or aftercare services.

261 g. The department shall provide information concerning
262 young adults receiving funding through the Road-to-Independence
263 Program to the Department of Education for inclusion in the
264 student financial assistance database, as provided in s.
265 1009.94.

266 h. Funds are intended to help eligible young adults who are
267 former foster children in this state to receive the educational
268 and vocational training needed to become independent and self-
269 supporting. The funds shall be terminated when the young adult
270 has attained one of four postsecondary goals under subsection
271 (3) or reaches 23 years of age, whichever occurs earlier. In
272 order to initiate postsecondary education, to allow for a change
273 in career goal, or to obtain additional skills in the same
274 educational or vocational area, a young adult may earn no more



730152

275 than two diplomas, certificates, or credentials. A young adult
276 attaining an associate of arts or associate of science degree
277 shall be permitted to work toward completion of a bachelor of
278 arts or a bachelor of science degree or an equivalent
279 undergraduate degree. Road-to-Independence Program funds may not
280 be used for education or training after a young adult has
281 attained a bachelor of arts or a bachelor of science degree or
282 an equivalent undergraduate degree.

283 i. The department shall evaluate and renew each award
284 annually during the 90-day period before the young adult's
285 birthday. In order to be eligible for a renewal award for the
286 subsequent year, the young adult must:

287 (I) Complete the number of hours, or the equivalent
288 considered full time by the educational institution, unless that
289 young adult has a recognized disability preventing full-time
290 attendance, in the last academic year in which the young adult
291 earned an award, except for a young adult who meets the
292 requirements of s. 1009.41.

293 (II) Maintain appropriate progress as required by the
294 educational institution, except that, if the young adult's
295 progress is insufficient to renew the award at any time during
296 the eligibility period, the young adult may restore eligibility
297 by improving his or her progress to the required level.

298 j. Funds may be terminated during the interim between an
299 award and the evaluation for a renewal award if the department
300 determines that the award recipient is no longer enrolled in an
301 educational institution as defined in sub-subparagraph 2.d., or
302 is no longer a state resident. The department shall notify a
303 recipient who is terminated and inform the recipient of his or



730152

304 her right to appeal.

305 k. An award recipient who does not qualify for a renewal
306 award or who chooses not to renew the award may subsequently
307 apply for reinstatement. An application for reinstatement must
308 be made before the young adult reaches 23 years of age, and a
309 student may not apply for reinstatement more than once. In order
310 to be eligible for reinstatement, the young adult must meet the
311 eligibility criteria and the criteria for award renewal for the
312 program.

313 Section 40. Subsection (7) of section 1001.11, Florida
314 Statutes, is amended to read:

315 1001.11 Commissioner of Education; other duties.—

316 (7) The commissioner shall make prominently available on
317 the department's website the following: links to the Internet-
318 based clearinghouse for professional development regarding
319 physical education; the school wellness and physical education
320 policies and other resources required under s. 1003.453(1) and
321 ~~(2)~~; and other Internet sites that provide professional
322 development for elementary teachers of physical education as
323 defined in s. 1003.01(16). These links must provide elementary
324 teachers with information concerning current physical education
325 and nutrition philosophy and best practices that result in
326 student participation in physical activities that promote
327 lifelong physical and mental well-being.

328 Section 41. Paragraph (f) of subsection (3) and subsection
329 (8) of section 1002.20, Florida Statutes, are amended to read:

330 1002.20 K-12 student and parent rights.—Parents of public
331 school students must receive accurate and timely information
332 regarding their child's academic progress and must be informed



730152

333 of ways they can help their child to succeed in school. K-12
334 students and their parents are afforded numerous statutory
335 rights including, but not limited to, the following:

336 (3) HEALTH ISSUES.—

337 (f) *Career education courses involving hazardous*
338 *substances.*—High school students must be given plano safety
339 glasses or devices in career education courses involving the use
340 of hazardous substances likely to cause eye injury, ~~in~~
341 ~~accordance with the provisions of s. 1006.65.~~

342 (8) STUDENTS WITH DISABILITIES.—Parents of public school
343 students with disabilities and parents of public school students
344 in residential care facilities are entitled to notice and due
345 process in accordance with the provisions of ss. 1003.57 and
346 1003.58. Public school students with disabilities must be
347 provided the opportunity to meet the graduation requirements for
348 a standard high school diploma in accordance with the provisions
349 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students
350 with disabilities may be awarded a special diploma upon high
351 school graduation.

352 Section 42. Paragraph (a) of subsection (7) of section
353 1002.33, Florida Statutes, is amended to read:

354 1002.33 Charter schools.—

355 (7) CHARTER.—The major issues involving the operation of a
356 charter school shall be considered in advance and written into
357 the charter. The charter shall be signed by the governing board
358 of the charter school and the sponsor, following a public
359 hearing to ensure community input.

360 (a) The charter shall address and criteria for approval of
361 the charter shall be based on:



730152

362 1. The school's mission, the students to be served, and the
363 ages and grades to be included.

364 2. The focus of the curriculum, the instructional methods
365 to be used, any distinctive instructional techniques to be
366 employed, and identification and acquisition of appropriate
367 technologies needed to improve educational and administrative
368 performance which include a means for promoting safe, ethical,
369 and appropriate uses of technology which comply with legal and
370 professional standards.

371 a. The charter shall ensure that reading is a primary focus
372 of the curriculum and that resources are provided to identify
373 and provide specialized instruction for students who are reading
374 below grade level. The curriculum and instructional strategies
375 for reading must be consistent with the Sunshine State Standards
376 and grounded in scientifically based reading research.

377 b. In order to provide students with access to diverse
378 instructional delivery models, to facilitate the integration of
379 technology within traditional classroom instruction, and to
380 provide students with the skills they need to compete in the
381 21st century economy, the Legislature encourages instructional
382 methods for blended learning courses consisting of both
383 traditional classroom and online instructional techniques.
384 Charter schools may implement blended learning courses which
385 combine traditional classroom instruction and virtual
386 instruction. Students in a blended learning course must be full-
387 time students of the charter school and receive the online
388 instruction in a classroom setting at the charter school.
389 Instructional personnel certified pursuant to s. 1012.55 who
390 provide virtual instruction for blended learning courses may be



730152

391 employees of the charter school or may be under contract to
392 provide instructional services to charter school students. At a
393 minimum, such instructional personnel must hold an active state
394 or school district adjunct certification under s. 1012.57 for
395 the subject area of the blended learning course. The funding and
396 performance accountability requirements for blended learning
397 courses are the same as those for traditional courses.

398 3. The current incoming baseline standard of student
399 academic achievement, the outcomes to be achieved, and the
400 method of measurement that will be used. The criteria listed in
401 this subparagraph shall include a detailed description of:

402 a. How the baseline student academic achievement levels and
403 prior rates of academic progress will be established.

404 b. How these baseline rates will be compared to rates of
405 academic progress achieved by these same students while
406 attending the charter school.

407 c. To the extent possible, how these rates of progress will
408 be evaluated and compared with rates of progress of other
409 closely comparable student populations.

410
411 The district school board is required to provide academic
412 student performance data to charter schools for each of their
413 students coming from the district school system, as well as
414 rates of academic progress of comparable student populations in
415 the district school system.

416 4. The methods used to identify the educational strengths
417 and needs of students and how well educational goals and
418 performance standards are met by students attending the charter
419 school. The methods shall provide a means for the charter school



730152

420 to ensure accountability to its constituents by analyzing
421 student performance data and by evaluating the effectiveness and
422 efficiency of its major educational programs. Students in
423 charter schools shall, at a minimum, participate in the
424 statewide assessment program created under s. 1008.22.

425 5. In secondary charter schools, a method for determining
426 that a student has satisfied the requirements for graduation in
427 s. 1003.428 or s. 1003.429, ~~or s. 1003.43.~~

428 6. A method for resolving conflicts between the governing
429 board of the charter school and the sponsor.

430 7. The admissions procedures and dismissal procedures,
431 including the school's code of student conduct.

432 8. The ways by which the school will achieve a
433 racial/ethnic balance reflective of the community it serves or
434 within the racial/ethnic range of other public schools in the
435 same school district.

436 9. The financial and administrative management of the
437 school, including a reasonable demonstration of the professional
438 experience or competence of those individuals or organizations
439 applying to operate the charter school or those hired or
440 retained to perform such professional services and the
441 description of clearly delineated responsibilities and the
442 policies and practices needed to effectively manage the charter
443 school. A description of internal audit procedures and
444 establishment of controls to ensure that financial resources are
445 properly managed must be included. Both public sector and
446 private sector professional experience shall be equally valid in
447 such a consideration.

448 10. The asset and liability projections required in the



730152

449 application which are incorporated into the charter and shall be
450 compared with information provided in the annual report of the
451 charter school.

452 11. A description of procedures that identify various risks
453 and provide for a comprehensive approach to reduce the impact of
454 losses; plans to ensure the safety and security of students and
455 staff; plans to identify, minimize, and protect others from
456 violent or disruptive student behavior; and the manner in which
457 the school will be insured, including whether or not the school
458 will be required to have liability insurance, and, if so, the
459 terms and conditions thereof and the amounts of coverage.

460 12. The term of the charter which shall provide for
461 cancellation of the charter if insufficient progress has been
462 made in attaining the student achievement objectives of the
463 charter and if it is not likely that such objectives can be
464 achieved before expiration of the charter. The initial term of a
465 charter shall be for 4 or 5 years. In order to facilitate access
466 to long-term financial resources for charter school
467 construction, charter schools that are operated by a
468 municipality or other public entity as provided by law are
469 eligible for up to a 15-year charter, subject to approval by the
470 district school board. A charter lab school is eligible for a
471 charter for a term of up to 15 years. In addition, to facilitate
472 access to long-term financial resources for charter school
473 construction, charter schools that are operated by a private,
474 not-for-profit, s. 501(c)(3) status corporation are eligible for
475 up to a 15-year charter, subject to approval by the district
476 school board. Such long-term charters remain subject to annual
477 review and may be terminated during the term of the charter, but



730152

478 only according to the provisions set forth in subsection (8).

479 13. The facilities to be used and their location.

480 14. The qualifications to be required of the teachers and
481 the potential strategies used to recruit, hire, train, and
482 retain qualified staff to achieve best value.

483 15. The governance structure of the school, including the
484 status of the charter school as a public or private employer as
485 required in paragraph (12) (i).

486 16. A timetable for implementing the charter which
487 addresses the implementation of each element thereof and the
488 date by which the charter shall be awarded in order to meet this
489 timetable.

490 17. In the case of an existing public school that is being
491 converted to charter status, alternative arrangements for
492 current students who choose not to attend the charter school and
493 for current teachers who choose not to teach in the charter
494 school after conversion in accordance with the existing
495 collective bargaining agreement or district school board rule in
496 the absence of a collective bargaining agreement. However,
497 alternative arrangements shall not be required for current
498 teachers who choose not to teach in a charter lab school, except
499 as authorized by the employment policies of the state university
500 which grants the charter to the lab school.

501 18. Full disclosure of the identity of all relatives
502 employed by the charter school who are related to the charter
503 school owner, president, chairperson of the governing board of
504 directors, superintendent, governing board member, principal,
505 assistant principal, or any other person employed by the charter
506 school who has equivalent decisionmaking authority. For the



730152

507 purpose of this subparagraph, the term "relative" means father,
508 mother, son, daughter, brother, sister, uncle, aunt, first
509 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
510 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
511 stepfather, stepmother, stepson, stepdaughter, stepbrother,
512 stepsister, half brother, or half sister.

513 19. Implementation of the activities authorized under s.
514 1002.331 by the charter school when it satisfies the eligibility
515 requirements for a high-performing charter school. A high-
516 performing charter school shall notify its sponsor in writing by
517 March 1 if it intends to increase enrollment or expand grade
518 levels the following school year. The written notice shall
519 specify the amount of the enrollment increase and the grade
520 levels that will be added, as applicable.

521 Section 43. Paragraph (g) of subsection (4) of section
522 1002.34, Florida Statutes, is amended to read:

523 1002.34 Charter technical career centers.—

524 (4) CHARTER.—A sponsor may designate centers as provided in
525 this section. An application to establish a center may be
526 submitted by a sponsor or another organization that is
527 determined, by rule of the State Board of Education, to be
528 appropriate. However, an independent school is not eligible for
529 status as a center. The charter must be signed by the governing
530 body of the center and the sponsor and must be approved by the
531 district school board and Florida College System institution
532 board of trustees in whose geographic region the facility is
533 located. If a charter technical career center is established by
534 the conversion to charter status of a public technical center
535 formerly governed by a district school board, the charter status



730152

536 of that center takes precedence in any question of governance.
537 The governance of the center or of any program within the center
538 remains with its board of directors unless the board agrees to a
539 change in governance or its charter is revoked as provided in
540 subsection (15). Such a conversion charter technical career
541 center is not affected by a change in the governance of public
542 technical centers or of programs within other centers that are
543 or have been governed by district school boards. A charter
544 technical career center, or any program within such a center,
545 that was governed by a district school board and transferred to
546 a Florida College System institution prior to the effective date
547 of this act is not affected by this provision. An applicant who
548 wishes to establish a center must submit to the district school
549 board or Florida College System institution board of trustees,
550 or a consortium of one or more of each, an application on a form
551 developed by the Department of Education which includes:

552 (g) A method for determining whether a student has
553 satisfied the requirements for graduation specified in s.
554 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a
555 postsecondary certificate or degree.

556
557 Students at a center must meet the same testing and academic
558 performance standards as those established by law and rule for
559 students at public schools and public technical centers. The
560 students must also meet any additional assessment indicators
561 that are included within the charter approved by the district
562 school board or Florida College System institution board of
563 trustees.

564 Section 44. Paragraph (b) of subsection (4) of section



730152

565 1002.45, Florida Statutes, is amended to read:

566 1002.45 Virtual instruction programs.—

567 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
568 provider must at minimum:

569 (b) Provide a method for determining that a student has
570 satisfied the requirements for graduation in s. 1003.428 or s.
571 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of
572 a full-time virtual instruction program to students in grades 9
573 through 12.

574 Section 45. Paragraph (e) of subsection (3) of section
575 1003.03, Florida Statutes, is amended to read:

576 1003.03 Maximum class size.—

577 (3) IMPLEMENTATION OPTIONS.—District school boards must
578 consider, but are not limited to, implementing the following
579 items in order to meet the constitutional class size maximums
580 described in subsection (1):

581 (e) Use innovative methods to reduce the cost of school
582 construction by using prototype school designs, using SMART
583 Schools designs, ~~participating in the School Infrastructure~~
584 ~~Thrift Program~~, or any other method not prohibited by law.

585 Section 46. Subsection (1), paragraph (c) of subsection
586 (7), and subsection (8) of section 1003.429, Florida Statutes,
587 are amended to read:

588 1003.429 Accelerated high school graduation options.—

589 (1) Students who enter grade 9 in the 2006-2007 school year
590 and thereafter may select, upon receipt of each consent required
591 by this section, one of the following three high school
592 graduation options:

593 (a) Completion of the general requirements for high school



730152

594 graduation pursuant to s. 1003.428 ~~or s. 1003.43~~, as applicable;

595 (b) Completion of a 3-year standard college preparatory
596 program requiring successful completion of a minimum of 18
597 academic credits in grades 9 through 12. At least 6 of the 18
598 credits required for completion of this program must be received
599 in classes that are offered pursuant to the International
600 Baccalaureate Program, the Advanced Placement Program, dual
601 enrollment, Advanced International Certificate of Education, or
602 specifically listed or identified by the Department of Education
603 as rigorous pursuant to s. 1009.531(3). The 18 credits required
604 for completion of this program shall be primary requirements and
605 shall be distributed as follows:

606 1. Four credits in English, with major concentration in
607 composition and literature;

608 2. Three credits and, beginning with students entering
609 grade 9 in the 2010-2011 school year, four credits in
610 mathematics at the Algebra I level or higher from the list of
611 courses that qualify for state university admission. Beginning
612 with students entering grade 9 in the 2010-2011 school year, in
613 addition to the Algebra I credit requirement, one of the four
614 credits in mathematics must be geometry or a series of courses
615 equivalent to geometry as approved by the State Board of
616 Education. Beginning with students entering grade 9 in the 2010-
617 2011 school year, the end-of-course assessment requirements
618 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
619 to earn the required credit in Algebra I. Beginning with
620 students entering grade 9 in the 2011-2012 school year, the end-
621 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
622 must be met in order for a student to earn the required credit



730152

623 in geometry. Beginning with students entering grade 9 in the
624 2012-2013 school year, in addition to the Algebra I and geometry
625 credit requirements, one of the four credits in mathematics must
626 be Algebra II or a series of courses equivalent to Algebra II as
627 approved by the State Board of Education;

628 3. Three credits in science, two of which must have a
629 laboratory component. Beginning with students entering grade 9
630 in the 2011-2012 school year, one of the three credits in
631 science must be Biology I or a series of courses equivalent to
632 Biology I as approved by the State Board of Education. Beginning
633 with students entering grade 9 in the 2011-2012 school year, the
634 end-of-course assessment requirements under s.

635 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
636 the required credit in Biology I. Beginning with students
637 entering grade 9 in the 2013-2014 school year, one of the three
638 credits must be Biology I or a series of courses equivalent to
639 Biology I as approved by the State Board of Education, one
640 credit must be chemistry or physics or a series of courses
641 equivalent to chemistry or physics as approved by the State
642 Board of Education, and one credit must be an equally rigorous
643 course, as approved by the State Board of Education;

644 4. Three credits in social sciences, which must include one
645 credit in United States history, one credit in world history,
646 one-half credit in United States government, and one-half credit
647 in economics;

648 5. Two credits in the same second language unless the
649 student is a native speaker of or can otherwise demonstrate
650 competency in a language other than English. If the student
651 demonstrates competency in another language, the student may



730152

652 replace the language requirement with two credits in other
653 academic courses; and

654 6. Three credits in electives and, beginning with students
655 entering grade 9 in the 2010-2011 school year, two credits in
656 electives; or

657 (c) Completion of a 3-year career preparatory program
658 requiring successful completion of a minimum of 18 academic
659 credits in grades 9 through 12. The 18 credits shall be primary
660 requirements and shall be distributed as follows:

661 1. Four credits in English, with major concentration in
662 composition and literature;

663 2. Three credits and, beginning with students entering
664 grade 9 in the 2010-2011 school year, four credits in
665 mathematics, one of which must be Algebra I. Beginning with
666 students entering grade 9 in the 2010-2011 school year, in
667 addition to the Algebra I credit requirement, one of the four
668 credits in mathematics must be geometry or a series of courses
669 equivalent to geometry as approved by the State Board of
670 Education. Beginning with students entering grade 9 in the 2010-
671 2011 school year, the end-of-course assessment requirements
672 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
673 to earn the required credit in Algebra I. Beginning with
674 students entering grade 9 in the 2011-2012 school year, the end-
675 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
676 must be met in order for a student to earn the required credit
677 in geometry. Beginning with students entering grade 9 in the
678 2012-2013 school year, in addition to the Algebra I and geometry
679 credit requirements, one of the four credits in mathematics must
680 be Algebra II or a series of courses equivalent to Algebra II as



730152

681 approved by the State Board of Education;

682 3. Three credits in science, two of which must have a
683 laboratory component. Beginning with students entering grade 9
684 in the 2011-2012 school year, one of the three credits in
685 science must be Biology I or a series of courses equivalent to
686 Biology I as approved by the State Board of Education. Beginning
687 with students entering grade 9 in the 2011-2012 school year, the
688 end-of-course assessment requirements under s.

689 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
690 the required credit in Biology I. Beginning with students
691 entering grade 9 in the 2013-2014 school year, one of the three
692 credits must be Biology I or a series of courses equivalent to
693 Biology I as approved by the State Board of Education, one
694 credit must be chemistry or physics or a series of courses
695 equivalent to chemistry or physics as approved by the State
696 Board of Education, and one credit must be an equally rigorous
697 course, as approved by the State Board of Education;

698 4. Three credits in social sciences, which must include one
699 credit in United States history, one credit in world history,
700 one-half credit in United States government, and one-half credit
701 in economics;

702 5. Three credits in a single vocational or career education
703 program, three credits in career and technical certificate dual
704 enrollment courses, or five credits in vocational or career
705 education courses; and

706 6. Two credits and, beginning with students entering grade
707 9 in the 2010-2011 school year, one credit in electives unless
708 five credits are earned pursuant to subparagraph 5.

709



730152

710 Any student who selected an accelerated graduation program
711 before July 1, 2004, may continue that program, and all
712 statutory program requirements that were applicable when the
713 student made the program choice shall remain applicable to the
714 student as long as the student continues that program.

715 (7) If, at the end of each grade, a student is not on track
716 to meet the credit, assessment, or grade-point-average
717 requirements of the accelerated graduation option selected, the
718 school shall notify the student and parent of the following:

719 (c) The right of the student to change to the 4-year
720 program set forth in s. 1003.428 ~~or s. 1003.43, as applicable.~~

721 (8) A student who selected one of the accelerated 3-year
722 graduation options shall automatically move to the 4-year
723 program set forth in s. 1003.428 ~~or s. 1003.43, if applicable,~~
724 if the student:

725 (a) Exercises his or her right to change to the 4-year
726 program;

727 (b) Fails to earn 5 credits by the end of grade 9 or fails
728 to earn 11 credits by the end of grade 10;

729 (c) Does not achieve a score of 3 or higher on the grade 10
730 FCAT Writing assessment; or

731 (d) By the end of grade 11 does not meet the requirements
732 of subsections (1) and (6).

733 Section 47. Section 1003.438, Florida Statutes, is amended
734 to read:

735 1003.438 Special high school graduation requirements for
736 certain exceptional students.—A student who has been identified,
737 in accordance with rules established by the State Board of
738 Education, as a student with disabilities who has an



730152

739 intellectual disability; an autism spectrum disorder; a language
740 impairment; an orthopedic impairment; an other health
741 impairment; a traumatic brain injury; an emotional or behavioral
742 disability; a specific learning disability, including, but not
743 limited to, dyslexia, dyscalculia, or developmental aphasia; or
744 students who are deaf or hard of hearing or dual sensory
745 impaired shall not be required to meet all requirements of ~~s.~~
746 ~~1003.43~~ or s. 1003.428 or s. 1003.429 and shall, upon meeting
747 all applicable requirements prescribed by the district school
748 board pursuant to s. 1008.25, be awarded a special diploma in a
749 form prescribed by the commissioner; however, such special
750 graduation requirements prescribed by the district school board
751 must include minimum graduation requirements as prescribed by
752 the commissioner. Any such student who meets all special
753 requirements of the district school board, but is unable to meet
754 the appropriate special state minimum requirements, shall be
755 awarded a special certificate of completion in a form prescribed
756 by the commissioner. However, this section does not limit or
757 restrict the right of an exceptional student solely to a special
758 diploma or special certificate of completion. Any such student
759 shall, upon proper request, be afforded the opportunity to fully
760 meet all requirements of ~~s. 1003.43~~ or s. 1003.428 or s.
761 1003.429 through the standard procedures established therein and
762 thereby to qualify for a standard diploma upon graduation.

763 Section 48. Subsection (1) of section 1003.49, Florida
764 Statutes, is amended to read:

765 1003.49 Graduation and promotion requirements for publicly
766 operated schools.—

767 (1) Each state or local public agency, including the



730152

768 Department of Children and Family Services, the Department of
769 Corrections, the boards of trustees of universities and Florida
770 College System institutions, and the Board of Trustees of the
771 Florida School for the Deaf and the Blind, which agency is
772 authorized to operate educational programs for students at any
773 level of grades kindergarten through 12 shall be subject to all
774 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~
775 1008.23, and 1008.25. Within the content of these cited statutes
776 each such state or local public agency or entity shall be
777 considered a "district school board."

778 Section 49. Paragraph (c) of subsection (4) of section
779 1004.70, Florida Statutes, is amended to read:

780 1004.70 Florida College System institution direct-support
781 organizations.—

782 (4) ACTIVITIES; RESTRICTIONS.—

783 (c) Any transaction or agreement between one direct-support
784 organization and another direct-support organization ~~or between~~
785 ~~a direct-support organization and a center of technology~~
786 ~~innovation designated under s. 1004.77~~ must be approved by the
787 board of trustees.

788 Section 50. Paragraph (b) of subsection (4) of section
789 1004.71, Florida Statutes, is amended to read:

790 1004.71 Statewide Florida College System institution
791 direct-support organizations.—

792 (4) RESTRICTIONS.—

793 (b) Any transaction or agreement between a statewide,
794 direct-support organization and any other direct-support
795 organization ~~or between a statewide, direct-support organization~~
796 ~~and a center of technology innovation designated under s.~~



730152

797 ~~1004.77~~ must be approved by the State Board of Education.

798 Section 51. Paragraph (g) of subsection (2) of section
799 1006.025, Florida Statutes, is redesignated as paragraph (f) and
800 present paragraph (f) of that subsection is amended, to read:

801 1006.025 Guidance services.—

802 (2) The guidance report shall include, but not be limited
803 to, the following:

804 ~~(f) Actions taken to provide information to students for~~
805 ~~the school-to-work transition pursuant to s. 1006.02.~~

806 Section 52. Paragraph (a) of subsection (3) of section
807 1006.15, Florida Statutes, is amended to read:

808 1006.15 Student standards for participation in
809 interscholastic and intrascholastic extracurricular student
810 activities; regulation.—

811 (3) (a) To be eligible to participate in interscholastic
812 extracurricular student activities, a student must:

813 1. Maintain a grade point average of 2.0 or above on a 4.0
814 scale, or its equivalent, in the previous semester or a
815 cumulative grade point average of 2.0 or above on a 4.0 scale,
816 or its equivalent, in the courses required by s. 1003.428 or s.
817 1003.429 ~~1003.43(1)~~.

818 2. Execute and fulfill the requirements of an academic
819 performance contract between the student, the district school
820 board, the appropriate governing association, and the student's
821 parents, if the student's cumulative grade point average falls
822 below 2.0, or its equivalent, on a 4.0 scale in the courses
823 required by s. 1003.428 or s. 1003.429 ~~1003.43(1)~~ or, for
824 ~~students who entered the 9th grade prior to the 1997-1998 school~~
825 ~~year, if the student's cumulative grade point average falls~~



730152

826 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~
827 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At
828 a minimum, the contract must require that the student attend
829 summer school, or its graded equivalent, between grades 9 and 10
830 or grades 10 and 11, as necessary.

831 3. Have a cumulative grade point average of 2.0 or above on
832 a 4.0 scale, or its equivalent, in the courses required by s.
833 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or
834 senior year.

835 4. Maintain satisfactory conduct, including adherence to
836 appropriate dress and other codes of student conduct policies
837 described in s. 1006.07(2). If a student is convicted of, or is
838 found to have committed, a felony or a delinquent act that would
839 have been a felony if committed by an adult, regardless of
840 whether adjudication is withheld, the student's participation in
841 interscholastic extracurricular activities is contingent upon
842 established and published district school board policy.

843 Section 53. Subsection (4) of section 1007.263, Florida
844 Statutes, is amended to read:

845 1007.263 Florida College System institutions; admissions of
846 students.—Each Florida College System institution board of
847 trustees is authorized to adopt rules governing admissions of
848 students subject to this section and rules of the State Board of
849 Education. These rules shall include the following:

850 (4) A student who has been awarded a special diploma as
851 defined in s. 1003.438 or a certificate of completion as defined
852 in s. 1003.428(7)(b) ~~1003.43(10)~~ is eligible to enroll in
853 certificate career education programs.

854



730152

855 Each board of trustees shall establish policies that notify
856 students about, and place students into, adult basic education,
857 adult secondary education, or other instructional programs that
858 provide students with alternatives to traditional college-
859 preparatory instruction, including private provider instruction.
860 A student is prohibited from enrolling in additional college-
861 level courses until the student scores above the cut-score on
862 all sections of the common placement test.

863 Section 54. Subsections (2) and (9) of section 1007.271,
864 Florida Statutes, are amended to read:

865 1007.271 Dual enrollment programs.—

866 (2) For the purpose of this section, an eligible secondary
867 student is a student who is enrolled in a Florida public
868 secondary school or in a Florida private secondary school which
869 is in compliance with s. 1002.42(2) and provides a secondary
870 curriculum pursuant to s. 1003.428 or s. 1003.429, ~~or s.~~
871 ~~1003.43~~. Students who are eligible for dual enrollment pursuant
872 to this section may enroll in dual enrollment courses conducted
873 during school hours, after school hours, and during the summer
874 term. However, if the student is projected to graduate from high
875 school before the scheduled completion date of a postsecondary
876 course, the student may not register for that course through
877 dual enrollment. The student may apply to the postsecondary
878 institution and pay the required registration, tuition, and fees
879 if the student meets the postsecondary institution's admissions
880 requirements under s. 1007.263. Instructional time for dual
881 enrollment may vary from 900 hours; however, the school district
882 may only report the student for a maximum of 1.0 FTE, as
883 provided in s. 1011.61(4). Any student enrolled as a dual



730152

884 enrollment student is exempt from the payment of registration,
885 tuition, and laboratory fees. Vocational-preparatory
886 instruction, college-preparatory instruction, and other forms of
887 precollegiate instruction, as well as physical education courses
888 that focus on the physical execution of a skill rather than the
889 intellectual attributes of the activity, are ineligible for
890 inclusion in the dual enrollment program. Recreation and leisure
891 studies courses shall be evaluated individually in the same
892 manner as physical education courses for potential inclusion in
893 the program.

894 (9) The Commissioner of Education shall appoint faculty
895 committees representing public school, Florida College System
896 institution, and university faculties to identify postsecondary
897 courses that meet the high school graduation requirements of s.
898 1003.428 or, s. 1003.429, ~~or s. 1003.43~~ and to establish the
899 number of postsecondary semester credit hours of instruction and
900 equivalent high school credits earned through dual enrollment
901 pursuant to this section that are necessary to meet high school
902 graduation requirements. Such equivalencies shall be determined
903 solely on comparable course content and not on seat time
904 traditionally allocated to such courses in high school. The
905 Commissioner of Education shall recommend to the State Board of
906 Education those postsecondary courses identified to meet high
907 school graduation requirements, based on mastery of course
908 outcomes, by their course numbers, and all high schools shall
909 accept these postsecondary education courses toward meeting the
910 requirements of s. 1003.428 or, s. 1003.429, ~~or s. 1003.43~~.

911 Section 55. Paragraph (c) of subsection (3) of section
912 1008.22, Florida Statutes, is amended to read:



730152

913 1008.22 Student assessment program for public schools.—

914 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
915 design and implement a statewide program of educational
916 assessment that provides information for the improvement of the
917 operation and management of the public schools, including
918 schools operating for the purpose of providing educational
919 services to youth in Department of Juvenile Justice programs.
920 The commissioner may enter into contracts for the continued
921 administration of the assessment programs authorized and funded
922 by the Legislature. Contracts may be initiated in 1 fiscal year
923 and continue into the next and may be paid from the
924 appropriations of either or both fiscal years. The commissioner
925 is authorized to negotiate for the sale or lease of tests,
926 scoring protocols, test scoring services, and related materials
927 developed pursuant to law. Pursuant to the statewide assessment
928 program, the commissioner shall:

929 (c) Develop and implement a student achievement assessment
930 program as follows:

931 1. The Florida Comprehensive Assessment Test (FCAT)
932 measures a student's content knowledge and skills in reading,
933 writing, science, and mathematics. The content knowledge and
934 skills assessed by the FCAT must be aligned to the core
935 curricular content established in the Next Generation Sunshine
936 State Standards. FCAT Reading and FCAT Mathematics shall be
937 administered annually in grades 3 through 10 except, beginning
938 with the 2010-2011 school year, the administration of grade 9
939 FCAT Mathematics shall be discontinued, and beginning with the
940 2011-2012 school year, the administration of grade 10 FCAT
941 Mathematics shall be discontinued, except as required for



730152

942 students who have not attained minimum performance expectations
943 for graduation as provided in paragraph (9)(c). FCAT Writing and
944 FCAT Science shall be administered at least once at the
945 elementary, middle, and high school levels except, beginning
946 with the 2011-2012 school year, the administration of FCAT
947 Science at the high school level shall be discontinued. Students
948 enrolled in an Algebra I, geometry, or Biology I course or an
949 equivalent course with a statewide, standardized end-of-course
950 assessment are not required to take the corresponding grade-
951 level FCAT assessment.

952 2.a. End-of-course assessments must be rigorous, statewide,
953 standardized, and developed or approved by the department. The
954 content knowledge and skills assessed by end-of-course
955 assessments must be aligned to the core curricular content
956 established in the Next Generation Sunshine State Standards.

957 (I) Statewide, standardized end-of-course assessments in
958 mathematics shall be administered according to this sub-sub-
959 subparagraph. Beginning with the 2010-2011 school year, all
960 students enrolled in Algebra I or an equivalent course must take
961 the Algebra I end-of-course assessment. For students entering
962 grade 9 during the 2010-2011 school year and who are enrolled in
963 Algebra I or an equivalent, each student's performance on the
964 end-of-course assessment in Algebra I shall constitute 30
965 percent of the student's final course grade. Beginning with the
966 2012-2013 school year, the end-of-course assessment in Algebra I
967 shall be administered four times annually. Beginning with
968 students entering grade 9 in the 2011-2012 school year, a
969 student who is enrolled in Algebra I or an equivalent must earn
970 a passing score on the end-of-course assessment in Algebra I or



730152

971 attain an equivalent score as described in subsection (11) in
972 order to earn course credit. Beginning with the 2011-2012 school
973 year, all students enrolled in geometry or an equivalent course
974 must take the geometry end-of-course assessment. For students
975 entering grade 9 during the 2011-2012 school year, each
976 student's performance on the end-of-course assessment in
977 geometry shall constitute 30 percent of the student's final
978 course grade. Beginning with students entering grade 9 during
979 the 2012-2013 school year, a student must earn a passing score
980 on the end-of-course assessment in geometry or attain an
981 equivalent score as described in subsection (11) in order to
982 earn course credit.

983 (II) Statewide, standardized end-of-course assessments in
984 science shall be administered according to this sub-sub-
985 subparagraph. Beginning with the 2011-2012 school year, all
986 students enrolled in Biology I or an equivalent course must take
987 the Biology I end-of-course assessment. For the 2011-2012 school
988 year, each student's performance on the end-of-course assessment
989 in Biology I shall constitute 30 percent of the student's final
990 course grade. Beginning with students entering grade 9 during
991 the 2012-2013 school year, a student must earn a passing score
992 on the end-of-course assessment in Biology I in order to earn
993 course credit.

994 b. During the 2012-2013 school year, an end-of-course
995 assessment in civics education shall be administered as a field
996 test at the middle school level. During the 2013-2014 school
997 year, each student's performance on the statewide, standardized
998 end-of-course assessment in civics education shall constitute 30
999 percent of the student's final course grade. Beginning with the



730152

1000 2014-2015 school year, a student must earn a passing score on
1001 the end-of-course assessment in civics education in order to
1002 pass the course and be promoted from the middle grades. The
1003 school principal of a middle school shall determine, in
1004 accordance with State Board of Education rule, whether a student
1005 who transfers to the middle school and who has successfully
1006 completed a civics education course at the student's previous
1007 school must take an end-of-course assessment in civics
1008 education.

1009 c. The commissioner may select one or more nationally
1010 developed comprehensive examinations, which may include, but
1011 need not be limited to, examinations for a College Board
1012 Advanced Placement course, International Baccalaureate course,
1013 or Advanced International Certificate of Education course, or
1014 industry-approved examinations to earn national industry
1015 certifications identified in the Industry Certification Funding
1016 List, pursuant to rules adopted by the State Board of Education,
1017 for use as end-of-course assessments under this paragraph, if
1018 the commissioner determines that the content knowledge and
1019 skills assessed by the examinations meet or exceed the grade
1020 level expectations for the core curricular content established
1021 for the course in the Next Generation Sunshine State Standards.
1022 The commissioner may collaborate with the American Diploma
1023 Project in the adoption or development of rigorous end-of-course
1024 assessments that are aligned to the Next Generation Sunshine
1025 State Standards.

1026 d. Contingent upon funding provided in the General
1027 Appropriations Act, including the appropriation of funds
1028 received through federal grants, the Commissioner of Education



730152

1029 shall establish an implementation schedule for the development
1030 and administration of additional statewide, standardized end-of-
1031 course assessments in English/Language Arts II, Algebra II,
1032 chemistry, physics, earth/space science, United States history,
1033 and world history. Priority shall be given to the development of
1034 end-of-course assessments in English/Language Arts II. The
1035 Commissioner of Education shall evaluate the feasibility and
1036 effect of transitioning from the grade 9 and grade 10 FCAT
1037 Reading and high school level FCAT Writing to an end-of-course
1038 assessment in English/Language Arts II. The commissioner shall
1039 report the results of the evaluation to the President of the
1040 Senate and the Speaker of the House of Representatives no later
1041 than July 1, 2011.

1042 3. The assessment program shall measure student content
1043 knowledge and skills adopted by the State Board of Education as
1044 specified in paragraph (a) and measure and report student
1045 performance levels of all students assessed in reading, writing,
1046 mathematics, and science. The commissioner shall provide for the
1047 tests to be developed or obtained, as appropriate, through
1048 contracts and project agreements with private vendors, public
1049 vendors, public agencies, postsecondary educational
1050 institutions, or school districts. The commissioner shall obtain
1051 input with respect to the design and implementation of the
1052 assessment program from state educators, assistive technology
1053 experts, and the public.

1054 4. The assessment program shall be composed of criterion-
1055 referenced tests that shall, to the extent determined by the
1056 commissioner, include test items that require the student to
1057 produce information or perform tasks in such a way that the core



730152

1058 content knowledge and skills he or she uses can be measured.

1059 5. FCAT Reading, Mathematics, and Science and all
1060 statewide, standardized end-of-course assessments shall measure
1061 the content knowledge and skills a student has attained on the
1062 assessment by the use of scaled scores and achievement levels.
1063 Achievement levels shall range from 1 through 5, with level 1
1064 being the lowest achievement level, level 5 being the highest
1065 achievement level, and level 3 indicating satisfactory
1066 performance on an assessment. For purposes of FCAT Writing,
1067 student achievement shall be scored using a scale of 1 through 6
1068 and the score earned shall be used in calculating school grades.
1069 A score shall be designated for each subject area tested, below
1070 which score a student's performance is deemed inadequate. The
1071 school districts shall provide appropriate remedial instruction
1072 to students who score below these levels.

1073 6. The State Board of Education shall, by rule, designate a
1074 passing score for each part of the grade 10 assessment test and
1075 end-of-course assessments. Any rule that has the effect of
1076 raising the required passing scores may apply only to students
1077 taking the assessment for the first time after the rule is
1078 adopted by the State Board of Education. Except as otherwise
1079 provided in this subparagraph and as provided in s.

1080 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~, students must earn a
1081 passing score on grade 10 FCAT Reading and grade 10 FCAT
1082 Mathematics or attain concordant scores as described in
1083 subsection (10) in order to qualify for a standard high school
1084 diploma.

1085 7. In addition to designating a passing score under
1086 subparagraph 6., the State Board of Education shall also



730152

1087 designate, by rule, a score for each statewide, standardized
1088 end-of-course assessment which indicates that a student is high
1089 achieving and has the potential to meet college-readiness
1090 standards by the time the student graduates from high school.

1091 8. Participation in the assessment program is mandatory for
1092 all students attending public school, including students served
1093 in Department of Juvenile Justice programs, except as otherwise
1094 prescribed by the commissioner. A student who has not earned
1095 passing scores on the grade 10 FCAT as provided in subparagraph
1096 6. must participate in each retake of the assessment until the
1097 student earns passing scores or achieves scores on a
1098 standardized assessment which are concordant with passing scores
1099 pursuant to subsection (10). If a student does not participate
1100 in the statewide assessment, the district must notify the
1101 student's parent and provide the parent with information
1102 regarding the implications of such nonparticipation. A parent
1103 must provide signed consent for a student to receive classroom
1104 instructional accommodations that would not be available or
1105 permitted on the statewide assessments and must acknowledge in
1106 writing that he or she understands the implications of such
1107 instructional accommodations. The State Board of Education shall
1108 adopt rules, based upon recommendations of the commissioner, for
1109 the provision of test accommodations for students in exceptional
1110 education programs and for students who have limited English
1111 proficiency. Accommodations that negate the validity of a
1112 statewide assessment are not allowable in the administration of
1113 the FCAT or an end-of-course assessment. However, instructional
1114 accommodations are allowable in the classroom if included in a
1115 student's individual education plan. Students using



730152

1116 instructional accommodations in the classroom that are not
1117 allowable as accommodations on the FCAT or an end-of-course
1118 assessment may have the FCAT or an end-of-course assessment
1119 requirement waived pursuant to the requirements of s.
1120 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1121 9. A student seeking an adult high school diploma must meet
1122 the same testing requirements that a regular high school student
1123 must meet.

1124 10. District school boards must provide instruction to
1125 prepare students in the core curricular content established in
1126 the Next Generation Sunshine State Standards adopted under s.
1127 1003.41, including the core content knowledge and skills
1128 necessary for successful grade-to-grade progression and high
1129 school graduation. If a student is provided with instructional
1130 accommodations in the classroom that are not allowable as
1131 accommodations in the statewide assessment program, as described
1132 in the test manuals, the district must inform the parent in
1133 writing and must provide the parent with information regarding
1134 the impact on the student's ability to meet expected performance
1135 levels in reading, writing, mathematics, and science. The
1136 commissioner shall conduct studies as necessary to verify that
1137 the required core curricular content is part of the district
1138 instructional programs.

1139 11. District school boards must provide opportunities for
1140 students to demonstrate an acceptable performance level on an
1141 alternative standardized assessment approved by the State Board
1142 of Education following enrollment in summer academies.

1143 12. The Department of Education must develop, or select,
1144 and implement a common battery of assessment tools that will be



730152

1145 used in all juvenile justice programs in the state. These tools
1146 must accurately measure the core curricular content established
1147 in the Next Generation Sunshine State Standards.

1148 13. For students seeking a special diploma pursuant to s.
1149 1003.438, the Department of Education must develop or select and
1150 implement an alternate assessment tool that accurately measures
1151 the core curricular content established in the Next Generation
1152 Sunshine State Standards for students with disabilities under s.
1153 1003.438.

1154 14. The Commissioner of Education shall establish schedules
1155 for the administration of statewide assessments and the
1156 reporting of student test results. When establishing the
1157 schedules for the administration of statewide assessments, the
1158 commissioner shall consider the observance of religious and
1159 school holidays. The commissioner shall, by August 1 of each
1160 year, notify each school district in writing and publish on the
1161 department's Internet website the testing and reporting
1162 schedules for, at a minimum, the school year following the
1163 upcoming school year. The testing and reporting schedules shall
1164 require that:

1165 a. There is the latest possible administration of statewide
1166 assessments and the earliest possible reporting to the school
1167 districts of student test results which is feasible within
1168 available technology and specific appropriations; however, test
1169 results for the FCAT must be made available no later than the
1170 week of June 8. Student results for end-of-course assessments
1171 must be provided no later than 1 week after the school district
1172 completes testing for each course. The commissioner may extend
1173 the reporting schedule under exigent circumstances.



730152

1174 b. FCAT Writing may not be administered earlier than the
1175 week of March 1, and a comprehensive statewide assessment of any
1176 other subject may not be administered earlier than the week of
1177 April 15.

1178 c. A statewide, standardized end-of-course assessment is
1179 administered at the end of the course. The commissioner shall
1180 select an administration period for assessments that meets the
1181 intent of end-of-course assessments and provides student results
1182 prior to the end of the course. School districts shall
1183 administer tests in accordance with the schedule determined by
1184 the commissioner. For an end-of-course assessment administered
1185 at the end of the first semester, the commissioner shall
1186 determine the most appropriate testing dates based on a review
1187 of each school district's academic calendar.

1188
1189 The commissioner may, based on collaboration and input from
1190 school districts, design and implement student testing programs,
1191 for any grade level and subject area, necessary to effectively
1192 monitor educational achievement in the state, including the
1193 measurement of educational achievement of the Next Generation
1194 Sunshine State Standards for students with disabilities.
1195 Development and refinement of assessments shall include
1196 universal design principles and accessibility standards that
1197 will prevent any unintended obstacles for students with
1198 disabilities while ensuring the validity and reliability of the
1199 test. These principles should be applicable to all technology
1200 platforms and assistive devices available for the assessments.
1201 The field testing process and psychometric analyses for the
1202 statewide assessment program must include an appropriate



730152

1203 percentage of students with disabilities and an evaluation or
1204 determination of the effect of test items on such students.

1205 Section 56. Section 1008.23, Florida Statutes, is amended
1206 to read:

1207 1008.23 Confidentiality of assessment instruments.—All
1208 examination and assessment instruments, including developmental
1209 materials and workpapers directly related thereto, which are
1210 prepared, prescribed, or administered pursuant to ss. ~~1003.43,~~
1211 ~~1008.22,~~ and 1008.25 shall be confidential and exempt from the
1212 provisions of s. 119.07(1) and from s. 1001.52. Provisions
1213 governing access, maintenance, and destruction of such
1214 instruments and related materials shall be prescribed by rules
1215 of the State Board of Education.

1216 Section 57. Paragraph (a) of subsection (1) of section
1217 1009.40, Florida Statutes, is amended to read:

1218 1009.40 General requirements for student eligibility for
1219 state financial aid awards and tuition assistance grants.—

1220 (1) (a) The general requirements for eligibility of students
1221 for state financial aid awards and tuition assistance grants
1222 consist of the following:

1223 1. Achievement of the academic requirements of and
1224 acceptance at a state university or Florida College System
1225 institution; a nursing diploma school approved by the Florida
1226 Board of Nursing; a Florida college or university which is
1227 accredited by an accrediting agency recognized by the State
1228 Board of Education; any Florida institution the credits of which
1229 are acceptable for transfer to state universities; any career
1230 center; or any private career institution accredited by an
1231 accrediting agency recognized by the State Board of Education.



730152

1232 2. Residency in this state for no less than 1 year
1233 preceding the award of aid or a tuition assistance grant for a
1234 program established pursuant to s. 1009.50, s. 1009.505, s.
1235 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.
1236 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.
1237 1009.89, or s. 1009.891. Residency in this state must be for
1238 purposes other than to obtain an education. Resident status for
1239 purposes of receiving state financial aid awards shall be
1240 determined in the same manner as resident status for tuition
1241 purposes pursuant to s. 1009.21.

1242 3. Submission of certification attesting to the accuracy,
1243 completeness, and correctness of information provided to
1244 demonstrate a student's eligibility to receive state financial
1245 aid awards or tuition assistance grants. Falsification of such
1246 information shall result in the denial of any pending
1247 application and revocation of any award or grant currently held
1248 to the extent that no further payments shall be made.
1249 Additionally, students who knowingly make false statements in
1250 order to receive state financial aid awards or tuition
1251 assistance grants commit a misdemeanor of the second degree
1252 subject to the provisions of s. 837.06 and shall be required to
1253 return all state financial aid awards or tuition assistance
1254 grants wrongfully obtained.

1255 Section 58. Paragraph (b) of subsection (1) of section
1256 1009.531, Florida Statutes, is amended to read:

1257 1009.531 Florida Bright Futures Scholarship Program;
1258 student eligibility requirements for initial awards.—

1259 (1) Effective January 1, 2008, in order to be eligible for
1260 an initial award from any of the three types of scholarships



730152

1261 under the Florida Bright Futures Scholarship Program, a student
1262 must:

1263 (b) Earn a standard Florida high school diploma or its
1264 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,
1265 ~~s. 1003.43~~, or s. 1003.435 unless:

1266 1. The student completes a home education program according
1267 to s. 1002.41; or

1268 2. The student earns a high school diploma from a non-
1269 Florida school while living with a parent or guardian who is on
1270 military or public service assignment away from Florida.

1271 Section 59. Paragraph (c) of subsection (2) of section
1272 1009.94, Florida Statutes, is amended to read:

1273 1009.94 Student financial assistance database.—

1274 (2) For purposes of this section, financial assistance
1275 includes:

1276 (c) Any financial assistance provided under s. 1009.50, s.
1277 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.
1278 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.
1279 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.
1280 1009.89, or s. 1009.891.

1281 Section 60. Paragraph (c) of subsection (1) of section
1282 1011.61, Florida Statutes, is amended to read:

1283 1011.61 Definitions.—Notwithstanding the provisions of s.
1284 1000.21, the following terms are defined as follows for the
1285 purposes of the Florida Education Finance Program:

1286 (1) A "full-time equivalent student" in each program of the
1287 district is defined in terms of full-time students and part-time
1288 students as follows:

1289 (c)1. A "full-time equivalent student" is:



730152

1290 a. A full-time student in any one of the programs listed in
1291 s. 1011.62(1)(c); or

1292 b. A combination of full-time or part-time students in any
1293 one of the programs listed in s. 1011.62(1)(c) which is the
1294 equivalent of one full-time student based on the following
1295 calculations:

1296 (I) A full-time student in a combination of programs listed
1297 in s. 1011.62(1)(c) shall be a fraction of a full-time
1298 equivalent membership in each program equal to the number of net
1299 hours per school year for which he or she is a member, divided
1300 by the appropriate number of hours set forth in subparagraph
1301 (a)1. or subparagraph (a)2. The sum of the fractions for each
1302 program may not exceed the maximum value set forth in subsection
1303 (4).

1304 (II) A prekindergarten student with a disability shall meet
1305 the requirements specified for kindergarten students.

1306 (III) A full-time equivalent student for students in
1307 kindergarten through grade 12 in a full-time virtual instruction
1308 program under s. 1002.45 or a virtual charter school under s.
1309 1002.33 shall consist of six full-credit completions or the
1310 prescribed level of content that counts toward promotion to the
1311 next grade in programs listed in s. 1011.62(1)(c). Credit
1312 completions may be a combination of full-credit courses or half-
1313 credit courses. Beginning in the 2014-2015 fiscal year, when s.
1314 1008.22(3)(g) is implemented, the reported full-time equivalent
1315 students and associated funding of students enrolled in courses
1316 requiring passage of an end-of-course assessment shall be
1317 adjusted after the student completes the end-of-course
1318 assessment.



730152

1319 (IV) A full-time equivalent student for students in
1320 kindergarten through grade 12 in a part-time virtual instruction
1321 program under s. 1002.45 shall consist of six full-credit
1322 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1323 Credit completions may be a combination of full-credit courses
1324 or half-credit courses. Beginning in the 2014-2015 fiscal year,
1325 when s. 1008.22(3)(g) is implemented, the reported full-time
1326 equivalent students and associated funding of students enrolled
1327 in courses requiring passage of an end-of-course assessment
1328 shall be adjusted after the student completes the end-of-course
1329 assessment.

1330 (V) A Florida Virtual School full-time equivalent student
1331 shall consist of six full-credit completions or the prescribed
1332 level of content that counts toward promotion to the next grade
1333 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1334 participating in kindergarten through grade 12 part-time virtual
1335 instruction and the programs listed in s. 1011.62(1)(c) for
1336 students participating in kindergarten through grade 12 full-
1337 time virtual instruction. Credit completions may be a
1338 combination of full-credit courses or half-credit courses.
1339 Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is
1340 implemented, the reported full-time equivalent students and
1341 associated funding of students enrolled in courses requiring
1342 passage of an end-of-course assessment shall be adjusted after
1343 the student completes the end-of-course assessment.

1344 (VI) Each successfully completed full-credit course earned
1345 through an online course delivered by a district other than the
1346 one in which the student resides shall be calculated as 1/6 FTE.

1347 ~~(VII) Each successfully completed credit earned under the~~



730152

1348 ~~alternative high school course credit requirements authorized in~~
1349 ~~s. 1002.375, which is not reported as a portion of the 900 net~~
1350 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~
1351 ~~calculated as 1/6 FTE.~~

1352 (VII) ~~(VIII)~~(A) A full-time equivalent student for courses
1353 requiring a statewide, standardized end-of-course assessment
1354 pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported
1355 based on the number of instructional hours as provided in this
1356 subsection for the first 3 years of administering the end-of-
1357 course assessment. Beginning in the fourth year of administering
1358 the end-of-course assessment, the FTE shall be credit-based and
1359 each course shall be equal to 1/6 FTE. The reported FTE shall be
1360 adjusted after the student successfully completes the end-of-
1361 course assessment pursuant to s. 1008.22(3)(c)2.a.

1362 (B) For students enrolled in a school district as a full-
1363 time student, the district may report 1/6 FTE for each student
1364 who passes a statewide, standardized end-of-course assessment
1365 without being enrolled in the corresponding course.

1366 (C) The FTE earned under this sub-sub-subparagraph and any
1367 FTE for courses or programs listed in s. 1011.62(1)(c) that do
1368 not require passing a statewide, standardized end-of-course
1369 assessment are subject to the requirements in subsection (4).

1370 2. A student in membership in a program scheduled for more
1371 or less than 180 school days or the equivalent on an hourly
1372 basis as specified by rules of the State Board of Education is a
1373 fraction of a full-time equivalent membership equal to the
1374 number of instructional hours in membership divided by the
1375 appropriate number of hours set forth in subparagraph (a)1.;

1376 however, for the purposes of this subparagraph, membership in



730152

1377 programs scheduled for more than 180 days is limited to students
1378 enrolled in juvenile justice education programs and the Florida
1379 Virtual School.

1380
1381 The department shall determine and implement an equitable method
1382 of equivalent funding for experimental schools and for schools
1383 operating under emergency conditions, which schools have been
1384 approved by the department to operate for less than the minimum
1385 school day.

1386 Section 61. Paragraph (b) of subsection (2) of section
1387 1013.35, Florida Statutes, is amended to read:

1388 1013.35 School district educational facilities plan;
1389 definitions; preparation, adoption, and amendment; long-term
1390 work programs.—

1391 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
1392 FACILITIES PLAN.—

1393 (b) The plan must also include a financially feasible
1394 district facilities work program for a 5-year period. The work
1395 program must include:

1396 1. A schedule of major repair and renovation projects
1397 necessary to maintain the educational facilities and ancillary
1398 facilities of the district.

1399 2. A schedule of capital outlay projects necessary to
1400 ensure the availability of satisfactory student stations for the
1401 projected student enrollment in K-12 programs. This schedule
1402 shall consider:

1403 a. The locations, capacities, and planned utilization rates
1404 of current educational facilities of the district. The capacity
1405 of existing satisfactory facilities, as reported in the Florida



730152

1406 Inventory of School Houses must be compared to the capital
1407 outlay full-time-equivalent student enrollment as determined by
1408 the department, including all enrollment used in the calculation
1409 of the distribution formula in s. 1013.64.

1410 b. The proposed locations of planned facilities, whether
1411 those locations are consistent with the comprehensive plans of
1412 all affected local governments, and recommendations for
1413 infrastructure and other improvements to land adjacent to
1414 existing facilities. The provisions of ss. 1013.33(6), (7), and
1415 (8) and 1013.36 must be addressed for new facilities planned
1416 within the first 3 years of the work plan, as appropriate.

1417 c. Plans for the use and location of relocatable
1418 facilities, leased facilities, and charter school facilities.

1419 d. Plans for multitrack scheduling, grade level
1420 organization, block scheduling, or other alternatives that
1421 reduce the need for additional permanent student stations.

1422 e. Information concerning average class size and
1423 utilization rate by grade level within the district which will
1424 result if the tentative district facilities work program is
1425 fully implemented.

1426 f. The number and percentage of district students planned
1427 to be educated in relocatable facilities during each year of the
1428 tentative district facilities work program. For determining
1429 future needs, student capacity may not be assigned to any
1430 relocatable classroom that is scheduled for elimination or
1431 replacement with a permanent educational facility in the current
1432 year of the adopted district educational facilities plan and in
1433 the district facilities work program adopted under this section.
1434 Those relocatable classrooms clearly identified and scheduled



730152

1435 for replacement in a school-board-adopted, financially feasible,
1436 5-year district facilities work program shall be counted at zero
1437 capacity at the time the work program is adopted and approved by
1438 the school board. However, if the district facilities work
1439 program is changed and the relocatable classrooms are not
1440 replaced as scheduled in the work program, the classrooms must
1441 be reentered into the system and be counted at actual capacity.
1442 Relocatable classrooms may not be perpetually added to the work
1443 program or continually extended for purposes of circumventing
1444 this section. All relocatable classrooms not identified and
1445 scheduled for replacement, including those owned, lease-
1446 purchased, or leased by the school district, must be counted at
1447 actual student capacity. The district educational facilities
1448 plan must identify the number of relocatable student stations
1449 scheduled for replacement during the 5-year survey period and
1450 the total dollar amount needed for that replacement.

1451 g. Plans for the closure of any school, including plans for
1452 disposition of the facility or usage of facility space, and
1453 anticipated revenues.

1454 h. Projects for which capital outlay and debt service funds
1455 accruing under s. 9(d), Art. XII of the State Constitution are
1456 to be used shall be identified separately in priority order on a
1457 project priority list within the district facilities work
1458 program.

1459 3. The projected cost for each project identified in the
1460 district facilities work program. For proposed projects for new
1461 student stations, a schedule shall be prepared comparing the
1462 planned cost and square footage for each new student station, by
1463 elementary, middle, and high school levels, to the low, average,



730152

1464 and high cost of facilities constructed throughout the state
1465 during the most recent fiscal year for which data is available
1466 from the Department of Education.

1467 4. A schedule of estimated capital outlay revenues from
1468 each currently approved source which is estimated to be
1469 available for expenditure on the projects included in the
1470 district facilities work program.

1471 5. A schedule indicating which projects included in the
1472 district facilities work program will be funded from current
1473 revenues projected in subparagraph 4.

1474 6. A schedule of options for the generation of additional
1475 revenues by the district for expenditure on projects identified
1476 in the district facilities work program which are not funded
1477 under subparagraph 5. Additional anticipated revenues may
1478 include ~~effort index grants, SIT Program awards, and Classrooms~~
1479 First funds.

1480 Section 62. Subsection (2) of section 1013.356, Florida
1481 Statutes, is amended to read:

1482 1013.356 Local funding for educational facilities benefit
1483 districts or community development districts.—Upon confirmation
1484 by a district school board of the commitment of revenues by an
1485 educational facilities benefit district or community development
1486 district necessary to construct and maintain an educational
1487 facility contained within an individual district facilities work
1488 program or proposed by an approved charter school or a charter
1489 school applicant, the following funds shall be provided to the
1490 educational facilities benefit district or community development
1491 district annually, beginning with the next fiscal year after
1492 confirmation until the district's financial obligations are



730152

1493 completed:

1494 (2) For construction and capital maintenance costs not
1495 covered by the funds provided under subsection (1), an annual
1496 amount contributed by the district school board equal to one-
1497 half of the remaining costs of construction and capital
1498 maintenance of the educational facility. Any construction costs
1499 above the cost-per-student criteria established in s.
1500 1013.64(6)(b)1. ~~for the SIT Program in s. 1013.72(2)~~ shall be
1501 funded exclusively by the educational facilities benefit
1502 district or the community development district. Funds
1503 contributed by a district school board shall not be used to fund
1504 operational costs.

1505
1506 Educational facilities funded pursuant to this act may be
1507 constructed on land that is owned by any person after the
1508 district school board has acquired from the owner of the land a
1509 long-term lease for the use of this land for a period of not
1510 less than 40 years or the life expectancy of the permanent
1511 facilities constructed thereon, whichever is longer. All
1512 interlocal agreements entered into pursuant to this act shall
1513 provide for ownership of educational facilities funded pursuant
1514 to this act to revert to the district school board if such
1515 facilities cease to be used for public educational purposes
1516 prior to 40 years after construction or prior to the end of the
1517 life expectancy of the educational facilities, whichever is
1518 longer.

1519 Section 63. Subsections (4), (5), and (6) of section
1520 1013.41, Florida Statutes, are amended to read:

1521 1013.41 SMART schools; Classrooms First; legislative



730152

1522 purpose.-

1523 (4) OFFICE OF EDUCATIONAL FACILITIES.-It is the purpose of
1524 the Legislature to require the Office of Educational Facilities
1525 to assist school districts in building SMART schools utilizing
1526 functional and frugal practices. The Office of Educational
1527 Facilities must review district facilities work programs and
1528 projects and ~~identify districts qualified for incentive funding~~
1529 ~~available through School Infrastructure Thrift Program awards;~~
1530 identify opportunities to maximize design and construction
1531 savings; develop school district facilities work program
1532 performance standards; and provide for review and
1533 recommendations to the Governor, the Legislature, and the State
1534 Board of Education.

1535 ~~(5) EFFORT INDEX GRANTS.-It is the purpose of the~~
1536 ~~Legislature to create s. 1013.73, in order to provide grants~~
1537 ~~from state funds to assist school districts that have provided a~~
1538 ~~specified level of local effort funding.~~

1539 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.-It~~
1540 ~~is the purpose of the Legislature to convert the SIT Program~~
1541 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~
1542 ~~program to encourage functional, frugal facilities and~~
1543 ~~practices.~~

1544 Section 64. Paragraph (b) of subsection (6) of section
1545 1013.64, Florida Statutes, is amended to read:

1546 1013.64 Funds for comprehensive educational plant needs;
1547 construction cost maximums for school district capital
1548 projects.-Allocations from the Public Education Capital Outlay
1549 and Debt Service Trust Fund to the various boards for capital
1550 outlay projects shall be determined as follows:



730152

1551 (6)
1552 (b)1. A district school board must not use funds from the
1553 following sources: Public Education Capital Outlay and Debt
1554 Service Trust Fund; School District and Community College
1555 District Capital Outlay and Debt Service Trust Fund; Classrooms
1556 First Program funds provided in s. 1013.68; ~~effort index grant~~
1557 ~~funds provided in s. 1013.73;~~ nonvoted 1.5-mill levy of ad
1558 valorem property taxes provided in s. 1011.71(2); Classrooms for
1559 Kids Program funds provided in s. 1013.735; District Effort
1560 Recognition Program funds provided in s. 1013.736; or High
1561 Growth District Capital Outlay Assistance Grant Program funds
1562 provided in s. 1013.738 for any new construction of educational
1563 plant space with a total cost per student station, including
1564 change orders, that equals more than:
1565 a. \$17,952 for an elementary school,
1566 b. \$19,386 for a middle school, or
1567 c. \$25,181 for a high school,

1568
1569 (January 2006) as adjusted annually to reflect increases or
1570 decreases in the Consumer Price Index.

1571 2. A district school board must not use funds from the
1572 Public Education Capital Outlay and Debt Service Trust Fund or
1573 the School District and Community College District Capital
1574 Outlay and Debt Service Trust Fund for any new construction of
1575 an ancillary plant that exceeds 70 percent of the average cost
1576 per square foot of new construction for all schools.

1577 Section 65. Section 1013.69, Florida Statutes, is amended
1578 to read:

1579 1013.69 Full bonding required to participate in programs.-



1580 Any district with unused bonding capacity in its Capital Outlay
1581 and Debt Service Trust Fund allocation that certifies in its
1582 district educational facilities plan that it will not be able to
1583 meet all of its need for new student stations within existing
1584 revenues must fully bond its Capital Outlay and Debt Service
1585 Trust Fund allocation before it may participate in Classrooms
1586 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~
1587 ~~Effort Index Grants Program.~~

1588 Section 66. Paragraph (b) of subsection (2) of section
1589 1013.738, Florida Statutes, is amended to read:

1590 1013.738 High Growth District Capital Outlay Assistance
1591 Grant Program.—

1592 (2) In order to qualify for a grant, a school district must
1593 meet the following criteria:

1594 (b) Fifty percent of the revenue derived from the 2-mill
1595 nonvoted discretionary capital outlay millage for the past 4
1596 fiscal years, when divided by the district's growth in capital
1597 outlay FTE students over this period, produces a value that is
1598 less than the average cost per student station calculated
1599 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by
1600 statewide growth in capital outlay FTE students in elementary,
1601 middle, and high schools for the past 4 fiscal years.

1602 Section 67. Except as otherwise expressly provided in this
1603 act, this act shall take effect upon becoming a law.

1604
1605 ===== T I T L E A M E N D M E N T =====

1606 And the title is amended as follows:

1607 Delete everything before the enacting clause
1608 and insert:



730152

1609 A bill to be entitled
1610 An act relating to the repeal of education provisions;
1611 amending s. 403.7032, F.S.; removing a requirement
1612 that each K-12 public school annually report to the
1613 county on recycled materials; repealing s. 1001.26(3),
1614 F.S.; removing duplicative, redundant, or unused
1615 rulemaking authority; repealing s. 1001.435, F.S.,
1616 relating to a K-12 foreign language curriculum plan;
1617 repealing s. 1002.23(4), (6), and (9), F.S., relating
1618 to a parent-response center, submission of family
1619 involvement and empowerment rules by district school
1620 boards, and State Board of Education compliance review
1621 and enforcement under the Family and School
1622 Partnership for Student Achievement Act; repealing s.
1623 1002.32(10), F.S.; removing duplicative, redundant, or
1624 unused rulemaking authority; repealing s. 1002.361,
1625 F.S., relating to a direct-support organization for
1626 the Florida School for the Deaf and the Blind;
1627 repealing s. 1002.375, F.S., relating to a pilot
1628 project to award alternative credit for high school
1629 courses; repealing s. 1003.4285(1), F.S., relating to
1630 a standard high school diploma designation that
1631 indicates a student's major area of interest;
1632 repealing s. 1003.43, F.S., relating to general
1633 requirements for high school graduation; repealing s.
1634 1003.433(5), F.S.; removing duplicative, redundant, or
1635 unused rulemaking authority; repealing s. 1003.453(2),
1636 F.S., relating to information on school wellness and
1637 physical education policies posted on Department of



730152

1638 Education and school district websites; repealing s.
1639 1003.496, F.S., relating to the High School to
1640 Business Career Enhancement Program; repealing s.
1641 1004.05, F.S., relating to substance abuse training
1642 programs for specified public school personnel;
1643 amending s. 1004.435, F.S.; removing duplicative,
1644 redundant, or unused rulemaking authority; amending s.
1645 1004.45, F.S.; removing unnecessary rulemaking
1646 authority; repealing s. 1004.62, F.S., relating to
1647 incentives for state university student internships to
1648 study urban or socially and economically disadvantaged
1649 areas; repealing s. 1004.77, F.S., relating to centers
1650 of technology innovation; repealing s. 1006.02, F.S.,
1651 relating to provision of information to students and
1652 parents regarding school-to-work transition; repealing
1653 s. 1006.035, F.S., relating to a dropout reentry and
1654 mentor project; repealing s. 1006.051, F.S., relating
1655 to the Sunshine Workforce Solutions Grant Program;
1656 repealing s. 1006.09(1)(d), F.S., relating to duties
1657 of school principals with respect to annual reporting
1658 and analysis of student suspensions and expulsions;
1659 repealing ss. 1006.17 and 1006.70, F.S., relating to
1660 sponsorship of athletic activities similar to those
1661 for which scholarships are offered; repealing s.
1662 1006.65, F.S., relating to safety issues in courses
1663 offered by public postsecondary educational
1664 institutions; repealing s. 1007.21, F.S., relating to
1665 readiness for postsecondary education and the
1666 workplace; repealing s. 1007.35(10), F.S.; removing



730152

1667 duplicative, redundant, or unused rulemaking
1668 authority; repealing s. 1008.31(3)(d) and (e), F.S.,
1669 relating to review and reporting duties of the
1670 Commissioner of Education with respect to
1671 consolidating paperwork under Florida's K-20 education
1672 performance accountability system; repealing s.
1673 1009.68, F.S., relating to the Florida Minority
1674 Medical Education Program; amending s. 1009.85, F.S.;
1675 removing duplicative, redundant, or unused rulemaking
1676 authority; repealing s. 1012.58, F.S., relating to the
1677 Transition to Teaching Program; repealing s.
1678 1012.71(6), F.S., relating to a pilot program for
1679 establishing an electronic management system for the
1680 Florida Teachers Lead Program; repealing s. 1013.231,
1681 F.S., relating to Florida College System institution
1682 and state university energy consumption reduction;
1683 repealing s. 1013.32, F.S., relating to exceptions to
1684 recommendations in educational plant surveys;
1685 repealing ss. 1013.42 and 1013.72, F.S., relating to
1686 the School Infrastructure Thrift (SIT) Program;
1687 repealing ss. 1013.502 and 1013.721, F.S., relating to
1688 A Business-Community (ABC) School Program; repealing
1689 s. 1013.64(7), F.S., relating to exceptions from
1690 Special Facility Construction Account requirements;
1691 repealing s. 1013.73, F.S., relating to effort index
1692 grants for school district facilities; amending ss.
1693 120.81, 250.115, 409.1451, 1001.11, 1002.20, 1002.33,
1694 1002.34, 1002.45, 1003.03, 1003.429, 1003.438,
1695 1003.49, 1004.70, 1004.71, 1006.025, 1006.15,



730152

1696 1007.263, 1007.271, 1008.22, 1008.23, 1009.40,
1697 1009.531, 1009.94, 1011.61, 1013.35, 1013.356,
1698 1013.41, 1013.64, 1013.69, and 1013.738, F.S.;
1699 conforming provisions; providing effective dates.

By Senator Montford

3-00664-13

20131096__

1 A bill to be entitled
 2 An act relating to the repeal of education provisions;
 3 amending s. 403.7032, F.S.; removing a requirement
 4 that each K-12 public school annually report to the
 5 county on recycled materials; repealing s. 1001.435,
 6 F.S., relating to a K-12 foreign language curriculum
 7 plan; repealing s. 1002.23(4), (6), and (9), F.S.,
 8 relating to a parent-response center, submission of
 9 family involvement and empowerment rules by district
 10 school boards, and State Board of Education compliance
 11 review and enforcement under the Family and School
 12 Partnership for Student Achievement Act; repealing s.
 13 1002.361, F.S., relating to a direct-support
 14 organization for the Florida School for the Deaf and
 15 the Blind; repealing s. 1003.4285(1), F.S., relating
 16 to a standard high school diploma designation that
 17 indicates a student's major area of interest;
 18 repealing s. 1003.43, F.S., relating to general
 19 requirements for high school graduation; repealing s.
 20 1003.453(2), F.S., relating to information on school
 21 wellness and physical education policies posted on
 22 Department of Education and school district websites;
 23 repealing s. 1003.496, F.S., relating to the High
 24 School to Business Career Enhancement Program;
 25 repealing s. 1004.05, F.S., relating to substance
 26 abuse training programs for specified public school
 27 personnel; repealing s. 1004.62, F.S., relating to
 28 incentives for state university student internships to
 29 study urban or socially and economically disadvantaged

3-00664-13

20131096__

30 areas; repealing s. 1004.77, F.S., relating to centers
 31 of technology innovation; repealing s. 1006.035, F.S.,
 32 relating to a dropout reentry and mentor project;
 33 repealing s. 1006.09(1)(d), F.S., relating to duties
 34 of school principals with respect to annual reporting
 35 and analysis of student suspensions and expulsions;
 36 repealing ss. 1006.17 and 1006.70, F.S., relating to
 37 sponsorship of athletic activities similar to those
 38 for which scholarships are offered; repealing s.
 39 1006.65, F.S., relating to safety issues in courses
 40 offered by public postsecondary educational
 41 institutions; repealing s. 1007.21, F.S., relating to
 42 readiness for postsecondary education and the
 43 workplace; repealing s. 1008.31(3)(d) and (e), F.S.,
 44 relating to review and reporting duties of the
 45 Commissioner of Education with respect to
 46 consolidating paperwork under Florida's K-20 education
 47 performance accountability system; repealing s.
 48 1009.68, F.S., relating to the Florida Minority
 49 Medical Education Program; repealing s. 1012.58, F.S.,
 50 relating to the Transition to Teaching Program;
 51 repealing s. 1012.71(6), F.S., relating to a pilot
 52 program for establishing an electronic management
 53 system for the Florida Teachers Lead Program;
 54 repealing s. 1013.231, F.S., relating to Florida
 55 College System institution and state university energy
 56 consumption reduction; repealing s. 1013.32, F.S.,
 57 relating to exceptions to recommendations in
 58 educational plant surveys; repealing ss. 1013.42 and

3-00664-13

20131096__

59 1013.72, F.S., relating to the School Infrastructure
 60 Thrift (SIT) Program; repealing ss. 1013.502 and
 61 1013.721, F.S., relating to A Business-Community (ABC)
 62 School Program; repealing s. 1013.64(7), F.S.,
 63 relating to exceptions from Special Facility
 64 Construction Account requirements; repealing s.
 65 1013.73, F.S., relating to effort index grants for
 66 school district facilities; amending ss. 120.81,
 67 250.115, 409.1451, 1001.11, 1002.20, 1002.33, 1002.34,
 68 1002.45, 1003.03, 1003.429, 1003.438, 1003.49,
 69 1004.70, 1004.71, 1006.15, 1007.263, 1007.271,
 70 1008.22, 1008.23, 1009.40, 1009.531, 1009.94, 1013.35,
 71 1013.356, 1013.41, 1013.64, 1013.69, and 1013.738,
 72 F.S.; conforming provisions; providing an effective
 73 date.

74
 75 Be It Enacted by the Legislature of the State of Florida:

76
 77 Section 1. Subsection (3) of section 403.7032, Florida
 78 Statutes, is amended to read:

79 403.7032 Recycling.—

80 (3) Each state agency, ~~K-12 public school~~, public
 81 institution of higher learning, community college, and state
 82 university, including all buildings that are occupied by
 83 municipal, county, or state employees and entities occupying
 84 buildings managed by the Department of Management Services,
 85 must, at a minimum, annually report all recycled materials to
 86 the county using the department's designated reporting format.
 87 Private businesses, other than certified recovered materials

Page 3 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096__

88 dealers, that recycle paper, metals, glass, plastics, textiles,
 89 rubber materials, and mulch, are encouraged to report the amount
 90 of materials they recycle to the county annually beginning
 91 January 1, 2011, using the department's designated reporting
 92 format. Using the information provided, the department shall
 93 recognize those private businesses that demonstrate outstanding
 94 recycling efforts. Notwithstanding any other provision of state
 95 or county law, private businesses, other than certified
 96 recovered materials dealers, shall not be required to report
 97 recycling rates. Cities with less than a population of 2,500 and
 98 per capita taxable value less than \$48,000 and cities with a per
 99 capita taxable value less than \$30,000 are exempt from the
 100 reporting requirement specified in this subsection.

101 Section 2. Section 1001.435, Florida Statutes, is repealed.

102 Section 3. Subsections (4), (6), and (9) of section
 103 1002.23, Florida Statutes, are repealed.

104 Section 4. Section 1002.361, Florida Statutes, is repealed.

105 Section 5. Subsection (1) of section 1003.4285, Florida
 106 Statutes, is repealed.

107 Section 6. Section 1003.43, Florida Statutes, is repealed.

108 Section 7. Subsection (2) of section 1003.453, Florida
 109 Statutes, is repealed.

110 Section 8. Section 1003.496, Florida Statutes, is repealed.

111 Section 9. Section 1004.05, Florida Statutes, is repealed.

112 Section 10. Section 1004.62, Florida Statutes, is repealed.

113 Section 11. Section 1004.77, Florida Statutes, is repealed.

114 Section 12. Section 1006.035, Florida Statutes, is
 115 repealed.

116 Section 13. Paragraph (d) of subsection (1) of section

Page 4 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13 20131096__

117 1006.09, Florida Statutes, is repealed.
 118 Section 14. Sections 1006.17 and 1006.70, Florida Statutes,
 119 are repealed.
 120 Section 15. Section 1006.65, Florida Statutes, is repealed.
 121 Section 16. Section 1007.21, Florida Statutes, is repealed.
 122 Section 17. Paragraphs (d) and (e) of subsection (3) of
 123 section 1008.31, Florida Statutes, are repealed.
 124 Section 18. Section 1009.68, Florida Statutes, is repealed.
 125 Section 19. Section 1012.58, Florida Statutes, is repealed.
 126 Section 20. Subsection (6) of section 1012.71, Florida
 127 Statutes, is repealed.
 128 Section 21. Section 1013.231, Florida Statutes, is
 129 repealed.
 130 Section 22. Section 1013.32, Florida Statutes, is repealed.
 131 Section 23. Sections 1013.42 and 1013.72, Florida Statutes,
 132 are repealed.
 133 Section 24. Sections 1013.502 and 1013.721, Florida
 134 Statutes, are repealed.
 135 Section 25. Subsection (7) of section 1013.64, Florida
 136 Statutes, is repealed.
 137 Section 26. Section 1013.73, Florida Statutes, is repealed.
 138 Section 27. Paragraph (c) of subsection (1) of section
 139 120.81, Florida Statutes, is amended to read:
 140 120.81 Exceptions and special requirements; general areas.-
 141 (1) EDUCATIONAL UNITS.-
 142 (c) Notwithstanding s. 120.52(16), any tests, test scoring
 143 criteria, or testing procedures relating to student assessment
 144 which are developed or administered by the Department of
 145 Education pursuant to s. 1003.428 ~~1003.43~~, s. 1003.429, s.

3-00664-13 20131096__

146 1003.438, s. 1008.22, or s. 1008.25, or any other statewide
 147 educational tests required by law, are not rules.
 148 Section 28. Subsection (5) of section 250.115, Florida
 149 Statutes, is amended to read:
 150 250.115 Department of Military Affairs direct-support
 151 organization.-
 152 (5) ACTIVITIES; RESTRICTIONS.-Any transaction or agreement
 153 between the direct-support organization organized pursuant to
 154 this section and another direct-support organization ~~or center~~
 155 ~~of technology innovation designated under s. 1004.77~~ must be
 156 approved by the Department of Military Affairs.
 157 Section 29. Paragraph (b) of subsection (5) of section
 158 409.1451, Florida Statutes, is amended to read:
 159 409.1451 Independent living transition services.-
 160 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER CARE.-
 161 Based on the availability of funds, the department shall provide
 162 or arrange for the following services to young adults formerly
 163 in foster care who meet the prescribed conditions and are
 164 determined eligible by the department. The department, or a
 165 community-based care lead agency when the agency is under
 166 contract with the department to provide the services described
 167 under this subsection, shall develop a plan to implement those
 168 services. A plan shall be developed for each community-based
 169 care service area in the state. Each plan that is developed by a
 170 community-based care lead agency shall be submitted to the
 171 department. Each plan shall include the number of young adults
 172 to be served each month of the fiscal year and specify the
 173 number of young adults who will reach 18 years of age who will
 174 be eligible for the plan and the number of young adults who will

3-00664-13 20131096__
 175 reach 23 years of age and will be ineligible for the plan or who
 176 are otherwise ineligible during each month of the fiscal year;
 177 staffing requirements and all related costs to administer the
 178 services and program; expenditures to or on behalf of the
 179 eligible recipients; costs of services provided to young adults
 180 through an approved plan for housing, transportation, and
 181 employment; reconciliation of these expenses and any additional
 182 related costs with the funds allocated for these services; and
 183 an explanation of and a plan to resolve any shortages or
 184 surpluses in order to end the fiscal year with a balanced
 185 budget. The categories of services available to assist a young
 186 adult formerly in foster care to achieve independence are:

(b) *Road-to-Independence Program.*—

187
 188 1. The Road-to-Independence Program is intended to help
 189 eligible students who are former foster children in this state
 190 to receive the educational and vocational training needed to
 191 achieve independence. The amount of the award shall be based on
 192 the living and educational needs of the young adult and may be
 193 up to, but may not exceed, the amount of earnings that the
 194 student would have been eligible to earn working a 40-hour-a-
 195 week federal minimum wage job.

196 2. A young adult who has earned a standard high school
 197 diploma or its equivalent as described in s. 1003.428, s.
 198 1003.429, ~~1003.43~~ or s. 1003.435, has earned a special diploma
 199 or special certificate of completion as described in s.
 200 1003.438, or has reached 18 years of age but is not yet 21 years
 201 of age is eligible for the initial award, and a young adult
 202 under 23 years of age is eligible for renewal awards, if he or
 203 she:

3-00664-13 20131096__
 204 a. Was a dependent child, under chapter 39, and was living
 205 in licensed foster care or in subsidized independent living at
 206 the time of his or her 18th birthday or is currently living in
 207 licensed foster care or subsidized independent living, or, after
 208 reaching the age of 16, was adopted from foster care or placed
 209 with a court-approved dependency guardian and has spent a
 210 minimum of 6 months in foster care immediately preceding such
 211 placement or adoption;
 212 b. Spent at least 6 months living in foster care before
 213 reaching his or her 18th birthday;
 214 c. Is a resident of this state as defined in s. 1009.40;
 215 and
 216 d. Meets one of the following qualifications:
 217 (I) Has earned a standard high school diploma or its
 218 equivalent as described in s. 1003.428, s. 1003.429, ~~1003.43~~ or
 219 s. 1003.435, or has earned a special diploma or special
 220 certificate of completion as described in s. 1003.438, and has
 221 been admitted for full-time enrollment in an eligible
 222 postsecondary education institution as defined in s. 1009.533;
 223 (II) Is enrolled full time in an accredited high school; or
 224 (III) Is enrolled full time in an accredited adult
 225 education program designed to provide the student with a high
 226 school diploma or its equivalent.
 227 3. A young adult applying for the Road-to-Independence
 228 Program must apply for any other grants and scholarships for
 229 which he or she may qualify. The department shall assist the
 230 young adult in the application process and may use the federal
 231 financial aid grant process to determine the funding needs of
 232 the young adult.

3-00664-13

20131096

233 4. An award shall be available to a young adult who is
 234 considered a full-time student or its equivalent by the
 235 educational institution in which he or she is enrolled, unless
 236 that young adult has a recognized disability preventing full-
 237 time attendance. The amount of the award, whether it is being
 238 used by a young adult working toward completion of a high school
 239 diploma or its equivalent or working toward completion of a
 240 postsecondary education program, shall be determined based on an
 241 assessment of the funding needs of the young adult. This
 242 assessment must consider the young adult's living and
 243 educational costs and other grants, scholarships, waivers,
 244 earnings, and other income to be received by the young adult. An
 245 award shall be available only to the extent that other grants
 246 and scholarships are not sufficient to meet the living and
 247 educational needs of the young adult, but an award may not be
 248 less than \$25 in order to maintain Medicaid eligibility for the
 249 young adult as provided in s. 409.903.

250 5. The amount of the award may be disregarded for purposes
 251 of determining the eligibility for, or the amount of, any other
 252 federal or federally supported assistance.

253 6.a. The department must advertise the criteria,
 254 application procedures, and availability of the program to:

- 255 (I) Children and young adults in, leaving, or formerly in
- 256 foster care.
- 257 (II) Case managers.
- 258 (III) Guidance and family services counselors.
- 259 (IV) Principals or other relevant school administrators.
- 260 (V) Guardians ad litem.
- 261 (VI) Foster parents.

3-00664-13

20131096

262 b. The department shall issue awards from the program for
 263 each young adult who meets all the requirements of the program
 264 to the extent funding is available.

265 c. An award shall be issued at the time the eligible
 266 student reaches 18 years of age.

267 d. A young adult who is eligible for the Road-to-
 268 Independence Program, transitional support services, or
 269 aftercare services and who so desires shall be allowed to reside
 270 with the licensed foster family or group care provider with whom
 271 he or she was residing at the time of attaining his or her 18th
 272 birthday or to reside in another licensed foster home or with a
 273 group care provider arranged by the department.

274 e. If the award recipient transfers from one eligible
 275 institution to another and continues to meet eligibility
 276 requirements, the award must be transferred with the recipient.

277 f. Funds awarded to any eligible young adult under this
 278 program are in addition to any other services or funds provided
 279 to the young adult by the department through transitional
 280 support services or aftercare services.

281 g. The department shall provide information concerning
 282 young adults receiving funding through the Road-to-Independence
 283 Program to the Department of Education for inclusion in the
 284 student financial assistance database, as provided in s.
 285 1009.94.

286 h. Funds are intended to help eligible young adults who are
 287 former foster children in this state to receive the educational
 288 and vocational training needed to become independent and self-
 289 supporting. The funds shall be terminated when the young adult
 290 has attained one of four postsecondary goals under subsection

3-00664-13

20131096__

291 (3) or reaches 23 years of age, whichever occurs earlier. In
 292 order to initiate postsecondary education, to allow for a change
 293 in career goal, or to obtain additional skills in the same
 294 educational or vocational area, a young adult may earn no more
 295 than two diplomas, certificates, or credentials. A young adult
 296 attaining an associate of arts or associate of science degree
 297 shall be permitted to work toward completion of a bachelor of
 298 arts or a bachelor of science degree or an equivalent
 299 undergraduate degree. Road-to-Independence Program funds may not
 300 be used for education or training after a young adult has
 301 attained a bachelor of arts or a bachelor of science degree or
 302 an equivalent undergraduate degree.

303 i. The department shall evaluate and renew each award
 304 annually during the 90-day period before the young adult's
 305 birthday. In order to be eligible for a renewal award for the
 306 subsequent year, the young adult must:

307 (I) Complete the number of hours, or the equivalent
 308 considered full time by the educational institution, unless that
 309 young adult has a recognized disability preventing full-time
 310 attendance, in the last academic year in which the young adult
 311 earned an award, except for a young adult who meets the
 312 requirements of s. 1009.41.

313 (II) Maintain appropriate progress as required by the
 314 educational institution, except that, if the young adult's
 315 progress is insufficient to renew the award at any time during
 316 the eligibility period, the young adult may restore eligibility
 317 by improving his or her progress to the required level.

318 j. Funds may be terminated during the interim between an
 319 award and the evaluation for a renewal award if the department

Page 11 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096__

320 determines that the award recipient is no longer enrolled in an
 321 educational institution as defined in sub-subparagraph 2.d., or
 322 is no longer a state resident. The department shall notify a
 323 recipient who is terminated and inform the recipient of his or
 324 her right to appeal.

325 k. An award recipient who does not qualify for a renewal
 326 award or who chooses not to renew the award may subsequently
 327 apply for reinstatement. An application for reinstatement must
 328 be made before the young adult reaches 23 years of age, and a
 329 student may not apply for reinstatement more than once. In order
 330 to be eligible for reinstatement, the young adult must meet the
 331 eligibility criteria and the criteria for award renewal for the
 332 program.

333 Section 30. Subsection (7) of section 1001.11, Florida
 334 Statutes, is amended to read:

335 1001.11 Commissioner of Education; other duties.—

336 (7) The commissioner shall make prominently available on
 337 the department's website the following: links to the Internet-
 338 based clearinghouse for professional development regarding
 339 physical education; the school wellness and physical education
 340 policies and other resources required under s. 1003.453~~(1)~~ and
 341 ~~(2)~~; and other Internet sites that provide professional
 342 development for elementary teachers of physical education as
 343 defined in s. 1003.01(16). These links must provide elementary
 344 teachers with information concerning current physical education
 345 and nutrition philosophy and best practices that result in
 346 student participation in physical activities that promote
 347 lifelong physical and mental well-being.

348 Section 31. Paragraph (f) of subsection (3) and subsection

Page 12 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096

349 (8) of section 1002.20, Florida Statutes, are amended to read:

350 1002.20 K-12 student and parent rights.—Parents of public
351 school students must receive accurate and timely information
352 regarding their child's academic progress and must be informed
353 of ways they can help their child to succeed in school. K-12
354 students and their parents are afforded numerous statutory
355 rights including, but not limited to, the following:

356 (3) HEALTH ISSUES.—

357 (f) *Career education courses involving hazardous*
358 *substances.*—High school students must be given plano safety
359 glasses or devices in career education courses involving the use
360 of hazardous substances likely to cause eye injury, ~~in~~
361 ~~accordance with the provisions of s. 1006.65.~~

362 (8) STUDENTS WITH DISABILITIES.—Parents of public school
363 students with disabilities and parents of public school students
364 in residential care facilities are entitled to notice and due
365 process in accordance with the provisions of ss. 1003.57 and
366 1003.58. Public school students with disabilities must be
367 provided the opportunity to meet the graduation requirements for
368 a standard high school diploma in accordance with the provisions
369 of s. 1003.428(3) ~~1003.43(4)~~. Certain public school students
370 with disabilities may be awarded a special diploma upon high
371 school graduation.

372 Section 32. Paragraph (a) of subsection (7) of section
373 1002.33, Florida Statutes, is amended to read:

374 1002.33 Charter schools.—

375 (7) CHARTER.—The major issues involving the operation of a
376 charter school shall be considered in advance and written into
377 the charter. The charter shall be signed by the governing board

3-00664-13

20131096

378 of the charter school and the sponsor, following a public
379 hearing to ensure community input.

380 (a) The charter shall address and criteria for approval of
381 the charter shall be based on:

382 1. The school's mission, the students to be served, and the
383 ages and grades to be included.

384 2. The focus of the curriculum, the instructional methods
385 to be used, any distinctive instructional techniques to be
386 employed, and identification and acquisition of appropriate
387 technologies needed to improve educational and administrative
388 performance which include a means for promoting safe, ethical,
389 and appropriate uses of technology which comply with legal and
390 professional standards.

391 a. The charter shall ensure that reading is a primary focus
392 of the curriculum and that resources are provided to identify
393 and provide specialized instruction for students who are reading
394 below grade level. The curriculum and instructional strategies
395 for reading must be consistent with the Sunshine State Standards
396 and grounded in scientifically based reading research.

397 b. In order to provide students with access to diverse
398 instructional delivery models, to facilitate the integration of
399 technology within traditional classroom instruction, and to
400 provide students with the skills they need to compete in the
401 21st century economy, the Legislature encourages instructional
402 methods for blended learning courses consisting of both
403 traditional classroom and online instructional techniques.
404 Charter schools may implement blended learning courses which
405 combine traditional classroom instruction and virtual
406 instruction. Students in a blended learning course must be full-

3-00664-13

20131096__

407 time students of the charter school and receive the online
 408 instruction in a classroom setting at the charter school.
 409 Instructional personnel certified pursuant to s. 1012.55 who
 410 provide virtual instruction for blended learning courses may be
 411 employees of the charter school or may be under contract to
 412 provide instructional services to charter school students. At a
 413 minimum, such instructional personnel must hold an active state
 414 or school district adjunct certification under s. 1012.57 for
 415 the subject area of the blended learning course. The funding and
 416 performance accountability requirements for blended learning
 417 courses are the same as those for traditional courses.

418 3. The current incoming baseline standard of student
 419 academic achievement, the outcomes to be achieved, and the
 420 method of measurement that will be used. The criteria listed in
 421 this subparagraph shall include a detailed description of:
 422 a. How the baseline student academic achievement levels and
 423 prior rates of academic progress will be established.
 424 b. How these baseline rates will be compared to rates of
 425 academic progress achieved by these same students while
 426 attending the charter school.
 427 c. To the extent possible, how these rates of progress will
 428 be evaluated and compared with rates of progress of other
 429 closely comparable student populations.

430
 431 The district school board is required to provide academic
 432 student performance data to charter schools for each of their
 433 students coming from the district school system, as well as
 434 rates of academic progress of comparable student populations in
 435 the district school system.

Page 15 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096__

436 4. The methods used to identify the educational strengths
 437 and needs of students and how well educational goals and
 438 performance standards are met by students attending the charter
 439 school. The methods shall provide a means for the charter school
 440 to ensure accountability to its constituents by analyzing
 441 student performance data and by evaluating the effectiveness and
 442 efficiency of its major educational programs. Students in
 443 charter schools shall, at a minimum, participate in the
 444 statewide assessment program created under s. 1008.22.

445 5. In secondary charter schools, a method for determining
 446 that a student has satisfied the requirements for graduation in
 447 s. 1003.428 or s. 1003.429, ~~or s. 1003.43.~~

448 6. A method for resolving conflicts between the governing
 449 board of the charter school and the sponsor.

450 7. The admissions procedures and dismissal procedures,
 451 including the school's code of student conduct.

452 8. The ways by which the school will achieve a
 453 racial/ethnic balance reflective of the community it serves or
 454 within the racial/ethnic range of other public schools in the
 455 same school district.

456 9. The financial and administrative management of the
 457 school, including a reasonable demonstration of the professional
 458 experience or competence of those individuals or organizations
 459 applying to operate the charter school or those hired or
 460 retained to perform such professional services and the
 461 description of clearly delineated responsibilities and the
 462 policies and practices needed to effectively manage the charter
 463 school. A description of internal audit procedures and
 464 establishment of controls to ensure that financial resources are

Page 16 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13 20131096__
 465 properly managed must be included. Both public sector and
 466 private sector professional experience shall be equally valid in
 467 such a consideration.

468 10. The asset and liability projections required in the
 469 application which are incorporated into the charter and shall be
 470 compared with information provided in the annual report of the
 471 charter school.

472 11. A description of procedures that identify various risks
 473 and provide for a comprehensive approach to reduce the impact of
 474 losses; plans to ensure the safety and security of students and
 475 staff; plans to identify, minimize, and protect others from
 476 violent or disruptive student behavior; and the manner in which
 477 the school will be insured, including whether or not the school
 478 will be required to have liability insurance, and, if so, the
 479 terms and conditions thereof and the amounts of coverage.

480 12. The term of the charter which shall provide for
 481 cancellation of the charter if insufficient progress has been
 482 made in attaining the student achievement objectives of the
 483 charter and if it is not likely that such objectives can be
 484 achieved before expiration of the charter. The initial term of a
 485 charter shall be for 4 or 5 years. In order to facilitate access
 486 to long-term financial resources for charter school
 487 construction, charter schools that are operated by a
 488 municipality or other public entity as provided by law are
 489 eligible for up to a 15-year charter, subject to approval by the
 490 district school board. A charter lab school is eligible for a
 491 charter for a term of up to 15 years. In addition, to facilitate
 492 access to long-term financial resources for charter school
 493 construction, charter schools that are operated by a private,

3-00664-13 20131096__
 494 not-for-profit, s. 501(c)(3) status corporation are eligible for
 495 up to a 15-year charter, subject to approval by the district
 496 school board. Such long-term charters remain subject to annual
 497 review and may be terminated during the term of the charter, but
 498 only according to the provisions set forth in subsection (8).

499 13. The facilities to be used and their location.

500 14. The qualifications to be required of the teachers and
 501 the potential strategies used to recruit, hire, train, and
 502 retain qualified staff to achieve best value.

503 15. The governance structure of the school, including the
 504 status of the charter school as a public or private employer as
 505 required in paragraph (12)(i).

506 16. A timetable for implementing the charter which
 507 addresses the implementation of each element thereof and the
 508 date by which the charter shall be awarded in order to meet this
 509 timetable.

510 17. In the case of an existing public school that is being
 511 converted to charter status, alternative arrangements for
 512 current students who choose not to attend the charter school and
 513 for current teachers who choose not to teach in the charter
 514 school after conversion in accordance with the existing
 515 collective bargaining agreement or district school board rule in
 516 the absence of a collective bargaining agreement. However,
 517 alternative arrangements shall not be required for current
 518 teachers who choose not to teach in a charter lab school, except
 519 as authorized by the employment policies of the state university
 520 which grants the charter to the lab school.

521 18. Full disclosure of the identity of all relatives
 522 employed by the charter school who are related to the charter

3-00664-13 20131096__
 523 school owner, president, chairperson of the governing board of
 524 directors, superintendent, governing board member, principal,
 525 assistant principal, or any other person employed by the charter
 526 school who has equivalent decisionmaking authority. For the
 527 purpose of this subparagraph, the term "relative" means father,
 528 mother, son, daughter, brother, sister, uncle, aunt, first
 529 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 530 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 531 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 532 stepsister, half brother, or half sister.

533 19. Implementation of the activities authorized under s.
 534 1002.331 by the charter school when it satisfies the eligibility
 535 requirements for a high-performing charter school. A high-
 536 performing charter school shall notify its sponsor in writing by
 537 March 1 if it intends to increase enrollment or expand grade
 538 levels the following school year. The written notice shall
 539 specify the amount of the enrollment increase and the grade
 540 levels that will be added, as applicable.

541 Section 33. Paragraph (g) of subsection (4) of section
 542 1002.34, Florida Statutes, is amended to read:

543 1002.34 Charter technical career centers.—

544 (4) CHARTER.—A sponsor may designate centers as provided in
 545 this section. An application to establish a center may be
 546 submitted by a sponsor or another organization that is
 547 determined, by rule of the State Board of Education, to be
 548 appropriate. However, an independent school is not eligible for
 549 status as a center. The charter must be signed by the governing
 550 body of the center and the sponsor and must be approved by the
 551 district school board and Florida College System institution

3-00664-13 20131096__
 552 board of trustees in whose geographic region the facility is
 553 located. If a charter technical career center is established by
 554 the conversion to charter status of a public technical center
 555 formerly governed by a district school board, the charter status
 556 of that center takes precedence in any question of governance.
 557 The governance of the center or of any program within the center
 558 remains with its board of directors unless the board agrees to a
 559 change in governance or its charter is revoked as provided in
 560 subsection (15). Such a conversion charter technical career
 561 center is not affected by a change in the governance of public
 562 technical centers or of programs within other centers that are
 563 or have been governed by district school boards. A charter
 564 technical career center, or any program within such a center,
 565 that was governed by a district school board and transferred to
 566 a Florida College System institution prior to the effective date
 567 of this act is not affected by this provision. An applicant who
 568 wishes to establish a center must submit to the district school
 569 board or Florida College System institution board of trustees,
 570 or a consortium of one or more of each, an application on a form
 571 developed by the Department of Education which includes:

572 (g) A method for determining whether a student has
 573 satisfied the requirements for graduation specified in s.
 574 1003.428 or s. 1003.429 ~~1003.43~~ and for completion of a
 575 postsecondary certificate or degree.

576
 577 Students at a center must meet the same testing and academic
 578 performance standards as those established by law and rule for
 579 students at public schools and public technical centers. The
 580 students must also meet any additional assessment indicators

3-00664-13

20131096

581 that are included within the charter approved by the district
582 school board or Florida College System institution board of
583 trustees.

584 Section 34. Paragraph (b) of subsection (4) of section
585 1002.45, Florida Statutes, is amended to read:

586 1002.45 Virtual instruction programs.—

587 (4) CONTRACT REQUIREMENTS.—Each contract with an approved
588 provider must at minimum:

589 (b) Provide a method for determining that a student has
590 satisfied the requirements for graduation in s. 1003.428 or s.
591 1003.429, ~~or s. 1003.43~~ if the contract is for the provision of
592 a full-time virtual instruction program to students in grades 9
593 through 12.

594 Section 35. Paragraph (e) of subsection (3) of section
595 1003.03, Florida Statutes, is amended to read:

596 1003.03 Maximum class size.—

597 (3) IMPLEMENTATION OPTIONS.—District school boards must
598 consider, but are not limited to, implementing the following
599 items in order to meet the constitutional class size maximums
600 described in subsection (1):

601 (e) Use innovative methods to reduce the cost of school
602 construction by using prototype school designs, using SMART
603 Schools designs, ~~participating in the School Infrastructure~~
604 ~~Thrift Program~~, or any other method not prohibited by law.

605 Section 36. Subsection (1), paragraph (c) of subsection
606 (7), and subsection (8) of section 1003.429, Florida Statutes,
607 are amended to read:

608 1003.429 Accelerated high school graduation options.—

609 (1) Students who enter grade 9 in the 2006-2007 school year

3-00664-13

20131096

610 and thereafter may select, upon receipt of each consent required
611 by this section, one of the following three high school
612 graduation options:

613 (a) Completion of the general requirements for high school
614 graduation pursuant to s. 1003.428 ~~or s. 1003.43~~, as applicable;

615 (b) Completion of a 3-year standard college preparatory
616 program requiring successful completion of a minimum of 18
617 academic credits in grades 9 through 12. At least 6 of the 18
618 credits required for completion of this program must be received
619 in classes that are offered pursuant to the International
620 Baccalaureate Program, the Advanced Placement Program, dual
621 enrollment, Advanced International Certificate of Education, or
622 specifically listed or identified by the Department of Education
623 as rigorous pursuant to s. 1009.531(3). The 18 credits required
624 for completion of this program shall be primary requirements and
625 shall be distributed as follows:

626 1. Four credits in English, with major concentration in
627 composition and literature;

628 2. Three credits and, beginning with students entering
629 grade 9 in the 2010-2011 school year, four credits in
630 mathematics at the Algebra I level or higher from the list of
631 courses that qualify for state university admission. Beginning
632 with students entering grade 9 in the 2010-2011 school year, in
633 addition to the Algebra I credit requirement, one of the four
634 credits in mathematics must be geometry or a series of courses
635 equivalent to geometry as approved by the State Board of
636 Education. Beginning with students entering grade 9 in the 2010-
637 2011 school year, the end-of-course assessment requirements
638 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student

3-00664-13

20131096__

639 to earn the required credit in Algebra I. Beginning with
 640 students entering grade 9 in the 2011-2012 school year, the end-
 641 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
 642 must be met in order for a student to earn the required credit
 643 in geometry. Beginning with students entering grade 9 in the
 644 2012-2013 school year, in addition to the Algebra I and geometry
 645 credit requirements, one of the four credits in mathematics must
 646 be Algebra II or a series of courses equivalent to Algebra II as
 647 approved by the State Board of Education;

648 3. Three credits in science, two of which must have a
 649 laboratory component. Beginning with students entering grade 9
 650 in the 2011-2012 school year, one of the three credits in
 651 science must be Biology I or a series of courses equivalent to
 652 Biology I as approved by the State Board of Education. Beginning
 653 with students entering grade 9 in the 2011-2012 school year, the
 654 end-of-course assessment requirements under s.
 655 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
 656 the required credit in Biology I. Beginning with students
 657 entering grade 9 in the 2013-2014 school year, one of the three
 658 credits must be Biology I or a series of courses equivalent to
 659 Biology I as approved by the State Board of Education, one
 660 credit must be chemistry or physics or a series of courses
 661 equivalent to chemistry or physics as approved by the State
 662 Board of Education, and one credit must be an equally rigorous
 663 course, as approved by the State Board of Education;

664 4. Three credits in social sciences, which must include one
 665 credit in United States history, one credit in world history,
 666 one-half credit in United States government, and one-half credit
 667 in economics;

3-00664-13

20131096__

668 5. Two credits in the same second language unless the
 669 student is a native speaker of or can otherwise demonstrate
 670 competency in a language other than English. If the student
 671 demonstrates competency in another language, the student may
 672 replace the language requirement with two credits in other
 673 academic courses; and

674 6. Three credits in electives and, beginning with students
 675 entering grade 9 in the 2010-2011 school year, two credits in
 676 electives; or

677 (c) Completion of a 3-year career preparatory program
 678 requiring successful completion of a minimum of 18 academic
 679 credits in grades 9 through 12. The 18 credits shall be primary
 680 requirements and shall be distributed as follows:

681 1. Four credits in English, with major concentration in
 682 composition and literature;

683 2. Three credits and, beginning with students entering
 684 grade 9 in the 2010-2011 school year, four credits in
 685 mathematics, one of which must be Algebra I. Beginning with
 686 students entering grade 9 in the 2010-2011 school year, in
 687 addition to the Algebra I credit requirement, one of the four
 688 credits in mathematics must be geometry or a series of courses
 689 equivalent to geometry as approved by the State Board of
 690 Education. Beginning with students entering grade 9 in the 2010-
 691 2011 school year, the end-of-course assessment requirements
 692 under s. 1008.22(3)(c)2.a.(I) must be met in order for a student
 693 to earn the required credit in Algebra I. Beginning with
 694 students entering grade 9 in the 2011-2012 school year, the end-
 695 of-course assessment requirements under s. 1008.22(3)(c)2.a.(I)
 696 must be met in order for a student to earn the required credit

3-00664-13 20131096__

697 in geometry. Beginning with students entering grade 9 in the
698 2012-2013 school year, in addition to the Algebra I and geometry
699 credit requirements, one of the four credits in mathematics must
700 be Algebra II or a series of courses equivalent to Algebra II as
701 approved by the State Board of Education;

702 3. Three credits in science, two of which must have a
703 laboratory component. Beginning with students entering grade 9
704 in the 2011-2012 school year, one of the three credits in
705 science must be Biology I or a series of courses equivalent to
706 Biology I as approved by the State Board of Education. Beginning
707 with students entering grade 9 in the 2011-2012 school year, the
708 end-of-course assessment requirements under s.

709 1008.22(3)(c)2.a.(II) must be met in order for a student to earn
710 the required credit in Biology I. Beginning with students
711 entering grade 9 in the 2013-2014 school year, one of the three
712 credits must be Biology I or a series of courses equivalent to
713 Biology I as approved by the State Board of Education, one
714 credit must be chemistry or physics or a series of courses
715 equivalent to chemistry or physics as approved by the State
716 Board of Education, and one credit must be an equally rigorous
717 course, as approved by the State Board of Education;

718 4. Three credits in social sciences, which must include one
719 credit in United States history, one credit in world history,
720 one-half credit in United States government, and one-half credit
721 in economics;

722 5. Three credits in a single vocational or career education
723 program, three credits in career and technical certificate dual
724 enrollment courses, or five credits in vocational or career
725 education courses; and

3-00664-13 20131096__

726 6. Two credits and, beginning with students entering grade
727 9 in the 2010-2011 school year, one credit in electives unless
728 five credits are earned pursuant to subparagraph 5.

729
730 Any student who selected an accelerated graduation program
731 before July 1, 2004, may continue that program, and all
732 statutory program requirements that were applicable when the
733 student made the program choice shall remain applicable to the
734 student as long as the student continues that program.

735 (7) If, at the end of each grade, a student is not on track
736 to meet the credit, assessment, or grade-point-average
737 requirements of the accelerated graduation option selected, the
738 school shall notify the student and parent of the following:

739 (c) The right of the student to change to the 4-year
740 program set forth in s. 1003.428 ~~or s. 1003.43, as applicable.~~

741 (8) A student who selected one of the accelerated 3-year
742 graduation options shall automatically move to the 4-year
743 program set forth in s. 1003.428 ~~or s. 1003.43, if applicable,~~
744 if the student:

745 (a) Exercises his or her right to change to the 4-year
746 program;

747 (b) Fails to earn 5 credits by the end of grade 9 or fails
748 to earn 11 credits by the end of grade 10;

749 (c) Does not achieve a score of 3 or higher on the grade 10
750 FCAT Writing assessment; or

751 (d) By the end of grade 11 does not meet the requirements
752 of subsections (1) and (6).

753 Section 37. Section 1003.438, Florida Statutes, is amended
754 to read:

3-00664-13

20131096__

755 1003.438 Special high school graduation requirements for
 756 certain exceptional students.—A student who has been identified,
 757 in accordance with rules established by the State Board of
 758 Education, as a student with disabilities who has an
 759 intellectual disability; an autism spectrum disorder; a language
 760 impairment; an orthopedic impairment; an other health
 761 impairment; a traumatic brain injury; an emotional or behavioral
 762 disability; a specific learning disability, including, but not
 763 limited to, dyslexia, dyscalculia, or developmental aphasia; or
 764 students who are deaf or hard of hearing or dual sensory
 765 impaired shall not be required to meet all requirements of ~~s.~~
 766 ~~1003.43~~ ~~or~~ s. 1003.428 or s. 1003.429 and shall, upon meeting
 767 all applicable requirements prescribed by the district school
 768 board pursuant to s. 1008.25, be awarded a special diploma in a
 769 form prescribed by the commissioner; however, such special
 770 graduation requirements prescribed by the district school board
 771 must include minimum graduation requirements as prescribed by
 772 the commissioner. Any such student who meets all special
 773 requirements of the district school board, but is unable to meet
 774 the appropriate special state minimum requirements, shall be
 775 awarded a special certificate of completion in a form prescribed
 776 by the commissioner. However, this section does not limit or
 777 restrict the right of an exceptional student solely to a special
 778 diploma or special certificate of completion. Any such student
 779 shall, upon proper request, be afforded the opportunity to fully
 780 meet all requirements of ~~s. 1003.43~~ ~~or~~ s. 1003.428 or s.
 781 1003.429 through the standard procedures established therein and
 782 thereby to qualify for a standard diploma upon graduation.
 783 Section 38. Subsection (1) of section 1003.49, Florida

Page 27 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096__

784 Statutes, is amended to read:
 785 1003.49 Graduation and promotion requirements for publicly
 786 operated schools.—
 787 (1) Each state or local public agency, including the
 788 Department of Children and Family Services, the Department of
 789 Corrections, the boards of trustees of universities and Florida
 790 College System institutions, and the Board of Trustees of the
 791 Florida School for the Deaf and the Blind, which agency is
 792 authorized to operate educational programs for students at any
 793 level of grades kindergarten through 12 shall be subject to all
 794 applicable requirements of ss. 1003.428, 1003.429 ~~1003.43,~~
 795 1008.23, and 1008.25. Within the content of these cited statutes
 796 each such state or local public agency or entity shall be
 797 considered a "district school board."
 798 Section 39. Paragraph (c) of subsection (4) of section
 799 1004.70, Florida Statutes, is amended to read:
 800 1004.70 Florida College System institution direct-support
 801 organizations.—
 802 (4) ACTIVITIES; RESTRICTIONS.—
 803 (c) Any transaction or agreement between one direct-support
 804 organization and another direct-support organization ~~or between~~
 805 ~~a direct-support organization and a center of technology~~
 806 ~~innovation designated under s. 1004.77~~ must be approved by the
 807 board of trustees.
 808 Section 40. Paragraph (b) of subsection (4) of section
 809 1004.71, Florida Statutes, is amended to read:
 810 1004.71 Statewide Florida College System institution
 811 direct-support organizations.—
 812 (4) RESTRICTIONS.—

Page 28 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096__

813 (b) Any transaction or agreement between a statewide,
814 direct-support organization and any other direct-support
815 organization ~~or between a statewide, direct-support organization~~
816 ~~and a center of technology innovation designated under s.~~
817 ~~1004.77~~ must be approved by the State Board of Education.

818 Section 41. Paragraph (a) of subsection (3) of section
819 1006.15, Florida Statutes, is amended to read:

820 1006.15 Student standards for participation in
821 interscholastic and intrascholastic extracurricular student
822 activities; regulation.—

823 (3) (a) To be eligible to participate in interscholastic
824 extracurricular student activities, a student must:

825 1. Maintain a grade point average of 2.0 or above on a 4.0
826 scale, or its equivalent, in the previous semester or a
827 cumulative grade point average of 2.0 or above on a 4.0 scale,
828 or its equivalent, in the courses required by s. 1003.428 or s.
829 1003.429 ~~1003.43(1)~~.

830 2. Execute and fulfill the requirements of an academic
831 performance contract between the student, the district school
832 board, the appropriate governing association, and the student's
833 parents, if the student's cumulative grade point average falls
834 below 2.0, or its equivalent, on a 4.0 scale in the courses
835 required by s. 1003.428 or s. 1003.429 ~~1003.43(1)~~ ~~or, for~~
836 ~~students who entered the 9th grade prior to the 1997-1998 school~~
837 ~~year, if the student's cumulative grade point average falls~~
838 ~~below 2.0 on a 4.0 scale, or its equivalent, in the courses~~
839 ~~required by s. 1003.43(1) which are taken after July 1, 1997.~~ At
840 a minimum, the contract must require that the student attend
841 summer school, or its graded equivalent, between grades 9 and 10

3-00664-13

20131096__

842 or grades 10 and 11, as necessary.

843 3. Have a cumulative grade point average of 2.0 or above on
844 a 4.0 scale, or its equivalent, in the courses required by s.
845 1003.428 or s. 1003.429 ~~1003.43(1)~~ during his or her junior or
846 senior year.

847 4. Maintain satisfactory conduct, including adherence to
848 appropriate dress and other codes of student conduct policies
849 described in s. 1006.07(2). If a student is convicted of, or is
850 found to have committed, a felony or a delinquent act that would
851 have been a felony if committed by an adult, regardless of
852 whether adjudication is withheld, the student's participation in
853 interscholastic extracurricular activities is contingent upon
854 established and published district school board policy.

855 Section 42. Subsection (4) of section 1007.263, Florida
856 Statutes, is amended to read:

857 1007.263 Florida College System institutions; admissions of
858 students.—Each Florida College System institution board of
859 trustees is authorized to adopt rules governing admissions of
860 students subject to this section and rules of the State Board of
861 Education. These rules shall include the following:

862 (4) A student who has been awarded a special diploma as
863 defined in s. 1003.438 or a certificate of completion as defined
864 in s. 1003.428(7)(b) ~~1003.43(10)~~ is eligible to enroll in
865 certificate career education programs.

866 Each board of trustees shall establish policies that notify
867 students about, and place students into, adult basic education,
868 adult secondary education, or other instructional programs that
869 provide students with alternatives to traditional college-
870

3-00664-13 20131096
 871 preparatory instruction, including private provider instruction.
 872 A student is prohibited from enrolling in additional college-
 873 level courses until the student scores above the cut-score on
 874 all sections of the common placement test.

875 Section 43. Subsections (2) and (9) of section 1007.271,
 876 Florida Statutes, are amended to read:

877 1007.271 Dual enrollment programs.—

878 (2) For the purpose of this section, an eligible secondary
 879 student is a student who is enrolled in a Florida public
 880 secondary school or in a Florida private secondary school which
 881 is in compliance with s. 1002.42(2) and provides a secondary
 882 curriculum pursuant to s. 1003.428 or s. 1003.429, ~~or s.~~
 883 ~~1003.43~~. Students who are eligible for dual enrollment pursuant
 884 to this section may enroll in dual enrollment courses conducted
 885 during school hours, after school hours, and during the summer
 886 term. However, if the student is projected to graduate from high
 887 school before the scheduled completion date of a postsecondary
 888 course, the student may not register for that course through
 889 dual enrollment. The student may apply to the postsecondary
 890 institution and pay the required registration, tuition, and fees
 891 if the student meets the postsecondary institution's admissions
 892 requirements under s. 1007.263. Instructional time for dual
 893 enrollment may vary from 900 hours; however, the school district
 894 may only report the student for a maximum of 1.0 FTE, as
 895 provided in s. 1011.61(4). Any student enrolled as a dual
 896 enrollment student is exempt from the payment of registration,
 897 tuition, and laboratory fees. Vocational-preparatory
 898 instruction, college-preparatory instruction, and other forms of
 899 precollegiate instruction, as well as physical education courses

3-00664-13 20131096
 900 that focus on the physical execution of a skill rather than the
 901 intellectual attributes of the activity, are ineligible for
 902 inclusion in the dual enrollment program. Recreation and leisure
 903 studies courses shall be evaluated individually in the same
 904 manner as physical education courses for potential inclusion in
 905 the program.

906 (9) The Commissioner of Education shall appoint faculty
 907 committees representing public school, Florida College System
 908 institution, and university faculties to identify postsecondary
 909 courses that meet the high school graduation requirements of s.
 910 1003.428 or s. 1003.429, ~~or s. 1003.43~~ and to establish the
 911 number of postsecondary semester credit hours of instruction and
 912 equivalent high school credits earned through dual enrollment
 913 pursuant to this section that are necessary to meet high school
 914 graduation requirements. Such equivalencies shall be determined
 915 solely on comparable course content and not on seat time
 916 traditionally allocated to such courses in high school. The
 917 Commissioner of Education shall recommend to the State Board of
 918 Education those postsecondary courses identified to meet high
 919 school graduation requirements, based on mastery of course
 920 outcomes, by their course numbers, and all high schools shall
 921 accept these postsecondary education courses toward meeting the
 922 requirements of s. 1003.428 or s. 1003.429, ~~or s. 1003.43~~.

923 Section 44. Paragraph (c) of subsection (3) of section
 924 1008.22, Florida Statutes, is amended to read:

925 1008.22 Student assessment program for public schools.—

926 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall
 927 design and implement a statewide program of educational
 928 assessment that provides information for the improvement of the

3-00664-13 20131096__

929 operation and management of the public schools, including
 930 schools operating for the purpose of providing educational
 931 services to youth in Department of Juvenile Justice programs.
 932 The commissioner may enter into contracts for the continued
 933 administration of the assessment programs authorized and funded
 934 by the Legislature. Contracts may be initiated in 1 fiscal year
 935 and continue into the next and may be paid from the
 936 appropriations of either or both fiscal years. The commissioner
 937 is authorized to negotiate for the sale or lease of tests,
 938 scoring protocols, test scoring services, and related materials
 939 developed pursuant to law. Pursuant to the statewide assessment
 940 program, the commissioner shall:

941 (c) Develop and implement a student achievement assessment
 942 program as follows:

943 1. The Florida Comprehensive Assessment Test (FCAT)
 944 measures a student's content knowledge and skills in reading,
 945 writing, science, and mathematics. The content knowledge and
 946 skills assessed by the FCAT must be aligned to the core
 947 curricular content established in the Next Generation Sunshine
 948 State Standards. FCAT Reading and FCAT Mathematics shall be
 949 administered annually in grades 3 through 10 except, beginning
 950 with the 2010-2011 school year, the administration of grade 9
 951 FCAT Mathematics shall be discontinued, and beginning with the
 952 2011-2012 school year, the administration of grade 10 FCAT
 953 Mathematics shall be discontinued, except as required for
 954 students who have not attained minimum performance expectations
 955 for graduation as provided in paragraph (9)(c). FCAT Writing and
 956 FCAT Science shall be administered at least once at the
 957 elementary, middle, and high school levels except, beginning

3-00664-13 20131096__

958 with the 2011-2012 school year, the administration of FCAT
 959 Science at the high school level shall be discontinued. Students
 960 enrolled in an Algebra I, geometry, or Biology I course or an
 961 equivalent course with a statewide, standardized end-of-course
 962 assessment are not required to take the corresponding grade-
 963 level FCAT assessment.

964 2.a. End-of-course assessments must be rigorous, statewide,
 965 standardized, and developed or approved by the department. The
 966 content knowledge and skills assessed by end-of-course
 967 assessments must be aligned to the core curricular content
 968 established in the Next Generation Sunshine State Standards.

969 (I) Statewide, standardized end-of-course assessments in
 970 mathematics shall be administered according to this sub-sub-
 971 subparagraph. Beginning with the 2010-2011 school year, all
 972 students enrolled in Algebra I or an equivalent course must take
 973 the Algebra I end-of-course assessment. For students entering
 974 grade 9 during the 2010-2011 school year and who are enrolled in
 975 Algebra I or an equivalent, each student's performance on the
 976 end-of-course assessment in Algebra I shall constitute 30
 977 percent of the student's final course grade. Beginning with the
 978 2012-2013 school year, the end-of-course assessment in Algebra I
 979 shall be administered four times annually. Beginning with
 980 students entering grade 9 in the 2011-2012 school year, a
 981 student who is enrolled in Algebra I or an equivalent must earn
 982 a passing score on the end-of-course assessment in Algebra I or
 983 attain an equivalent score as described in subsection (11) in
 984 order to earn course credit. Beginning with the 2011-2012 school
 985 year, all students enrolled in geometry or an equivalent course
 986 must take the geometry end-of-course assessment. For students

3-00664-13 20131096

987 entering grade 9 during the 2011-2012 school year, each
 988 student's performance on the end-of-course assessment in
 989 geometry shall constitute 30 percent of the student's final
 990 course grade. Beginning with students entering grade 9 during
 991 the 2012-2013 school year, a student must earn a passing score
 992 on the end-of-course assessment in geometry or attain an
 993 equivalent score as described in subsection (11) in order to
 994 earn course credit.

995 (II) Statewide, standardized end-of-course assessments in
 996 science shall be administered according to this sub-sub-
 997 subparagraph. Beginning with the 2011-2012 school year, all
 998 students enrolled in Biology I or an equivalent course must take
 999 the Biology I end-of-course assessment. For the 2011-2012 school
 1000 year, each student's performance on the end-of-course assessment
 1001 in Biology I shall constitute 30 percent of the student's final
 1002 course grade. Beginning with students entering grade 9 during
 1003 the 2012-2013 school year, a student must earn a passing score
 1004 on the end-of-course assessment in Biology I in order to earn
 1005 course credit.

1006 b. During the 2012-2013 school year, an end-of-course
 1007 assessment in civics education shall be administered as a field
 1008 test at the middle school level. During the 2013-2014 school
 1009 year, each student's performance on the statewide, standardized
 1010 end-of-course assessment in civics education shall constitute 30
 1011 percent of the student's final course grade. Beginning with the
 1012 2014-2015 school year, a student must earn a passing score on
 1013 the end-of-course assessment in civics education in order to
 1014 pass the course and be promoted from the middle grades. The
 1015 school principal of a middle school shall determine, in

3-00664-13 20131096

1016 accordance with State Board of Education rule, whether a student
 1017 who transfers to the middle school and who has successfully
 1018 completed a civics education course at the student's previous
 1019 school must take an end-of-course assessment in civics
 1020 education.

1021 c. The commissioner may select one or more nationally
 1022 developed comprehensive examinations, which may include, but
 1023 need not be limited to, examinations for a College Board
 1024 Advanced Placement course, International Baccalaureate course,
 1025 or Advanced International Certificate of Education course, or
 1026 industry-approved examinations to earn national industry
 1027 certifications identified in the Industry Certification Funding
 1028 List, pursuant to rules adopted by the State Board of Education,
 1029 for use as end-of-course assessments under this paragraph, if
 1030 the commissioner determines that the content knowledge and
 1031 skills assessed by the examinations meet or exceed the grade
 1032 level expectations for the core curricular content established
 1033 for the course in the Next Generation Sunshine State Standards.
 1034 The commissioner may collaborate with the American Diploma
 1035 Project in the adoption or development of rigorous end-of-course
 1036 assessments that are aligned to the Next Generation Sunshine
 1037 State Standards.

1038 d. Contingent upon funding provided in the General
 1039 Appropriations Act, including the appropriation of funds
 1040 received through federal grants, the Commissioner of Education
 1041 shall establish an implementation schedule for the development
 1042 and administration of additional statewide, standardized end-of-
 1043 course assessments in English/Language Arts II, Algebra II,
 1044 chemistry, physics, earth/space science, United States history,

3-00664-13 20131096
 1045 and world history. Priority shall be given to the development of
 1046 end-of-course assessments in English/Language Arts II. The
 1047 Commissioner of Education shall evaluate the feasibility and
 1048 effect of transitioning from the grade 9 and grade 10 FCAT
 1049 Reading and high school level FCAT Writing to an end-of-course
 1050 assessment in English/Language Arts II. The commissioner shall
 1051 report the results of the evaluation to the President of the
 1052 Senate and the Speaker of the House of Representatives no later
 1053 than July 1, 2011.

1054 3. The assessment program shall measure student content
 1055 knowledge and skills adopted by the State Board of Education as
 1056 specified in paragraph (a) and measure and report student
 1057 performance levels of all students assessed in reading, writing,
 1058 mathematics, and science. The commissioner shall provide for the
 1059 tests to be developed or obtained, as appropriate, through
 1060 contracts and project agreements with private vendors, public
 1061 vendors, public agencies, postsecondary educational
 1062 institutions, or school districts. The commissioner shall obtain
 1063 input with respect to the design and implementation of the
 1064 assessment program from state educators, assistive technology
 1065 experts, and the public.

1066 4. The assessment program shall be composed of criterion-
 1067 referenced tests that shall, to the extent determined by the
 1068 commissioner, include test items that require the student to
 1069 produce information or perform tasks in such a way that the core
 1070 content knowledge and skills he or she uses can be measured.

1071 5. FCAT Reading, Mathematics, and Science and all
 1072 statewide, standardized end-of-course assessments shall measure
 1073 the content knowledge and skills a student has attained on the

3-00664-13 20131096
 1074 assessment by the use of scaled scores and achievement levels.
 1075 Achievement levels shall range from 1 through 5, with level 1
 1076 being the lowest achievement level, level 5 being the highest
 1077 achievement level, and level 3 indicating satisfactory
 1078 performance on an assessment. For purposes of FCAT Writing,
 1079 student achievement shall be scored using a scale of 1 through 6
 1080 and the score earned shall be used in calculating school grades.
 1081 A score shall be designated for each subject area tested, below
 1082 which score a student's performance is deemed inadequate. The
 1083 school districts shall provide appropriate remedial instruction
 1084 to students who score below these levels.

1085 6. The State Board of Education shall, by rule, designate a
 1086 passing score for each part of the grade 10 assessment test and
 1087 end-of-course assessments. Any rule that has the effect of
 1088 raising the required passing scores may apply only to students
 1089 taking the assessment for the first time after the rule is
 1090 adopted by the State Board of Education. Except as otherwise
 1091 provided in this subparagraph and as provided in s.
 1092 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~, students must earn a
 1093 passing score on grade 10 FCAT Reading and grade 10 FCAT
 1094 Mathematics or attain concordant scores as described in
 1095 subsection (10) in order to qualify for a standard high school
 1096 diploma.

1097 7. In addition to designating a passing score under
 1098 subparagraph 6., the State Board of Education shall also
 1099 designate, by rule, a score for each statewide, standardized
 1100 end-of-course assessment which indicates that a student is high
 1101 achieving and has the potential to meet college-readiness
 1102 standards by the time the student graduates from high school.

3-00664-13

20131096__

1103 8. Participation in the assessment program is mandatory for
 1104 all students attending public school, including students served
 1105 in Department of Juvenile Justice programs, except as otherwise
 1106 prescribed by the commissioner. A student who has not earned
 1107 passing scores on the grade 10 FCAT as provided in subparagraph
 1108 6. must participate in each retake of the assessment until the
 1109 student earns passing scores or achieves scores on a
 1110 standardized assessment which are concordant with passing scores
 1111 pursuant to subsection (10). If a student does not participate
 1112 in the statewide assessment, the district must notify the
 1113 student's parent and provide the parent with information
 1114 regarding the implications of such nonparticipation. A parent
 1115 must provide signed consent for a student to receive classroom
 1116 instructional accommodations that would not be available or
 1117 permitted on the statewide assessments and must acknowledge in
 1118 writing that he or she understands the implications of such
 1119 instructional accommodations. The State Board of Education shall
 1120 adopt rules, based upon recommendations of the commissioner, for
 1121 the provision of test accommodations for students in exceptional
 1122 education programs and for students who have limited English
 1123 proficiency. Accommodations that negate the validity of a
 1124 statewide assessment are not allowable in the administration of
 1125 the FCAT or an end-of-course assessment. However, instructional
 1126 accommodations are allowable in the classroom if included in a
 1127 student's individual education plan. Students using
 1128 instructional accommodations in the classroom that are not
 1129 allowable as accommodations on the FCAT or an end-of-course
 1130 assessment may have the FCAT or an end-of-course assessment
 1131 requirement waived pursuant to the requirements of s.

Page 39 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13

20131096__

1132 1003.428(8)(b) ~~or s. 1003.43(11)(b)~~.

1133 9. A student seeking an adult high school diploma must meet
 1134 the same testing requirements that a regular high school student
 1135 must meet.

1136 10. District school boards must provide instruction to
 1137 prepare students in the core curricular content established in
 1138 the Next Generation Sunshine State Standards adopted under s.
 1139 1003.41, including the core content knowledge and skills
 1140 necessary for successful grade-to-grade progression and high
 1141 school graduation. If a student is provided with instructional
 1142 accommodations in the classroom that are not allowable as
 1143 accommodations in the statewide assessment program, as described
 1144 in the test manuals, the district must inform the parent in
 1145 writing and must provide the parent with information regarding
 1146 the impact on the student's ability to meet expected performance
 1147 levels in reading, writing, mathematics, and science. The
 1148 commissioner shall conduct studies as necessary to verify that
 1149 the required core curricular content is part of the district
 1150 instructional programs.

1151 11. District school boards must provide opportunities for
 1152 students to demonstrate an acceptable performance level on an
 1153 alternative standardized assessment approved by the State Board
 1154 of Education following enrollment in summer academies.

1155 12. The Department of Education must develop, or select,
 1156 and implement a common battery of assessment tools that will be
 1157 used in all juvenile justice programs in the state. These tools
 1158 must accurately measure the core curricular content established
 1159 in the Next Generation Sunshine State Standards.

1160 13. For students seeking a special diploma pursuant to s.

Page 40 of 53

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

3-00664-13 20131096__
 1161 1003.438, the Department of Education must develop or select and
 1162 implement an alternate assessment tool that accurately measures
 1163 the core curricular content established in the Next Generation
 1164 Sunshine State Standards for students with disabilities under s.
 1165 1003.438.

1166 14. The Commissioner of Education shall establish schedules
 1167 for the administration of statewide assessments and the
 1168 reporting of student test results. When establishing the
 1169 schedules for the administration of statewide assessments, the
 1170 commissioner shall consider the observance of religious and
 1171 school holidays. The commissioner shall, by August 1 of each
 1172 year, notify each school district in writing and publish on the
 1173 department's Internet website the testing and reporting
 1174 schedules for, at a minimum, the school year following the
 1175 upcoming school year. The testing and reporting schedules shall
 1176 require that:

1177 a. There is the latest possible administration of statewide
 1178 assessments and the earliest possible reporting to the school
 1179 districts of student test results which is feasible within
 1180 available technology and specific appropriations; however, test
 1181 results for the FCAT must be made available no later than the
 1182 week of June 8. Student results for end-of-course assessments
 1183 must be provided no later than 1 week after the school district
 1184 completes testing for each course. The commissioner may extend
 1185 the reporting schedule under exigent circumstances.

1186 b. FCAT Writing may not be administered earlier than the
 1187 week of March 1, and a comprehensive statewide assessment of any
 1188 other subject may not be administered earlier than the week of
 1189 April 15.

3-00664-13 20131096__
 1190 c. A statewide, standardized end-of-course assessment is
 1191 administered at the end of the course. The commissioner shall
 1192 select an administration period for assessments that meets the
 1193 intent of end-of-course assessments and provides student results
 1194 prior to the end of the course. School districts shall
 1195 administer tests in accordance with the schedule determined by
 1196 the commissioner. For an end-of-course assessment administered
 1197 at the end of the first semester, the commissioner shall
 1198 determine the most appropriate testing dates based on a review
 1199 of each school district's academic calendar.

1200
 1201 The commissioner may, based on collaboration and input from
 1202 school districts, design and implement student testing programs,
 1203 for any grade level and subject area, necessary to effectively
 1204 monitor educational achievement in the state, including the
 1205 measurement of educational achievement of the Next Generation
 1206 Sunshine State Standards for students with disabilities.
 1207 Development and refinement of assessments shall include
 1208 universal design principles and accessibility standards that
 1209 will prevent any unintended obstacles for students with
 1210 disabilities while ensuring the validity and reliability of the
 1211 test. These principles should be applicable to all technology
 1212 platforms and assistive devices available for the assessments.
 1213 The field testing process and psychometric analyses for the
 1214 statewide assessment program must include an appropriate
 1215 percentage of students with disabilities and an evaluation or
 1216 determination of the effect of test items on such students.

1217 Section 45. Section 1008.23, Florida Statutes, is amended
 1218 to read:

3-00664-13 20131096

1219 1008.23 Confidentiality of assessment instruments.—All
 1220 examination and assessment instruments, including developmental
 1221 materials and workpapers directly related thereto, which are
 1222 prepared, prescribed, or administered pursuant to ss. ~~1003.43~~,
 1223 1008.22, and 1008.25 shall be confidential and exempt from the
 1224 provisions of s. 119.07(1) and from s. 1001.52. Provisions
 1225 governing access, maintenance, and destruction of such
 1226 instruments and related materials shall be prescribed by rules
 1227 of the State Board of Education.

1228 Section 46. Paragraph (a) of subsection (1) of section
 1229 1009.40, Florida Statutes, is amended to read:

1230 1009.40 General requirements for student eligibility for
 1231 state financial aid awards and tuition assistance grants.—

1232 (1)(a) The general requirements for eligibility of students
 1233 for state financial aid awards and tuition assistance grants
 1234 consist of the following:

1235 1. Achievement of the academic requirements of and
 1236 acceptance at a state university or Florida College System
 1237 institution; a nursing diploma school approved by the Florida
 1238 Board of Nursing; a Florida college or university which is
 1239 accredited by an accrediting agency recognized by the State
 1240 Board of Education; any Florida institution the credits of which
 1241 are acceptable for transfer to state universities; any career
 1242 center; or any private career institution accredited by an
 1243 accrediting agency recognized by the State Board of Education.

1244 2. Residency in this state for no less than 1 year
 1245 preceding the award of aid or a tuition assistance grant for a
 1246 program established pursuant to s. 1009.50, s. 1009.505, s.
 1247 1009.51, s. 1009.52, s. 1009.53, s. 1009.56, s. 1009.60, s.

3-00664-13 20131096

1248 1009.62, ~~s. 1009.68~~, s. 1009.72, s. 1009.73, s. 1009.77, s.
 1249 1009.89, or s. 1009.891. Residency in this state must be for
 1250 purposes other than to obtain an education. Resident status for
 1251 purposes of receiving state financial aid awards shall be
 1252 determined in the same manner as resident status for tuition
 1253 purposes pursuant to s. 1009.21.

1254 3. Submission of certification attesting to the accuracy,
 1255 completeness, and correctness of information provided to
 1256 demonstrate a student's eligibility to receive state financial
 1257 aid awards or tuition assistance grants. Falsification of such
 1258 information shall result in the denial of any pending
 1259 application and revocation of any award or grant currently held
 1260 to the extent that no further payments shall be made.
 1261 Additionally, students who knowingly make false statements in
 1262 order to receive state financial aid awards or tuition
 1263 assistance grants commit a misdemeanor of the second degree
 1264 subject to the provisions of s. 837.06 and shall be required to
 1265 return all state financial aid awards or tuition assistance
 1266 grants wrongfully obtained.

1267 Section 47. Paragraph (b) of subsection (1) of section
 1268 1009.531, Florida Statutes, is amended to read:

1269 1009.531 Florida Bright Futures Scholarship Program;
 1270 student eligibility requirements for initial awards.—

1271 (1) Effective January 1, 2008, in order to be eligible for
 1272 an initial award from any of the three types of scholarships
 1273 under the Florida Bright Futures Scholarship Program, a student
 1274 must:

1275 (b) Earn a standard Florida high school diploma or its
 1276 equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.429,

3-00664-13 20131096__

1277 ~~s. 1003.43~~, or s. 1003.435 unless:

1278 1. The student completes a home education program according

1279 to s. 1002.41; or

1280 2. The student earns a high school diploma from a non-

1281 Florida school while living with a parent or guardian who is on

1282 military or public service assignment away from Florida.

1283 Section 48. Paragraph (c) of subsection (2) of section

1284 1009.94, Florida Statutes, is amended to read:

1285 1009.94 Student financial assistance database.—

1286 (2) For purposes of this section, financial assistance

1287 includes:

1288 (c) Any financial assistance provided under s. 1009.50, s.

1289 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.55, s.

1290 1009.56, s. 1009.60, s. 1009.62, ~~s. 1009.68~~, s. 1009.70, s.

1291 1009.701, s. 1009.72, s. 1009.73, s. 1009.74, s. 1009.77, s.

1292 1009.89, or s. 1009.891.

1293 Section 49. Paragraph (b) of subsection (2) of section

1294 1013.35, Florida Statutes, is amended to read:

1295 1013.35 School district educational facilities plan;

1296 definitions; preparation, adoption, and amendment; long-term

1297 work programs.—

1298 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL

1299 FACILITIES PLAN.—

1300 (b) The plan must also include a financially feasible

1301 district facilities work program for a 5-year period. The work

1302 program must include:

1303 1. A schedule of major repair and renovation projects

1304 necessary to maintain the educational facilities and ancillary

1305 facilities of the district.

3-00664-13 20131096__

1306 2. A schedule of capital outlay projects necessary to

1307 ensure the availability of satisfactory student stations for the

1308 projected student enrollment in K-12 programs. This schedule

1309 shall consider:

1310 a. The locations, capacities, and planned utilization rates

1311 of current educational facilities of the district. The capacity

1312 of existing satisfactory facilities, as reported in the Florida

1313 Inventory of School Houses must be compared to the capital

1314 outlay full-time-equivalent student enrollment as determined by

1315 the department, including all enrollment used in the calculation

1316 of the distribution formula in s. 1013.64.

1317 b. The proposed locations of planned facilities, whether

1318 those locations are consistent with the comprehensive plans of

1319 all affected local governments, and recommendations for

1320 infrastructure and other improvements to land adjacent to

1321 existing facilities. The provisions of ss. 1013.33(6), (7), and

1322 (8) and 1013.36 must be addressed for new facilities planned

1323 within the first 3 years of the work plan, as appropriate.

1324 c. Plans for the use and location of relocatable

1325 facilities, leased facilities, and charter school facilities.

1326 d. Plans for multitrack scheduling, grade level

1327 organization, block scheduling, or other alternatives that

1328 reduce the need for additional permanent student stations.

1329 e. Information concerning average class size and

1330 utilization rate by grade level within the district which will

1331 result if the tentative district facilities work program is

1332 fully implemented.

1333 f. The number and percentage of district students planned

1334 to be educated in relocatable facilities during each year of the

3-00664-13 20131096__

1335 tentative district facilities work program. For determining
 1336 future needs, student capacity may not be assigned to any
 1337 relocatable classroom that is scheduled for elimination or
 1338 replacement with a permanent educational facility in the current
 1339 year of the adopted district educational facilities plan and in
 1340 the district facilities work program adopted under this section.
 1341 Those relocatable classrooms clearly identified and scheduled
 1342 for replacement in a school-board-adopted, financially feasible,
 1343 5-year district facilities work program shall be counted at zero
 1344 capacity at the time the work program is adopted and approved by
 1345 the school board. However, if the district facilities work
 1346 program is changed and the relocatable classrooms are not
 1347 replaced as scheduled in the work program, the classrooms must
 1348 be reentered into the system and be counted at actual capacity.
 1349 Relocatable classrooms may not be perpetually added to the work
 1350 program or continually extended for purposes of circumventing
 1351 this section. All relocatable classrooms not identified and
 1352 scheduled for replacement, including those owned, lease-
 1353 purchased, or leased by the school district, must be counted at
 1354 actual student capacity. The district educational facilities
 1355 plan must identify the number of relocatable student stations
 1356 scheduled for replacement during the 5-year survey period and
 1357 the total dollar amount needed for that replacement.

1358 g. Plans for the closure of any school, including plans for
 1359 disposition of the facility or usage of facility space, and
 1360 anticipated revenues.

1361 h. Projects for which capital outlay and debt service funds
 1362 accruing under s. 9(d), Art. XII of the State Constitution are
 1363 to be used shall be identified separately in priority order on a

3-00664-13 20131096__

1364 project priority list within the district facilities work
 1365 program.

1366 3. The projected cost for each project identified in the
 1367 district facilities work program. For proposed projects for new
 1368 student stations, a schedule shall be prepared comparing the
 1369 planned cost and square footage for each new student station, by
 1370 elementary, middle, and high school levels, to the low, average,
 1371 and high cost of facilities constructed throughout the state
 1372 during the most recent fiscal year for which data is available
 1373 from the Department of Education.

1374 4. A schedule of estimated capital outlay revenues from
 1375 each currently approved source which is estimated to be
 1376 available for expenditure on the projects included in the
 1377 district facilities work program.

1378 5. A schedule indicating which projects included in the
 1379 district facilities work program will be funded from current
 1380 revenues projected in subparagraph 4.

1381 6. A schedule of options for the generation of additional
 1382 revenues by the district for expenditure on projects identified
 1383 in the district facilities work program which are not funded
 1384 under subparagraph 5. Additional anticipated revenues may
 1385 include ~~effort index grants, SIT Program awards, and Classrooms~~
 1386 First funds.

1387 Section 50. Subsection (2) of section 1013.356, Florida
 1388 Statutes, is amended to read:

1389 1013.356 Local funding for educational facilities benefit
 1390 districts or community development districts.—Upon confirmation
 1391 by a district school board of the commitment of revenues by an
 1392 educational facilities benefit district or community development

3-00664-13 20131096__
 1393 district necessary to construct and maintain an educational
 1394 facility contained within an individual district facilities work
 1395 program or proposed by an approved charter school or a charter
 1396 school applicant, the following funds shall be provided to the
 1397 educational facilities benefit district or community development
 1398 district annually, beginning with the next fiscal year after
 1399 confirmation until the district's financial obligations are
 1400 completed:

1401 (2) For construction and capital maintenance costs not
 1402 covered by the funds provided under subsection (1), an annual
 1403 amount contributed by the district school board equal to one-
 1404 half of the remaining costs of construction and capital
 1405 maintenance of the educational facility. Any construction costs
 1406 above the cost-per-student criteria established in s.
 1407 1013.64(6)(b)1. for the SIT Program in s. 1013.72(2) shall be
 1408 funded exclusively by the educational facilities benefit
 1409 district or the community development district. Funds
 1410 contributed by a district school board shall not be used to fund
 1411 operational costs.

1412
 1413 Educational facilities funded pursuant to this act may be
 1414 constructed on land that is owned by any person after the
 1415 district school board has acquired from the owner of the land a
 1416 long-term lease for the use of this land for a period of not
 1417 less than 40 years or the life expectancy of the permanent
 1418 facilities constructed thereon, whichever is longer. All
 1419 interlocal agreements entered into pursuant to this act shall
 1420 provide for ownership of educational facilities funded pursuant
 1421 to this act to revert to the district school board if such

3-00664-13 20131096__
 1422 facilities cease to be used for public educational purposes
 1423 prior to 40 years after construction or prior to the end of the
 1424 life expectancy of the educational facilities, whichever is
 1425 longer.

1426 Section 51. Subsections (4), (5), and (6) of section
 1427 1013.41, Florida Statutes, are amended to read:

1428 1013.41 SMART schools; Classrooms First; legislative
 1429 purpose.—

1430 (4) OFFICE OF EDUCATIONAL FACILITIES.—It is the purpose of
 1431 the Legislature to require the Office of Educational Facilities
 1432 to assist school districts in building SMART schools utilizing
 1433 functional and frugal practices. The Office of Educational
 1434 Facilities must review district facilities work programs and
 1435 projects and ~~identify districts qualified for incentive funding~~
 1436 ~~available through School Infrastructure Thrift Program awards;~~
 1437 identify opportunities to maximize design and construction
 1438 savings; develop school district facilities work program
 1439 performance standards; and provide for review and
 1440 recommendations to the Governor, the Legislature, and the State
 1441 Board of Education.

1442 ~~(5) EFFORT INDEX GRANTS.—It is the purpose of the~~
 1443 ~~Legislature to create s. 1013.73, in order to provide grants~~
 1444 ~~from state funds to assist school districts that have provided a~~
 1445 ~~specified level of local effort funding.~~

1446 ~~(6) SCHOOL INFRASTRUCTURE THRIFT (SIT) PROGRAM AWARDS.—It~~
 1447 ~~is the purpose of the Legislature to convert the SIT Program~~
 1448 ~~established in ss. 1013.42 and 1013.72 to an incentive award~~
 1449 ~~program to encourage functional, frugal facilities and~~
 1450 ~~practices.~~

3-00664-13 20131096__

1451 Section 52. Paragraph (b) of subsection (6) of section
1452 1013.64, Florida Statutes, is amended to read:

1453 1013.64 Funds for comprehensive educational plant needs;
1454 construction cost maximums for school district capital
1455 projects.—Allocations from the Public Education Capital Outlay
1456 and Debt Service Trust Fund to the various boards for capital
1457 outlay projects shall be determined as follows:

1458 (6)

1459 (b)1. A district school board must not use funds from the
1460 following sources: Public Education Capital Outlay and Debt
1461 Service Trust Fund; School District and Community College
1462 District Capital Outlay and Debt Service Trust Fund; Classrooms
1463 First Program funds provided in s. 1013.68; ~~effort index grant~~
1464 ~~funds provided in s. 1013.73~~; nonvoted 1.5-mill levy of ad
1465 valorem property taxes provided in s. 1011.71(2); Classrooms for
1466 Kids Program funds provided in s. 1013.735; District Effort
1467 Recognition Program funds provided in s. 1013.736; or High
1468 Growth District Capital Outlay Assistance Grant Program funds
1469 provided in s. 1013.738 for any new construction of educational
1470 plant space with a total cost per student station, including
1471 change orders, that equals more than:

- 1472 a. \$17,952 for an elementary school,
- 1473 b. \$19,386 for a middle school, or
- 1474 c. \$25,181 for a high school,

1475

1476 (January 2006) as adjusted annually to reflect increases or
1477 decreases in the Consumer Price Index.

1478 2. A district school board must not use funds from the
1479 Public Education Capital Outlay and Debt Service Trust Fund or

3-00664-13 20131096__

1480 the School District and Community College District Capital
1481 Outlay and Debt Service Trust Fund for any new construction of
1482 an ancillary plant that exceeds 70 percent of the average cost
1483 per square foot of new construction for all schools.

1484 Section 53. Section 1013.69, Florida Statutes, is amended
1485 to read:

1486 1013.69 Full bonding required to participate in programs.—
1487 Any district with unused bonding capacity in its Capital Outlay
1488 and Debt Service Trust Fund allocation that certifies in its
1489 district educational facilities plan that it will not be able to
1490 meet all of its need for new student stations within existing
1491 revenues must fully bond its Capital Outlay and Debt Service
1492 Trust Fund allocation before it may participate in Classrooms
1493 First, ~~the School Infrastructure Thrift (SIT) Program, or the~~
1494 ~~Effort Index Grants Program.~~

1495 Section 54. Paragraph (b) of subsection (2) of section
1496 1013.738, Florida Statutes, is amended to read:

1497 1013.738 High Growth District Capital Outlay Assistance
1498 Grant Program.—

1499 (2) In order to qualify for a grant, a school district must
1500 meet the following criteria:

1501 (b) Fifty percent of the revenue derived from the 2-mill
1502 nonvoted discretionary capital outlay millage for the past 4
1503 fiscal years, when divided by the district's growth in capital
1504 outlay FTE students over this period, produces a value that is
1505 less than the average cost per student station calculated
1506 pursuant to s. 1013.64(6)(b)1. ~~1013.72(2)~~, and weighted by
1507 statewide growth in capital outlay FTE students in elementary,
1508 middle, and high schools for the past 4 fiscal years.

3-00664-13

20131096__

1509

Section 55. This act shall take effect upon becoming a law.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13
Meeting Date

Topic Waive in support

Bill Number SB 1096
(if applicable)

Name Ashley Spicola

Amendment Barcode _____
(if applicable)

Job Title Ed. Policy Chief

Address The Capitol
Street

Phone 850 717 9378

City _____ State _____ Zip _____

E-mail ashley.spicola@

Speaking: For Against Information

105 Pbs.
State.
Fl. US

Representing office of Gov. Rick Scott

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/6/13
Meeting Date

Topic SB 1096

Bill Number 1096
(if applicable)

Name Joy Frank

Amendment Barcode —
(if applicable)

Job Title General Counsel

Address 208 S. Monroe St

Phone 577-5784

Tallahassee FL 32301
Street City State Zip

E-mail JFRANK@FAOSS.org

Speaking: For Against Information Waiver in support

Representing FL. Assoc. of District School Superintendents

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

960

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

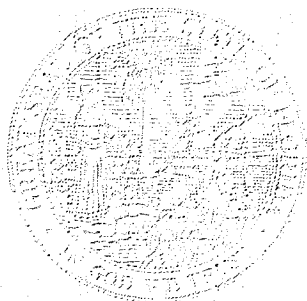
Elizabeth Webster

is duly appointed a member of the
**Board of Governors of the State
University System**

for a term beginning on the
Fourteenth day of June, A.D., 2012,
until the Sixth day of January, A.D., 2019
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document

If photocopied or chemically altered, the word "VOID" will appear



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of July, A.D., 2012.*

Ken Detzner

Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2012 JUN 20 PM 2:25

DIVISION OF ELECTIONS
TALLAHASSEE, FL

June 18, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Ms. Elizabeth L. Webster
610 Spinnaker
Weston, Florida 33326

as a member of the Board of Governors of the State University System, succeeding Christopher T. Corr, subject to confirmation by the Senate. This appointment is effective June 14, 2012, for a term ending January 6, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

2012 JUL 12 AM 11:14 2012

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

1. Name: Webster Elizabeth Lorraine
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 9111 Jollyville Road 102 Austin
Street Office # City
Texas 78759 (512) 795-1129 x6220
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 610 Spinnaker Weston Broward
Street City County
Florida 33326 (954) 218-5465
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____ (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
610 Spinnaker	Weston, Florida	5/2010	present
2408 Cranberry Cove	Cedar Park, Texas	11/2006	5/2010

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To
2408 Cranberry Cove	Cedar Park, Texas	11/2006	5/2010

5. Date of Birth: 08/04/1972 Place of Birth: New York

6. Social Security Number: _____

7. Driver License Numl _____ Reg State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

Elizabeth Alvarado - former married name.

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1997 - 2006 and 5/2010 to present

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Broward

B. Current Party Affiliation: Republican

12. Education

A. High School: Benjamin Cardozo High School - N.Y. Year Graduated: 1990
(Name and Location)

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
<u>University of Miami</u>	<u>8/2000 - 6/2003</u>	<u>MBA</u>
<u>SUNY Health Science Center</u>	<u>8/1993 - 5/1995</u>	<u>BSN</u>
<u>University of Michigan</u>	<u>8/1990 - 6/1992</u>	

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

Date	Place	Nature	Disposition
------	-------	--------	-------------

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
<u>Arcedian Health Plan</u>	<u>Medicare Advantage Regional</u>	<u>VP of HS</u>	<u>3/2008 - present</u>
<u>Cornerstone Hospital</u>	<u>LTACH</u>	<u>Director of CM/Admissions</u>	<u>11/2006 - 1/2008</u>
• <u>Arcedian - 9111 Jollyville Road Suite 102 Austin, TX 78759</u>			
• <u>Cornerstone Hospital - 4207 Biret Road Austin, Texas 78756</u>			

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment
----------	------------------	----------------------

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I believe my combined business and quality/risk management background as well as my proven track record as an innovator and success in balancing cost and quality makes me qualified for this position. The synthesis of these knowledge bases will assist with the mission and values of the state university system of Florida.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

MBA from the University of Miami as well as my quality management and risk management experience.

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

NONE

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title	Date of Election or Appointment	Term of Office	Level of Government

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: _____

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
RN 3163612	5/12/1997	Florida Dept. of Health	None
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Akhil Arawal			
Jeffrey McManus			
Ray B. Blum			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
Not applicable			

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

RECEIVED
DEPARTMENT OF STATE

STATE OF FLORIDA, COUNTY OF Broward

2012 JUL 13 AM 11:14

Before me, the undersigned Notary Public of Florida, personally appeared

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

Elizabeth Webster

who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me this 10th day of July, 2012.

[Signature]

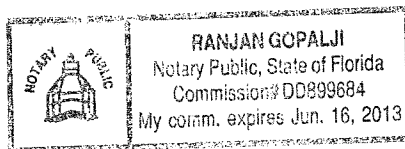
Signature of Notary Public-State of Florida

Ranjan Gopalji
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: June 16, 2013

Personally Known OR Produced Identification

Type of Identification Produced Florida Driver license



(seal)

MEMORANDUM

RECEIVED
DEPARTMENT OF STATE

2012 JUL 13 AM 11:14

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3010

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Robert A. Garvy

is duly appointed a member of the

**Board of Trustees,
University of Central Florida**

for a term beginning on the
Seventeenth day of April, A.D., 2012,
until the Sixth day of January, A.D., 2015
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Nineteenth day of June, A.D., 2012.*

Ken Detzner

Secretary of State



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.fbog.edu

2012 APR 30 AM 10: 52

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 24, 2012

Mr. Robert A. Garvy
200 Esplanade Way
Palm Beach, Florida 33480

Dear Mr. Garvy:

On Tuesday, April 17, 2012, the Florida Board of Governors approved the recommendation made by its Trustee Nominating and Development Committee to reappoint you as a member of the University of Central Florida Board of Trustees. Please accept our congratulations.

The reappointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and the University of Central Florida as you continue to serve in the capacity of a trustee. The reappointment, subject to confirmation by the Florida Senate, is for a term that begins immediately and ends on January 6, 2015.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to provide due diligence in their management responsibilities for our universities.

Thank you for your willingness to serve. We look forward to working with you as a member of the University of Central Florida Board of Trustees.

Sincerely,

Frank T. Brogan
Chancellor

c: Dean Colson, Chair, Board of Governors
Mori Hosseini, Chair, Trustee Nominating Committee
Micky Grindstaff, Chair, Board of Trustees
John Hitt, President, University of Central Florida
Rick Schell, Board of Trustees Liaison
Monoka Venters, Corporate Secretary

100737

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

5-25-12

Date Completed

1. Name: MR. GARVY ROBERT ANDREW
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 525 OKEECHOBEE BLVD., STE. 1800 WEST PALM BEACH
FLORIDA. 33401 561-775-1101
Street Office # City
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 200 ESPLANADE WAY, PALM BEACH, FL PALM BEACH.
Street City County

Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____ (optional)

4. A. List all your places of residence for the last five (5) years.

200 ESPLANADE WAY PALM BEACH, FL 12/2000 PRESENT
Address City & State From To

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

945 MANCHESTER PLACE ATLANTA, GA 30339 1985 1990
4191 VALLEY TRAIL NW ATLANTA, GA 30339 1976 1985
Address City & State From To

5. Date of Birth: 9-27-42 Place of Birth: LANSING, MICHIGAN

6. Social Security Number: _____

7. Driver License Number: _____ ing State: FLORIDA

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

RECEIVED
12 JUN 18 AM 9:51
DIVISION OF ELECTIONS
SECRETARY OF STATE

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1992

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: PALM BEACH B. Current Party Affiliation: REPUBLICAN

12. Education

A. High School: MELBOURNE H.S., MELBOURNE, FL. Year Graduated: 1960
(Name and Location)

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
<u>U OF FLORIDA, GAINESVILLE</u>	<u>4/1966</u>	<u>AA</u>
<u>U OF SOUTH FLORIDA, TAMPA, FL.</u>	<u>12/1968</u>	<u>BA</u>
<u>GSU, ATLANTA, GA</u>	<u>1976</u>	<u>MBA</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: 1960-1963

B. Branch or Component: US ARMY

C. Date & type of discharge: HONORABLE DISCHARGE, 8/1963

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

Date	Place	Nature	Disposition

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
<u>INTECH</u>	<u>INVESTMENT</u>	<u>FOUNDER</u>	<u>21 YRS.</u>
		<u>CHAIRMAN EMERITUS</u>	

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I HAVE HAD SERIOUS INTEREST IN EDUCATION FOR NEARLY 21 YEARS. I HAVE SERVED ON EDUCATIONAL BOARDS + HAVE SUPPORTED SECONDARY, PRIMARY + HIGHER EDUCATION EFFORTS PROFESSIONALLY + FINANCIALLY FOR YEARS.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

NONE

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title	Date of Election or Appointment	Term of Office	Level of Government
TOWN OF PALM BEACH	1 ST APPT	12/99	(TO SERVE ON BOARD)
GENERAL EMPLOYEES	REAPPT	9/02	
RETIREMENT BOARD	REAPPT.	2/03	(APPOINTED VICE CHAIR)
	REAPPT	9/04	
TRUSTEES	REAPPT	2/05	(ELECTED CHAIR)
	REAPPT	2/06	

RESIGNED

2008

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: QUARTERLY

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
<u>33</u>	<u>3</u>	<u>TRAVEL (BUSINESS)</u>

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
<u>INTECH</u>	<u>CHAIRMAN / CEO</u>	<u>INVESTMENT MANAGER FOR FSBA</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>
	KELLY GARVY DAUGHTER	EMPLOYEE	FLORIDA FISH & WILDLIFE CONSERVATION

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>
NONE	

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
MARK GUZZETTA			
JEB BUSH			
BILL NELSON			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
PALM BEACH CIVIC ASSOCIATION		MEMBER	2004-05 & 2009-10
FORUM CLUB OF THE PALM BEACHES		MEMBER	2007-PRESENT

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION RECEIVED

12 JUN -8 AM 9:57

STATE OF FLORIDA, COUNTY OF PALM BEACH ~~DIVISION OF ELECTIONS~~
SECRETARY OF STATE

Before me, the undersigned Notary Public of Florida, personally appeared ROBERT GARVY, who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

RG

Signature of Applicant-Affiant

Sworn to and subscribed before me this 25th day of MAY, 2012:

Linda Pancari
Signature of Notary Public-State of Florida

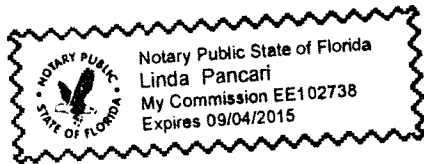
LINDA PANCARI

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: SEPTEMBER 4, 2015

Personally Known OR Produced Identification

Type of Identification Produced _____



(seal)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

- Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3010

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Marcos R. Marchena

is duly appointed a member of the
**Board of Trustees,
University of Central Florida**

for a term beginning on the
Seventeenth day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Seventh day of July, A.D., 2012.*

Ken Detzner

Secretary of State



If photocopied or chemically altered, the word "VOID" will appear

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

RECEIVED
2012 APR 30 AM 10:52

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 24, 2012

Mr. Marcos R. Marchena
Attorney
Suite 101
976 Lake Baldwin Lane
Orlando, Florida 32814

Dear Mr. Marchena:

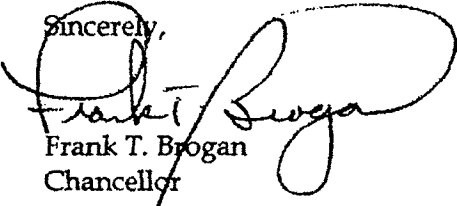
On Tuesday, April 17, 2012, the Florida Board of Governors approved the recommendation made by its Trustee Nominating and Development Committee to reappoint you as a member of the University of Central Florida Board of Trustees. Please accept our congratulations.

The reappointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and the University of Central Florida as you continue to serve in the capacity of a trustee. The reappointment, subject to confirmation by the Florida Senate, is for a term that begins immediately and ends on January 6, 2016.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to provide due diligence in their management responsibilities for our universities.

Thank you for your willingness to serve. We look forward to working with you as a member of the University of Central Florida Board of Trustees.

Sincerely,


Frank T. Brogan
Chancellor

c: Dean Colson, Chair, Board of Governors
Mori Hosseini, Chair, Trustee Nominating Committee
Micky Grindstaff, Chair, Board of Trustees
John Hitt, President, University of Central Florida
Rick Schell, Board of Trustees Liaison
Monoka Venters, Corporate Secretary

100768

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the the Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate.

Please type or print in blue or black ink.

June 7, 2012

Date Completed
Raul

1. Name: Mr. Marchena Marcos
MR./MRS./MS. LAST FIRST MIDDLE/MAIDEN

2. Business Address: 976 Lake Baldwin Lane, Suite 101 Orlando
STREET OFFICE # CITY
Florida 32814 407-658-8566
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 8535 Chickasaw Farms Lane Orlando
STREET CITY COUNTY
Florida 32825 407-277-4291
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # 407-281-8564
(optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS CITY & STATE FROM TO
8535 Chickasaw Farms Lane, Orlando, Florida April 2003 Present

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS CITY & STATE FROM
None

5. Date of Birth: August 8, 1958 Place of Birth: Cienfuegos, Cuba

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

RECEIVED
DEPARTMENT OF STATE
2012 JUN 13 AM 9:18
DIVISION OF ELECTIONS
TALLAHASSEE, FL

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: December 3, 1981

10. Since what year have you been a continuous resident of Florida? 1971

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Orange B. Current Party Affiliation: Republican

12. Education

A. High School: Colonial High School, Orlando, FL Year Graduated: 1977

(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

NAME & LOCATION	DATES ATTENDED	CERTIFICATES/DEGREES RECEIVED
<u>University of Central Florida</u>	<u>1977-1982</u>	<u>BA - Political Science</u>
<u>Stetson University College of Law</u>	<u>1982-1985</u>	<u>JD</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

DATE	PLACE	NATURE	DISPOSITION
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS	TYPE OF BUSINESS	OCCUPATION/JOB TITLE	PERIOD OF EMPLOYMENT
<u>Marchena and Graham, PA</u>	<u>Law Firm</u>	<u>Attorney/President</u>	<u>1988 - Present</u>
<u>976 Lake Baldwin Lane, Ste 101</u>			
<u>Orlando, FL 32814</u>			

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION	EMPLOYING AGENCY	PERIOD OF EMPLOYMENT
_____	_____	_____
_____	_____	_____
_____	_____	_____

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I currently serve as Member on the UCF Board of Trustees and as a Member and Officer of the UCF Foundation. I previously served as a Member of the Higher Education Funding Council and as Chairman of the Valencia Community College Board of Trustees.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

Member, UCF Board of Trustees
Officer and Member, UCF Foundation Board of Directors

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

OFFICE TITLE	DATE OF ELECTION OR APPOINTMENT	TERM OF OFFICE	LEVEL OF GOVERNMENT
Planning & Zoning	1992	4 Years	County
Valencia BOT	1999 to 2003	4 Years	District
Citizens Property Ins 2002		2 Years	State
Fla Trans Comm	2004 & 2007	4 Years	State

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Varied by Board - Mostly Monthly

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>MEETINGS ATTENDED</u>	<u>MEETINGS MISSED</u>	<u>REASON FOR ABSENCE</u>
<u>Generally did not miss more than 2 meetings per year for family vacation.</u>		

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>DATE</u>	<u>NATURE OF VIOLATION</u>	<u>DISPOSITION</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: Valencia Community College BOT/Florida Transportation Commission

B. Term of Appointment: 1999-2003 / 2004 & 2007

C. Confirmation results: Confirmed

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>LICENSE/CERTIFICATE TITLE & NUMBER</u>	<u>ORIGINAL ISSUE DATE</u>	<u>ISSUING AUTHORITY</u>	<u>DISCIPLINARY ACTION/DATE</u>
<u>508047</u>	<u>10/17/1985</u>	<u>Florida Bar</u>	<u>None</u>
<u>BK0307625</u>	<u>08/25/1981</u>	<u>Fla Real Estate Comm</u>	<u>None</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>NAME OF BUSINESS</u>	<u>YOUR RELATIONSHIP TO BUSINESS</u>	<u>BUSINESS' RELATIONSHIP TO AGENCY</u>
<u>Marchena and Graham PA,</u>	<u>Shareholder-Attorney,</u>	<u>Legal Counsel to Greater Orlando Aviation Authority</u>
<u>Marchena and Graham PA,</u>	<u>Shareholder-Attorney,</u>	<u>Legal Counsel to Orange County Public Schools</u>
<u>Marchena and Graham PA,</u>	<u>Shareholder-Attorney,</u>	<u>Legal Counsel to Orange County Property Appraiser</u>
<u>Marchena and Graham PA,</u>	<u>Shareholder-Attorney,</u>	<u>Legal Counsel to Orange County Tax Collector</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>NAME OF BUSINESS</u>	<u>FAMILY MEMBER'S RELATIONSHIP TO YOU</u>	<u>FAMILY MEMBER'S RELATIONSHIP TO BUSINESS</u>	<u>BUSINESS' RELATIONSHIP TO AGENCY</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>AGENCY LOBBIED</u>	<u>PRINCIPAL REPRESENTED</u>
Orange County, Florida	Waste Management, Inc. of Florida
Orange County, Florida	I-Con Systems, Inc.

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>ZIP CODE</u>	<u>AREA CODE/PHONE NUMBER</u>
Senator Mel Martinez	JP Morgan		
Mayor Richard Crotty			
Rep. Dean Cannon			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>NAME</u>	<u>MAILING ADDRESS</u>	<u>OFFICE(S) HELD & TERM</u>	<u>DATE(S) OF MEMBERSHIP</u>
Orange Co. Bar Assoc	880 N. Org Ave. Orlando, FL	None	1985 to Present
Hispanic Bar Assoc	PO Box 2627 Orlando, FL	None	1995 to Present
Hispanic Chamber Cen Fl	315 E. Robinson, Orlando, FL	None	1983 to Present

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

RECEIVED
DEPARTMENT OF STATE

2012 JUL 25 AM 9:46

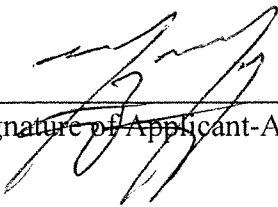
STATE OF FLORIDA, COUNTY OF ORANGE

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Before me, the undersigned Notary Public of Florida, personally appeared

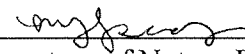
MARCOS R MARCHENA

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.



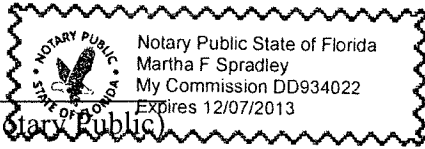
Signature of Applicant-Affiant

Sworn to and subscribed before me this 10 day of JULY, 2012.



Signature of Notary Public-State of Florida

MARTHA F SPRADLEY
(Print, Type, or Stamp Commissioned Name of Notary Public)



My commission expires: 12/07/2013

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3015

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Joe Gruters

is duly appointed a member of the

**Board of Trustees,
Florida State University**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Nineteenth day of June, A.D., 2012.*

Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

2012 APR 23 PM 2:44

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Joseph R. Gruters
1665 Siesta Drive
Sarasota, Florida 34239

as a member of the Board of Trustees, Florida State University, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

100694

RECEIVED

12 JUN 4 PM 12:58

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in consideration of your nomination. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

SECRETARY OF ELECTIONS
SECRETARY OF STATE

Date Completed _____

1. Name: Mr. Gruters Joseph Ryan
 Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 50 Central Ave W., Suite 500 Sarasota
 Street Office # City
FL 34236 941-747-0500
 Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 1665 Siesta Drive , Sarasota Sarasota
 Street City County
FL 34239 941-914-2004
 Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____
 (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
<u>1665 Siesta Drive</u>	<u>Sarasota, FL</u>	<u>10/09</u>	<u>-Present</u>
<u>2301 Cocoanut Ave</u>	<u>Sarasota, FL</u>	<u>03/02</u>	<u>-10/09</u>

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To
<u>None</u>			

5. Date of Birth: 07/06/1977 Place of Birth: Tampa

6. Social Security Number: _____

7. Driver License Number: 2C221 Issuing State: FL

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain _____

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 7/6/1977

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Sarasota B. Current Party Affiliation: Republican

12. Education

A. High School: Cardinal Mooney, Sarasota Year Graduated: 1996
(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name & Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
<u>University of South Florida</u>	<u>Various</u>	<u>MBA - 5th Year Accounting</u>
<u>Florida State University</u>	<u>7/96-12/99</u>	<u>B.S.</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name & Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
<u>Shinn & Company, LLC</u>	<u>CPA Firm</u>	<u>Accountant</u>	<u>1/1/10-Present</u>
<u>Vern Buchanan for Congress Campaign</u>		<u>Manager</u>	<u>1/1/08-01/01/10</u>
<u>Yacht Clubs of America</u>	<u>Development</u>	<u>Manager</u>	<u>12/06-01/08</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

As an undergraduate of Florida State University I have a desire
to help my former school. My professional background as an accountant
gives me the ability to serve Florida State University in an area that
is not currently being represented on the Board.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

CPA

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

FICPA, Seminole Boosters, Ringling Museum Membership.

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>
<u>Florida Sports Foundation</u>	<u>2010</u>	<u>3 Years</u>	<u>State</u>
<u>Florida State University, Board of Directors</u>	<u>5 Years</u>	<u>State</u>	

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Quarterly

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>		<u>Meetings Missed</u>	<u>Reason for Absence</u>
FSF	5	1	Business
FSU	5	0	

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: Board of Trustees, Florida State Universities

B. Term of Appointment: 5 Years

C. Confirmation results: Senate did not take action

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
CPA AC 43381	2/11	DPBR	NONE
RE Broker 691791	7/24/00	DBPR	NONE
RE Broker 3194410	3/28/07	DBPR	NONE

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Vern Buchanan			
Danny Bilyeu			
Chris Ziegler			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
Sarasota Chamber		N/A	
FICPA		N/A	

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

STATE OF FLORIDA, COUNTY OF Sarasota

Before me, the undersigned Notary Public of Florida, personally appeared Joe Gruters, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Joe Gruters
Signature of Applicant-Affiant

Sworn to and subscribed before me this 25 day of May, 2012.

Diane G. Mitchell
Signature of Notary Public-State of Florida

Diane G. Mitchell
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 5-30-14

Personally Known OR Produced Identification

Type of Identification Produced _____



DIANE G. MITCHELL
MY COMMISSION # DD 957336
EXPIRES: May 30, 2014
Bonded Thru Budget Notary Services

(seal)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

- Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3020

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Dorene S. McShea

is duly appointed a member of the
**Board of Trustees,
Florida Gulf Coast University**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Fourth day of August, A.D., 2012*

Ken Detzner

Secretary of State

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.

If photocopied or chemically altered, the word "VOID" will appear.



RICK SCOTT
GOVERNOR

RECEIVED
2012 APR 23 PM 2:49
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mrs. Dorene S. McShea
3175 Regatta Road
Naples, Florida 34103

as a member of the Board of Trustees, Florida Gulf Coast University, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

2012 AUG 23 AM 8:56

8/10/12
Date Completed

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

1. Name: McShea Dorene Sophia
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: Coldwell Banker, Fifth Ave, Naples
Street Office # City
Florida 37102 239261-1128
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 3175 Regatta Rd., Naples
Street City County
Florida 37103 239249-9620
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____ (optional)

4. A. List all your places of residence for the last five (5) years.

3175 Regatta Rd., Naples, Fl. 1999 - Present
Address City & State From To

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Ironwood Rd., New Hartford, N.Y. 1990 - 1994
Crestway Park, Utica, N.Y. 1983 - 1990
Clytonview Blvd., New Hartford, N.Y. 1980 - 1983
Proctor Blvd., Utica, N.Y. 1976 - 1980
Main St., N.Y. Mills, N.Y. 1974 - 1976
Address City & State From To

5. Date of Birth: 8/17/51 Place of Birth: Utica, N.Y.

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1994

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Collier

B. Current Party Affiliation: Republican

12. Education

A. High School: Whitesboro Central
(Name and Location)

Year Graduated: 1969

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
SUNY Cortland	→ 1987	Pursued CAS - Administration
SUNY Cortland	1975-77	Masters - Ed/Reading
SUNY Oswego	1969-73	BA - Ed./Spanish
University of Puerto Rico	70-71	Exchange Student
Universidad Internacional - Mexico		Exchange Student

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

- A. Dates of Service: _____
 B. Branch or Component: _____
 C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

Date	Place	Nature	Disposition

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
→ Coldwell Banker, Realtor 5th Ave. Naples	Real Estate		8/12 → Present
→ C.C.P.S - Public Schools, Loretta Walker, Naples		Reading Specialist	2009 Present

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

Certifications: (Education) N.Y. State: Reading, Span.
" Florida EL. Ed.
Board of Directors - IVBE.org
Employment History: Reading Specialist, Communication Specialist, Teacher
Librarian to Ed/Eagle Forum: Classic Chamber Concerts, Kiwanis, Rep. Club

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

Masters Degree - Ed / Reading - SUNY Cortland
BA - Ed / Spanish - SUNY Oswego
Certifications: Fl. - Spanish, Reading, Elementary
NY - " " " "

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

Board of Directors - IVBE.org
Community Advocate - 65% Solution
Eagle Forum - Ed. Initiative

D. Identify all association memberships and association offices held by you that relate to this appointment:

Board of Directors - IVBE.org
Community Advocate - 65% Solution (Hasner)
Eagle Forum - Ed. Initiative
SF FRW - VP
Council for Constitutional Principals

18. Do you ~~currently~~ hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

NO

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title Date of Election or Appointment Term of Office Level of Government

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: _____

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
_____	_____	_____
_____	_____	_____

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>
_____	_____	_____
_____	_____	_____

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
Real Estate Sales 543113994	2005	FLBPR	NONE

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
Education - Certifications 1099974	2009 - present		NONE
Elementary / Reading / Spanish			

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Have members of your immediate family (spouse, child, parents(s), sibling(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Martina Sweeney			
Jack Tymann			
Jeannette Johnson			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
IVBE	Board of Directors	2000	→
Eagle Forum	Alton, Illinois	2000	→
SFFRW	Bonita Springs FL	2000	→
TAG	Taxpayer Action Group	2000-2005	→

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

RECEIVED
DEPARTMENT OF STATE

2012 AUG 23 AM 8:56

STATE OF FLORIDA, COUNTY OF Collier

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

Before me, the undersigned Notary Public of Florida, personally appeared Dorene McShea, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Signature]
Signature of Applicant-Affiant

Sworn to and subscribed before me this 21 day of Aug, 2012.


[Signature]
Signature of Notary Public-State of Florida

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 4/26/14

Personally Known OR Produced Identification

Type of Identification Produced AL DL

 MICHAEL T. DUNZELMAN
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD955093
Expires 4/26/2014

RECEIVED
DEPARTMENT OF STATE

2012 AUG 23 AM 8:57

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

- Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3030

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Steven Lee Snyder

is duly appointed a member of the

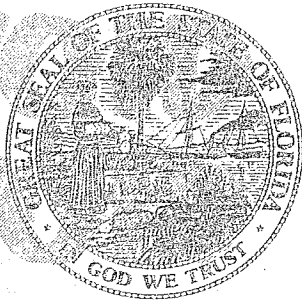
**Board of Trustees,
New College of Florida**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourteenth day of August, A.D., 2012.*

Ken Detzner

Secretary of State



If photocopied or chemically altered, the word "VOID" will appear

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RICK SCOTT
GOVERNOR

RECEIVED
2012 APR 23 PM 2:53
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1004.32, Florida Statutes:

Mr. Steven L. Snyder
7520 Preservation Drive
Sarasota, Florida 34241

as a member of the Board of Trustees, New College of Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

101123

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

7/30/12

Date Completed

1. Name: Mr. Snyder Steven Lee
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 7456 16th Street East Sarasota
Street Office # City
FL 34243 941-552-4401
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 7520 Preservation Drive, Sarasota Sarasota
Street City County
FL 34241 941-924-2459
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # 941-552-4499
(optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
<u>Just current residence (line 3 above)</u>			

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To

5. Date of Birth: 5/8/53 Place of Birth: Miami Beach, FL

6. Social Security Number: _____

7. Driver License Number: _____ g State: FL

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1997

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Sarasota B. Current Party Affiliation: Republican

12. Education

A. High School: Concordia Lutheran, Ft. Wayne, Ind. Year Graduated: 1971
(Name and Location)

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
<u>IU Ft. Wayne IN</u>	<u>71-75</u>	<u>BS, Marketing</u>
<u>IU Bloomington IN</u>	<u>75-76</u>	<u>MBA, Marketing & Finance</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____
B. Branch or Component: _____
C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

Date	Place	Nature	Disposition
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
<u>RSP-USA, Inc. at</u>	<u>Real Estate</u>	<u>CEO</u>	<u>15 years</u>
<u>7456 16th Street East,</u>	<u>Marketing</u>		
<u>Sarasota, FL 34243</u>			

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment
_____	_____	_____
_____	_____	_____
_____	_____	_____

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

*Extensive Knowledge in Business Management,
marketing and Finance.*

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title	Date of Election or Appointment	Term of Office	Level of Government
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: _____

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Steve Oyer			
Mike Moran			
Eric Brotz			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

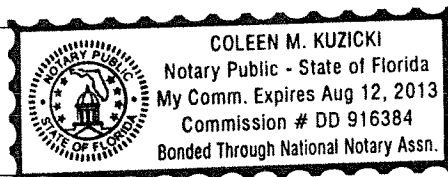
STATE OF FLORIDA, COUNTY OF Sarasota

Before me, the undersigned Notary Public of Florida, personally appeared Steven Lee Snyder, who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Signature]
Signature of Applicant-Affiant

Sworn to and subscribed before me this 31st day of July, 2013.

[Signature]
Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: _____

Personally Known OR Produced Identification

Type of Identification Produced FLORIDA DRIVER LICENSE

(seal)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3035

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

William Michael Heekin

is duly appointed a member of the

**Board of Trustees,
University of Florida**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourteenth day of August, A.D., 2012.*



Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

2012 APR 23 PM 2:47

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. William M. Heekin
930 Greyfield Place
Sandy Springs, Florida 30328

as a member of the Board of Trustees, University of Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

10/11/9

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

July 30, 2012

Date Completed

1. Name: Mr. Heekin William Michael
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 930 Greyfield Place, Sandy Springs, GA 30328
Street Office # City
404-229-9878
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 930 Greyfield Place, Sandy Springs, GA 30328 Fulton
Street City County

Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____ (optional)

4. A. List all your places of residence for the last five (5) years.

Address City & State From
930 Greyfield Place, Sandy Springs, GA 30328

RECEIVED
DIVISION OF ELECTIONS
SECRETARY OF STATE
12 AUG - 7 AM 10:37

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address City & State From To
US Army Judge Advocate General School BOQ, Charlottesville, VA Jan 1979 Mar 1979
Weserstrasse 6, Eichenzell-Loeschenrod, West Germany Apr 1979 Apr 1980
Heidelsteinstrasse 4, Eichenzell-Rothemann, West Germany Apr 1980 Apr 1982
3051 Idaho Ave. NW Washington, DC Apr 1982 Jan 1983

CONTINUED AT BOTTOM OF LAST PAGE

5. Date of Birth: March 16, 1953 Place of Birth: Jacksonville, Florida

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Georgia

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain N/A
N/A

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: N/A

10. Since what year have you been a continuous resident of Florida? N/A

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: N/A

B. Current Party Affiliation: N/A

12. Education

A. High School: Bishop Kenny H.S.

Year Graduated: 1971

(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name & Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
University of Florida	1971 to 1978	AA, BSBA, JD
Univ. of Pennsylvania Wharton School	1984 to 1986	MBA

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: Active duty 1979 to 1983; Reserve 1975 to 1979; 1983 to 1988

B. Branch or Component: U.S Army

C. Date & type of discharge: September 1988 Honorable Discharge

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
<u>N/A</u>			

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name & Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
<u>Heekin Advisors, LLC 930 Greyfield Place, Atlanta, GA 30328</u>	<u>Consulting</u>	<u>President</u>	<u>March 2006 to present</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
<u>Associate Dean</u>	<u>Florida State Univ. College of Law</u>	<u>Oct 1988 to Jul 1991</u>
<u>Receiver</u>	<u>Department of Insurance</u>	<u>Jul 1991 to Mar 1993</u>

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I have professional experience in the private sector and in public service, both in the new economies of Internet-based businesses and life sciences, and in more traditional sectors. That has given me an appreciation for the opportunities and challenges that Florida's students face in our increasingly global economy, and the need to prepare them for life in our shrinking world. Being an associate dean earlier in my career gave me an insider's point of view of the academic and business issues facing a large state university. Those experiences, and extensive board service in both the for-profit and nonprofit sectors, provide me a perspective on the roles and responsibilities of the University of Florida Board of Trustees in addressing those challenges.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

Please see answer to Question No. 12B.

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

N/A

D. Identify all association memberships and association offices held by you that relate to this appointment:

N/A

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

N/A

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>
---------------------	--	-----------------------	----------------------------

Governor's Health	May 2004	Three years	State of Florida
-------------------	----------	-------------	------------------

Information Infrastructure

Advisory Board

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Approximately once every two months

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
<u>All but one</u>	<u>One</u>	<u>Pneumonia</u>

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>
<u>N/A</u>		

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: N/A C. Reason for suspension: N/A
B. Date of suspension: N/A D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: N/A
B. Term of Appointment: N/A
C. Confirmation results: N/A

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

N/A

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
<u>Attorney -- #0262080</u>	<u>November 1978</u>	<u>The Florida Bar</u>	<u>None</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
<u>Self</u>	<u>Self</u>	

At various times from 2009 to the present, I have performed business consulting and related services for Moffitt Genetics Corporation, a for-profit subsidiary of the H. Lee Moffitt Cancer Center & Research Institute.
Also, in 2010, I received an honorarium for service on Moffitt's Total Cancer Care Executive Advisory Board.

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>
N/A			

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>
N/A	

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Gov. Jeb Bush,			
Hon. Sandy D'Alemberte,			
Michael A. Ryder, Esq.,			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
Knights of Columbus,	1501 Hendricks Ave., Jax, FL 32207	Not applicable	1995 – present
Boy Scouts of America,	1800 Circle 75 Pkwy, Atlanta, GA 30339	Executive Board Member	1999 – present
Blackhorse Association,	PO Box 223, Hemphill, TX 75948	N/A	2007 – present
(Blackhorse Assoc. is for veterans of the US Army 11th Armored Cavalry Regiment)			

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

N/A

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

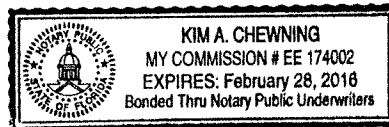
STATE OF FLORIDA
COUNTY OF Hillsborough

Before me, the undersigned Notary Public of Florida, personally appeared William Michael Heekin, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

W M Heekin
Signature of Applicant-Affiant

Sworn to and subscribed before me this 31 day of JULY, 2012.

Kim A. Chewning
Signature of Notary Public-State of Florida



KIM A. CHEWNING
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: FEB. 28, 2016

Personally Known OR Produced Identification

Type of Identification Produced Georgia Drivers License

(seal)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3035

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

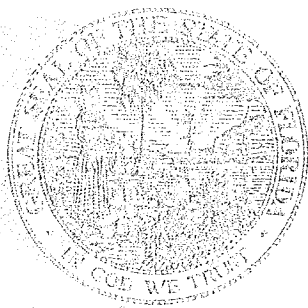
I, Ken Detzner, Secretary of State,
do hereby certify that

Juliet Murphy Roulhac

is duly appointed a member of the

**Board of Trustees,
University of Florida**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2015
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixth day of July, A.D., 2012.*

Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECEIVED
2012 APR 23 PM 2:54
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Ms. Juliet M. Roulhac
10300 Northwest 18th Place
Plantation, Florida 33322

as a member of the Board of Trustees, University of Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

100427

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the the Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate.

Please type or print in blue or black ink.

MAY 15, 2012
Date Completed

1. Name: MS. ROULHAC JULIET MURPHY
MR./MRS./MS. LAST FIRST MIDDLE/MAIDEN

2. Business Address: 7201 CYPRESS RD. PLANTATION
STREET OFFICE # CITY
FL. 33317 954-321-2179
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 10300 NW 18TH PL PLANTATION BROWARD
STREET CITY COUNTY
FL 33322 954-916-0987
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # 954-321-2173
(optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS	CITY & STATE	FROM	TO
<u>10300 NW 18TH PL</u>	<u>PLANTATION, FL.</u>	<u>1997</u>	<u>PRESENT</u>

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS	CITY & STATE	FROM	TO
<u>N/A</u>			

5. Date of Birth: APRIL 22, 1963 Place of Birth: KINGSTON, JAMAICA

6. Social Security Number:

7. Driver License Number: Mailing State: FLORIDA

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

JULIET ANNE MURPHY. IT WAS MY MAIDEN NAME AND WAS CHANGED TO JULIET MURPHY ROULHAC AFTER MARRIAGE IN SEPTEMBER, 1995.

RECEIVED
MAY 21 AM 10:27
DIVISION OF ELECTIONS
SECRETARY OF STATE

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: YES, 1988

10. Since what year have you been a continuous resident of Florida? 1977

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: BREVARD B. Current Party Affiliation: DEMOCRAT

12. Education

A. High School: MIAMI KILLIAN SENIOR HIGH Year Graduated: 1980
(NAME AND LOCATION) SOUTH MIAMI, FL.

B. List all postsecondary educational institutions attended:

NAME & LOCATION	DATES ATTENDED	CERTIFICATES/DEGREES RECEIVED
<u>UNIVERSITY OF FLA.</u>	<u>1980-84</u>	<u>BACHELOR OF ARTS</u>
<u>UNIVERSITY OF FLA.</u> <u>(GAINESVILLE, FL.)</u>	<u>1984-87</u>	<u>JURISDOCTOR</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: N/A

B. Branch or Component: N/A

C. Date & type of discharge: N/A

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

DATE	PLACE	NATURE	DISPOSITION
<u>N/A</u>			

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS	TYPE OF BUSINESS	OCCUPATION/JOB TITLE	PERIOD OF EMPLOYMENT
<u>FLORIDA POWER & LIGHT CO</u> <u>7201 CYPRESS RD.</u> <u>PLANTATION, FL 33314</u>	<u>ELECTRIC UTILITY</u>	<u>REGIONAL MGR -</u> <u>EXTERNAL AFFAIRS</u>	<u>1999 TO PRESENT</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION	EMPLOYING AGENCY	PERIOD OF EMPLOYMENT
<u>LEMON LAW ARBITRATOR</u>	<u>FLORIDA ATTORNEY GENERAL</u>	<u>1993-97</u>

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I HAVE AN EXTENSIVE HISTORY OF COMMITMENT TO COMMUNITY, PROFESSIONAL AND EDUCATION BOARD SERVICE, INCLUDING THE ICA BOARD OF TRUSTEES FOR UF'S LAW SCHOOL, ONE YEAR OF SERVICE ON UF'S BOARD OF TRUSTEES, AND THE FLORIDA BAR BOARD OF GOVERNORS. I HAVE INSIGHT INTO THE SIGNIFICANT ISSUES FACING THE UNIVERSITY, AND A STRONG SUPPORT NETWORK

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

JURIS DOCTOR

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

HONORARY MEMBERSHIP - FLORIDA BLUE KEY LEGAL ELITE; LEGAL LEADERSHIP AWARD, PAUL MARY PROFESSIONALISM AWARD; MARTINDALE HUBBELL AV RATING.

D. Identify all association memberships and association offices held by you that relate to this appointment:

FLORIDA BAR BOARD OF GOVERNORS; FLORIDA BAR - BUSINESS LAW SECTION; MIAMI-DADE AND BROWARD COUNTY BAR - BOARD MEMBER (PRIORITY); FLORIDA ASSOCIATION OF WOMEN LAWYERS; PAST PRESIDENT OF THE YOUNG LAWYERS DIVISION - FLORIDA BAR; UF-ICA - BOARD; CHAIR ONE BOARD; NATIONAL ASSOC. FOR NEGRO BUSINESS AND PROFESSIONAL WOMEN - FORMER PRESIDENT, PRO BONO FOR LEGAL AIDS.

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

OFFICE TITLE	DATE OF ELECTION OR APPOINTMENT	TERM OF OFFICE	LEVEL OF GOVERNMENT
TRUSTEE	MAY 6, 2011	2011 - 15	UF BOARD OF TRUSTEES

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: 4-5 TIMES PER YEAR

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>MEETINGS ATTENDED</u>	<u>MEETINGS MISSED</u>	<u>REASON FOR ABSENCE</u>
<u>5</u>	<u>0</u>	<u>N/A</u>

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>DATE</u>	<u>NATURE OF VIOLATION</u>	<u>DISPOSITION</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: N/A C. Reason for suspension: N/A

B. Date of suspension: N/A D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: TRUSTEE - UNIVERSITY OF FLORIDA

B. Term of Appointment: 2011 - 2015

C. Confirmation results: PENDING

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>LICENSE/CERTIFICATE</u>	<u>ORIGINAL</u>	<u>ISSUING AUTHORITY</u>	<u>DISCIPLINARY ACTION/DATE</u>
<u>TITLE & NUMBER</u>	<u>ISSUE DATE</u>		
<u>FLORIDA BAR</u>	<u>MAY, 1988</u>	<u>FL SUPREME COURT</u>	<u>N/A</u>
<u>747629</u>			

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>NAME OF BUSINESS</u>	<u>YOUR RELATIONSHIP TO BUSINESS</u>	<u>BUSINESS' RELATIONSHIP TO AGENCY</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	FAMILY MEMBER'S RELATIONSHIP TO YOU	FAMILY MEMBER'S RELATIONSHIP TO BUSINESS	BUSINESS' RELATIONSHIP TO AGENCY
N/A			

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

AGENCY LOBBIED	PRINCIPAL REPRESENTED
BROWARD COUNTY	EMPLOYED - FDL (REGISTERED - 1 ISSUE)
CITY OF FT. LAUDERDALE	" " (REGISTERED - 1 ISSUE)

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

NAME	MAILING ADDRESS	ZIP CODE	AREA CODE/PHONE NUMBER
RAY ABADIN			
LESLIE DELMAN			
ED SCALES			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

NAME	MAILING ADDRESS	OFFICE(S) HELD & TERM	DATE(S) OF MEMBERSHIP (2007-PRESENT)
FL. BAR BOARD OF GOVERNORS	651 E. JEFFERSON ST., TALLAHASSEE, FL.	GOVERNOR	1988 - PRESENT
MIAMI-DADE COUNTY BAR ASSN.	123 NW 15 TH AVE., MIAMI, FL.	DIRECTOR	2006-7) 2000 - PRESENT
MIAMI-DADE COUNCIL	PO BOX 38339, TALLAHASSEE, FL		2000 - PRESENT
BROWARD COUNTY BAR ASSN.	1051 SE 3 RD AVE, FT. LAUDERDALE, FL.	DIRECTOR	1998 - 2000) PRESENT

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

100884

CERTIFICATION

RECEIVED

12 JUN 25 AM 10:55

STATE OF FLORIDA, COUNTY OF Broward

DIVISION OF ELECTIONS
SECRETARY OF STATE

Before me, the undersigned Notary Public of Florida, personally appeared JULIET MURPHY ROULHAC, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

[Handwritten Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me this 18th day of June, 2012.

[Handwritten Signature]

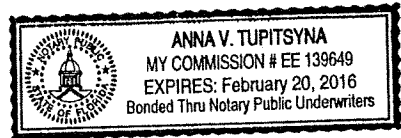
Signature of Notary Public State of Florida

ANNA TUPITSYNA
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 2/20/2016

Personally Known OR Produced Identification

Type of Identification Produced _____



(seal)

3040

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Sharon Wamble-King

is duly appointed a member of the

**Board of Trustees,
University of North Florida**

for a term beginning on the
Seventeenth day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifth day of July, A.D., 2012.*

Ken Detzner

Secretary of State



State of Florida " appears in small letters across the face of this 8 1/2 x 11" document

If photocopied or chemically altered, the word "VOID" will appear.



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

2012 APR 30 AM 10:52

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 24, 2012

Ms. Sharon Wamble-King
Blue Cross Blue Shield of Florida
4800 Deerwood Campus Parkway
Jacksonville, Florida 32246

Dear Ms. Wamble-King:

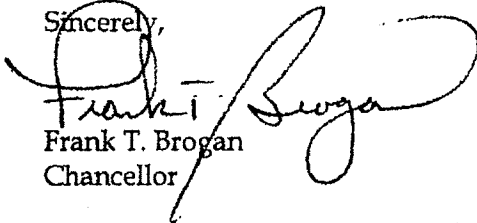
On Tuesday, April 17, 2012, the Florida Board of Governors approved the recommendation made by its Trustee Nominating and Development Committee to reappoint you as a member of the University of North Florida Board of Trustees. Please accept our congratulations.

The reappointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and the University of North Florida as you continue to serve in the capacity of a trustee. The reappointment, subject to confirmation by the Florida Senate, is for a term that begins immediately and ends on January 6, 2016.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to provide due diligence in their management responsibilities for our universities.

Thank you for your willingness to serve. We look forward to working with you as a member of the University of North Florida Board of Trustees.

Sincerely,



Frank T. Brogan
Chancellor

c: Dean Colson, Chair, Board of Governors
Mori Hosseini, Chair, Trustee Nominating Committee
Bruce Taylor, Chair, Board of Trustees
John Delaney, President, University of North Florida
Tom Serwatka, Board of Trustees Liaison
Monoka Venters, Corporate Secretary

180764

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire MUST BE COMPLETED IN FULL. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

6/12/12
Date Completed

1. Name: Wamble-King Sharon Lynn
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 4800 Dierwood Campus Parkway Jacksonville
Street Office # City
Florida 32246 (904) 905-2412
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 1185 Queens Harbor Blvd Jacksonville Duval
Street City County
Florida 32225 (904) 220-2712
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____ (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
<u>1185 Queens Harbor Blvd</u>	<u>Jacksonville, FL</u>	<u>6/07</u>	<u>present</u>

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To
<u>2601-21st St.</u>	<u>San Pablo, CA</u>	<u>1982-1991</u>	
<u>2695 3 Hayward Blvd #301</u>	<u>Hayward, CA</u>	<u>1991</u>	<u>present</u>
<u>5315 Willow Glen Pl.</u>	<u>Castro Valley, CA</u>	<u>2000</u>	<u>present</u>
<u>12 Goodwin Circle</u>	<u>Hartford, CT</u>	<u>2005</u>	<u>present</u>

5. Date of Birth: 06/18/53 Place of Birth: Berkeley, CA

6. Social Security Number: _____

7. Driver License Number: _____ Living State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

RECEIVED
JUN 13 AM 9:51
DIVISION OF ELECTIONS
SECRETARY OF STATE

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 2007

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Duval

B. Current Party Affiliation: Dem

12. Education

A. High School: El Cerrito H.S., El Cerrito, CA
(Name and Location)

Year Graduated: 1971

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
<u>Univ of the Pacific</u>	<u>1971-1975</u>	<u>B.S., Communications Sociology</u>
<u>Calif State Univ, San Diego</u>	<u>1976-1977</u>	<u>H.S., Mass Communication</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

Date	Place	Nature	Disposition
------	-------	--------	-------------

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
<u>Florida Blue (BCBSF)</u>	<u>Health Ins.</u>	<u>SVP Comm.</u>	<u>12/06 - present</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment
----------	------------------	----------------------

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I serve on the Board of Trustees for Florida Memorial in
Miami Gardens. I have chaired boards & volunteered for organ-
izations that focus on higher education on the West Coast.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

N/A

RECEIVED
JAN 31 2013

COMMITTEE ON
ETHICS AND ELECTIONS

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title	Date of Election or Appointment	Term of Office	Level of Government
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(WAMBLE-KING, 12)

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: _____

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
--------------------------	------------------------	---------------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>
-------------	----------------------------	--------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
---	--------------------------------	--------------------------	---------------------------------

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
-------------------------	--------------------------------------	---

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Barbara Hunter			
Cynthia Austin			
Catherine Wilson			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
Leadership Florida			2010 - present
Leadership Jacksonville			2008 - present

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

RECEIVED
JAN 23 2013

COMMITTEE ON
ETHICS AND ELECTIONS

CERTIFICATION

STATE OF FLORIDA, COUNTY OF Nassau

Before me, the undersigned Notary Public of Florida, personally appeared

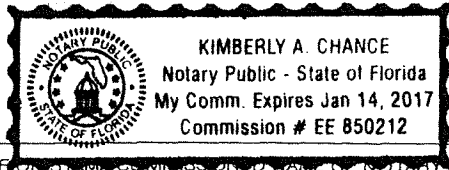
Sharon Wamble-King, who, after being duly sworn, says: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Sharon L. Wamble-King
SIGNATURE OF APPLICANT-AFFIANT

Sworn to and subscribed before me

this 23 day of January, 2013.

Kimberly A. Chance
SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



(PRINT, TYPE OR STAMP NAME AND ADDRESS OF NOTARY PUBLIC)

My commission expires: Jan. 14, 2017

Personally Known OR Produced Identification

Type of Identification Produced _____

(SEAL)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

3045

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

John Braulio Ramil

is duly appointed a member of the

**Board of Trustees,
University of South Florida**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twelfth day of July, A.D., 2012.*

Ken Detzner

Secretary of State



RICK SCOTT
GOVERNOR

RECEIVED
2012 APR 23 PM 2:54
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. John B. Ramil
Post Office Box 111
Tampa, Florida 33601

as a member of the Board of Trustees, University of South Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

May 15, 2012

Date Completed

1. Name: Mr. Ramil John Braulio
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 702 N. Franklin St., Tampa, FL 33602
Street Office # City
P.O. Box 111, Tampa, FL 33601 813/228-4453
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 6416 MacLaurin Dr., Tampa, FL 33647 Hillsborough
Street City County

N/A
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # 813/228-4811
(optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
<u>6416 MacLaurin Dr., Tampa, FL 33647</u>			

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood

Address	City & State	From
<u>N/A</u>		

RECEIVED
FLORIDA SENATE
DIVISION OF ELECTIONS
2012 MAY 17 AM 11:27

5. Date of Birth: 8/24/55 Place of Birth: Tampa, FL

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1955

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Hillsborough B. Current Party Affiliation: Republican

12. Education

A. High School: Tampa Catholic High School Year Graduated: 1973
(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name & Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
<u>Univ. of S. Florida</u>	<u>1973-78</u>	<u>BS, Engineering</u>
<u>Univ. of S. Florida</u>	<u>1978-1000</u>	<u>MS, Engineering</u>
<u>Harvard Bus. School</u>	<u>2006</u>	<u>Advanced Mgmt. Program</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name & Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
<u>TECO Energy, Inc.</u>	<u>Energy Provider</u>	<u>President & COO</u>	<u>2004-Aug. 2010</u>
<u>P.O. Box 111</u> <u>Tampa, FL 33601</u>	<u>Energy Provider</u>	<u>President & CEO</u>	<u>Aug. 2010-Present</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

Proven history of involvement with post secondary education
for nearly 12 years.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

USF Board of Trustees, Current Chair

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>
---------------------	--	-----------------------	----------------------------

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Two or three per month.

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
<u>95%</u>	<u>5%</u>	<u>Work-Related</u>

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: University of South Florida Board of Trustees, Chairman

B. Term of Appointment: June 2001 to Present

C. Confirmation results: Confirmed

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
<u>Professional Eng. #32663</u>	<u>1981</u>	<u>Bd. of Professional Engineering</u>	<u>None</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
<u>TECO Energy, Inc.</u>	<u>Employee</u>	<u>Energy Provider to Various State & Local Govt. Agencies</u>
<u>Blue Cross Blue Shield of Florida</u>	<u>Director</u>	<u>Health Insurance Provider</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
<u>Dick Beard,</u>			
<u>Rhea Law, :</u>			
<u>Gus Stavros,</u>			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
<u>Gr. Tpa. Chamber of Commerce, Tampa</u>		<u>Member & Former Chair</u>	
<u>Tampa Bay Partnership, Tampa</u>		<u>Member</u>	
<u>Florida Chamber of Commerce, Tall.</u>		<u>Member</u>	
<u>Florida Council of 100</u>		<u>Member</u>	
<u>Junior Achievement Board</u>		<u>Member</u>	

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

RECEIVED
DEPARTMENT OF STATE

2012 MAY 17 PM 2: 52

STATE OF FLORIDA, COUNTY OF Hillsborough

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Before me, the undersigned Notary Public of Florida, personally appeared
John Braulio Ramil

who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

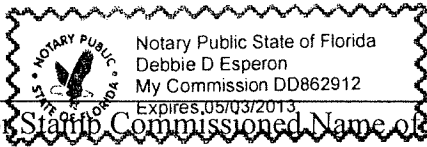


Signature of Applicant-Affiant

Sworn to and subscribed before me this 11th day of May, 2012.



Signature of Notary Public-State of Florida



(Print, Type, or ~~State~~ Commissioned Name of Notary Public)

My commission expires: 5/3/2013

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

3045

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Debbie Nye Sembler

is duly appointed a member of the

**Board of Trustees,
University of South Florida**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twelfth day of July, A.D., 2012.*

Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECORDED
INDEXED
2012 APR 23 PM 2:55
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mrs. Debbie N. Sembler
7741 Hunter Lane
Pinellas Park, Florida 33782

as a member of the Board of Trustees, University of South Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

QUESTIONNAIRE FOR SENATE CONFIRMATION

100963

The information from this questionnaire will be used by the the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate.

Please type or print in blue or black ink.

May 25, 2018

Date Completed

1. Name: Mrs. Sembler Debbie Nue
MR./MRS. AND LAST FIRST MIDDLE/MAIDEN

2. Business Address: _____
STREET OFFICE # CITY

POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 7741 Hunter Lane Pinellas PK Pinellas
STREET CITY COUNTY

Florida 33782 727-544-4224
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business Residence Fax # _____
(optional)

4. A. List all your places of residence for the last five (5) years.

7741 Hunter Lane, Pinellas Park, FL 33782 1996 to Present
ADDRESS CITY & STATE FROM TO

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood

New York, NY 1978 - 1984
ADDRESS CITY & STATE FROM TO

5. Date of Birth: 10/3/56 Place of Birth: Hollywood, FL

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1984

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: Pinellas B. Current Party Affiliation: Republican

12. Education

A. High School: Seabreeze High School, Daytona Beach Graduated: 1974
(NAME AND LOCATION)

B. List all postsecondary educational institutions attended:

<small>NAME & LOCATION</small>	<small>DATE ATTENDED</small>	<small>CERTIFICATE/DIPLOMA RECEIVED</small>
<u>Univ of Florida</u>	<u>1974-1978</u>	<u>Bachelor of Science in Journalism/mkg</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details

<small>DATE</small>	<small>PLACE</small>	<small>NATURE</small>	<small>DISPOSITION</small>

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<small>EMPLOYER'S NAME & ADDRESS</small>	<small>TYPE OF BUSINESS</small>	<small>OCCUPATION/JOB TITLE</small>	<small>PERIOD OF EMPLOYMENT</small>
<u>NA</u>			

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<small>POSITION</small>	<small>EMPLOYING AGENCY</small>	<small>PERIOD OF EMPLOYMENT</small>

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

Please see attachment

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

Woman in Leadership Association, USF Tampa
Town and Gown Association, USF St. Petersburg

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal).

OFFICE TITLE DATE OF ELECTION OR APPOINTMENT TERM OF OFFICE LEVEL OF GOVERNMENT

17. State your experiences and interests or elements of your personal history that qualify you for this appointment.

As a Florida native and lifetime resident, I am invested in the progress and momentum of our great state. My family and I demonstrate our values and commitments to making an impact on our communities by serving on a variety of community and statewide committees and supporting an array of important projects.

In recent years, my most rewarding service experience has been as the founding chair of the University of South Florida St. Petersburg Campus Board and member of the University of South Florida Board of Trustees. My 8 years on the USF Board of Trustees and my 5 years as the chair of the USF St. Pete campus proved to be a dynamic era for these institutions; I served as the Campus Board chair at USF St. Petersburg as it earned separate accreditation, the first regional institution of the State University System to do so. During my tenure the university has experienced a metamorphosis:

- *In 2006 the university opened its first residence hall.
- *More than 70 student organizations have been established.
- *Academic programs have been expanded to meet critical community needs.
- *In 2009 the university opened Harborwalk at USF St. Petersburg, a large promenade and entry point for the campus made possible through a gift from my family. A central signature fountain has become the visual symbol of the institution.
- *In 2010 the university opened the Science and Technology Building, the first LEED-certified building in the USF System. The building provides classrooms, teaching laboratories and research laboratories for USF St. Petersburg and the USF College of Marine Sciences.
- *The number of USF System students served grew to approximately 6000 in Fall 2010.

More advancement is on the horizon. I partnered with USF St. Petersburg students during the 2010 legislative session in advocating a change in state law to allow increased student fees to support a multipurpose student center. The pleasure of seeing our undergraduate students learn the process of advocacy and meet policy leaders was one of the most fulfilling moments of my service.

My experience as the chair of the University of South Florida St. Petersburg Campus Board and my service on the University of South Florida Board of Trustees provides me the experience and enthusiasm to continue my service to the State University System and ensure continued success throughout Florida.

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Quarterly

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

MEETING ATTENDED

MEETING MISSED

REASON FOR ABSENCE

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details.

DATE

NATURE OF VIOLATION

DISPOSITION

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office:

C. Reason for suspension:

B. Date of suspension:

D. Result: Reinstated

Removed

Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: Board of Trustees USF

B. Term of Appointment: 2003-2008 2008-2011

C. Confirmation results: confirmed

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain.

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

LICENSE/CERTIFICATE
TITLE AND NUMBER

ISSUING
ISSUE DATE

ISSUING AUTHORITY

DISCIPLINARY ACTION/DATE

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS

YOUR RELATIONSHIP TO BUSINESS

BUSINESS RELATIONSHIP TO AGENCY

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

NAME OF BUSINESS	FAMILY MEMBER'S RELATIONSHIP TO YOU	FAMILY MEMBER'S RELATIONSHIP TO BUSINESS	BUSINESS RELATIONSHIP TO AGENCY

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

AGENCY LOBBIED	PRINCIPAL REPRESENTED

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

NAME
Dick Beard
Gus Stavros
Mike Murphy

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

NAME	MAILING ADDRESS	OFFICER: HOLD & TERM	DATE(S) OF MEMBERSHIP
NA			

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

STATE OF FLORIDA, COUNTY OF PINELLAS

Before me, the undersigned Notary Public of Florida, personally appeared DEBBIE SEMBLER, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

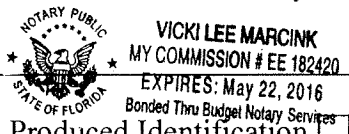
Debbie Sembler
Signature of Applicant-Affiant

Sworn to and subscribed before me this 22nd day of MAY, 2012

Vicki Lee Marcink
Signature of Notary Public-State of Florida

Vicki Lee Marcink
(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: _____



Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

3050

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Jay S. Patel

is duly appointed a member of the

**Board of Trustees,
University of West Florida**

for a term beginning on the
Twenty-Third day of April, A.D., 2012,
until the Sixth day of January, A.D., 2016
and is subject to be confirmed by the Senate
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Seventh day of July, A.D., 2012.*

Ken Detzner

Secretary of State



If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECEIVED
2012 APR 23 PM 2:54
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Jay S. Patel
3020 Knotty Pine Drive
Pensacola, Florida 32505

as a member of the Board of Trustees, University of West Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/vh

100 998

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

7/5/2012
Date Completed

1. Name: PATEL JAY PRAKASH S
 Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 699 PENSACOLA BLVD SUITE 100 PENSACOLA
Street Office # City
FL 32505 850-266-9200
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 3020 KNOTTYPINE DR. PENSACOLA. ESCAMBIA
Street City County
FL 32505 850-857-7888
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # 850-266-9205 (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
<u>N/A</u>	<u>BEEN AT 3020 KNOTTYPINE DR. ADDRESS</u>	<u>16-YRS.</u>	

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From
<u>NONE</u>		

RECEIVED
12 JUL 16 AM 11:57
DIVISION OF ELECTIONS
SECRETARY OF STATE

5. Date of Birth: 10-25-1963 Place of Birth: WAUSAU ENGLAND

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: FLORIDA

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization: _____

10. Since what year have you been a continuous resident of Florida? 1979

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: ESCAMBIA B. Current Party Affiliation: DEMOCRAT

12. Education

A. High School: PINE FOREST HIGH SCHOOL Year Graduated: 1981
(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name & Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____
B. Branch or Component: _____
C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name & Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
<u>LHS HOTELS</u>	<u>HOTEL/MOTEL</u>	<u>CEO</u>	<u>20 yrs</u>
_____	_____	_____	_____
_____	_____	_____	_____

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

Educational Institute - CERTIFIED HOTEL ADMINISTRATOR

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No
If "Yes", list:

Educating AN Industry, Authored a Book on Franchising: Is it Fair?
How to Negotiate an Equitable Franchise Agreement,
Donate 10,000 copies to Hospitality Industry. led to policy change
by many Fortune 500 Co's.

D. Identify all association memberships and association offices held by you that relate to this appointment:

ASIAN AMERICAN HOTEL OWNERS ASSOC. (AAHOA)
NATIONAL ASSOC OF BLACK HOTEL OWNERS OPERATORS & DEVELOPERS. (NABHOOD)

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government?
Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>
---------------------	--	-----------------------	----------------------------

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: N/A

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____

B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____

B. Term of Appointment: _____

C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
JAMES L. CHASE			
Kerry Ann Schultz			
Dr. Art ROICER			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

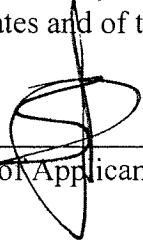
30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

CERTIFICATION

STATE OF FLORIDA, COUNTY OF Esameira

Before me, the undersigned Notary Public of Florida, personally appeared Jay Prakash Patel, who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Signature of Applicant-Affiant



Sworn to and subscribed before me this 8th day of June, 2012.

Cynthia N. Acosta
Signature of Notary Public-State of Florida

Cynthia N. Acosta
(Print, Type, or Stamp Commissioned Name of Notary Public)

CYNTHIA N. ACOSTA
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # EE 59272
COMMISSION EXPIRES MARCH 19, 2015

My commission expires: _____

Personally Known OR Produced Identification

Type of Identification Produced FL Drivers License

(seal)

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

- Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

CourtSmart Tag Report

Room: KN 412

Caption: Senate Education Committee

Case:

Judge:

Type:

Started: 3/6/2013 1:59:46 PM

Ends: 3/6/2013 3:38:24 PM Length: 01:38:39

1:59:49 PM Meeting Called to order
2:00:03 PM Roll call
2:00:21 PM Senator Legg commenting
2:00:31 PM SB434 - Senator Altman
2:01:22 PM Amendment #593090 - Senator Galvano
2:01:47 PM Senator Bullard questioning
2:02:01 PM Senator Bullard questioning
2:02:07 PM Senator Bullard questioning
2:03:51 PM Amendment adopted
2:03:56 PM SB 434 - Passes
2:04:23 PM SB 318 - Senator Grimsley
2:04:39 PM Bill presented by Marty Mielke, Leg. Assistant
2:05:23 PM Senator Montford questioning
2:05:52 PM Senator Bullard questioning
2:06:23 PM Senator Sachs commenting
2:06:59 PM Gail Perry, Communications Workers of America
2:09:40 PM Senator Montford commenting
2:12:15 PM SB 318 - Passes
2:12:45 PM SB 1076 - Senator Legg
2:13:31 PM Senator Legg to explain the bill
2:14:55 PM Amendment #526290
2:15:29 PM Amendment - Adopted
2:15:41 PM Amendment #416792
2:16:02 PM Amendment - Adopted
2:16:19 PM Senator Bullard questioning
2:17:09 PM Senator Legg responding
2:19:57 PM Nancy Stephens, Manufacturers Association of Florida
2:21:29 PM Senator Bullard questioning
2:24:56 PM Joseph Lebowitz, FSU Student
2:27:37 PM Ralph Wilson, FSU Student
2:30:39 PM Senator Benacquisto commenting
2:33:13 PM Senator Bullard questioning
2:35:37 PM Adam Giery, FL Chamber of Commerce
2:36:46 PM Jeremy Funt, FSU Student
2:38:05 PM Senator Sachs commenting
2:39:06 PM Jim Horne, AIF
2:40:14 PM Senator Bullard questioning
2:44:02 PM Senator Bullard commenting
2:46:35 PM Senator Stargel commenting
2:47:40 PM Senator Montford commenting
2:48:51 PM Senator Legg to close on the bill
2:51:46 PM CS for SB 1076
2:51:57 PM CS/SB 1076 - Passes
2:52:30 PM Senator Simmons commenting
2:53:01 PM SB 878 - Senator Galvano
2:53:15 PM Committee Substitute #397750
2:56:58 PM Committee Substitute - Adopted
2:57:11 PM Senator Bullard questioning
2:57:29 PM Jane Fletcher, DOE
2:57:41 PM Senator Bullard questioning
2:57:57 PM Jane Fletcher responding
2:59:45 PM Senator Galvano commenting

3:00:35 PM Senator Bullard questioning
3:01:21 PM Jane Fletcher responding
3:01:41 PM Senator Sachs questioning
3:02:37 PM Senator Galvano responding
3:06:00 PM Dawn Steward, Florida PTA
3:08:54 PM B. Grassel, Guidance Counselor
3:10:28 PM Senator Galvano commenting
3:12:15 PM Senator Bullard commenting
3:13:17 PM Senator Benacquisto commenting
3:14:31 PM Senator Montford commenting
3:15:30 PM CS for SB 878
3:15:41 PM Senator Galvano to close on the bill
3:17:49 PM CS/SB 878 - Passes
3:18:16 PM SB 1096 - Senator Montford
3:18:33 PM Amendment #730152
3:19:08 PM Strike-all Amendment - Adopted
3:19:51 PM CS/SB 1096 - Passes
3:20:12 PM SB 904 - Senator Brandes
3:20:29 PM Strike-all Amendment #239394
3:21:04 PM Amendment to the Amendment #215928 - Adopted
3:21:20 PM Senator Bullard questioning
3:25:09 PM Senator Montford questioning
3:26:09 PM Senator Bullard questioning
3:28:16 PM Strike-all Amendment - Adoted
3:28:36 PM Karen Schoen, Panhandle Patriots
3:34:16 PM Senaor Brandes to close on the bill
3:35:40 PM CS for SB 904
3:35:54 PM CS/SB 904 - Passes
3:36:22 PM Senator Legg commenting on Confirmation Hearings
3:37:26 PM Roll call for Confirmation - Recommended favorably
3:38:07 PM Meeting adjourned