

Tab 1	SB 268 by Ring; (Similar to CS/H 0229) Bullying and Harassment Policies in Schools					
Tab 2	CS/SB 800 by HE, Brandes; (Compare to CS/H 1053) Private Postsecondary Education					
711168	D	S	RCS	AED, Stargel	Delete everything after	02/15 02:57 PM
402016	AA	S L	RCS	AED, Stargel	Delete L.189:	02/15 02:57 PM
Tab 3	SB 834 by Detert; (Compare to CS/CS/H 7029) Minimum Term School Funding					
Tab 4	SB 836 by Gaetz; Rapid Response Education and Training Program					
462842	A	S L	RCS	AED, Gaetz	Before L.18:	02/15 02:57 PM
Tab 5	CS/SB 894 by ED, Detert; (Similar to CS/CS/H 0719) Education Personnel					
Tab 6	CS/SB 1026 by ED, Simmons; (Compare to CS/H 0031) High School Athletics					
493518	A	S	RCS	AED, Simmons	Delete L.32 - 47:	02/15 02:57 PM
Tab 7	SB 1068 by Legg; (Similar to CS/CS/H 7021) Education					
Tab 8	CS/SB 1360 by ED, Gaetz (CO-INTRODUCERS) Bradley, Detert, Ring, Negron, Montford, Sobel; Student Assessments					
643240	A	S L	WD	AED, Bullard	btw L.1333 - 1334:	02/11 02:48 PM
447302	A	S L	UNFAV	AED, Bullard	Delete L.544:	02/11 02:48 PM
838228	A	S L	UNFAV	AED, Bullard	Delete L.609 - 640:	02/11 02:48 PM
681604	A	S L	UNFAV	AED, Bullard	Delete L.420:	02/11 02:48 PM
578098	A	S L	WD	AED, Bullard	btw L.544 - 545:	02/11 02:48 PM
Tab 9	SB 1638 by Lee; (Similar to CS/H 1157) Postsecondary Education for Veterans					
752062	A	S	RCS	AED, Stargel	Delete L.16 - 39:	02/15 02:57 PM
106726	A	S	RCS	AED, Stargel	Delete L.53 - 57:	02/15 02:57 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Senator Gaetz, Chair
Senator Montford, Vice Chair

MEETING DATE: Thursday, February 11, 2016

TIME: 10:00 a.m.—12:00 noon

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Gaetz, Chair; Senator Montford, Vice Chair; Senators Bullard, Galvano, Legg, Ring, Simmons, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 268 Ring (Similar CS/H 229)	Bullying and Harassment Policies in Schools; Requiring school districts to revise their bullying and harassment policy at specified intervals; requiring the policy to include mandatory reporting procedures and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction, etc. ED 02/02/2016 Favorable AED 02/11/2016 Favorable FP	Favorable Yeas 6 Nays 0
2	CS/SB 800 Higher Education / Brandes (Compare CS/H 1053)	Private Postsecondary Education; Requiring certain institutions to provide a student with a written disclosure of all fees and costs that the student will incur to complete his or her program; revising the membership of the Commission for Independent Education; revising the criteria for licensure by means of accreditation; revising the institutions included in the Student Protection Fund to include licensed institutions, etc. HE 01/25/2016 Fav/CS AED 02/11/2016 Fav/CS AP	Fav/CS Yeas 5 Nays 0
3	SB 834 Detert (Compare CS/CS/H 7029, CS/S 830, S 1136)	Minimum Term School Funding; Revising the term "full-time student" to delete references to membership in a double-session school or a school that uses a specified experimental calendar; clarifying how "full time equivalency" is calculated for students in schools that operate for less than the minimum term, etc. ED 01/27/2016 Favorable AED 02/11/2016 Favorable AP	Favorable Yeas 7 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education

Thursday, February 11, 2016, 10:00 a.m.—12:00 noon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 836 Gaetz	Rapid Response Education and Training Program; Establishing the Rapid Response Education and Training Program within the Complete Florida Plus Program; requiring the Complete Florida Plus Program to work with Enterprise Florida, Inc., to offer certain education and training commitments to businesses; requiring the Division of Career and Adult Education within the Department of Education to conduct an analysis and assessment of the effectiveness of the education and training programs, etc. HE 01/11/2016 Workshop-Discussed HE 01/25/2016 Favorable AED 02/11/2016 Fav/CS AP	Fav/CS Yeas 6 Nays 0
5	CS/SB 894 Education Pre-K - 12 / Detert (Similar CS/CS/H 719, Compare H 5003, CS/H 7043)	Education Personnel; Authorizing certain information to be used for educator certification discipline and review; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; providing requirements regarding liability insurance for students performing clinical field experience, etc. ED 01/20/2016 Fav/CS AED 02/11/2016 Favorable AP	Favorable Yeas 7 Nays 0
6	CS/SB 1026 Education Pre-K - 12 / Simmons (Compare CS/H 31, H 7039, CS/S 684)	High School Athletics; Providing requirements regarding fees and contest receipts collected by the Florida High School Athletic Association (FHSAA); requiring the FHSAA to allow a school to join the FHSAA as a full-time member or on a per-sport basis; providing a process for resolving student eligibility disputes, etc. ED 01/14/2016 Fav/CS AED 02/11/2016 Fav/CS AP	Fav/CS Yeas 7 Nays 0
7	SB 1068 Legg (Similar CS/CS/H 7021)	Education; Revising the duties of the Just Read, Florida! Office; revising requirements for school improvement plans and early warning systems; revising core curricula requirements for certain teacher preparation programs to include certain reading instruction and interventions; requiring candidates for an educator certificate in certain areas to demonstrate competence in specified areas, etc. ED 01/27/2016 Favorable AED 02/11/2016 Temporarily Postponed AP	Temporarily Postponed

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education

Thursday, February 11, 2016, 10:00 a.m.—12:00 noon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	CS/SB 1360 Education Pre-K - 12 / Gaetz	Student Assessments; Authorizing a district school board to choose to implement certain rigorous alternative assessment options by a certain school year; requiring each school district to annually notify students and parents of standard high school diploma requirements by a specified date; requiring a classroom teacher's performance evaluation to be based on the performance of certain students, etc. ED 01/27/2016 Fav/CS AED 02/11/2016 Favorable AP	Favorable Yeas 7 Nays 0
9	SB 1638 Lee (Similar CS/H 1157)	Postsecondary Education for Veterans; Directing the Department of Education to award postsecondary course credit for specified examinations and tests; providing that specified programs and test scores meet certain educator certification requirements, etc. HE 01/25/2016 Favorable AED 02/11/2016 Fav/CS AP	Fav/CS Yeas 6 Nays 0
10	Consideration of a Recommendation of Proposed Legislation on FEFP Local Funds		Recommend Favorable
11	Consideration of a Recommendation of Proposed Legislation on Charter School Capital Outlay Funding		Recommend Favorable
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 Appropriations Subcommittee on Education

BILL: SB 268

INTRODUCER: Senator Ring

SUBJECT: Bullying and Harassment Policies in Schools

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Scott	Klebacha	ED	Favorable
2.	Sikes	Elwell	AED	Favorable
3.			FP	

I. Summary:

SB 268 requires periodic revision of a school district's anti-bullying and harassment policy, modifies the information that must be contained in the policy, and requires schools to implement the policy.

Specifically, the bill adds the requirements that each:

- School district revise its anti-bullying and harassment policy at least every 3 years.
- School implement the school district's anti-bullying and harassment policy.
- School district's anti-bullying and harassment policy:
 - Make the reporting of bullying or harassment mandatory; and
 - Include a list of bullying prevention and intervention programs authorized by the school district to provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment.

The bill has no fiscal impact.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

Bullying and Harassment

In 2008,¹ the Florida Legislature enacted s. 1006.147, F.S., which prohibits the bullying and harassment of any student or employee of a public K-12 educational institution:²

¹ Chapter 2008-123, L.O.F., also known as the "Jeffrey Johnston Stand Up for All Students" Act.

² Section 1006.147(2), F.S.

- During a public K-12 education program or activity.
- During a school-related or school-sponsored program or activity.
- On a public K-12 school bus.
- Through the use of:
 - Data or computer software accessed through a computer, computer system, or computer network within the scope of a public K-12 educational institution;³ or
 - Data or computer software accessed at a nonschool-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.⁴

The terms “bullying” and “harassment” include the following behaviors or conditions:

- **Bullying** means systemically and chronically inflicting physical hurt or psychological distress on one or more students, including cyberbullying,⁵ and may involve:⁶
 - Teasing;
 - Social exclusion;
 - Threat;
 - Intimidation;
 - Stalking;
 - Physical violence;
 - Theft;
 - Sexual, religious, or racial harassment;
 - Public humiliation; or
 - Destruction of property.
- **Harassment** means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:⁷
 - Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
 - Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
 - Has the effect of substantially disrupting the orderly operation of a school.

The law further specifies that bullying and harassment include:⁸

³ “Within the scope of a public K-12 educational institution” means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity. Section 1006.147(3)(d), F.S.

⁴ The law does not require a school to staff or monitor any non-school related activity, function, or program in its efforts to prevent bullying and harassment. Section 1006.147(2)(d), F.S.

⁵ “Cyberbullying” is a form of bullying through the use of technology or other means of electronic communication, including, but not limited to, creating webpages or blogs and distributing or posting materials that perpetuate the conduct. Section 1006.147(3)(b), F.S.

⁶ Section 1006.147(3)(a), F.S.

⁷ *Id.* at (3)(b).

⁸ *Id.* at (3)(f).

- Retaliating against a student or school employee for reporting bullying or harassment;
- Reporting bullying or harassment in bad faith;
- Perpetuating bullying or harassment with the intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:
 - Incitement or coercion;
 - Accessing or providing access to a school district's computer, computer system, or computer network; or
 - Engaging in conduct substantially similar in effect to bullying or harassment.

Policy and Reporting Requirements

Each school district is required to adopt a policy prohibiting the bullying and harassment of a student or employee of a public K-12 educational institution.⁹ The school district must involve students, parents, teachers, administrators, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy.¹⁰ The policy must, at a minimum:¹¹

- Prohibit and define bullying and harassment.
- Describe the type of behavior expected from each student and employee of a public K-12 educational institution.
- Identify the consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.
- Establish procedures for:
 - Reporting and investigating acts of bullying and harassment;
 - Immediately notifying a victim's parents, the parents of the perpetrator, and all local agencies where criminal charges may be pursued;
 - Referring victims and perpetrators to counseling;
 - Including incidents of bullying or harassment in each school's safety and discipline report submitted to the Department of Education;¹² and
 - Providing instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that leads to bullying and harassment and taking appropriate preventative action based on those observations;
 - Regularly reporting to a victim's parents the actions taken to protect the victim; and
 - Publicizing the policy, including publication in the code of student conduct and all employee handbooks.

⁹ *Id.* at (4). The policy must be in substantial compliance with the Department of Education's model policy. *Id.* See Florida Department of Education, Bullying Prevention, *Model Policy Against Bullying and Harassment* (Revised July 2013), <http://www.fldoe.org/schools/safe-healthy-schools/safe-schools/bullying-prevention.shtml> (last visited January 29, 2016).

¹⁰ Section 1006.147(4), F.S.

¹¹ *Id.*

¹² Section 1006.09(6), F.S. The School Environmental Safety Incident Reporting (SESIR) System is used by the Office for Safe Schools within the Florida Department of Education to compile data on incidents of crime, violence, and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school-sponsored events. Such data is contained in the *Statewide Report on School Safety and Discipline Data*, <http://www.fldoe.org/safeschools/sesir.asp> (last visited January 29, 2016).

The policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.¹³

Distribution of safe schools funds to a school district is contingent upon the school district's compliance with implementing the reporting procedures required as part of its bullying and harassment policy.¹⁴

By January 1 of each year, the Commissioner of Education must submit a report on the statewide implementation of bullying and harassment policies, including data regarding incidents of bullying and harassment and resulting consequences, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.¹⁵

III. Effect of Proposed Changes:

SB 268 requires periodic revision of a school district's anti-bullying and harassment policy, modifies the information that must be contained in the policy, and requires schools to implement the policy.

Specifically, the bill adds the requirements that each:

- School district revise its anti-bullying and harassment policy at least every 3 years.
- School implement the school district's anti-bullying and harassment policy.
- School district's anti-bullying and harassment policy:
 - Make the reporting of bullying or harassment mandatory; and
 - Include a list of bullying prevention and intervention programs authorized by the school district to provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment.

The bill provides an effective date of July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹³ Section 1006.147(4), F.S.

¹⁴ Section 1006.09(7), F.S.

¹⁵ *Id.* at (8).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no fiscal impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends section 1006.147 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

By Senator Ring

29-00417-16

2016268__

1 A bill to be entitled
 2 An act relating to bullying and harassment policies in
 3 schools; amending s. 1006.147, F.S.; requiring school
 4 districts to revise their bullying and harassment
 5 policy at specified intervals; requiring schools to
 6 implement the bullying and harassment policy in a
 7 certain manner and integrate it with the school's
 8 bullying prevention and intervention program;
 9 requiring the policy to include mandatory reporting
 10 procedures and a list of authorized programs that
 11 provide bullying and harassment identification,
 12 prevention, and response instruction; providing an
 13 effective date.
 14
 15 Be It Enacted by the Legislature of the State of Florida:
 16
 17 Section 1. Subsection (4) of section 1006.147, Florida
 18 Statutes, is amended to read:
 19 1006.147 Bullying and harassment prohibited.—
 20 (4) Each school district shall adopt and revise at least
 21 every 3 years a policy prohibiting bullying and harassment of a
 22 student or employee of a public K-12 educational institution.
 23 Each school district's policy shall be in substantial conformity
 24 with the Department of Education's model policy. The school
 25 district bullying and harassment policy shall afford all
 26 students the same protection regardless of their status under
 27 the law. The school district may establish separate
 28 discrimination policies that include categories of students. The
 29 school district shall involve students, parents, teachers,

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30 administrators, school staff, school volunteers, community
 31 representatives, and local law enforcement agencies in the
 32 process of adopting and revising the policy. The school district
 33 policy must require a school to implement the policy ~~be~~
 34 ~~implemented~~ in a manner that is ongoing throughout the school
 35 year and integrated with a school's curriculum, a school's
 36 bullying prevention and intervention program, a school's
 37 discipline policies, and other violence prevention efforts. The
 38 school district policy must contain, at a minimum, the following
 39 components:
 40 (a) A statement prohibiting bullying and harassment.
 41 (b) A definition of bullying and a definition of harassment
 42 that include the definitions listed in this section.
 43 (c) A description of the type of behavior expected from
 44 each student and employee of a public K-12 educational
 45 institution.
 46 (d) The consequences for a student or employee of a public
 47 K-12 educational institution who commits an act of bullying or
 48 harassment.
 49 (e) The consequences for a student or employee of a public
 50 K-12 educational institution who is found to have wrongfully and
 51 intentionally accused another of an act of bullying or
 52 harassment.
 53 (f) A procedure for the mandatory reporting of an act of
 54 bullying or harassment, including provisions that permit a
 55 person to anonymously report such an act. However, this
 56 paragraph does not permit formal disciplinary action to be based
 57 solely on an anonymous report.
 58 (g) A procedure for the prompt investigation of a report of

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bullying or harassment and the persons responsible for the investigation. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and begins with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

(h) A process to investigate whether a reported act of bullying or harassment is within the scope of the district school system and, if not, a process for referral of such an act to the appropriate jurisdiction. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

(i) A procedure for providing immediate notification to the parents of a victim of bullying or harassment and the parents of the perpetrator of an act of bullying or harassment, as well as notification to all local agencies where criminal charges may be pursued against the perpetrator.

(j) A procedure to refer victims and perpetrators of bullying or harassment for counseling.

(k) A procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline required under s. 1006.09(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report must include in a separate section each reported incident

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of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents. The Department of Education shall aggregate information contained in the reports.

(l) A list of programs authorized by the school district ~~which provide procedure for providing~~ instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations.

(m) A procedure for regularly reporting to a victim's parents the actions taken to protect the victim.

(n) A procedure for publicizing the policy, which must include its publication in the code of student conduct required under s. 1006.07(2) and in all employee handbooks.

Section 2. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Governmental Oversight and Accountability, *Chair*
Judiciary, *Vice Chair*
Appropriations
Appropriations Subcommittee on Education
Children, Families, and Elder Affairs
Commerce and Tourism

SENATOR JEREMY RING

29th District

February 8, 2016

Honorable Senator Don Gaetz
Appropriations Subcommittee on Education
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399

Dear Chairman Gaetz,

I am writing to respectfully request your cooperation in placing Senate Bill 268, relating to Bullying and Harassment Policies in Schools, on the Appropriations Subcommittee on Education agenda at your earliest convenience. I would greatly appreciate the opportunity to discuss the bill at greater length before your committee.

Thank you in advance for your assistance. As always, please do not hesitate to contact me with any questions or comments you may have.

Very Truly Yours,

A handwritten signature in cursive script that reads "Jeremy Ring".

Jeremy Ring
Senator District 29

cc: Tim Elwell, Staff Director
JoAnne Bennett, Committee Administrative Assistant

REPLY TO:

- ☐ 5790 Margate Boulevard, Margate, Florida 33063 (954) 917-1392 FAX: (954) 917-1394
- ☐ 405 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5029

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

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 Appropriations Subcommittee on Education

BILL: PCS/SB 800 (380416)

INTRODUCER: Higher Education Committee and Senator Brandes

SUBJECT: Private Postsecondary Education

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	HE	Fav/CS
2.	Sikes	Elwell	AED	Fav/CS
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 800 modifies requirements related to the oversight of private postsecondary education institutions operating in the state of Florida. Specifically, the bill:

- Revises the membership of the Commission for Independent Education (CIE or commission).
- Establishes provisional license requirements.
- Modifies licensure by means of accreditation requirements.
- Authorizes the assessment of fees toward the Student Protection Fund from all licensed institutions.
- Requires disclosure of all fees and costs to prospective students.
- Requires the CIE to prepare an annual accountability report by March 15 each year.
- Requires the establishment of a Closed Institution Panel by October 1, 2016, to implement measures to minimize the impact of a closed institution on its students.
- Requires the CIE to determine whether the administrators of licensed institutions are qualified to conduct the operations of their positions.
- Requires the CIE to annually verify, beginning July 1, 2017, that all administrators subject to continuing education requirements have completed training on state and federal laws and regulations pertaining to the operation of nonpublic postsecondary institutions.

According to the Department of Education (DOE or department), the CIE will require two additional full-time equivalent (FTE) positions, at a recurring cost of \$165,604, to handle the increased workload associated with revising criteria for licensure and accreditation. The

expenses of the CIE are funded through fees and fines imposed upon nonpublic colleges and schools and deposited into the Institutional Assessment Trust Fund. The additional budget authority for these additional FTE is not currently authorized in SB 2500, the Senate General Appropriations Bill.

The bill takes effect July 1, 2016.

II. Present Situation:

Private postsecondary educational institutions must be licensed to operate in Florida and meet specified fair consumer practices requirements.

Commission for Independent Education

The CIE, established in the DOE, is responsible for exercising all powers, duties, and functions concerning independent postsecondary educational institutions in consumer protection, program improvement, and licensure of institutions under its purview.¹ The commission is also responsible for authorizing the granting of diplomas and degrees by independent postsecondary educational institutions under its jurisdiction.² Independent postsecondary educational institution means “any postsecondary educational institution that operates in this state or makes application to operate in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government.”³

The membership of the commission consists of:⁴

- Two representatives of independent colleges or universities licensed by the commission.
- Two representatives of independent, nondegree-granting schools licensed by the commission.
- One member from a public school district or Florida College System institution who is an administrator of career education.
- One representative of a religious college that is not under the jurisdiction or purview of the commission, based on meeting specified criteria in law.⁵
- One lay member who is not affiliated with an independent postsecondary educational institution.

Licensure of Institutions

The commission is responsible for developing minimum standards to evaluate institutions for licensure.⁶ Current law requires that the standards must, at a minimum, include the institution’s name, financial stability, purpose, administrative organization, admissions and recruitment, educational programs and curricula, retention, completion, career placement, faculty, learning resources, student personnel services, physical plant and facilities, publications, and disclosure

¹ Section 1005.21(1)-(2), F.S.

² *Id.*

³ Section 1005.02(11), F.S.

⁴ Section 1005.21(2), F.S.

⁵ Section 1005.06(1)(f), F.S.

⁶ Section 1005.31(2), F.S. “License” means a certificate signifying that an independent postsecondary educational institution meets standards prescribed in statute or rule and is permitted to operate in this state. Section 1005.02(13), F.S.

statements about the status of the institution related to professional certification and licensure.⁷ A postsecondary educational institution must obtain licensure from the commission to operate in the state of Florida, unless such institution is not within the commission's jurisdiction or purview, as specified in law.⁸

Licensure by Means of Accreditation

A private postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:⁹

- The institution has operated legally in this state for at least five consecutive years.
- The institution holds institutional accreditation by an accrediting agency evaluated and approved by the commission as having standards substantially equivalent to the commission's licensure standards.
- The institution has no unresolved complaints or actions in the past 12 months.
- The institution meets minimum requirements for financial responsibility as determined by the commission.
- The institution is a Florida corporation.

An institution that is granted a license by means of accreditation must comply with the standards and requirements in law.¹⁰ For instance, the institution must follow the commission's requirements for orderly closing, including provisions for trainout or refunds and arranging for the proper disposition of student and institutional records.¹¹ With the exception of submitting an annual audit report to the commission, the commission may not require institutions that are licensed by means of accreditation to submit reports that differ from the reports that such institutions submit to their accrediting association.¹²

Student Protection Fund

The CIE administers a statewide, fee-supported financial program, named the Student Protection Fund (Fund), to fund the completion of training a student who enrolls in a nonpublic school that terminates a program or ceases to operate before the student completes his or her program of study.¹³ The commission is authorized to assess a fee from the schools within the CIE's jurisdiction for such purpose.¹⁴ If a licensed school terminates a program before all students enrolled in that program complete their program of study, the commission must assess an additional fee from the school that is adequate to pay for the full cost of completing the training of such students.¹⁵

⁷ *Id.*

⁸ Sections 1005.31(1)(a) and 1005.06(1), F.S.

⁹ Section 1005.32, F.S.

¹⁰ *Id.*

¹¹ Section 1005.32(3), F.S.

¹² *Id.*

¹³ Section 1005.37(1), F.S.

¹⁴ Section 1005.37(2), F.S.

¹⁵ Section 1005.37(3), F.S.

The Fund must be actuarially sound, periodically audited by the Auditor General, and reviewed to determine if additional fees must be charged to the schools.¹⁶

Fair Consumer Practices

A private postsecondary educational institution that is under the jurisdiction of the commission or that is exempt from the jurisdiction or purview of the commission, as authorized in law, must do the following:¹⁷

- Disclose to each prospective student specified information (e.g., a statement of the purpose of the institution, its educational programs and curricula, a description of its physical facilities, its status regarding licensure, and its fee schedule and policies). The institution must make the required written disclosures at least 1 week prior to enrollment or collection of any tuition from the prospective student. The disclosures may be made in the institution's current catalog.
- Use a reliable method to assess, before accepting a student into a program, the student's ability to successfully complete the course of study for which he or she has applied.
- Inform each student accurately about financial assistance and obligations for repayment of loans, describe any employment placement services provided and the limitations thereof, and refrain from misinforming the public about guaranteed placement, market availability, or salary amounts.
- Provide to prospective and enrolled students accurate program licensure information for practicing related occupations and professions in Florida.
- Ensure that all advertisements are accurate and not misleading.
- Publish and follow an equitable prorated refund policy for all students, and follow both the federal refund guidelines for students receiving federal financial assistance and the minimum refund guidelines established by commission rule.
- Follow state and federal requirements for annual reporting of crime statistics and physical plant safety, and make such reports available to the public.
- Publish and follow procedures for handling student complaints, disciplinary actions, and appeals.

Institutional Closings

Current law prescribes the requirements for lawful closure of a licensed postsecondary institution and the authority of the CIE in this process. Specifically,

- The CIE is authorized to prevent the operation of a licensed independent postsecondary educational institution by an owner who has unlawfully closed another institution.
- The CIE may assume control over student records upon closure of a licensed institution if the institution does not provide an orderly closure.
- The owners, directors, or administrators must notify the commission in writing at least 30 days prior to the closure of the institution and must organize an orderly closure of the institution. An owner, director, or administrator who fails to notify the commission at least 30 days prior to the institution's closure, or who fails to organize the orderly closure of the

¹⁶ Section 1005.37(7), F.S.

¹⁷ Section 1005.04(1), F.S.

institution and the train out of the students, commits a misdemeanor of the second degree, punishable as provided in s. 775.082, F.S. or s. 775.083, F.S.

- The CIE may seek civil penalties up to \$10,000 from any owner, director, or administrator of an institution who knowingly destroys, abandons, or fails to convey or provide for the safekeeping of institutional and student records.
- The CIE may refer matters to the Department of Legal Affairs or the state attorney for investigation and prosecution.

Continuing Education for Administrators and Faculty

The commission is authorized to determine whether the administrators of licensed institutions are qualified to conduct the operations of their positions and require administrators and faculty to receive continuing education and training. The commission may exercise this authority over the chief administrator, director of education or training, placement director, admissions director, financial aid director, and faculty members.

III. Effect of Proposed Changes:

PCS/CS/SB 800 modifies requirements related to the oversight of private postsecondary education institutions operating in the state of Florida. Specifically, the bill:

- Revises the membership of the Commission for Independent Education.
- Establishes provisional license requirements.
- Modifies licensure by means of accreditation requirements.
- Authorizes the assessment of fees toward the Student Protection Fund from all licensed institutions.
- Requires disclosure of all fees and costs to prospective students.
- Requires the CIE to prepare an annual accountability report by March 15 each year.
- Requires the establishment of a Closed Institution Panel by October 1, 2016, to implement measures to minimize the impact of a closed institution on its students.
- Requires the CIE to determine whether the administrators of licensed institutions are qualified to conduct the operations of their positions.
- Requires the CIE to annually verify, beginning July 1, 2017, that all administrators subject to continuing education requirements have completed training on state and federal laws and regulations pertaining to the operation of nonpublic postsecondary institutions.

Commission for Independent Education

The bill revises the membership of the CIE by removing from the commission's membership, the representative of a religious college and the representative from a public school district or Florida College System institution. The bill adds one member who is an employer of graduates of institutions licensed by the CIE and one member who is a graduate of an institution subject to licensure by the CIE. The bill also limits commission members to serving no more than three consecutive terms.

The bill expands the powers and duties of the commission. Specifically, the bill:

- Requires the CIE to approve its annual budget.

- Requires the CIE to appoint a committee to review any complaints from students, faculty, and others concerning institutions under its purview, not closed within 90 days.
- Authorizes the CIE to prohibit, or limit, enrollment at a licensed institution, based on the institution's performance.

Licensure of Institutions

The bill modifies the minimum standards for evaluating institutions for licensure by specifying that the standards for retention and completion include a retention and completion management plan, prescribed by the commission. A retention and management plan may assist the institutions in developing strategies to improve student retention and completion outcomes, which may benefit the students¹⁸ attending such institutions in completing their respective programs of study and securing employment.

Provisional License

The bill authorizes the commission to require institutions that do not provide sufficient evidence of financial stability at the time of applying for a provisional license to post and maintain a surety bond with the commission. The surety bond may not exceed 50 percent of the amount of the first year's projected revenue.

The surety bond will increase the financial stability of certain new private postsecondary education institutions and assist with off-setting the burden on the Student Protection Fund if such institutions close improperly.¹⁹ Until a new institution achieves financial stability, the surety bond will also assist with providing protection to students.²⁰

As an alternative to the surety bond, the commission may allow a cash deposit escrow account or an irrevocable letter of credit payable to the commission. The amount of the cash deposit escrow account or the irrevocable letter of credit must be the same as the surety bond amount for the institution would have been.

The bill authorizes the CIE to adopt rules to implement the specified requirements for the granting of provisional license.

Licensure by Means of Accreditation

The bill changes the current requirements for licensure by means of accreditation to:

- Remove the criteria that an independent postsecondary educational institution be a Florida corporation. As a result, institutions that are non-Florida corporations will be able to use the licensure by means of accreditation process to operate in Florida.²¹

¹⁸ *Id.*

¹⁹ Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 800 (Dec. 23, 2015), at 4.

²⁰ *Id.*

²¹ This modification supports the federal court ruling, which declared that “s. 1005.32(1)(e), Florida Statutes (2007), unconstitutionally makes licensure by means of accreditation available only to a Florida corporation.” *University of Phoenix v. Nancy Bradley*, No. 08-0217 (N.D. Fla. (Dec. 23, 2008); see also Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 800 (Dec. 23, 2015), at 4.

- Add a requirement for a retention and completion management plan to the reporting requirements that an independent postsecondary educational institution must submit to the commission. A plan may assist the CIE in assessing the institutions' strategies to improve student retention and completion outcomes, which may benefit the students²² attending such institutions complete their respective programs of study and secure employment.

Application Review

The bill requires the CIE to, within 60 days after receiving an application for licensure, review the application, notify the applicant of any error or omission, and request additional information, if necessary. The specified notification deadline may help the institutions receive and address the commission's concerns in a timely manner.

Accountability for Licensed Institutions

The bill establishes accountability provisions for CIE licensed institutions. Annually, by November 30, each licensed institution must provide data to the CIE which includes, at a minimum, graduation rates, retention rates, and placement rates. The CIE must prepare an annual accountability report with this data for all licensed institutions by March 15. The commission must assess a \$1,000 fine on any institution that is delinquent in reporting the required data. The commission must also establish benchmarks to recognize high-performing licensed institutions.

Student Protection Fund

The bill expands the authority of the CIE to annually determine and assess fees, to support the Student Protection Fund (Fund), from only "schools" that fall within the CIE's jurisdiction to all licensed "institutions". Currently, the definition of a school²³ does not include degree-granting independent postsecondary educational institutions.²⁴ By comparison, licensed institutions include both degree and non-degree granting institutions.²⁵ Licensed institutions also include all institutions that are licensed by the commission²⁶ as well as the institutions that are licensed by means of accreditation.²⁷ As a result of this expansion, more students will be protected by the Fund.²⁸ However, the bill requires that if the Fund balance exceeds \$5 million on November 1 of any year, the fees may not be collected in the next calendar year.

Fair Consumer Practices

The bill modifies the fair consumer practices provisions in law by requiring each independent postsecondary educational institution to disclose to current and prospective students, in writing, all fees and costs that the students will incur to complete a program of study at the institution. This disclosure will assist students in planning ahead for completing a program of study and registering for courses each term at the institution.

²² Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 800 (Dec. 23, 2015), at 4.

²³ Section 1005.02(16), F.S.

²⁴ Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 800 (Dec. 23, 2015), at 4.

²⁵ Telephone interview with Commission for Independent Education staff, Florida Department of Education (Jan. 12, 2016).

²⁶ Section 1005.31, F.S.

²⁷ Section 1005.32, F.S.

²⁸ Florida Department of Education, 2016 Agency Legislative Bill Analysis for SB 800 (Dec. 23, 2015), at 4.

Institutional Closings

The bill requires the CIE to establish a Closed Institution Panel (panel) by October 1, 2016. The panel will consist of one commission member, one commission staff member, one accrediting body staff member, and one administrator with experience managing licensed institutions. Upon notification by the CIE, the panel must convene to implement measures to minimize the impact of the institutional closing on its students. The panel's activities will be conducted at the expense of the closing institution.

The bill also changes the charge for an owner or administrator who improperly closes an institution from a second degree misdemeanor to a first degree misdemeanor.

Continuing Education for Administrators and Faculty

The bill requires the commission to determine whether the administrators of licensed institutions are qualified to conduct the operations of their positions and require administrators and faculty to receive continuing education and training. The bill adds the chief campus officer to the list of specified positions for which the CIE is responsible for assessing qualifications and requiring continuing education and training. Beginning July 1, 2017, and annually thereafter, the CIE must verify that all administrators subject to continuing education requirements have completed training on state and federal laws and regulations pertaining to the operation of nonpublic postsecondary institutions.

The bill takes effect July 1, 2016.

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:

PCS/CS/SB 800 authorizes the CIE to require new nonpublic postsecondary institutions that do not provide sufficient evidence of financial stability to post and maintain a surety bond, or authorized alternative, not to exceed 50 percent of the first year's projected revenues.

The bill expands the authority of the CIE to access fees to support the Student Protection Fund, which is used to assist students when a school improperly closes before completion of training of its students, to include all licensed institutions, not just non-degree granting schools. This will increase the number of students protected by the Fund. However, if the balance of this fund exceeds \$5 million by November 1 of any year, the fees may not be collected the next calendar year.

C. Government Sector Impact:

According the Department of Education, the CIE will require two additional full-time equivalent (FTE) positions, at a recurring cost of \$165,604, to handle the increased workload associated with revising criteria for licensure and accreditation. The expenses of the CIE are funded through fees and fines imposed upon nonpublic colleges and schools and deposited into the Institutional Assessment Trust Fund. The additional budget authority for these additional FTE is not currently authorized in SB 2500, the proposed Senate General Appropriations Bill for Fiscal Year 2016-2017.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1005.04, 1005.21, 1005.22, 1005.31, 1005.32, 1005.36, 1005.37, and 1005.39.

The bill creates section 1005.11 of the Florida Statutes.

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

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

Recommended CS/CS by Appropriations Subcommittee on Education on February 11, 2016:

The committee substitute:

- Requires the Commission for Independent Education (CIE or commission) to prepare an annual accountability report by March 15 each year.

- Requires licensed institutions to provide specified data to the CIE by November 30 each year or be subject to a \$1,000 fine.
- Revises the commission membership to:
 - Remove one member from a public school district or Florida College System institution and one member from an institution not under the purview of the commission:
 - Add one member who is an employer of graduates of institutions licensed by the commission and add one member who is a graduate of an institution licensed by the commission: and
 - Prohibit CIE members from serving more than 3 consecutive terms.
- Requires a committee, appointed by the CIE, to review complaints not resolved within 90 days.
- Provides for the establishment of a Closed Institution Panel by October 1, 2016, to implement measures to minimize the impact of a closed institution on its students.
- Changes the criminal penalty for an owner or administrator who improperly closes an institution from a second degree misdemeanor to a first degree misdemeanor.
- Requires the CIE to determine whether the administrators of licensed institutions are qualified to conduct the operations of their positions.
- Requires the CIE to annually verify, beginning July 1, 2017, that all administrators subject to continuing education requirements have completed training on state and federal laws and regulations pertaining to the operation of nonpublic postsecondary institutions.
- Authorizes the commission to annually determine fees for the Student Protection Fund; however if the fund balance exceeds \$5 million by November 1 of any year, the fees may not be collected the next calendar year.

CS by Higher Education on January 25, 2016:

The committee substitute modifies the written disclosure requirement in SB 800 concerning fees and costs by clarifying that such information must be provided to current and prospective students in a format prescribed by the:

- Commission for Independent Education (commission) or
- Independent Colleges and Universities of Florida for the private colleges and universities that are exempt from the jurisdiction or purview of the commission based on criteria specified in law.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
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Appropriations Subcommittee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) of section 1005.04, Florida
Statutes, is amended to read:

1005.04 Fair consumer practices.—

(1) Every institution that is under the jurisdiction of the
commission or is exempt from the jurisdiction or purview of the
commission pursuant to s. 1005.06(1)(c) or (f) and that either



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11 directly or indirectly solicits for enrollment any student
12 shall:

13 (a) Disclose to each prospective student a statement of the
14 purpose of such institution, its educational programs and
15 curricula, a description of its physical facilities, its status
16 regarding licensure, its fee schedule, including all fees and
17 costs that will be incurred by a student for completion of a
18 program at the institution, and policies regarding retaining
19 student fees if a student withdraws, and a statement regarding
20 the transferability of credits to and from other institutions.
21 The institution shall make the required disclosures in writing
22 at least 1 week prior to enrollment or collection of any tuition
23 from the prospective student. The required disclosures may be
24 made in the institution's current catalog;

25 (b) Use a reliable method to assess, before accepting a
26 student into a program, the student's ability to complete
27 successfully the course of study for which he or she has
28 applied;

29 (c) Inform each student accurately about financial
30 assistance and obligations for repayment of loans; describe any
31 employment placement services provided and the limitations
32 thereof; and refrain from promising or implying guaranteed
33 placement, market availability, or salary amounts;

34 (d) Provide to prospective and enrolled students accurate
35 information regarding the relationship of its programs to state
36 licensure requirements for practicing related occupations and
37 professions in Florida;

38 (e) Ensure that all advertisements are accurate and not
39 misleading;



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(f) Publish and follow an equitable prorated refund policy for all students, and follow both the federal refund guidelines for students receiving federal financial assistance and the minimum refund guidelines set by commission rule;

(g) Follow the requirements of state and federal laws that require annual reporting with respect to crime statistics and physical plant safety and make those reports available to the public; and

(h) Publish and follow procedures for handling student complaints, disciplinary actions, and appeals.

Section 2. Section 1005.11, Florida Statutes, is created to read:

1005.11 Accountability for institutions licensed by the Commission for Independent Education.—

(1) By March 15 of each year, the commission shall prepare an annual accountability report for licensed institutions. The report must contain, at a minimum, the graduation rates, including the number of graduates by program, retention rates, and placement rates for all licensed institutions.

(2) By November 30 of each year, each licensed institution shall provide data to the commission in a format prescribed by the commission. Placement rates shall be determined using Florida Education and Training Placement Information Program methodology. The commission shall establish a common set of data definitions that are consistent with those used by the United States Department of Education for institutional reporting purposes.

(3) The commission shall impose an administrative fine of not more than \$1,000 when a licensed institution fails to timely



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submit the required data to the commission pursuant to this section. Administrative fines collected under this subsection shall be deposited into the Student Protection Fund.

(4) The commission shall establish by rule performance benchmarks to identify high-performing institutions licensed by the commission. Licensed institutions with graduation rates, retention rates, and placement rates equal to or higher than the average rates of all Florida universities, colleges, or career centers, as appropriate, may receive and use the designation of "high performing."

Section 3. Paragraphs (c) and (d) of subsection (2) and subsection (3) of section 1005.21, Florida Statutes, are amended to read:

1005.21 Commission for Independent Education.—

(2) The Commission for Independent Education shall consist of seven members who are residents of this state. The commission shall function in matters concerning independent postsecondary educational institutions in consumer protection, program improvement, and licensure for institutions under its purview. The Governor shall appoint the members of the commission who are subject to confirmation by the Senate. The membership of the commission shall consist of:

(c) One member who is an employer of graduates of institutions licensed by the commission. The member may not have any other relationship with an institution subject to licensure by the commission except for his or her status as an employer of graduates of the institution ~~from a public school district or Florida College System institution who is an administrator of career education.~~



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(d) One member who is a graduate of an institution subject to licensure by the commission. The member may not have any other relationship with an institution subject to licensure by the commission except for his or her status as an alumnus
~~representative of a college that meets the criteria of s. 1005.06(1)(f).~~

(3) The members of the commission shall be appointed to 3-year terms. Members may serve no more than three consecutive terms or and until their successors are appointed and qualified, whichever occurs first. If a vacancy on the commission occurs before the expiration of a term, the Governor shall appoint a successor to serve the unexpired portion of the term.

Section 4. Paragraphs (e) and (k) of subsection (1) of section 1005.22, Florida Statutes, are amended, and paragraph (j) is added to subsection (2) of that section, to read:

1005.22 Powers and duties of commission.—

(1) The commission shall:

(e) Administer the provisions of this chapter. To this end, the commission has the following administrative powers and responsibilities:

1. The commission shall adopt rules pursuant to ss. 120.536(1) and 120.54 for the operation and establishment of independent postsecondary educational institutions. The commission shall submit the rules to the State Board of Education for approval or disapproval. If the state board does not act on a rule within 60 days after receiving it, the rule shall be filed immediately with the Department of State.

2. The commission shall approve and submit an annual budget to the State Board of Education.



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3. The commission shall transmit all fees, donations, and other receipts of money to the Institutional Assessment Trust Fund.

4. The commission shall expend funds as necessary to assist in the application and enforcement of its powers and duties. The Chief Financial Officer shall pay out all moneys and funds as directed under this chapter upon vouchers approved by the Department of Education for all lawful purposes necessary to administering this chapter. The commission shall make annual reports to the State Board of Education showing in detail amounts received and all expenditures. The commission shall include in its annual report to the State Board of Education a statement of its major activities during the period covered by the report.

(k) Establish and publicize the procedures for receiving and responding to complaints from students, faculty, and others concerning institutions or programs under the purview of the commission, and keep records of such complaints in order to determine the frequency and nature of complaints with respect to specific institutions of higher education. Complaints not closed within 90 days shall be reviewed by a committee appointed by the commission.

(2) The commission may:

(j) Prohibit a licensed institution from enrolling new students, or limit the number of students in a program at a licensed institution, based on the institution's performance.

Section 5. Subsections (5) through (16) of section 1005.31, Florida Statutes, are renumbered as subsections (6) through (17), respectively, subsection (2) and present subsection (6)



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are amended, and a new subsection (5) is added to that section,
to read:

1005.31 Licensure of institutions.—

(2) The commission shall develop minimum standards by which
to evaluate institutions for licensure. These standards must
include, at a minimum, at least the institution's: name,
financial stability, purpose, administrative organization,
admissions and recruitment, educational programs and curricula,
retention and completion, including a retention and completion
management plan, career placement, faculty, learning resources,
student personnel services, physical plant and facilities,
publications, and disclosure statements about the status of the
institution with respect to professional certification and
licensure. The commission may adopt rules to ensure that
institutions licensed under this section meet these standards in
ways that are appropriate to achieve the stated intent of this
chapter, including provisions for nontraditional or distance
education programs and delivery.

(5) The commission may require institutions that do not
provide sufficient evidence of financial stability at the time
of application for a provisional license or that are dependent
upon financial resources located outside of the United States to
post and maintain a surety bond to assist each enrolled student
in completing his or her program of enrollment in the event that
the institution closes before receiving its first annual
licensure renewal. In lieu of a surety bond, the commission may
require an institution to establish and maintain a cash deposit
escrow account or an irrevocable letter of credit payable to the
commission in an amount not to exceed 50 percent of the



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185 institution's projected revenue for its first year. The
186 commission shall adopt rules to implement this subsection.

187 (7)-(6) The commission shall ensure through an investigative
188 process that applicants for licensure meet the standards as
189 defined in rule. Within 30 days after receipt of an application,
190 the commission shall examine the application, notify the
191 applicant of any apparent errors or omissions, and request any
192 necessary additional information from the applicant. When the
193 investigative process is not completed within the time set out
194 in s. 120.60(1) and the commission has reason to believe that
195 the applicant does not meet licensure standards, the commission
196 or the executive director of the commission may issue a 90-day
197 licensure delay, which shall be in writing and sufficient to
198 notify the applicant of the reason for the delay. The provisions
199 of this subsection shall control over any conflicting provisions
200 of s. 120.60(1).

201 Section 6. Paragraph (e) of subsection (1) and subsection
202 (3) of section 1005.32, Florida Statutes, are amended to read:

203 1005.32 Licensure by means of accreditation.—

204 (1) An independent postsecondary educational institution
205 that meets the following criteria may apply for a license by
206 means of accreditation from the commission:

207 ~~(e) The institution is a Florida corporation.~~

208 (3) The commission may not require an institution granted a
209 license by means of accreditation to submit reports that differ
210 from the reports required by its accrediting association, except
211 that each institution must file with the commission an annual
212 audit report and a retention and completion management plan
213 pursuant to s. 1005.31. The institution must also follow the



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commission's requirements for orderly closing, including provisions for trainout or refunds and arranging for the proper disposition of student and institutional records.

Section 7. Subsections (3) and (4) of section 1005.36, Florida Statutes, are renumbered as subsections (4) and (5), respectively, subsection (2) is amended, and a new subsection (3) is added to that section, to read:

1005.36 Institutional closings.—

(2) At least 30 days before ~~prior to~~ closing an institution, its owners, directors, or administrators shall notify the commission in writing of the closure of the institution. The owners, directors, and administrators must organize an orderly closure of the institution, which means at least providing for the completion of training of its students. The commission must approve any such plan. An owner, director, or administrator who fails to notify the commission at least 30 days before ~~prior to~~ the institution's closure, or who fails to organize the orderly closure of the institution and the trainout of the students, commits a misdemeanor of the first ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083.

(3) By October 1, 2016, the commission shall establish a Closed Institution Panel. The panel shall consist of at least one commission member, one commission staff member, one accrediting body staff member, and one administrator with experience managing licensed institutions. The commission shall notify the panel upon the closing of a licensed institution. For any closure that does not comply with the requirements of subsection (2), or at the discretion of the commission chair, the panel shall convene to implement measures to minimize the



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academic, logistical, and financial impact on students of the institution. The panel is authorized to secure student records and, to the extent possible, maintain the educational programs at the institution for at least 30 days after it receives notification that the institution is closing to assist each student with completion of his or her educational program. The panel's activities shall be conducted at the expense of the institution that is closing.

Section 8. Section 1005.37, Florida Statutes, is amended to read:

1005.37 Student Protection Fund.—

(1) The commission shall establish and administer a statewide, fee-supported financial program through which funds will be available to complete the training of a student who enrolls in a licensed institution ~~nonpublic school~~ that terminates a program or ceases operation before the student has completed his or her program of study. The financial program is named the Student Protection Fund.

(2) The commission is authorized to assess a fee from the licensed institutions ~~schools~~ within its jurisdiction for such purpose. The commission shall assess a licensed institution ~~school~~ an additional fee for its eligibility for the Student Protection Fund. Fees to support the fund shall be determined annually by the commission; however, if the fund balance exceeds \$5 million on November 1 of any year, the fees may not be collected in the next calendar year.

(3) If a licensed institution ~~school~~ terminates a program before all students complete it, the commission shall also assess that institution ~~school~~ a fee adequate to pay the full



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cost to the Student Protection Fund of completing the training of students.

(4) The fund shall consist entirely of fees assessed to licensed institutions ~~schools~~ and shall not be funded under any circumstances by public funds, nor shall the commission make payments or be obligated to make payments in excess of the assessments actually received from licensed institutions ~~schools~~ and deposited in the Institutional Assessment Trust Fund to the credit of the Student Protection Fund.

(5) At each commission meeting, the commission shall consider the need for and shall make required assessments, shall review the collection status of unpaid assessments and take all necessary steps to collect them, and shall review all moneys in the fund and expenses incurred since the last reporting period. This review must include administrative expenses, moneys received, and payments made to students or to lending institutions.

(6) Staff of the commission must immediately inform the commission upon learning of the closing of a licensed institution ~~school~~ or the termination of a program that could expose the fund to liability.

(7) The Student Protection Fund must be actuarially sound, periodically audited by the Auditor General in connection with his or her audit of the Department of Education, and reviewed to determine if additional fees must be charged to licensed institutions ~~schools~~ eligible to participate in the fund.

Section 9. Subsections (1), (3), and (4) of section 1005.39, Florida Statutes, are amended to read:

1005.39 Continuing education and training for



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administrators and faculty.-

(1) The commission shall determine whether ~~is authorized to ensure that~~ the administrators of licensed institutions are qualified to conduct the operations of their respective positions and ~~to~~ require such administrators and faculty to receive continuing education and training as adopted by rule of the commission. The positions for which the commission must ~~may~~ review qualifications and require continuing education and training may include the positions of chief administrator or officer, chief campus officer, director of education or training, placement director, admissions director, and financial aid director and faculty members. By July 1, 2017, and annually thereafter, the commission must verify that all administrators subject to continuing education requirements have completed training on state and federal laws and regulations specifically pertaining to the operation of nonpublic postsecondary institutions.

(3) The commission shall adopt general qualifications for each of the respective positions and establish guidelines for the minimum amount and type of continuing education and training to be required. The continuing education and training may be provided by the commission, appropriate state or federal agencies, or professional organizations familiar with the requirements of the particular administrative positions. Continuing education may also be provided by licensed institutions upon approval of the commission. The actual curricula should be left to the discretion of those agencies, ~~and organizations,~~ and, if approved, licensed institutions.

(4) Evidence of administrator ~~the administrator's~~ and



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faculty ~~member's~~ compliance with the continuing education and training requirements established by the commission must ~~may~~ be included in the initial and renewal application forms provided to ~~by~~ the commission. Actual records of the continuing education and training received by administrators and faculty shall be maintained at the institution and available for inspection at all times.

Section 10. This act shall take effect July 1, 2016.

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to independent postsecondary educational institutions; amending s. 1005.04, F.S.; requiring that certain institutions include specified information relating to student fees and costs in a disclosure to prospective students; creating s. 1005.11, F.S.; requiring the Commission for Independent Education to annually prepare an accountability report by a specified date; requiring licensed institutions to annually provide certain data to the commission by a specified date and authorizing administrative fines for an institution that fails to timely submit the data; requiring placement rates to be determined using a specified methodology; requiring the commission to establish a common set of data definitions; requiring the commission to establish



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certain benchmarks by rule; providing for the designation of certain licensed institutions as "high performing"; amending s. 1005.21, F.S.; revising the commission's membership; limiting the terms of commission members; amending s. 1005.22, F.S.; requiring the commission to approve an annual budget; providing for the review of certain complaints concerning institutions or programs which are not closed within a specified time; authorizing the commission to prohibit the enrollment of new students, or limit the number of students in a program at, a licensed institution under certain circumstances; amending s. 1005.31, F.S.; revising the commission's evaluation standards for licensure of an institution; requiring certain institutions to post a surety bond or similar financial security for specified purposes; requiring the commission to adopt rules; requiring the commission to examine an application for licensure and take certain actions within a specified period; amending s. 1005.32, F.S.; deleting a provision authorizing an institution that is a Florida corporation to apply for licensure by means of accreditation; requiring institutions granted licensure through accreditation to file a retention and completion management plan; amending s. 1005.36, F.S.; revising the criminal penalty for the unlawful closure of certain institutions; requiring the commission to create a Closed Institution Panel; providing membership and duties of the panel;



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providing that the panel's activities be conducted at the expense of certain institutions; amending s. 1005.37, F.S.; requiring the commission to annually determine fees to support the Student Protection Fund; providing that fees may not be collected under certain circumstances; amending s. 1005.39, F.S.; requiring the commission to determine whether certain personnel of licensed institutions are qualified and require certain personnel to complete continuing education and training; requiring the commission to annually verify that certain personnel have completed certain training by a specified date; authorizing continuing education to be provided by licensed institutions under certain circumstances; requiring certain evidence be included in initial or renewal application forms provided by the commission; providing an effective date.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
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Appropriations Subcommittee on Education (Stargel) recommended the following:

Senate Amendment to Amendment (711168)

Delete line 189
and insert:
defined in rule. Within 60 days after receipt of an application,

By the Committee on Higher Education; and Senator Brandes

589-02538-16

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1 A bill to be entitled
 2 An act relating to private postsecondary education;
 3 amending s. 1005.04, F.S.; requiring certain
 4 institutions to provide a student with a written
 5 disclosure of all fees and costs that the student will
 6 incur to complete his or her program; amending s.
 7 1005.21, F.S.; revising the membership of the
 8 Commission for Independent Education; amending s.
 9 1005.31, F.S.; requiring the commission to include a
 10 retention and completion management plan in the
 11 minimum standards used to evaluate an institution for
 12 licensure; requiring an institution applying for a
 13 provisional license to post and maintain a surety bond
 14 with the commission; specifying the amount of the
 15 surety bond; specifying the amount of time the surety
 16 bond remains in effect; authorizing the commission to
 17 allow a cash deposit escrow account or an irrevocable
 18 letter of credit as an alternative to the surety bond;
 19 providing for rulemaking; requiring the commission to
 20 review an application and request any necessary
 21 additional information from an applicant within a
 22 certain timeframe; amending s. 1005.32, F.S.; revising
 23 the criteria for licensure by means of accreditation;
 24 deleting the requirement that an applicant be a
 25 Florida corporation; requiring an institution that
 26 applies for licensure by means of accreditation to
 27 file a retention and completion management plan with
 28 the commission; amending s. 1005.37, F.S.; revising
 29 the institutions included in the Student Protection
 30 Fund to include licensed institutions; providing an
 31 effective date.
 32

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

34
 35 Section 1. Subsection (1) of section 1005.04, Florida
 36 Statutes, is amended to read:

37 1005.04 Fair consumer practices.—

38 (1) Every institution that is under the jurisdiction of the
 39 commission or is exempt from the jurisdiction or purview of the
 40 commission pursuant to s. 1005.06(1)(c) or (f) and that either
 41 directly or indirectly solicits for enrollment any student
 42 shall:

43 (a) Disclose to each prospective student a statement of the
 44 purpose of such institution, its educational programs and
 45 curricula, a description of its physical facilities, its status
 46 regarding licensure, its fee schedule and policies regarding
 47 retaining student fees if a student withdraws, and a statement
 48 regarding the transferability of credits to and from other
 49 institutions. The institution shall make the required
 50 disclosures in writing at least 1 week prior to enrollment or
 51 collection of any tuition from the prospective student. The
 52 required disclosures may be made in the institution's current
 53 catalog;

54 (b) Use a reliable method to assess, before accepting a
 55 student into a program, the student's ability to complete
 56 successfully the course of study for which he or she has
 57 applied;

58 (c) Inform each student accurately about financial
 59 assistance and obligations for repayment of loans; describe any
 60 employment placement services provided and the limitations
 61 thereof; and refrain from promising or implying guaranteed

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62 placement, market availability, or salary amounts;

63 (d) Provide to prospective and enrolled students accurate
64 information regarding the relationship of its programs to state
65 licensure requirements for practicing related occupations and
66 professions in Florida;

67 (e) Ensure that all advertisements are accurate and not
68 misleading;

69 (f) Publish and follow an equitable prorated refund policy
70 for all students, and follow both the federal refund guidelines
71 for students receiving federal financial assistance and the
72 minimum refund guidelines set by commission rule;

73 (g) Follow the requirements of state and federal laws that
74 require annual reporting with respect to crime statistics and
75 physical plant safety and make those reports available to the
76 public; ~~and~~

77 (h) Publish and follow procedures for handling student
78 complaints, disciplinary actions, and appeals; ~~and-~~

79 (i) Before enrollment, provide to students and prospective
80 students, in a format prescribed by the commission or by the
81 Independent Colleges and Universities of Florida for those
82 institutions exempt from the jurisdiction or purview of the
83 commission under s. 1005.06(1)(c), a written disclosure of all
84 fees and costs they will incur to complete the program.

85 Section 2. Paragraphs (c), (d), and (e) of subsection (2)
86 of section 1005.21, Florida Statutes, are amended to read:

87 1005.21 Commission for Independent Education.-

88 (2) The Commission for Independent Education shall consist
89 of seven members who are residents of this state. The commission
90 shall function in matters concerning independent postsecondary

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91 educational institutions in consumer protection, program
92 improvement, and licensure for institutions under its purview.
93 The Governor shall appoint the members of the commission who are
94 subject to confirmation by the Senate. The membership of the
95 commission shall consist of:

96 (c) Two members ~~One member~~ from a public school district or
97 Florida College System institution who are administrators ~~is an~~
98 ~~administrator~~ of career education.

99 ~~(d) One representative of a college that meets the criteria~~
100 ~~of s. 1005.06(1)(f).~~

101 (d) ~~(e)~~ One lay member who is not affiliated with an
102 independent postsecondary educational institution.

103 Section 3. Present subsection (2) of section 1005.31,
104 Florida Statutes, is amended, present subsections (5) through
105 (15) of that section are redesignated as subsections (6) through
106 (16), respectively, a new subsection (5) is added to that
107 section, and present subsection (6) of that section is amended,
108 to read:

109 1005.31 Licensure of institutions.-

110 (2) The commission shall develop minimum standards ~~by which~~
111 to evaluate institutions for licensure. These standards must
112 include at least the institution's name; ~~financial stability;~~
113 ~~purpose;~~ ~~administrative organization;~~ ~~admissions and~~
114 ~~recruitment;~~ ~~educational programs and curricula;~~ ~~retention~~
115 ~~and;~~ completion, including a retention and completion management
116 plan prescribed by the commission; ~~career placement;~~ ~~faculty;~~
117 ~~learning resources;~~ ~~student personnel services;~~ ~~physical plant~~
118 ~~and facilities;~~ ~~publications;~~ ~~and disclosure statements about~~
119 the status of the institution with respect to professional

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certification and licensure. The commission may adopt rules to ensure that institutions licensed under this section meet these standards in ways that are appropriate to achieve the stated intent of this chapter, including provisions for nontraditional or distance education programs and delivery.

(5) (a) An institution applying for a provisional license shall post and maintain a surety bond with the commission in a format prescribed by the commission. The surety bond shall be executed by a surety company authorized to do business in this state, with the applicant as the principal. The surety bond shall be payable to the commission to assist the commission in aiding a student damaged by an institution ceasing operation before the student has completed his or her contracted program.

(b) The surety bond must be for at least \$100,000, and may not exceed 50 percent of the amount of the first year's projected revenue.

(c) A surety bond shall remain in effect until the institution applies for and receives a first annual licensure renewal and demonstrates financial stability as determined by the commission.

(d) As an alternative to a surety bond, the commission may allow an institution to establish and maintain a cash deposit escrow account or an irrevocable letter of credit payable to the commission. The amount of the cash deposit escrow account or the irrevocable letter of credit shall be the same as the bond amount would have been for the institution.

(e) The commission may adopt rules to implement this subsection.

(7) (6) The commission shall ensure through an investigative

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process that applicants for licensure meet the standards as defined in rule. Within 60 days after receipt of an application, the commission shall examine the application, notify the applicant of any apparent error or omission, and request any necessary additional information. When the investigative process is not completed within the time set out in s. 120.60(1) and the commission has reason to believe that the applicant does not meet licensure standards, the commission or the executive director of the commission may issue a 90-day licensure delay, which shall be in writing and sufficient to notify the applicant of the reason for the delay. The provisions of this subsection shall control over any conflicting provisions of s. 120.60(1).

Section 4. Paragraph (e) of subsection (1) and subsection (3) of section 1005.32, Florida Statutes, are amended to read:
1005.32 Licensure by means of accreditation.—

(1) An independent postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:

~~(e) The institution is a Florida corporation.~~

(3) The commission may not require an institution granted a license by means of accreditation to submit reports that differ from the reports required by its accrediting association, except that each institution must file with the commission an annual audit report and a retention and completion management plan as required in s. 1005.31. The institution must also ~~and~~ follow the commission's requirements for orderly closing, including provisions for trainout or refunds and arranging for the proper disposition of student and institutional records.

Section 5. Section 1005.37, Florida Statutes, is amended to

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read:

1005.37 Student Protection Fund.—

(1) The commission shall establish and administer a statewide, fee-supported financial program through which funds will be available to complete the training of a student who enrolls in a licensed institution ~~nonpublic school~~ that terminates a program or ceases operation before the student has completed his or her program of study. The financial program is named the Student Protection Fund.

(2) The commission is authorized to assess a fee from the licensed institutions ~~schools~~ within its jurisdiction for such purpose. The commission shall assess a licensed institution ~~school~~ an additional fee for its eligibility for the Student Protection Fund.

(3) If a licensed institution ~~school~~ terminates a program before all students complete it, the commission shall also assess that institution ~~school~~ a fee adequate to pay the full cost to the Student Protection Fund of completing the training of students.

(4) The fund shall consist entirely of fees assessed to licensed institutions ~~schools~~ and shall not be funded under any circumstances by public funds, nor shall the commission make payments or be obligated to make payments in excess of the assessments actually received from licensed institutions ~~schools~~ and deposited in the Institutional Assessment Trust Fund to the credit of the Student Protection Fund.

(5) At each commission meeting, the commission shall consider the need for and shall make required assessments, shall review the collection status of unpaid assessments and take all

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

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necessary steps to collect them, and shall review all moneys in the fund and expenses incurred since the last reporting period. This review must include administrative expenses, moneys received, and payments made to students or to lending institutions.

(6) Staff of the commission must immediately inform the commission upon learning of the closing of a licensed institution ~~school~~ or the termination of a program that could expose the fund to liability.

(7) The Student Protection Fund must be actuarially sound, periodically audited by the Auditor General in connection with his or her audit of the Department of Education, and reviewed to determine if additional fees must be charged to licensed institutions ~~schools~~ eligible to participate in the fund.

Section 6. This act shall take effect July 1, 2016.

Page 8 of 8

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



The Florida Senate

Committee Agenda Request

To: Senator Don Gaetz, Chair
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: January 25, 2016

I respectfully request that **Senate Bill #800**, relating to **Private Postsecondary Education**, be placed on the:

- ☒ committee agenda at your earliest possible convenience.
- ☐ next committee agenda.

A handwritten signature in black ink, appearing to read "Jeff Brandes", with a long horizontal flourish extending to the right.

Senator Jeff Brandes
Florida Senate, District 22

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/10/15

Meeting Date

SB 800

Bill Number (if applicable)

Topic SB 800- Private Postsecondary Education

Amendment Barcode (if applicable)

Name Tanya Cooper

Job Title Director, Governmental Relations

Address 325 W. Gaines St.

Phone 850-245-9633

Street

Tallahassee

FL

32399

City

State

Zip

Email Tanya.Cooper@fldoe.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Department of 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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-11-16

Meeting Date

800

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Sandra Mortham

Job Title _____

Address 6675 Weeping Willow Way
Street
Tall FL 32311
City State Zip

Phone 850-251-2283

Email smortham@aol.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Rasmussen College

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/10/15

Meeting Date

SB 800

Bill Number (if applicable)

711168

Amendment Barcode (if applicable)

Topic SB 800- Private Postsecondary Education

Name Tanya Cooper

Job Title Director, Governmental Relations

Address 325 W. Gaines St.

Street

Tallahassee

City

FL

State

32399

Zip

Phone 850-245-9633

Email Tanya.Cooper@fldoe.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Department of 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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

February 11, 2016`

Meeting Date

SB 800

Bill Number (if applicable)

711168

Amendment Barcode (if applicable)

Topic Private Postsecondary Education

Name Curtis Austin

Job Title Executive Director

Address 150 S. Monroe Street, Suite 303

Phone 850-577-3139

Street

Tallahassee

FL

32312

Email Curtis@FAPSC.org

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing The Florida Association of Postsecondary Schools and Colleges

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-11-14

Meeting Date

800

Bill Number (if applicable)

711168

Amendment Barcode (if applicable)

Topic _____

Name Bob Harris

Job Title _____

Address 2618 Centennial Place

Street

Tallahassee FL 32308

City

State

Zip

Phone 222-0720

Email bharris@lawfla.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing DeVry University & City College

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

2-11-16

Meeting Date

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

SB 800

Bill Number (if applicable)

711168

Amendment Barcode (if applicable)

Topic PRIVATE COLLEGES + UNIVERSITIES

Name BOB BOYD

Job Title GENERAL COUNSEL OF ICUF

Address 660 E. COLLEGE AVE

Street

TALL, FL 32301

City

State

Zip

Phone 850-412-0306

Email bboyd@ssclawfirm.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against

→ STARKE'S DELETE EVERYTHING ABOUT (The Chair will read this information into the record.)

Representing ICUF - INDEP. COLLEGES + UNIV. 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.

S-001 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: SB 834

INTRODUCER: Senator Detert

SUBJECT: Minimum Term School Funding

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hand	Klebacha	ED	Favorable
2.	Sikes	Elwell	AED	Favorable
3.			AP	

I. Summary:

SB 834 revises minimum school term requirements and associated funding provisions for public school students and schools. Specifically, the bill:

- Provides that schools (including double-session schools and schools utilizing an experimental calendar) that operate for less than the minimum term will generate proportionally fewer full-time equivalent (FTE).
- Repeals alternative minimum term provisions for double-session schools and schools utilizing an experimental calendar.
- Repeals the requirement for the Department of Education (DOE) to approve an experimental school calendar.
- Clarifies minimum term requirement by which DOE may approve the operation of schools under emergency conditions.

The bill has no impact on state funds. A school district or charter school that continues to operate under a double session or experimental calendar for less than minimum required instructional hours specified in the bill will experience a proportional reduction in their FTE and funding as calculated through the Florida Education Finance Program.

The bill takes effect upon becoming a law.

II. Present Situation:

The present situation for the relevant portions of SB 834 is discussed in the Effect of Proposed Changes Section of this analysis.

III. Effect of Proposed Changes:

SB 834 revises minimum school term requirements and associated funding provisions for students and schools. Provisions of the bill affect statutory requirements related to traditional public schools, double-session schools, schools operating on an experimental calendar, and schools operating under emergency conditions.

Traditional Public Schools

Present Situation

Each school district is required to annually operate all schools for a term of 180 actual teaching days or the equivalent on an hourly basis as specified in SBE rules.¹ The SBE has provided that the hourly equivalent to the 180-day school year is determined as prescribed below:²

- Grades 4 through 12: Not less than 900 net instructional hours.
- Kindergarten through grade 3 or in an authorized prekindergarten exceptional program: Not less than 720 net instructional hours.

For the purposes of the Florida Education Finance Program (FEFP), a full time equivalent student (FTE) in each program of the district is defined in terms of full-time students and part time students, as follows:³

- A full-time student is one student on the membership roll of one school program or a combination of school programs for the school year or the equivalent for instruction in a standard school comprising no less than the hourly equivalent prescribed by the SBE.⁴
- A part-time student is a student on the active membership roll of a school program or combination of school program who is less than a full time student. Part time students are funded based on their proportional share of hours of instruction.⁵

Effect of Proposed Changes

The bill clarifies that a part-time student generates FTE proportional to the amount of instructional hours provided by the school divided by the minimum term requirements. In effect, a student who attends a school that operates for less than the minimum term will continue to generate proportionally fewer FTE,⁶ and the school will continue to receive proportionally less funding.

¹ Section 1011.60(2), F.S.

² Rule 6A-1.045111(1), F.A.C.

³ Section 1011.61(1), F.S.

⁴ See the previous paragraph. Exceptions exist for double-session schools or a school utilizing an experimental calendar approved by the Department of Education (discussed further herein) and for students who moved with their parents for the purpose of engaging in the farm labor or fish industries. *Id.*

⁵ E-mail, Department of Education, January 23, 2016.

⁶ Staff of the Florida Department of Education, *Legislative Bill Analysis for SB 834* (2016).

Double-Session Schools

Present Situation

Double-session schools are not defined in statute or rule.⁷ Schools operating on a double-session calendar must operate for a term of 180 actual teaching days, or the hourly equivalent as prescribed below:⁸

- Grades 4 through 12: Not less than 810 net instructional hours.
- Kindergarten through grade 3: Not less than 630 net instructional hours.

For the purposes of the FEFP, students in double-sessions schools that meet the hourly equivalent are considered full-time students⁹ Thus, a student in grade 9 at a double-session school who is provided 810 instructional hours generates 1.0 FTE ($810/810=1.0$).¹⁰

There are currently 13 double-session schools operating in Florida in the 2015-2016 fiscal year.¹¹ Several charter schools are operating with double-session or multiple sessions for which 810 instructional hours are provided.¹²

Effect of Proposed Changes

The bill eliminates the ability for a student at a double-session school to meet the definition of a full-time student if the student receives instruction that comprises:

- Less than 900 but more than 810 net hours in grades 4 through 12, or
- Less than 720 but more than 630 net hours in kindergarten through grade 3.

In effect, instead of generating 1.0 FTE while operating for less than 900 hours but for more than 810 hours, the school will generate FTE proportional to the amount of instructional hours divided by the minimum term requirement of 900 hours.¹³ Under the bill, a student receiving 810 instructional hours would now generate 0.9 FTE ($810/900=0.9$),¹⁴ and the school would receive proportionally less funding.

⁷ Differing interpretations of “double-session schools” may exist. *Compare*, a DOE statement that in Florida, double-session schools have historically existed in instances where districts held two sessions per day at one school location due to school construction delay or storm damage. *Id.*; *But see*, Statutory maximum class size implementation options direct district school boards to consider operating more than one session of school during the day in order to meet constitutional class size requirements. Section 1003.03(3)(i), F.S.

⁸ Section 1011.61(1)(a)2., F.S.; Rule 6A-1.045111(2), F.A.C. The DOE is not required to approve double-session schools. Staff of the Florida Department of Education, *Legislative Bill Analysis for SB 834* (2016).

⁹ Section 1011.61(1)(a)2., F.S.

¹⁰ Staff of the Florida Department of Education, *Legislative Bill Analysis for SB 834* (2016).

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

Schools Operating on an Experimental Calendar

Present Situation

Schools utilizing an experimental calendar that is approved by the Department of Education, must operate for a term of 180 actual teaching days or the hourly equivalent as prescribed below:¹⁵

- Grades 4 through 12: Not less than 810 net instructional hours.
- Kindergarten through grade 3: Not less than 630 net instructional hours.

For the purposes of the FEFP, students at a school utilizing an experimental school calendar approved by the Department of Education are considered full-time students if the instruction meets the minimum term requirements.¹⁶ Thus, a student in grade 9 at such a school who is provided 810 instructional hours generates 1.0 FTE ($810/810=1.0$).¹⁷

Additionally, the Department is required to determine and implement an equitable method of equivalent funding for experimental schools which have been approved by the DOE to operate for less than the minimum school day.¹⁸

Effect of Proposed Changes

The bill eliminates the ability for a student at a school utilizing an experimental school calendar to meet the definition of a full-time student if the student receives instruction that comprises:

- Less than 900 but more than 810 net hours in grades 4 through 12, or
- Less than 720 but more than 630 net hours in kindergarten through grade 3.

The bill eliminates statutory language requiring the DOE to determine and implement an equitable method of equivalent funding for experimental schools which have been approved by the DOE to operate for less than the minimum school day.¹⁹

In effect, a student who attends a school operating on an experimental calendar that operates for less than the minimum term will generate proportionally fewer FTE.²⁰ Thus, instead of generating 1.0 FTE while operating for less than 900 hours but for more than 810 hours, the school will generate FTE proportional to the amount of instructional hours divided by the minimum term requirement of 900 hours.²¹ Under the bill, a student receiving 810 instructional hours would now generate 0.9 FTE ($810/900=0.9$),²² and the school would receive proportionally less funding.

¹⁵ Section 1011.61(1)(a)2., F.S.; Rule 6A-1.045111(2), F.A.C.

¹⁶ Section 1011.61(1)(a)2., F.S.

¹⁷ Staff of the Florida Department of Education, *Legislative Bill Analysis for SB 834* (2016).

¹⁸ Section 1011.61(1), F.S. (Flush left provisions)

¹⁹ Section 1011.61(1), F.S. (Flush left provisions)

²⁰ Staff of the Florida Department of Education, *Legislative Bill Analysis for SB 834* (2016).

²¹ *Id.*

²² *Id.*

Emergency Conditions

Present Situation

Upon written application, the SBE is authorized to alter the 180 day minimum term requirement during a national, state, or local emergency if the SBE determines that is not feasible to make up lost days or hours.²³

At the discretion of the Commissioner of Education, and if the SBE determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, the apportionment may be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools.²⁴

The Department is required to determine and implement an equitable method of equivalent funding for schools operating under emergency conditions, which have been approved by the DOE to operate for less than the minimum school day.²⁵

Effect of Proposed Changes

The bill clarifies schools approved by the DOE to operate for less than the minimum school day means the minimum term as provided in s. 1011.60, F.S.²⁶

The bill takes effect upon becoming a law.

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.

²³ Section 1011.60(2), F.S. The SBE is authorized to prescribe procedures for altering this requirement. *Id.*

²⁴ Section 1011.60(2), F.S. A strike, as defined in s. 447.203(6), by employees of the school district may not be considered an emergency. *Id.*

²⁵ Section 1011.61(1), F.S. (Flush left provisions)

²⁶ Section 1011.61(1), F.S. (Flush left provisions) This section identifies minimum requirements of the FEFP. *Id.*

B. Private Sector Impact:

None.

C. Government Sector Impact:

SB 834 has no impact on state funds. A school district or charter school that continues to operate under a double session or experimental calendar for less than minimum required instructional hours specified in the bill will experience a proportional reduction in their FTE and funding as calculated through the Florida Education Finance Program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1011.61 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

By Senator Detert

28-00640-16

2016834__

A bill to be entitled

An act relating to minimum term school funding; amending s. 1011.61, F.S.; revising the term "full-time student" to delete references to membership in a double-session school or a school that uses a specified experimental calendar; clarifying how "full time equivalency" is calculated for students in schools that operate for less than the minimum term; providing an effective date.

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

Section 1. Subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(a) A "full-time student" is one student on the membership roll of one school program or a combination of school programs listed in s. 1011.62(1)(c) for the school year or the equivalent for:

1. Instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program; or

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~~2. Instruction in a double-session school or a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3; or~~

2.3- Instruction comprising the appropriate number of net hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for students who, within the past year, have moved with their parents for the purpose of engaging in the farm labor or fish industries, if a plan furnishing such an extended school day or week, or a combination thereof, has been approved by the commissioner. Such plan may be approved to accommodate the needs of migrant students only or may serve all students in schools having a high percentage of migrant students. The plan described in this subparagraph is optional for any school district and is not mandated by the state.

(b) A "part-time student" is a student on the active membership roll of a school program or combination of school programs listed in s. 1011.62(1)(c) who is less than a full-time student. A student who receives instruction in a school that operates for less than the minimum term shall generate a full-time equivalent student proportional to the amount of instructional hours provided by the school divided by the minimum term requirement as defined in s. 1011.60.

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the

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equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. ~~or subparagraph (a)2.~~ The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course

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delivered online.

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 fiscal year, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student

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who enrolls in a segmented remedial course delivered online.

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection until the 2016-2017 fiscal year. Beginning in the 2016-2017 fiscal year, the FTE for the course shall be assessment-based and shall be equal to 1/6 FTE. The reported FTE shall be adjusted if the student does not pass the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

a. Juvenile justice education programs.

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

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b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.

The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for ~~experimental schools and for~~ schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum term requirement as provided in s. 1011.60 school day.

Section 2. This act shall take effect upon becoming a law.

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



The Florida Senate

Committee Agenda Request

To: Senator Don Gaetz, Chair
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: January 28, 2016

I respectfully request that **Senate Bill #834**, relating to Minimum Term School Funding, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in cursive script, reading "Nancy Detert".

Senator Nancy C. Detert
Florida Senate, District 28

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/10/15

Meeting Date

SB 834

Bill Number (if applicable)

Topic SB 834- Minimum Term Funding

Amendment Barcode (if applicable)

Name Tanya Cooper

Job Title Director, Governmental Relations

Address 325 W. Gaines St.

Phone 850-245-9633

Street

Tallahassee

FL

32399

Email Tanya.Cooper@fldoe.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Department of 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 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: PCS/SB 836 (378334)

INTRODUCER: Senator Gaetz

SUBJECT: Rapid Response Education and Training Program

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Scott	Klebacha	HE	Favorable
2.	Sikes	Elwell	AED	Fav/CS
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 836 establishes a Rapid Response Education and Training Program within the Complete Florida Plus Program at the University of West Florida (UWF) to award competitive grants to public or private education and training providers. The Complete Florida Plus Program and Enterprise Florida, Inc., must collaborate to identify education and training programs that will enhance business and industry recruitment and retention efforts.

Specifically, the bill requires that the Rapid Response Education and Training Program:

- Award matching grants to public or private education and training providers.
- Ensure transparency through periodic reports from an independent forensic accountant or auditor.
- Keep administrative costs to a minimum through the use of existing organizational structures.
- Work directly with businesses to recruit individuals for education and training.
- Provide a participating education and training program 30-days' notice before termination.
- Survey businesses regarding the effectiveness of the education and training programs.

Additionally, the bill requires the Division of Career and Adult Education within the Department of Education to analyze and assess the effectiveness of the programs offered through the Rapid Response Education and Training Program in addressing labor market and occupational trends and needs.

The bill has no impact on state funds. Funding for the Complete Florida Plus Program is appropriated in the UWF base budget. The Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500, appropriates \$20 million for the Rapid Response Education and Training Program.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

The Florida Legislature has established mechanisms to facilitate coordination between public and private postsecondary education institutions and employment agencies to assist students in completing degree programs to meet the state's workforce needs.

Complete Florida Plus Program

In 2012, the Florida Legislature created the Complete Florida Plus Program¹ at the UWF for the purpose of:²

- Facilitating degree completion for the state's adult learners through the Complete Florida Degree Initiative.
- Providing information relating to and access to distance learning courses and degree programs offered by public postsecondary education institutions.
- Coordinating with the Florida College System (FCS) and the State University System (SUS) to identify and provide online academic support services and resources when the multi-institutional provision of such services and resources is more cost effective or operationally effective.
- Administering the Florida Academic Library Services Cooperative³ (Cooperative) and consulting with the chancellors of the FCS and the SUS regarding the Cooperative.

The UWF must submit annual reports to the President of the Senate and the Speaker of the House of Representatives relating to the implementation and operation of the components of the Complete Florida Plus Program and the Cooperative.⁴

In 2014, the Florida Legislature established the Complete Florida Degree Initiative (Initiative) within the Complete Florida Plus Program for the purpose of recruiting, recovering, and retaining the state's adult learners⁵ and assisting them in completing an associate degree or a baccalaureate degree aligned to the state's high-wage, high-skill workforce needs.⁶ The Initiative coordinates with FCS institutions, state universities, and private postsecondary institutions and

¹ The program was formerly established as the Degree Completion Pilot Project pursuant to s. 15, ch. 2012-34, L.O.F.

² Section 1006.735(1), F.S.

³ Section 1006.73, F.S. The Cooperative provides a single library automation system and associated resources and services for public postsecondary institutions to use to support learning, teaching, and research needs. *Id.* at (1).

⁴ Sections 1006.73(4) and 1006.735(5), F.S.

⁵ Section 1006.735(2), F.S. Adult learners who are veterans or active duty members of the United States Armed Forces are given priority. *Id.* An "adult learner" is defined as "a student who has successfully completed college-level coursework in multiple semesters but has left an institution in good standing before completing his or her degree." *Id.*

⁶ *Id.* See also, s. 16, ch. 2014-56, L.O.F.

partners with public and private job recruitment and placement agencies to identify associate, applied baccalaureate, and baccalaureate degree programs that meet the state's workforce needs.⁷

Enterprise Florida, Inc.

Enterprise Florida, Inc. (EFI) is a public-private partnership between Florida's business and government leaders. EFI was established to serve as the economic development organization for Florida, utilizing private and public sector expertise to:⁸

- Increase private investment in Florida;
- Advance International and domestic trade opportunities;
- Market the state as a probusiness location and unparalleled tourist destination;
- Revitalize Florida's space and aerospace industries;
- Promote opportunities for minority-owned businesses;
- Assist and market professional and amateur sports teams and sporting events; and
- Assist, promote, and enhance economic opportunities in rural and urban communities.

III. Effect of Proposed Changes:

The bill establishes a Rapid Response Education and Training Program within the Complete Florida Plus Program at the UWF to award competitive grants to public or private education and training providers for the purpose of enhancing business and industry recruitment and retention efforts.

The Complete Florida Plus Program currently assists in recruiting, recovering, and retaining individuals to meet the state's high-wage, high-skill workforce needs. The bill requires the Complete Florida Plus Program to work directly with Enterprise Florida, Inc., in project-specific industry recruitment and retention efforts to offer credible education and training commitments to businesses. In effect, the bill expands and further serves the purpose of the Complete Florida Plus Program to include targeted education and training programs to meet the workforce needs of industries and businesses in the state.

Specifically, the bill requires that the Rapid Response Education and Training Program:

- Award matching grants to public or private education and training providers.
- Ensure transparency by submitting to the President of the Senate and Speaker of the House of Representatives periodic reports from an independent forensic accountant or auditor.
- Keep administrative costs to a minimum through the use of existing organizational structures.
- Work directly with businesses to recruit individuals for education and training.
- Provide a participating education and training program 30-days' notice before termination.
- Survey businesses regarding the effectiveness of the education and training programs after their completion.

Additionally, the bill requires the Division of Career and Adult Education (Division) within the Department of Education to analyze and assess the effectiveness of the programs offered through

⁷ Section 1006.735(2)(a), F.S.

⁸ Section 288.901, F.S.

the Rapid Response Education and Training Program in addressing labor market and occupational trends and needs. The Division's analysis may enhance and ensure the effectiveness of the Rapid Response Education and Training Program in delivering its objectives to meet the state's workforce needs.

The award of matching grants to public and private education and training providers and partnerships with businesses may assist individuals in securing and retaining employment.

The bill provides an effective date of July 1, 2016.

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:

The bill has no impact on state funds. Funding for the Complete Florida Plus Program is appropriated in the UWF base budget. The Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500, appropriates \$20 million for the Rapid Response Education and Training Program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 288.903 and 1006.735 of the Florida Statutes.

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

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

Recommended CS by Appropriations Subcommittee on Education on February 11, 2015:

The committee substitute amends s. 288.903, F.S., to require Enterprise Florida, Inc., in coordination with the Complete Florida Plus Program, to identify education and training programs available for project-specific industry recruitment and retention efforts that will ensure Florida businesses have access to a skilled and competent workforce.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Before line 18

insert:

Section 1. Subsection (7) is added to section 288.903, Florida Statutes, to read:

288.903 Duties of Enterprise Florida, Inc.—Enterprise Florida, Inc., shall have the following duties:

(7) In coordination with the Complete Florida Plus Program, identify education and training programs that are available for



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project-specific industry recruitment and retention efforts to
offer credible education and training commitments that will
ensure that Florida businesses, and businesses relocating to
Florida, have access to a skilled and competent workforce.

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

And the title is amended as follows:

 Delete line 3

and insert:

 Training Program; amending s. 288.903, F.S.; revising
 the duties of Enterprise Florida, Inc.; amending s.
 1006.735, F.S.;

By Senator Gaetz

1-00385-16

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A bill to be entitled

An act relating to a Rapid Response Education and Training Program; amending s. 1006.735, F.S.; establishing the Rapid Response Education and Training Program within the Complete Florida Plus Program; requiring the Complete Florida Plus Program to work with Enterprise Florida, Inc., to offer certain education and training commitments to businesses; specifying the duties of the program; requiring reports to the Legislature; requiring the Division of Career and Adult Education within the Department of Education to conduct an analysis and assessment of the effectiveness of the education and training programs; providing an effective date.

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

Section 1. Present subsections (5) and (6) of section 1006.735, Florida Statutes, are redesignated as subsections (6) and (7), respectively, and a new subsection (5) is added to that section, to read:

1006.735 Complete Florida Plus Program.—The Complete Florida Plus Program is created at the University of West Florida.

(5) RAPID RESPONSE EDUCATION AND TRAINING PROGRAM.—The Rapid Response Education and Training Program is established within the Complete Florida Plus Program. Under this education and training program, the Complete Florida Plus Program shall work directly with Enterprise Florida, Inc., in project-specific

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industry recruitment and retention efforts to offer credible education and training commitments to businesses.

(a) The Rapid Response Education and Training Program must:

1. Issue challenge grants through requests for proposals that are open to all education and training providers, public or private. These grants match state dollars with education and training provider dollars to implement particular education and training programs.

2. Request periodic reports from an independent forensic accountant or auditor to ensure transparency of the program. These periodic reports must be submitted to the President of the Senate and the Speaker of the House of Representatives.

3. Keep administrative costs to a minimum through the use of existing organizational structures.

4. Work directly with businesses to recruit individuals for education and training.

5. Be able to terminate an education and training program by giving the program 30 days' notice.

6. Survey employers after completion of an education and training program to ascertain the effectiveness of the program.

(b) The Division of Career and Adult Education within the Department of Education shall conduct an analysis and assessment of the effectiveness of the education and training programs under this section in addressing labor market and occupational trends and needs.

Section 2. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/16
Meeting Date

836
Bill Number (if applicable)

Topic Rapid Response Education + Training

Amendment Barcode (if applicable)

Name Carol Bowen

Job Title Deputy Chief Lobbyist

Address 3730 Coconut Creek Parkway, Ste 200 Phone (954) 465-6811
Street

Coconut Creek FL 33066
City State Zip

Email c.bowen@abwcwfranch.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Associated Builders and 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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/16*Meeting Date*SB 836*Bill Number (if applicable)*Topic Rapid Response Education and Training Program*Amendment Barcode (if applicable)*Name Brittney HuntJob Title Policy DirectorAddress 136 S. Bronough St.Phone (850) 521-1200*Street*TallahasseeFL32301Email bhunt@flchamber.com*City**State**Zip*Speaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing Florida Chamber of CommerceAppearing at request of Chair: ☐ Yes ☒ NoLobbyist 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 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: CS/SB 894

INTRODUCER: Education Pre-K - 12 Committee and Senator Detert

SUBJECT: Education Personnel

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Scott	Klebacha	ED	Fav/CS
2.	Sikes	Elwell	AED	Favorable
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 894 modifies and expands several statutory provisions relating to education personnel.

Specifically, the bill:

- Adds Department of Education (DOE) employees and agents, who investigate or prosecute educator misconduct, to the list of individuals authorized to access records relating to child abuse, abandonment, or neglect.
- Authorizes the DOE to use information from the Central Abuse Hotline for educator certification discipline and review.
- Authorizes the Commissioner of Education to issue a letter of guidance to an educator in lieu of finding probable cause to prosecute misconduct.
- Modifies the membership of the Education Practices Commission.
- Exempts the Educational Certification and Service Trust Fund from the General Revenue service charge.
- Prohibits postsecondary education institutions and school districts from requiring students participating in a clinical field experience to purchase liability insurance.
- Authorizes DOE to sponsor an educator job fair.
- Requires DOE to coordinate a best practices community to assist school districts with teacher recruitment and other human resource functions.
- Removes State Board of Education rulemaking authority regarding school district assignment of newly hired instructional personnel.

- Establishes in law state approval of school leader preparation programs.

The bill eliminates the General Revenue service charge on fees that support the Educational Certification and Service Trust Fund, which will increase revenues available to support certification activities by approximately \$600,000,¹ while decreasing General Revenue by the same amount. SB 2500, the Senate General Appropriations Bill, appropriates \$1.2 million for the educator liability program.

The bill provides an effective date of July 1, 2016.

II. Present Situation:

The present situation for the relevant portions of CS/SB 894 is discussed in the Effect of Proposed Changes Section of this analysis.

III. Effect of Proposed Changes:

CS/SB 894 modifies and expands several statutory provisions relating to education personnel.

Educator Misconduct

Present Situation

Florida law requires that each person² in a position who provides direct instruction to students meet the state's educator certification requirements and criteria. The Office of Professional Practices Services³ (PPS) within the Department of Education (DOE) investigates misconduct by educators who hold a Florida Educator Certificate or a valid application for a Florida Educator Certificate.⁴

The DOE is required to investigate legally sufficient⁵ complaints of misconduct⁶ committed by certified educators and advise the Commissioner of Education (Commissioner) on whether probable cause exists.⁷ Upon a finding of probable cause, the Commissioner must file a formal

¹ Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 8, *r'cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

² Such persons include instructional personnel (*e.g.*, classroom teachers, student advisors, or certified school counselors) or administrative personnel (*e.g.*, deputy superintendents, school principals, or assistance principals). Section 1012.01(2)-(3), F.S.

³ Florida Department of Education, Professional Practices, <http://www.fldoe.org/teaching/professional-practices> (last visited January 14, 2016).

⁴ Florida Department of Education, Role of Professional Practices Services, <http://www.fldoe.org/teaching/professional-practices/role-of-professional-practices-service.html> (last visited January 13, 2016).

⁵ Section 1012.796(1)(a), F.S. The complaint is legally sufficient if it contains ultimate facts showing a violation has occurred. *Id.* and s. 1012.795, F.S.

⁶ Misconduct may include fraudulently obtaining an educator certificate, knowingly failing to report actual or suspected child abuse, or breach of contract. Section 1012.795(1), F.S.

⁷ Section 1012.796(3), F.S.

complaint and prosecute the complaint pursuant to chapter 120, F.S.⁸ If the Commissioner does not find probable cause, the complaint must be dismissed.⁹

Currently, the PPS is not legally authorized to access records relating to cases of child abuse, abandonment, or neglect involving a certified educator.¹⁰ Records held by the Department of Children and Families (DCF) regarding reports of child abuse, abandonment, or neglect, including reports made to the statewide Central Abuse Hotline, are confidential and exempt from public records requirements, unless specifically authorized in law.¹¹

Access to records, excluding the name of the person reporting abuse, is granted to a limited list of persons, officials, and agencies (*e.g.*, Department of Health employees responsible for child protective investigations, criminal justice agencies, or school district employees designated as a liaison between the school district and DCF).¹² Employees of the PPS, who are responsible for investigating educator misconduct, are not included on the list of persons or entities granted access to records relating to child abuse, abandonment, or neglect or reports made to the statewide Central Abuse Hotline.

The Education Practices Commission (EPC), as a quasi-judicial body, issues penalties against an educator's certificate.¹³ The EPC interprets and applies the standards¹⁴ of professional practice established by the State Board of Education (State Board); revokes or suspends educator certificates, or takes other disciplinary action, for misconduct; reports to and meets with the State Board; and adopts rules.¹⁵

⁸ *Id.* at (6). An administrative law judge assigned to hear the complaint makes recommendations to the EPC for review and preparation of final order issued by a panel of five EPC members. Sections 1012.79(8)(a), 1012.795(6), and 1012.796(1), F.S. In 2014, 16 of the 19 hearings involved teacher misconduct. Florida Department of Education, Division of K-12 Educator Quality, *2015 Agency Legislative Bill Analysis* for HB 587 (March 16, 2015) at 2, on file with the Committee on Education Pre-K – 12. Unless the complaint involves a felony or crime of moral turpitude, the Commissioner may enter into a deferred prosecution agreement with the certified educator in lieu of finding probable cause. Section 1012.796(3), F.S. An educator may be directed to participate through a deferred prosecution agreement or final order of the EPC in the recovery network program for assistance in obtaining treatment and services for alcohol abuse, drug abuse, or a mental condition. Section 1012.798(1), F.S. Voluntary participation in the program may be considered as a mitigating factor or a condition of disciplinary action. *Id.* at (5).

⁹ *Id.* For the period starting January 1, 2015, and ending November 24, 2015, the Commissioner issued findings of probable cause to 565 educators and no probable cause to 356 educators. *See* Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 5, *r'cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

¹⁰ Any person who knows, or has reason to suspect, that a child is abused, abandoned, or neglected must report such knowledge or suspicion to the Department of Children and Families (DCF). Section 39.201(1), F.S. School teachers and other school officials or personnel are required to make such reports and the failure to do so is a felony of the third degree. Sections 39.201(1)(d) and 39.205(2), F.S.

¹¹ Sections 39.202(1) and 39.2021(1), F.S.

¹² Section 39.202(2), F.S.

¹³ *Id.*

¹⁴ Code of Ethics of the Education Profession in Florida, Rule 6A-10.080, F.A.C., and Principles of Professional Conduct for the Education Profession in Florida, Rule 6A-10.081, F.A.C., <http://www.fldoe.org/teaching/professional-practices/code-of-ethics-principles-of-professio.shtml> (last visited January 13, 2016).

¹⁵ Sections 1012.79(7) and 1012.795(1), F.S. A district school board retains its authority to discipline teachers and administrators. Section 1012.79(8)(b), F.S.

The EPC consists of 25 members including:¹⁶

- Eight teachers;
- Five administrators, at least one of whom must represent a private school;
- Seven lay citizens, five of whom must be parents of public school students with no family relation to a public school employee and two of whom must be former district school board members; and
- Five sworn law enforcement officials.

The members are appointed by the State Board based upon nominations made by the Commissioner, subject to confirmation by the Florida Senate.¹⁷

Effect of Proposed Changes

The bill authorizes, in addition to other individuals and agencies authorized by law,¹⁸ the DCF to release records pertaining to child abuse, abandonment, or neglect cases, which are otherwise confidential and exempt from public records requirements, to DOE employees or agents who investigate or prosecute misconduct by certified educators. Allowing access to such records may assist the DOE in conducting more thorough and informed investigations of educator misconduct.

Also, the bill authorizes the Commissioner to issue a letter of guidance to a certified educator who has had a complaint of misconduct filed against him or her, rather than finding probable cause to prosecute. The bill may provide the Commissioner with more flexibility in determining the course of action to take regarding complaints of educator misconduct by permitting him or her to issue a letter of guidance if deemed more appropriate under the circumstances.

Furthermore, the bill increases the number of teacher members and diversifies the representation on the EPC by including virtual school administrators, former charter school governing board members, and public school officials, while also ensuring that members are citizens of the state.

Specifically, the bill makes the following revisions to EPC membership:

- Redistributes the number of teacher, lay citizen, and sworn law enforcement members while retaining the existing number of members (25) as follows:
 - The number of teacher members is increased from 8 to 10.
 - The number of lay citizen members is reduced from 7 to 4, all of whom must be parents of public school students.
 - The number of sworn law enforcement officials is reduced from 5 to 4.
- Revises the membership to include:

¹⁶ Section 1012.79(1), F.S. The eight teacher members comprise 32 percent of the total EPC membership. *See* Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 4, *r'cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

¹⁷ Section 1012.79(1), F.S. Before making nominations, the Commissioner must consult with teaching associations, parent organizations, law enforcement agencies, and other involved associations in the state. *Id.* Teachers, school administrators, and lay citizens who wish to serve on the EPC must be Florida residents to be appointed; however, law enforcement officials are not required to be Florida residents, but they must have expertise in child safety. *Id.*

¹⁸ Section 39.202(2), F.S.

- Former charter governing board members or former superintendents, assistant superintendents, or deputy superintendents.
- Virtual school administrators.
- Requires all members to be Florida residents.
- Authorizes the Commissioner, upon request or recommendation from the EPC, to appoint up to 5 emeritus members from previous membership of the EPC to serve 1-year terms and who:
 - May serve up to five 1-year terms;
 - Are voting members for discipline hearings; and
 - Are consulting, nonvoting members for business meetings.

Educational Certification and Service Trust Fund

Present Situation

The State Board establishes fees for applications, examinations, certification, certification renewal, late renewal, recordmaking, and recordkeeping based on estimates of the revenue required to implement the laws regarding certification of school personnel.¹⁹ The DOE must remit all proceeds from the collection of certification fees, fines, penalties, and costs levied pursuant to chapter 1012, F.S., relating to education personnel, for deposit into the Educational Certification and Service Trust Fund.²⁰ The monies from the fund are disbursed for the purpose of paying the expenses incurred by the EPC, as well as for printing forms and bulletins and issuing certificates.²¹

The earnings received or credited by trust funds, including interest, are subject to an 8 percent service charge that is appropriated to the General Revenue Fund.²² Generally, any trust fund administered by the DOE is exempt from the service charge; however, the Educational Certification and Service Trust Fund is the only trust fund administered by the DOE that is subject to the service charge.²³

Effect of Proposed Changes

The bill expressly exempts the Educational Certification and Service Trust Fund from the 8 percent service charge consistent with all other trust funds administered by the DOE. In effect, the funds that would have been deposited into the General Revenue Fund may be used for activities related to educator certification, as well as activities related to education practices and professional practices.²⁴

¹⁹ Section 1012.59(1), F.S.

²⁰ *Id.* at (2).

²¹ *Id.*

²² Section 215.20(1), F.S.

²³ Section 215.22(1)(j), F.S. Because the Educational Certification and Service Trust Fund was subject to the service charge on January 1, 1990, it is not exempt. *Id.* at (4). See also Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 4, *r'cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

²⁴ Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 5, *r'cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

Educator Liability Insurance

Present Situation

Public school educators are immune from personal liability through the doctrine of sovereign immunity.²⁵ Each district school board may provide legal services for officers and employees charged with civil or criminal actions arising out of, or in the performance of, their assigned duties and responsibilities.²⁶ Except in the case of excessive force or cruel and unusual punishment, a teacher or other member of the instructional staff, a principal or the principal's designated representative, or a bus driver, may not be held civilly or criminally liable for any action carried out in conformity with State Board and district school board rules regarding the control, discipline, suspension, and expulsion of students.²⁷

Furthermore, a student who is enrolled in a state-approved teacher preparation program and who is jointly assigned a clinical field experience under the direction of a regularly employed and certified educator is given the same protection of law as that of the certified educator except for the right to bargain collectively as an employee of the district school board.²⁸

During the 2015A Special Session A, the Legislature adopted the educator liability insurance program (program) in ch. 2015-222, L.O.F., the implementing bill for the 2015-2016 General Appropriations Act. The 2015-2016 GAA appropriated \$1.2 million for the program to be administered by the DOE.²⁹ The purpose of the program is to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions as a result of claims arising from incidents that occur during the course of performing professional responsibilities.³⁰

Under the program, a minimum of \$2 million in liability coverage must be provided to full-time instructional personnel, while other individuals may choose to participate at their own cost, including part-time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program.³¹ The DOE and each district school board is required to notify personnel of the availability of liability coverage.³² The program is scheduled to expire July 1, 2016.³³

²⁵ No officer, employee, or agent of the state or of any of its subdivisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damage suffered as a result of any act, event, or omission of action in the scope of her or his employment or function, unless such officer, employee, or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety, or property. Section 768.28(9)(a), F.S.

²⁶ Section 1012.26, F.S. District school boards must reimburse reasonable legal expenses incurred by officers and employees of school boards who are charged with civil or criminal actions arising out of or in the performance of assigned duties and responsibilities upon successful defense by the employee or officer. *Id.*

²⁷ Section 1012.75, F.S.

²⁸ Section 1012.39(3), F.S.

²⁹ Section 10, ch. 2015-222, L.O.F., *implementing* Specific Appropriation 99B, s. 2, ch. 2015-232, L.O.F.

³⁰ Section 1012.75(3), F.S., *as amended by* s. 10, ch. 2015-222, L.O.F.

³¹ *Id.*

³² *Id.*

³³ *Id.*

Effect of Proposed Changes

The bill requires a district school board to provide electronic or written notification to a student participating in a clinical field experience of the availability of educator liability insurance for purchase at his or her own cost. Also, each district school board or postsecondary education institution is prohibited from requiring a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation. In effect, the bill ensures that students enrolled in a state approved teacher preparation program are able to participate in such programs without conditional limitations.

Educator Recruitment, Retention, and Assignment

Present Situation

The DOE is responsible for cooperating with teacher organizations, district personnel offices, schools, colleges, and departments of all public and nonpublic postsecondary educational institutions to focus on the recruitment and retention of qualified teachers in the state.³⁴ In order to fulfill this responsibility, the DOE is required to perform the following duties, including, but not limited to:³⁵

- Developing and implementing a system for posting teaching vacancies and establishing a database of applicants accessible within and outside the state.
- Developing and distributing promotional materials relating to a career in teaching.
- Identifying best practices for retaining high-quality teachers.

Current law requires the DOE, in cooperation with district personnel offices, to sponsor a job fair in the central part of the state to match in-state and out-of-state educators and potential educators with teaching opportunities in the state.³⁶ The DOE may collect a registration fee not to exceed \$20 per person and a booth fee not to exceed \$250 per school district or other interested participant.³⁷ The fees are used to promote and operate the job fair and may be used to purchase promotional items such as mementos, awards, and plaques.³⁸

In 2006, the Legislature found that there were disparities in the qualifications of teachers assigned to teach in a school with a grade of “A” versus those that were assigned to teach in a school with a grade of “F.”³⁹ The disparities were in the average years of experience, number of out-of-field teachers, median salary, and teacher performance on certification examinations.⁴⁰ To address such disparities, the Legislature prohibited school districts from assigning to schools graded “D” or “F” a higher percentage than the school district average of first-time teachers, temporarily certified teachers, teachers in need of improvement, and out-of-field teachers.⁴¹ Each

³⁴ Section 1012.05(1), F.S.

³⁵ *Id.* at (2).

³⁶ *Id.* at (4).

³⁷ *Id.*

³⁸ *Id.*

³⁹ Section 57, ch. 2006-74, L.O.F., *codified as* s. 1012.2315, F.S.

⁴⁰ *Id.*

⁴¹ *Id.*

school district was required to certify to the Commissioner that it had met its duty to assign teachers equitably.⁴²

Beginning July 1, 2014, school districts were authorized to assign an individual newly hired as instructional personnel to a school that earned a grade of “F” in the previous year or any combination of three consecutive grades of “D” or “F” in the previous 3 years if the individual meets specified criteria (*e.g.*, has received an effective or highly effective rating in previous year or has successfully completed or is enrolled in a teacher preparation program).⁴³

The State Board has rulemaking authority regarding those particular teacher assignments; however, it has not adopted any rules to that effect.⁴⁴ Although the State Board has not adopted rules, the Commissioner continues to have oversight authority to ensure that school districts are complying with the teacher assignment requirements.⁴⁵ Moreover, the State Board has enforcement authority upon notification from the Commissioner that a school district has failed to comply with the requirements.⁴⁶

Effect of Proposed Changes

The bill grants DOE the discretion to sponsor a centrally located job fair for educators and potential educators. In effect, DOE may decide to reallocate resources, which would otherwise be used to sponsor the job fair, in support of other recruitment and retention efforts as it deems necessary.

Also, the bill requires the DOE to coordinate and establish a best practices community to assist school district personnel responsible for recruiting educators and performing other human resource-related functions.

Additionally, the bill removes the State Board’s rulemaking authority regarding the assignment of newly hired as instructional personnel to a school that earned a grade of “F” in the previous year or any combination of three consecutive grades of “D” or “F” in the previous 3 years. The State Board has not adopted rules addressing such assignments; however, the Commissioner and State Board retain oversight and enforcement authority, respectively, to ensure that school districts are complying with the requirements.

School Leader Preparation Programs

Present Situation

School leaders include school administrators, school principals, school directors, career center directors, and assistant principals.⁴⁷ School principals or school directors serve as the

⁴² *Id.*

⁴³ Section 2, ch. 2014-32, L.O.F.; *codified as* s. 1012.2315(2)(b), F.S.

⁴⁴ Section 1012.2315(2)(b)3., F.S.

⁴⁵ Section 1012.2315(2), F.S.

⁴⁶ *Id.*

⁴⁷ Section 1012.01(3), F.S. Administrative personnel are K-12 personnel who perform management activities such as developing and executing broad policies for the school district. Administrative personnel include district-based instructional and noninstructional administrators, as well as school administrators who perform administrative duties at the school-level.

Id.

administrative head of a school and are responsible for coordinating and administering the instructional and noninstructional activities of the school.⁴⁸ Assistant principals are staff members who assist the administrative head of the school regarding curricular and administrative matters.⁴⁹

The Florida Principal Leadership Standards (FPLS) are Florida's core expectations for effective school administrators.⁵⁰ The FPLS are research-based; represent necessary knowledge, skills, and abilities for effective school leadership; and are the basis for school administrator preparation programs, certification competencies, certification examinations, performance evaluations, and professional development systems.⁵¹ The FPLS emphasize the ability to improve student learning results; develop and retain quality classroom teachers; and manage the organization, operations, and facilities of a school.⁵² The job performance of school administrators must be evaluated annually.⁵³

The law requires school leaders to be certified and directs the State Board to classify school services, designate certification subject areas, establish competencies for certification, and certification requirements for all school-based personnel.⁵⁴ The State Board has established in rule two classes of certification for school administrators – educational leadership and school principal. Certification in educational leadership qualifies one for any position falling under the classification “school administrator.”⁵⁵ In order to advance to certification as a school principal, one must first be certified in educational leadership.⁵⁶

In Florida, aspiring school administrators must complete a school leader preparation program approved by DOE.⁵⁷ State Board rule authorizes DOE to approve two types of school leader preparation programs.⁵⁸ Level I programs may be offered by school districts and postsecondary institutions and lead to initial certification in educational leadership for the purpose of preparing individuals to serve as school administrators.⁵⁹ Level II programs may be offered by school districts, build upon Level I training, and lead to certification as a school principal.⁶⁰

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ Rule 6A-5.080, F.A.C.

⁵¹ *Id.*

⁵² *Id.*

⁵³ Section 1012.34(3)(a), F.S. The criteria used to measure school administrator performance are student performance, instructional leadership, and professional and job responsibilities. *Id.* At least one-third of a school administrator's evaluation must be based upon student performance. *Id.* Based upon these criteria, an administrator is assigned a performance rating of highly effective, effective, needs improvement, or unsatisfactory. *Id.* at (2)(e).

⁵⁴ Section 1012.55(1)(a)-(b), F.S.

⁵⁵ Rule 6A-5.081, F.A.C.

⁵⁶ Rule 6A-4.0083, F.A.C.

⁵⁷ Rule 6A-5.081, F.A.C. The William Cecil Golden Professional Development Program for School Leaders is a professional development program for school principals. The program was established in collaboration with state and national professional leadership organizations. It is designed to respond to Florida's needs for quality school leadership and support the efforts of school leaders in improving instruction and student achievement and developing and retaining quality teachers. Professional development provided through the program must be based upon the FPLS and other school leadership standards. Section 1012.986, F.S.

⁵⁸ Rule 6A-5.081, F.A.C.

⁵⁹ *Id.*

⁶⁰ *Id.*

State Board rule specifies criteria for initial and continued approval of Level I and Level II school leader preparation programs.⁶¹

Effect of Proposed Changes

The bill establishes in law a system of accountability and state approval for school leader preparation programs offered by Florida postsecondary institutions and public school districts. Currently, the criteria for approval of school leader programs, including a bi-level certification and preparation process, exists in State Board rule.⁶² In effect, the bill codifies the existing approval process and criteria that exists in State Board rule with slight modifications.

The bill provides an effective date of July 1, 2016.

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:

CS/SB 894 eliminates the General Revenue service charge on fees that support the Educational Certification and Service Trust Fund, which, according to the Department of Education (DOE), will increase revenues available to support certification activities by approximately \$600,000,⁶³ while decreasing General Revenue by the same amount.

SB 2500, the proposed Senate General Appropriations Bill for Fiscal Year 2016-2017, appropriates \$1.2 million for the educator liability program.

⁶¹ *Id.*

⁶² *Id.*

⁶³ Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 8, *r'cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

The DOE estimates that \$3,500 in annual travel expenses would be incurred for all five emeritus members appointed to the Education Practices Commission (EPC), plus an additional \$1,250 per year for substitute teacher reimbursements to account for emeritus members who are teachers and for increasing teacher members on the EPC.⁶⁴

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 39.201, 39.202, 215.22, 1012.05, 1012.2315, 1012.39, 1012.79, and 1012.796.

This bill creates the following section of the Florida Statutes: 1012.562.

IX. 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 Pre-K – 12 on January 20, 2016:

The committee substitute makes the following substantial changes to the bill:

- Authorizes the Department of Education to use information from the statewide Central Abuse Hotline, which is administered by the Department of Children and Families, for purposes of educator certification discipline and review.
- Removes the State Board of Education’s rulemaking authority regarding school district assignment of newly hired instructional personnel to schools that earned a grade of “F” in the previous year or any combination of three consecutive grades of “D” or “F” in the previous 3 years.
- Removes provisions relating to the educator liability insurance program.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

⁶⁴ Florida Department of Education, *2016 Agency Legislative Bill Analysis* (SB 894), at 8, *r’cvd* December 23, 2015 (on file with the staff of the Committee on Education Pre-K – 12).

By the Committee on Education Pre-K - 12; and Senator Detert

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A bill to be entitled

An act relating to education personnel; amending s. 39.201, F.S.; authorizing certain information to be used for educator certification discipline and review; amending s. 39.202, F.S.; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; amending s. 215.22, F.S.; providing that certain provisions do not apply to the Educational Certification and Service Trust Fund; amending s. 1012.05, F.S.; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; requiring the department to coordinate a best practice community; amending s. 1012.2315, F.S.; eliminating certain State Board of Education rulemaking authority related to teacher assignment; amending s. 1012.39, F.S.; providing requirements regarding liability insurance for students performing clinical field experience; creating s. 1012.562, F.S.; requiring the department to approve school leader preparation programs; providing for approval; providing program requirements; providing for rulemaking; amending s. 1012.79, F.S.; revising membership of the Education Practices Commission; authorizing the Commissioner of Education to appoint emeritus members to the commission; amending s. 1012.796, F.S.; authorizing the commissioner to issue a letter of guidance in response to a complaint against a certified teacher or administrator; providing an effective date.

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

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Section 1. Subsection (6) of section 39.201, Florida Statutes, is amended to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(6) Information in the central abuse hotline may not be used for employment screening, except as provided in s. 39.202(2)(a) and (h). Information in the central abuse hotline and the department's automated abuse information system may be used by the department, its authorized agents or contract providers, the Department of Health, or county agencies as part of the licensure or registration process pursuant to ss. 402.301-402.319 and ss. 409.175-409.176. Pursuant to s. 39.202(2)(q), the information in the central abuse hotline may also be used by the Department of Education for purposes of educator certification discipline and review.

Section 2. Paragraphs (q), (r), and (s) of subsection (2) of section 39.202, Florida Statutes, are redesignated as paragraphs (r), (s), and (t), respectively, and a new paragraph (q) is added to that subsection, to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.—

(2) Except as provided in subsection (4), access to such records, excluding the name of the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(q) An employee or agent of the Department of Education who is responsible for the investigation or prosecution of misconduct by a certified educator.

Section 3. Subsection (4) of section 215.22, Florida

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Statutes, is amended to read:

215.22 Certain income and certain trust funds exempt.—

(4) Notwithstanding the exemptions granted in subsections (1), (2), and (3), this section shall not exempt income of a revenue nature or any trust fund which was subject to the service charge pursuant to s. 215.20 on January 1, 1990. This subsection does not apply to the Educational Certification and Service Trust Fund.

Section 4. Subsection (4) of section 1012.05, Florida Statutes, is amended to read:

1012.05 Teacher recruitment and retention.—

(4) The Department of Education, in cooperation with district personnel offices, ~~may shall~~ sponsor a job fair in a central part of the state to match in-state educators and potential educators and out-of-state educators and potential educators with teaching opportunities in this state. The Department of Education is authorized to collect a job fair registration fee not to exceed \$20 per person and a booth fee not to exceed \$250 per school district or other interested participating organization. The revenue from the fees shall be used to promote and operate the job fair. Funds may be used to purchase promotional items such as mementos, awards, and plaques. The Department of Education shall also coordinate a best practice community to ensure that school district personnel responsible for teacher recruitment and other human resources functions are operating with the most up-to-date knowledge.

Section 5. Paragraph (b) of subsection (2) of section 1012.2315, Florida Statutes, is amended to read:

1012.2315 Assignment of teachers.—

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(2) ASSIGNMENT TO SCHOOLS GRADED "D" or "F".—

(b)1. Beginning July 1, 2014, a school district may assign an individual newly hired as instructional personnel to a school that has earned a grade of "F" in the previous year or any combination of three consecutive grades of "D" or "F" in the previous 3 years pursuant to s. 1008.34 if the individual:

a. Has received an effective rating or highly effective rating in the immediate prior year's performance evaluation pursuant s. 1012.34;

b. Has successfully completed or is enrolled in a teacher preparation program pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule, is provided with high quality mentoring during the first 2 years of employment, holds a certificate issued pursuant to s. 1012.56, and holds a probationary contract pursuant to s. 1012.335(2)(a); or

c. Holds a probationary contract pursuant to s. 1012.335(2)(a), holds a certificate issued pursuant to s. 1012.56, and has successful teaching experience, and if, in the judgment of the school principal, students would benefit from the placement of that individual.

2. As used in this paragraph, the term "mentoring" includes the use of student achievement data combined with at least monthly observations to improve the educator's effectiveness in improving student outcomes. Mentoring may be provided by a school district, a teacher preparation program approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a teacher preparation program specified in State Board of Education rule.

~~3. The State Board of Education shall adopt rules under ss.~~

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~~120.536(1) and 120.54 to implement this paragraph.~~

Each school district shall annually certify to the Commissioner of Education that the requirements in this subsection have been met. If the commissioner determines that a school district is not in compliance with this subsection, the State Board of Education shall be notified and shall take action pursuant to s. 1008.32 in the next regularly scheduled meeting to require compliance.

Section 6. Subsection (3) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegreed teachers of career education, and career specialists; students performing clinical field experience.—

(3) A student who is enrolled in a state-approved teacher preparation program in a postsecondary educational institution that is approved by rules of the State Board of Education and who is jointly assigned by the postsecondary educational institution and a district school board to perform a clinical field experience under the direction of a regularly employed and certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the district school board. The district school board providing the clinical field experience shall notify the student electronically or in writing of the availability of educator liability insurance under s. 1012.75. A postsecondary educational institution or district

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school board may not require a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.

Section 7. Section 1012.562, Florida Statutes, is created to read:

1012.562 Public accountability and state approval of school leader preparation programs.—The Department of Education shall establish a process for the approval of Level I and Level II school leader preparation programs that will enable aspiring school leaders to obtain their certificate in educational leadership under s. 1012.56. School leader preparation programs must be competency-based, aligned to the principal leadership standards adopted by the state board, and open to individuals employed by public schools, including charter schools and virtual schools. Level I programs may be offered by school districts or postsecondary institutions and lead to initial certification in educational leadership for the purpose of preparing individuals to serve as school administrators. Level II programs may be offered by school districts, build upon Level I training, and lead to renewal certification as a school principal.

(1) PURPOSE.—The purpose of school leader preparation programs is to:

(a) Increase the supply of effective school leaders in the public schools of this state.

(b) Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for

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academic achievement.

(c) Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.

(d) Produce leaders with the competencies and skills necessary to achieve the state's education goals.

(e) Sustain the state system of school improvement and education accountability.

(2) LEVEL I PROGRAMS.—

(a) Initial approval of a Level I program shall be for a period of 5 years. A postsecondary institution or school district may submit to the department in a format prescribed by the department an application to establish a Level I school leader preparation program. To be approved, a Level I program must:

1. Provide competency-based training aligned to the principal leadership standards adopted by the State Board of Education.

2. If the program is provided by a postsecondary institution, partner with at least one school district.

3. Describe the qualifications that will be used to determine program admission standards, including a candidate's instructional expertise and leadership potential.

4. Describe how the training provided through the program will be aligned to the personnel evaluation criteria under s. 1012.34.

(b) Renewal of a Level I program's approval shall be for a period of 5 years and shall be based upon evidence of the program's continued ability to meet the requirements of paragraph (a). A postsecondary institution or school district

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must submit an institutional program evaluation plan in a format prescribed by the department for a Level I program to be considered for renewal. The plan must include:

1. The percentage of personnel who complete the program and are placed in school leadership positions in public schools within the state.

2. Results from the personnel evaluations required under s. 1012.34 for personnel who complete the program.

3. The passage rate of personnel who complete the program on the Florida Education Leadership Examination.

4. The impact personnel who complete the program have on student learning as measured by the formulas developed by the commissioner pursuant to s. 1012.34(7).

5. Strategies for continuous improvement of the program.

6. Strategies for involving personnel who complete the program, other school personnel, community agencies, business representatives, and other stakeholders in the program evaluation process.

7. Additional data included at the discretion of the postsecondary institution or school district.

(c) A Level I program must guarantee the high quality of personnel who complete the program for the first 2 years after program completion or the person's initial certification as a school leader, whichever occurs first. If a person who completed the program is evaluated at less than highly effective or effective under s. 1012.34 and the person's employer requests additional training, the Level I program must provide additional training at no cost to the person or his or her employer. The training must include the creation of an individualized plan

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agreed to by the employer that includes specific learning outcomes. The Level I program is not responsible for the person's employment contract with his or her employer.

(3) LEVEL II PROGRAMS.—Initial approval and subsequent renewal of a Level II program shall be for a period of 5 years. A school district may submit to the department in a format prescribed by the department an application to establish a Level II school leader preparation program or for program renewal. To be approved or renewed, a Level II program must:

(a) Demonstrate that personnel accepted into the Level II program have:

1. Obtained their certificate in educational leadership under s. 1012.56.

2. Earned a highly effective or effective designation under s. 1012.34.

3. Satisfactorily performed instructional leadership responsibilities as measured by the evaluation system in s. 1012.34.

(b) Demonstrate that the Level II program:

1. Provides competency-based training aligned to the principal leadership standards adopted by the State Board of Education.

2. Provides training aligned to the personnel evaluation criteria under s. 1012.34 and professional development program in s. 1012.986.

3. Provides individualized instruction using a customized learning plan for each person enrolled in the program that is based on data from self-assessment, selection, and appraisal instruments.

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4. Conducts program evaluations and implements program improvements using input from personnel who completed the program and employers and data gathered pursuant to paragraph (2) (b).

(c) Gather and monitor the data specified in paragraph (2) (b).

(4) RULES.—The State Board of Education shall adopt rules to administer this section.

Section 8. Subsection (1) of section 1012.79, Florida Statutes, is amended to read:

1012.79 Education Practices Commission; organization.—

(1) The Education Practices Commission is composed ~~consists~~ of the following 25 members: 10, including 8 teachers; 5 administrators, at least one of whom represents shall represent a private or virtual school; 4 7 lay citizens who are, 5 of whom ~~shall be~~ parents of public school students and who are unrelated to public school employees; and 2 of whom shall be former charter school governing board or district school board members or former superintendents, assistant superintendents, or deputy superintendents; and 4 5 sworn law enforcement officials, appointed by the State Board of Education from nominations by the Commissioner of Education and subject to Senate confirmation. ~~Before~~ Prior to making nominations, the commissioner shall consult with teaching associations, parent organizations, law enforcement agencies, and other involved associations in the state. In making nominations, the commissioner shall attempt to achieve equal geographical representation, as closely as possible.

(a) A teacher member, in order to be qualified for

581-02365-16

2016894c1

294 appointment:

295 1. Must be certified to teach in the state.

296 ~~2. Must be a resident of the state.~~

297 ~~2.3.~~ Must have practiced the profession in this state for
298 at least 5 years immediately preceding the appointment.

299 (b) A school administrator member, in order to be qualified
300 for appointment:

301 1. Must have an endorsement on the educator certificate in
302 the area of school administration or supervision.

303 ~~2. Must be a resident of the state.~~

304 ~~2.3.~~ Must have practiced the profession as an administrator
305 for at least 5 years immediately preceding the appointment.

306 ~~(c) The lay members must be residents of the state.~~

307 ~~(c)(4)~~ The law enforcement official members must have
308 served in the profession for at least 5 years immediately
309 preceding appointment and have background expertise in child
310 safety.

311 (d) The Commissioner of Education, upon request or
312 recommendation from the commission, may also appoint up to five
313 emeritus members from the commission's prior membership to serve
314 1-year terms. Notwithstanding any prior service on the
315 commission, an emeritus member may serve up to five 1-year
316 terms. An emeritus member serves as a voting member at a
317 discipline hearing and as a consulting but nonvoting member
318 during a business meeting.

319 (e) All members must be residents of the state.

320 Section 9. Subsection (3) of section 1012.796, Florida
321 Statutes, is amended to read:

322 1012.796 Complaints against teachers and administrators;

581-02365-16

2016894c1

323 procedure; penalties.-

324 (3) The department staff shall advise the commissioner
325 concerning the findings of the investigation. The department
326 general counsel or members of that staff shall review the
327 investigation and advise the commissioner concerning probable
328 cause or lack thereof. The determination of probable cause shall
329 be made by the commissioner. The commissioner shall provide an
330 opportunity for a conference, if requested, prior to determining
331 probable cause. The commissioner may enter into deferred
332 prosecution agreements in lieu of finding probable cause if, in
333 his or her judgment, such agreements are in the best interests
334 of the department, the certificateholder, and the public. Such
335 deferred prosecution agreements shall become effective when
336 filed with the clerk of the Education Practices Commission.
337 However, a deferred prosecution agreement may ~~shall~~ not be
338 entered into if there is probable cause to believe that a felony
339 or an act of moral turpitude, as defined by rule of the State
340 Board of Education, has occurred. Upon finding no probable
341 cause, the commissioner shall dismiss the complaint and may
342 issue a letter of guidance to the certificateholder.

343 Section 10. This act shall take effect July 1, 2016.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/10/15

Meeting Date

SB 894

Bill Number (if applicable)

Topic SB 894- Education Personnel

Amendment Barcode (if applicable)

Name Tanya Cooper

Job Title Director, Governmental Relations

Address 325 W. Gaines St.

Phone 850-245-9633

Street

Tallahassee

FL

32399

Email Tanya.Cooper@fldoe.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida Department of 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 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: PCS/CS/SB 1026 (356798)

INTRODUCER: Education Pre-K - 12 Committee and Senator Simmons

SUBJECT: High School Athletics

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Fav/CS
2.	Sikes	Elwell	AED	Fav/CS
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1026 modifies the membership, oversight, and related fees required by the Florida High School Athletic Association (FHSAA), the governing nonprofit organization for athletics in Florida public schools. Specifically, the bill:

- Allows private schools to join the FHSAA on a per-sport basis;
- Authorizes the FHSAA to allow a public school the option to apply for consideration to join another athletic association on a per-sport basis;
- Authorizes the commissioner to identify the other associations that govern interscholastic athletic competition in compliance with law;
- Prohibits the FHSAA from discouraging schools from simultaneously maintaining membership in the FHSAA and another athletic association; and
- Provides for an informal and formal appeals process for resolving student eligibility disputes.

The bill has no impact on state funds.

The bill takes effect on July 1, 2016.

II. Present Situation:

Florida High School Athletics

The Florida High School Athletic Association (FHSAA) is statutorily designated as the governing nonprofit organization of athletics in Florida public schools in grades 6 through 12.¹ The FHSAA is not a state agency, but is assigned quasi-governmental functions.²

Membership in the FHSAA

Any high school in the state, including charter schools, virtual schools, and home education cooperatives,³ may become a member of the FHSAA and participate in the activities of the FHSAA.⁴ A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA.⁵ Membership in the FHSAA is not mandatory for any school.⁶ The FHSAA is a membership-driven organization, encompassing 702 member combination schools⁷ and senior high schools,⁸ and 102 middle schools.⁹

The FHSAA may not deny or discourage interscholastic¹⁰ competition between its member schools and non-FHSAA member schools, including members of another athletic governing organization, and is prohibited from taking retributory or discriminatory actions against member schools who participate in interscholastic competition with non-FHSAA member schools.¹¹

¹ Section 1006.20, F.S.

² *Id.*

³ A home education cooperative is defined by the FHSAA as a parent-directed group of individual home education students that provides opportunities for interscholastic athletic competition to those students and may include students in grades 6-12. Bylaw 3.2.2.4, FHSAA. Florida High School Athletic Association, *2015-16 FHSAA Bylaws* (2015-16), available at http://www.fhsaa.org/sites/default/files/attachments/2010/09/16/node-235/1516_handbook_bylaws.pdf.

⁴ Section 1006.20, F.S.

⁵ *Id.*

⁶ *Id.*

⁷ A combination school is defined by the FHSAA as any traditional public school, charter school, virtual school, private school, or university laboratory school that provides instruction to students in both middle/junior high school grades and/or senior high school grades under the direction of a single principal and located on the same campus, except for 9-12 high schools which have 9th grade centers at a separate location, with participation and enrollment based on a single campus site. A combination school must hold membership as a middle school if its terminal grade is grade 6 through 8, as a junior high school if its terminal grade is grade 9, or as a senior high school if its terminal grade is grade 10 through 12. Bylaw 3.2.2.3, FHSAA. Florida High School Athletic Association, *2015-16 FHSAA Bylaws* (2015-16), available at http://www.fhsaa.org/sites/default/files/attachments/2010/09/16/node-235/1516_handbook_bylaws.pdf.

⁸ A senior high school is defined by the FHSAA as any traditional public school, charter school, virtual school, private school, or university laboratory school that provides instruction to students at one or more grade levels from 9 through 12. Bylaw 3.2.2.1, FHSAA. Florida High School Athletic Association, *2015-16 FHSAA Bylaws* (2015-16), available at http://www.fhsaa.org/sites/default/files/attachments/2010/09/16/node-235/1516_handbook_bylaws.pdf.

⁹ Florida High School Athletic Association, *Who we are* (2015), available at <http://www.fhsaa.org/about>.

¹⁰ Bylaw 8.1.1, FHSAA defines an interscholastic contest as any competition between organized teams or individuals of different schools in a sport recognized or sanctioned by the FHSAA and is subject to all regulations pertaining to such contests. Florida High School Athletic Association, *2015-16 FHSAA Bylaws* (2015-16), available at http://www.fhsaa.org/sites/default/files/attachments/2010/09/16/node-235/1516_handbook_bylaws.pdf.

¹¹ Section 1006.20, F.S.

Membership in the National Federation of State High School Associations

The National Federation of State High School Associations (NFHS) is the national leadership organization for high school athletic and performing arts activities.¹² The voting members must be state high school athletic associations.¹³ The FHSAA is the voting member of the NFHS for Florida.¹⁴ The FHSAA has been a member of the NFHS since 1926.¹⁵ Affiliate membership, with rights of participation in meetings and activities, but without voting privileges, or eligibility for elected or appointed offices or assignments, may be granted to various organizations.¹⁶ Affiliate members do not have sanctioning authority, as that lies with the voting member.¹⁷

A state high school athletic association may not become an affiliate member without the state's voting member approving of such affiliate membership.¹⁸ Likewise, Florida statute provides that the FHSAA may not unreasonably withhold approval of an application to become an affiliate member of the NFHS that is submitted by an organization that governs interscholastic athletic competition in Florida.¹⁹

Appeals Process

The FHSAA procedures provide each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete.²⁰

The initial appeal is made to a committee on appeals within the administrative region where the student lives.²¹ The FHSAA bylaws establish the number, size, and composition of each committee on appeals.²² The bylaws specify the process and standards for eligibility determinations.²³

The appeals process for eligibility violations are as follows:

- An appeal must be filed with the executive director to make the initial determination of ineligibility.²⁴

¹² NFHS membership includes, but is not limited to state high school athletic associations. Membership is divided into voting members and affiliate members National Federation of State High School Associations, *NFHS Brochure*, available at <http://www.nfhs.org/media/885655/nfhs-company-brochure.pdf>. See, ss. 2.1-2.2, NFHS Handbook.

¹³ See s. 2.1, NFHS Handbook 2015-2016. National Federation of State High School Associations, *NFHS Annual Report 2015-2016*, available at <https://www.nfhs.org/media/1015824/2015-16-nfhs-handbook.pdf>.

¹⁴ National Federation of State High School Associations, *NFHS Annual Report 2015-2016*, Directory of Member State Associations and Staff members, available at <https://www.nfhs.org/media/1015824/2015-16-nfhs-handbook.pdf>. Bylaw 1.1.4, FHSAA.

¹⁵ National Federation of State High School Associations, *NFHS Annual Report 2015-2016*, Directory of Member State Associations and Staff members, available at <https://www.nfhs.org/media/1015824/2015-16-nfhs-handbook.pdf>.

¹⁶ See s. 2.2, NFHS Handbook 2015-2016. National Federation of State High School Associations, *NFHS Annual Report 2015-2016*, available at <https://www.nfhs.org/media/1015824/2015-16-nfhs-handbook.pdf>.

¹⁷ See s. 2.21(c), NFHS Handbook 2015-2016. National Federation of State High School Associations, *NFHS Annual Report 2015-2016*, available at <https://www.nfhs.org/media/1015824/2015-16-nfhs-handbook.pdf>.

¹⁸ See ss. 2.2(e), 2.21(b) NFHS Handbook 2015-2016. National Federation of State High School Associations, *NFHS Annual Report 2015-2016*, available at <https://www.nfhs.org/media/1015824/2015-16-nfhs-handbook.pdf>.

¹⁹ Section 1006.20(1), F.S.

²⁰ Section 1006.20(7), F.S.

²¹ *Id.*

²² *Id.*

²³ Bylaw 10.4.1, FHSAA.

²⁴ Bylaw 10.6.1, FHSAA.

- An initial appeal is heard by the Sectional Appeals Committee.²⁵
- Unfavorable decisions found on the initial appeal rendered by the Sectional Appeals Committee can be heard by the committee again, if new information is provided, or by the board of directors.²⁶
- A request for mediation must be made in writing to the executive director, within 5 business days of the Sectional Appeals Committee hearing.²⁷
- If the matter is unresolved, the notice of appeal must be in writing and received by the board of directors within 5 business days following the mediation session.²⁸
- The decision of the board of directors in each case is by a majority vote and is final.²⁹

III. Effect of Proposed Changes:

Florida High School Athletics

PCS/CS/SB 1026 modifies the membership provisions, oversight, and appeals process of the governing nonprofit organization of athletics in Florida. Specifically, the bill:

- Allows private schools to join the Florida High School Athletic Association (FHSAA) on a per-sport basis;
- Authorizes the FHSAA to allow a public school the option to apply for consideration to join another athletic association on a per-sport basis;
- Authorizes the commissioner to identify the other associations that govern interscholastic athletic competition in compliance with law;
- Prohibits the FHSAA from discouraging schools from simultaneously maintaining membership in the FHSAA and another athletic association; and
- Provides for an informal and formal appeals process for resolving student eligibility disputes.

Membership in the FHSAA

The bill:

- Allows a private school to join FHSAA as a full-time member or on a per-sport basis and authorizes the FHSAA to allow a public school the option to apply for consideration to join another athletic association on a per-sport basis. This offers a school the option of joining other athletic associations by individual sport while maintaining membership in FHSAA for other sports; and
- Prohibits the FHSAA from taking retributory or discriminatory actions against members seeking membership in other associations for a sport for which they are not a member of the FHSAA.

Membership in the National Federation of State High School Associations

The bill limits the means by which the FHSAA may withhold approval of an association applying for a National Federation of State High School Associations affiliate membership by

²⁵ Bylaw 10.5.5, FHSAA.

²⁶ Bylaw 10.5.6, FHSAA.

²⁷ Bylaw 10.6.5.1, FHSAA.

²⁸ Bylaw 10.6.5.6, FHSAA.

²⁹ Bylaw 10.7.3.1, FHSAA.

providing that the Commissioner of Education, not the FHSAA, may determine whether the applicant that governs interscholastic athletic competition does so in compliance with law.

Appeals Process

The bill requires the FHSAA to provide an opportunity to resolve ineligibility determinations through an informal and formal appeal process.

The bill creates a new informal conference procedure to be held within 10 days of the initial ineligibility determination. The new informal process allows for a more timely resolution of student eligibility disputes. The bill allows for the informal conference to be held by telephone or by video conference, removing the requirement for a student to appear in person.

The bill specifies that the FHSAA must provide for a formal appeals process for the timely and cost-effective resolution of an eligibility dispute by a mutually agreed upon neutral third party. In effect, this could eliminate the cost of mediation which is currently shared equally by both parties.³⁰

The bill requires the final determination to be issued no later than 30 days after the informal conference, unless there is an agreed upon extension.

The bill takes effect on July 1, 2016.

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:

The Florida High School Athletics Association (FHSAA) may experience additional costs in adopting and implementing the eligibility appeals process required in the bill.

³⁰ Bylaw 10.6.5.7, FHSAA.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.20 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

Recommended CS/CS by Appropriations Subcommittee on Education on February 11, 2015:

The committee substitute:

- Removes the provision requiring any special event fees, sanctioning fees, or contest receipts collected annually by the FHSAA to not exceed the actual cost of performing the function that is the basis of the fee.
- Clarifies that the FHSAA must allow a private school to join the Florida High School Athletic Association (FHSAA) on a per-sport basis while authorizing the FHSAA to allow a public school the option to apply for consideration to join another athletic association on a per-sport basis.

CS by Education Pre-K – 12 on January 14, 2016

The committee substitute revises the current process and standards for FHSAA determinations of eligibility and specifies for an informal and formal appealing process for resolving student eligibility disputes.

B. Amendments:

None.



493518

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete lines 32 - 47
and insert:
1006.19 ~~the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSA.~~ Any high school in the state, including private schools, traditional public schools, charter schools, virtual schools, and home education cooperatives, may become a member of the FHSA and



493518

participate in the activities of the FHSAA. ~~However,~~ Membership
in the FHSAA is not mandatory for any school. The FHSAA must
allow a private school the option of joining the association as
a full-time member or on a per-sport basis and may not prohibit
or discourage a private school from simultaneously maintaining
membership in the FHSAA and another athletic association. The
FHSAA may allow a public school the option to apply for
consideration to join another athletic association on a per-
sport basis. The FHSAA may not

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

And the title is amended as follows:

Delete lines 3 - 7

and insert:

1006.20, F.S.; requiring the Florida High School
Athletic Association (FHSAA) to allow a private school
to join the association as a full-time member or to
join by sport; prohibiting the FHSAA from discouraging
a private school from maintaining membership in the
FHSAA and another athletic association; authorizing
the FHSAA to allow a public school to apply for
consideration to join another athletic association;
prohibiting the

By the Committee on Education Pre-K - 12; and Senator Simmons

581-02156-16

20161026c1

A bill to be entitled

An act relating to high school athletics; amending s. 1006.20, F.S.; providing requirements regarding fees and contest receipts collected by the Florida High School Athletic Association (FHSAA); requiring the FHSAA to allow a school to join the FHSAA as a full-time member or on a per-sport basis; prohibiting the FHSAA from taking any retributory or discriminatory action against specified schools; authorizing the Commissioner of Education to identify other associations in compliance with specified provisions; providing a process for resolving student eligibility disputes; conforming a cross-reference; providing an effective date.

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

Section 1. Subsection (l) and present paragraph (h) of subsection (2) of section 1006.20, Florida Statutes, are amended, present paragraphs (g) through (m) of that subsection are redesignated as paragraphs (h) through (n), respectively, and a new paragraph (g) is added to that subsection, to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State Board of Education. The FHSAA is not a state agency as defined in s. 120.52 ~~but is. The FHSAA shall be~~ subject to ss. 1006.15-1006.19. Any special event fees; sanctioning fees, including

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third-party sanctioning fees; or contest receipts collected annually by the FHSAA may not exceed its actual costs to perform the function or duty that is the subject of or justification for the fee the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including private schools, traditional public schools, charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. ~~However,~~ Membership in the FHSAA is not mandatory for any school. The FHSAA shall allow a school the option of joining the association as a full-time member or on a per-sport basis and may not prohibit or discourage any school from simultaneously maintaining membership in the FHSAA and another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and nonmember ~~non-FHSAA member~~ Florida schools, including members of another athletic association governing organization, and may not take any retributory or discriminatory action against any of its member schools that seek to participate in interscholastic competition with nonmember ~~non-FHSAA member~~ Florida schools or any of its member schools that seek membership in other associations for a sport for which they are not a member of the FHSAA. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate member of the National Federation of State High School Associations submitted by any other association ~~organization~~ that governs interscholastic athletic competition in this state which meets the requirements of this section. The commissioner

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may identify other associations that govern interscholastic athletic competition in compliance with this section. ~~The bylaws of the FHSAA are the rules by which high school athletic programs in its member schools, and the students who participate in them, are governed, unless otherwise specifically provided by statute.~~ For the purposes of this section, "high school" includes grades 6 through 12.

(2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—

(g) The FHSAA shall provide a process for the resolution of student eligibility disputes which includes the opportunity to use an informal conference procedure.

1. The FHSAA must provide written notice to the student athlete, parent, and member school stating specific findings of fact that support a determination of ineligibility. The student athlete, parent, or member school must request an informal conference within 10 days after receipt of such notice if intending to contest the determination. The informal conference must be held within 10 days after receipt of the request. The informal conference may be held by telephone or by video conference and, if video conference equipment is available, may be conducted at the student's school.

2. If the eligibility dispute is not resolved at the informal conference and if requested by the student athlete, parent, or member school, the FHSAA must provide a formal process for the timely and cost-effective resolution of an eligibility dispute by a neutral third party whose decision is binding on the parties to the dispute. The neutral third party must be mutually agreed to by the parties and may be a retired or former judge, a dispute resolution professional approved by

581-02156-16

20161026c1

The Florida Bar or by the court in the circuit in which the dispute arose, or a certified mediator or arbitrator in the jurisdiction in which the dispute arose. If the parties cannot mutually agree on a neutral third party, the FHSAA must select a neutral third party at random from a list of dispute resolution professionals maintained by The Florida Bar.

3. A final determination regarding the eligibility dispute must be issued no later than 30 days after the informal conference, unless an extension is agreed upon by both parties.

(i) ~~(h)~~ In lieu of bylaws adopted under paragraph (h) ~~(g)~~, the FHSAA may adopt bylaws providing as a minimum the procedural safeguards of ss. 120.569 and 120.57, making appropriate provision for appointment of unbiased and qualified hearing officers.

Section 2. This act shall take effect July 1, 2016.



The Florida Senate

Committee Agenda Request

To: Senator Don Gaetz, Chair
Appropriations Subcommittee on Education

Subject: Committee Agenda Request

Date: January 15, 2016

I respectfully request that **Senate Bill 1026**, relating to High School Athletics, be placed on the:

- ☐ committee agenda at your earliest possible convenience.
- ☒ next committee agenda.

A handwritten signature in black ink, appearing to read "David Simmons", is written over a horizontal line.

Senator David Simmons
Florida Senate, District 10

THE FLORIDA SENATE
APPEARANCE RECORD

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

SB 1026
Bill Number (if applicable)

Meeting Date _____

Topic Row Book

Amendment Barcode (if applicable) _____

Name _____

Job Title _____

Address 104 W. Tobias

Phone _____

Street

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing FISHA

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 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/11/16

Meeting Date

1026

Bill Number (if applicable)

Topic HIGH SCHOOL ATHLETICS - APPEALS PROCESS

Amendment Barcode (if applicable)

Name DEAN CANNON

Job Title President Capital Insight LLC

Address 301 S. BROUGHNOUTH ST STE 500

Phone 850.577.1403

Street

TCH

City

FL

State

32301

Zip

Email Dean.Capitolinsight.com

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing THE VILLAGES

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-11-16

Meeting Date

1026

Bill Number (if applicable)

Topic High School Athletics

Amendment Barcode (if applicable)

Name Natalie King

Job Title VP

Address 235 W Brandon Blvd 640

Phone 813 924 3218

Brandon FL 33511

City

State

Zip

Email _____

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Sunshine State Athletics Conference

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 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: SB 1068

INTRODUCER: Senator Legg

SUBJECT: Education

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Scott	Klebacha	ED	Favorable
2.	Sikes	Elwell	AED	Pre-meeting
3.			AP	

I. Summary:

SB 1068 expands public school reading requirements relating to interventions and instructional supports, teacher certification and training, and school improvement and accountability.

Specifically, the bill:

- Expands public school reading provisions by requiring:
 - School districts to implement additional reading interventions, supports, and resources for K-2 students identified as having a substantial reading deficiency;
 - Immediate notification and frequent progress reports to those students' parents;
 - Voluntary Prekindergarten Program providers to provide specialized reading instruction to students who exhibit deficiencies in emergent literacy skills; and
 - The use of data from the statewide kindergarten screening to identify students in need of reading interventions and supports.
- Expands teacher certification and training provisions by requiring:
 - Elementary reading instructors to attain specialized certification or endorsement and receive sufficient training through school district professional development systems; and
 - Educator preparation and certification programs to include, as part of the core curricula, intensive approaches to reading instruction and intervention.
- Expands school improvement and accountability provisions by requiring:
 - Early warning system data to include schools with students in K-5, and specifying a substantial reading deficiency as an early warning indicator;
 - School districts to certify the use of approved core and supplemental intervention reading materials as a condition to receiving instructional materials funds; and
 - The Commissioner of Education to report student reading performance data to the Legislature and State Board of Education.

According to the Department of Education, the Just Read, Florida! Office will need two FTE positions for the additional workload requirements of this bill. The total cost of these positions is

estimated at \$294,848 in recurring general revenue. In addition, there is an estimated need of \$50,000 in nonrecurring funds for OPS research assistants to assist with the development and implementation of additional professional development requirements in the bill.

The bill takes effect upon becoming a law.

II. Present Situation:

The present situation for the relevant portions of SB 1068 is discussed in the Effect of Proposed Changes Section of this analysis.

III. Effect of Proposed Changes:

SB 1068 expands public school reading requirements relating to interventions and instructional supports, teacher certification and training, and school improvement and accountability.

Public School Reading Requirements

Present Situation

In 2006, the Legislature created the Just Read, Florida! Office within the Department of Education (DOE) to oversee implementation of the statewide public school reading requirements.¹ The Just Read, Florida! Office is responsible for, among other things:²

- Providing technical assistance to school districts in the development and implementation of district plans for use of the research-based reading allocation.³
- Reviewing, evaluating, and providing technical assistance to school districts' implementation of the K-12 comprehensive reading plan.
- Working with the Florida Center for Reading Research⁴ to provide information on research-based reading programs and effective reading in the content area strategies.

Florida law requires each school district to establish a comprehensive plan for student progression which provides for a student's progression from one grade to another based on the student's mastery of standards in English Language Arts (ELA), mathematics, science, and social studies.⁵ Student progression plans must include criteria emphasizing student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for

¹ Section 8, ch. 2006-74, L.O.F., *codified as s.* 1001.215, F.S.

² Section 1001.215, F.S.

³ Each school district is required to annually submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation. The reading plans are submitted to and approved by the Just Read, Florida! Office. Section 1011.62(9)(d), F.S. The requirements for the reading plans are set forth in rule by the State Board of Education. Rule 6A-6.053, F.A.C.

⁴ The Florida Center for Reading Research (FCRR) was created at the Florida State University and includes two outreach centers, one at a Florida College System institution in central Florida and one at a south Florida state university. Section 1004.645, F.S. The FCRR conducts basic research on reading, reading growth, reading assessment, and reading instruction; disseminates information about research-based practices related to literacy instruction and assessment; conducts applied research; and provides technical assistance to Florida's schools and the Just Read, Florida! Office. *See* Florida State University, Florida Center for Reading Instruction, *The Center's Four Part Mission*, <http://www.fcrr.org/> (last visited January 22, 2016).

⁵ Section 1008.25(2), F.S.

students with identified deficiencies in ELA.⁶ District school boards must prioritize allocation of remedial and supplemental instruction resources first to students who are deficient in reading by the end of grade 3, and then to students who fail to meet performance levels required for promotion consistent with the district's student progression plan.⁷

Schools districts must provide intensive reading instruction to any student who exhibits a substantial deficiency in reading based on assessments conducted in kindergarten through grade 3 or through teacher observations.⁸ A student who does not achieve a Level 3 score or above on the statewide, standardized ELA assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.⁹

A student who has been identified as having a substantial reading deficiency must be monitored and receive continued intensive instruction until the student demonstrates grade level proficiency as determined by the school district.¹⁰ If a student's reading deficiency is not remedied¹¹ by the end of grade 3, the student will not be promoted to grade 4.¹² The parent of any student who exhibits a substantial reading deficiency must receive written notification that includes, among other things, a description of the proposed supplemental instructional services and supports that will be provided to the child.¹³

A student who is retained in grade 3 must be provided a teacher rated "highly effective" and intensive reading interventions to remedy the student's specific reading deficiency, as identified by a valid and reliable diagnostic assessment.¹⁴ The school district must provide the student a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.¹⁵

Districts must establish at each school, when applicable, an intensive acceleration class for retained grade 3 students who subsequently score Level 1 on the statewide, standardized ELA

⁶ *Id.*

⁷ *Id.* at (3).

⁸ *Id.* at (5)(a).

⁹ *Id.* at (4)(a). Students who do not meet school district or state requirements for satisfactory performance in ELA and mathematics must be covered by a federally required plan such as an individual education plan (IEP), a schoolwide system of progress monitoring, or an individualized progress monitoring plan. *Id.* at (4)(b).

¹⁰ *Id.* at (5)(a). Demonstration of grade level proficiency may include achieving a Level 3 on the statewide, standardized English Language Arts (ELA) assessment. *Id.*

¹¹ *Id.* at (5)(b). To be promoted to grade 4, a student must score a Level 2 or higher on the statewide, standardized ELA assessment. *Id.*

¹² *Id.*

¹³ *Id.* at (5)(c).

¹⁴ *Id.* at (7)(b). This intensive intervention must include effective instructional strategies, participation in the school district's summer reading camp, and appropriate teaching methodologies necessary to assist the student in becoming a successful reader, able to read at or above grade level, and ready for promotion to the next grade. *Id.*

¹⁵ *Id.*

assessment.¹⁶ The class must focus on increasing a child's reading and ELA skill level at least two grade levels in one school year.¹⁷

Each district school board must annually publish on its website and in the local newspaper information relating to student progression and policies and procedures on student retention and promotion, as well as student performance data on the ELA assessment.¹⁸

For students in the Voluntary Prekindergarten (VPK) Program, the Office of Early Learning (OEL) is required to develop and adopt performance standards addressing, among other things, the age-appropriate progress of students in the development of emergent literacy skills.¹⁹ Each school district administers a statewide kindergarten screening to kindergarteners within the first 30 days of the school year.²⁰ The screening must provide objective data concerning each student's readiness for kindergarten and progress based on the VPK program performance standards adopted by the OEL.²¹ Results from the screening are used to inform classroom instruction and to calculate a kindergarten readiness rate for VPK providers.²²

A 2015 study by the Office of Program Policy Analysis and Government Accountability (OPPAGA) identified several barriers to providing instructional interventions and supports to struggling readers.²³ The OPPAGA study found that:²⁴

- Teacher preparation programs do not sufficiently focus on identifying and assisting struggling readers;
- Professional development may not provide the information teachers need to address student reading deficiencies;

¹⁶ *Id.*

¹⁷ *Id.* The class must be provided to a student in grade 3 who scores Level 1 on the statewide, standardized ELA assessment and who was retained in grade 3 the prior year due to scoring Level 1; have a reduced teacher-student ratio; provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 academic standards in other core subject areas; use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year; and provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist. *Id.*

¹⁸ *Id.* at (8)(b).

¹⁹ Section 1002.67(1), F.S. The OEL must periodically review and revise the performance standards for the statewide kindergarten screening and align the standards to those established by the State Board of Education for student performance on statewide, standardized assessments. *Id.*

²⁰ Section 1002.69, F.S.

²¹ *Id.* See also s. 1002.67(1), F.S. The Florida Kindergarten Readiness Screener-Work Sampling System (FLKRS-WSS) is the screener adopted by the DOE. Florida Department of Education, PMRN for Public Schools, <http://www.fldoe.org/academics/standards/just-read-fl/fair/public-school.stml> (last visited January 22, 2016).

²² Section 1002.69(5)-(7), F.S.

²³ OPPAGA, *Research on Programs and Strategies for Struggling Readers*, presentation before the House K-12 Education Subcommittee (Oct. 20, 2015) available at [http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2855&Session=2016&DocumentType=Meeting Packets&FileName=kts 10-20-15.pdf](http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2855&Session=2016&DocumentType=Meeting%20Packets&FileName=kts%2010-20-15.pdf). Struggling reader is not a statutorily defined term.

²⁴ *Id.* Other studies have shown that teacher knowledge of reading science is crucial to effective reading instruction. See e.g., National Council on Teacher Quality, *What Education Schools Aren't Teaching about Reading and What Elementary Teachers Aren't Learning* (June 2006), available at http://www.nctq.org/nctq/images/nctq_reading_study_exec_summ.pdf; Cunningham & Ryan O'Donnell, *Teacher Knowledge in Early Literacy* (April 2015), at 450, available at [http://www.researchgate.net/publication/275581846 Teachers Knowledge about Beginning Reading Development and Instruction](http://www.researchgate.net/publication/275581846_Teachers_Knowledge_about_Beginning_Reading_Development_and_Instruction).

- The reading endorsement process does not require that teachers demonstrate knowledge of basic aspects of reading such as phonological awareness; and
- Students do not always receive appropriate intervention programs to meet their individual needs.²⁵

Effect of Proposed Changes

The bill requires district school boards to prioritize allocating remedial and supplemental instruction resources to students in kindergarten through grade 3 who have a substantial reading deficiency, which expands existing law that requires district school boards to only include students in grade 3 as a priority when allocating resources.

The bill requires that students in kindergarten through grade 3 who are identified as having a substantial reading deficiency be provided an individualized progress monitoring plan or a federally required student plan, such as an individual education plan, or both, as necessary. The bill removes the requirement that a student be covered by a schoolwide system of progress monitoring plan, which may encourage schools to develop plans that include instructional strategies and supports based on the individual student's needs.

The bill requires the State Board of Education (State Board) to identify in rule guidelines for determining whether a student has a substantial reading deficiency. In effect, these guidelines may assist school districts and schools in better identifying students to begin implementing the necessary interventions and strategies.

The bill expands the requirement that students retained for having a substantial reading deficiency be provided a teacher who is evaluated as highly effective to include, beginning July 1, 2018, a teacher who is certified or endorsed in reading.

The bill expands the intensive acceleration course currently provided to retained grade 3 students to include any student who was previously retained in kindergarten, grade 1, or grade 2, and requires that the course include:

- Uninterrupted reading instruction for the majority of the school contact time each day and opportunity to master the grade 4 Next Generation Sunshine State standards in other core subject areas through content-rich, nonfiction texts.
- Small group instruction.
- Reduced teacher-student ratios.
- The use of explicit, systematic, and multisensory reading interventions, including intensive language and vocabulary instruction and use of a speech-language therapist if necessary, that has proven results in accelerating student reading achievement within the same school year.
- A read-at-home plan.

²⁵ According to the OPPAGA research study, many districts may be using the same interventions for students with specific learning disabilities and general struggling readers. OPPAGA, *Research on Programs and Strategies for Struggling Readers*, presentation before the House K-12 Education Subcommittee (Oct. 20, 2015) available at http://www.myfloridahouse.gov/Sections/Documents/loadoc.aspx?PublicationType=Committees&CommitteeId=2855&Session=2016&DocumentType=Meeting Packets&FileName=kts_10-20-15.pdf. A specific learning disability includes, but is not limited to, dyslexia, dyscalculia, or developmental aphasia. Section 1003.01(3)(a), F.S.

The bill revises requirements for providing information to parents of a K-3 student who has a substantial reading deficiency. For a K-3 student who is identified as having a substantial reading deficiency, the district must inform the parent of opportunities to observe effective instruction and intervention in the classroom and to receive literacy instruction from the school or through community adult literacy initiatives. The school must also provide the parent opportunities to receive strategies through a read-at-home plan to help the parent provide additional reading instruction at home. Once a parent is notified that his or her child has a substantial reading deficiency, the school must update the parent of the student's progress at least once every two weeks. The updates must be in writing and must explain any additional interventions or supports that will be used to accelerate the student's progress if current strategies are not working.

The bill requires the DOE to develop a handbook that schools must provide to parents if their child is identified as having a substantial reading deficiency. The handbook must be made available online and include the following information:

- An overview of the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.
- An overview of the procedural requirements for initiating and conducting evaluations to determine eligibility for exceptional education. This must include an explanation that diagnosis of a medical condition, alone, is not sufficient to establish eligibility for exceptional education. However, a diagnosis may be used to document how the condition relates to the student's eligibility determination and may be disclosed in an eligible student's individualized education plan when necessary to inform school personnel responsible for implementing the plan.
- Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.
- A list of resources that support informed parent involvement in decision-making processes for students who have difficulty with learning.

Additionally, the bill requires VPK providers to implement intensive, explicit, and systematic instruction for students who exhibit a deficiency in emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Current law does not require that such interventions be provided to students participating in VPK. Furthermore, the bill requires that data from the statewide kindergarten screening, along with other available data, be used to identify students in need of reading intervention and supports.

Educator Certification, Preparation & Training

Present Situation

In order to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, an individual must hold a certificate issued by the DOE.²⁶ The DOE issues three types of educator certificates: professional (Florida's highest type of full-time

²⁶ Sections 1012.55(1) and 1002.33(12)(f), F.S.

educator certification),²⁷ temporary,²⁸ and athletic coaching.²⁹ The professional certificate is valid for 5 years and is renewable.³⁰ An applicant seeking a professional certificate must meet the basic eligibility requirements for certification³¹ and demonstrate mastery of general knowledge,³² subject area knowledge,³³ and professional preparation and education competence.³⁴

The specialization requirements for a K-12 reading certification are a master's or higher degree with a graduate major in reading or a bachelor's or higher degree with 30 semester hours in reading.³⁵ The specialization requirements for a reading endorsement are a bachelor's or higher degree with certification in an academic, degreed vocational, administrative, or specialty class coverage and 15 semester hours in reading coursework, based upon scientifically-based reading research with a focus on both the prevention and remediation of reading difficulties.³⁶

Teacher preparation programs are state-approved programs offered by postsecondary institutions and public school districts through which candidates may attain an educator certificate.³⁷ The State Board is charged with maintaining a system for development and approval of initial teacher preparation programs.³⁸ The DOE is responsible for approving programs based on evidence of a program's capacity to meet the requirements for continued program approval established in law and State Board rule.³⁹

The DOE must approve an educator preparation institute certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes, but is not limited to, the areas addressed by the uniform core curricula for initial teacher preparation programs and an educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification.⁴⁰ The uniform core curricula for teacher preparation programs must

²⁷ Rule 6A-4.004(2), F.A.C.

²⁸ Rule 6A-4.004(1)(a)2., F.A.C.; Rule 6A-4.004(1)(a), F.A.C. The DOE also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c) and 1012.54, F.S.; Rule 6A-4.001(1), F.A.C.

²⁹ Section 1012.55(2), F.S.

³⁰ Section 1012.56(7)(a), F.S.; Rule 6A-4.0051(3)(c), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The DOE also issues a nonrenewable 2-year temporary certificate and a nonrenewable 5-year professional certificate that allows an applicant with a bachelor's degree in the area of speech-language impairment to complete a master's degree in speech-language impairment. Section 1012.56(7)(c), F.S.; Rule 6A-4.004(3), F.A.C.

³¹ Section 1012.56(2)(a)-(f), F.S.

³² Section 1012.56(2)(g) and (3), F.S.; Florida Department of Education, *General Knowledge*, http://www.fldoe.org/edcert/mast_gen.asp (last visited January 23, 2016).

³³ Section 1012.56(2)(h) and (5), F.S.

³⁴ Section 1012.56(2)(i) and (6), F.S.; Florida Department of Education, *Professional Preparation and Education Competence*, http://www.fldoe.org/edcert/mast_prof.asp (last visited January 23, 2016).

³⁵ Rule 6A-4.0291, F.A.C.

³⁶ Rule 6A-4.0292, F.A.C.

³⁷ Florida Department of Education, *Professional Development in Florida*, <http://www.fldoe.org/profdev/approval.asp> (last visited January 23, 2016). See Rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

³⁸ Section 1004.04(1), F.S.

³⁹ *Id.* at (3)(a), F.S.; Rule 6A-5.066, F.A.C. The requirements for continued program approval are documentation that each candidate has met the admission requirements, documentation that the program and each program completer have met the curriculum requirements; and evidence of performance in other specified areas. Section 1004.04(4), F.S.

⁴⁰ Section 1004.85(3)(a)4., F.S.

include content in scientifically based reading instruction contained in the reading endorsement competencies adopted by the State Board.⁴¹

Florida law requires a number of entities, including the DOE, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations, to work collaboratively to develop a coordinated system of professional development.⁴² The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.⁴³ Each school district is required to develop a professional development system in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations.⁴⁴

Effect of Proposed Changes

The bill requires, beginning January 1, 2018, a candidate for a reading certificate or endorsement to demonstrate competence in:

- Identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills.
- Using explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve student reading performance.
- Using predictive and other data to make instructional decisions based on individual student needs.

Also, the bill requires the State Board to adopt in rule the minimum instructional requirements that must be provided by teacher preparation programs and school districts to ensure that candidates for certification in reading instruction and intervention meet the criteria for demonstrating competency. The State Board must also identify in rule the certification areas in which a candidate must demonstrate the requisite competency.

The bill requires the DOE to review, at least once every 5 years, the specialization and coverage area certification requirements in elementary, reading, and exceptional student educational areas, and recommend to the State Board any changes to the requirements. Additionally, the bill requires the DOE to recommend to the State Board the consolidation of endorsement areas and requirements to reduce duplication.

The bill adds the requirement that an applicant for renewal of a professional certificate in any area of certification requiring specialized competency in reading instruction and intervention, as identified by the State Board, must earn a minimum of two college credits or the equivalent inservice points⁴⁵ in the use of explicit, systematic, and multisensory approaches to reading instruction and intervention. The training must be provided by a teacher preparation program or

⁴¹ Sections 1004.04(2)(b)3. and 1004.85(3)(a)1.c., F.S. See Rules 6A-4.0163 and 6A-5.066(1)(hh)4., F.A.C.

⁴² Section 1012.98(1), F.S.

⁴³ *Id.*

⁴⁴ *Id.* at (4)(b).

⁴⁵ Two college credits is equivalent to 40 inservice points or 40 hours.

school district professional development system. Beginning January 1, 2018, a teacher who holds a professional certificate identified by the State Board as requiring specialized competency in reading instruction and intervention, must earn the minimum college credits or equivalent inservice points for renewal of the certificate.

The bill requires the curricula for each state-approved teacher preparation program and postsecondary educator preparation institute to include explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve student reading performance. Current law requires the curricula for such programs and institutes to include only scientifically researched reading instruction. Training in reading instruction must occur during course work and in field experiences.

Additionally, the bill requires teacher preparation programs to provide specialized instruction in reading strategies and interventions to receive initial or continued approval. The Just Read, Florida! Office must work with teacher preparation programs and educator preparation institutes to integrate specialized reading instructional and intervention strategies. The Just Read, Florida! Office must also provide such training to teachers, reading coaches, and principals.

The bill adds a requirement that training in emergent literacy for prekindergarten instructors address early identification of and intervention for students experiencing difficulties with emergent literacy skills.

The bill requires school district professional development systems to provide training to all elementary grades instructional personnel without a reading endorsement which is sufficient to allow those personnel to earn the endorsement before attainment or renewal of a professional certificate. The professional development systems must provide training to reading coaches, classroom teachers, and school administrators in effective methods of:

- Identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills;
- Incorporating instructional techniques into the general education setting that are proven to improve reading performance for all students; and
- Using predictive data to make instructional decisions based on individual student needs.

The training may integrate effective approaches to reading instruction and intervention in classrooms having an impact on a greater number of students who are in need of such interventions and strategies.

School Improvement & Accountability

Present Situation

Florida law requires each school that includes any of grades 6, 7, or 8 to implement an early warning system to identify students who are at risk of not graduating from high school.⁴⁶ Early warning systems are used to monitor middle grades students using attendance, behavior, and

⁴⁶ Section 1001.42(18)(b), F.S.

academic performance indicators shown by research to be reliable indicators of students at risk of dropping out.⁴⁷ The following indicators must be used to monitor middle grades students:⁴⁸

- Attendance below 90 percent.
- Course failure in English language arts or mathematic.
- One or more in-school or out-of-school suspensions.
- Scoring a Level 1 score on the statewide, standardized reading or mathematics assessments.

When a student exhibits two or more early warning indicators, the school must convene the school's child study team,⁴⁹ or a similar team established to implement the school's early warning system, to determine appropriate intervention strategies for the student.⁵⁰ The team may be the student's individual education plan (IEP) team, if applicable, or any other team the school establishes for the purpose of academic intervention.⁵¹ The school must provide the student's parent with at least 10 days' written notice of the meeting.⁵² The notice must indicate the meeting's purpose, time, and location, and the opportunity for the parent to participate in the meeting.⁵³

Each school that includes any of grades 6, 7, or 8 must include annually in its school improvement plan certain information and data on the school's early warning system (*e.g.*, a list of early warning indicators used in the system and the number of students identified as exhibiting two or more indicators).⁵⁴

The DOE is authorized to allocate and distribute to each school district funds, as prescribed by the Legislature, for instructional materials for student membership in basic and special programs in kindergarten through grade 12.⁵⁵ By July 1 each year and before instructional materials funds may be released to the school district, the district's superintendent must certify to the Commissioner of Education (Commissioner) that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs.⁵⁶ The report must verify that training was provided and that the materials are being implemented as designed.⁵⁷

The Commissioner is responsible for implementing and maintaining a system of intensive school improvement and stringent education accountability.⁵⁸ The Commissioner must review each district school board's annual feedback report to determine whether adequate progress is being made toward implementing and maintaining a system of school improvement and

⁴⁷ *Id.*

⁴⁸ *Id.* Districts may prescribe additional early warning indicators for schools to use. *Id.*

⁴⁹ School child study teams are convened by school principals to help enforce school attendance requirements pursuant to s. 1003.26, F.S.

⁵⁰ Section 1001.42(18)(b)2., F.S.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.* at (18)(a)2.

⁵⁵ Section 1011.67(1), F.S.

⁵⁶ *Id.* at (2).

⁵⁷ *Id.*

⁵⁸ Section 1008.345(1), F.S.

accountability.⁵⁹ The Commissioner must submit his or her findings to the State Board, and prepare and implement a corrective action plan if adequate progress is not being made.⁶⁰ The Commissioner must report to the Legislature and recommend necessary changes in state policy.⁶¹

Effect of Proposed Changes

The bill revises requirements relating to early warning systems by extending coverage to include students in kindergarten through grade 5, clarifying that a school-based team must monitor early warning system data, and specifying that a school psychologist may be a part of the team. The bill includes a substantial reading deficiency as an early warning indicator for students in kindergarten through grade 3 and clarifies that course failure constitutes an indicator if the failure occurs during any grading period. Data and information relating to the exhibited indicators must be used to inform any intervention strategies provided to a student identified by the early warning system.

To allow for more efficient use of time and resources, the bill requires the team to convene and determine appropriate intervention strategies for a student exhibiting two or more indicators only if the student is not already being served by an intervention program. The bill eliminates the 10-day parental notice requirement, but requires that parents be consulted in the development of any intervention strategies.

The bill requires the Just Read, Florida! Office to post on its website a list core reading materials and supplemental intervention reading materials for kindergarten through grade 5 that meet criteria relating to specialized approaches and learning strategies in intensive reading instruction. The list may assist school districts in choosing and implementing materials that are uniformly aligned to the new requirements for specialized instruction and intervention strategies in reading.

Also, the bill requires that before the release of instructional materials funds, each school district superintendent certify to the Commissioner that the core reading materials and supplemental intervention reading materials used in kindergarten through grade 5 have been identified by the Just Read, Florida! Office on its list as meeting the specialized requirements. However, school districts are not precluded from purchasing or using other materials to supplement reading instruction and provide additional skills practice. As part of the superintendent's certification, he or she must report the number and percentage of the district's K-5 instructional personnel who have received training to implement the core and supplemental intervention reading materials, as well, as the process and timeline by which the remaining instructional personnel will be provided the training.

The bill requires the Commissioner to annually report and makes recommendations to both the State Board and the Legislature regarding the state's policies on school improvement and education accountability. This annual report must include, in addition to information currently

⁵⁹ *Id.* at (4).

⁶⁰ *Id.*

⁶¹ *Id.* at (5). The report must contain, among other things: for each school district, the percentage of students, by school and grade level, demonstrating learning growth in ELA and mathematics; and intervention and support strategies used by school boards whose students exceed the statewide average learning growth. *Id.*

required, the reading performance information each district must annually publish on its website and in the local newspaper. The annual report to must also include, based upon a review of each district's reading plan, intervention and support strategies that were effective in improving the reading performance of students identified as having a substantial reading deficiency.

The bill takes effect upon becoming a law.

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:

The Department of Education estimates that the Just Read, Florida! Office will need two FTE positions for the additional workload requirements of this bill. The total cost of these positions is estimated at \$294,848 in recurring general revenue. In addition, there is an estimated need of \$50,000 in nonrecurring funds for OPS research assistants to assist with the development and implementation of additional professional development requirements.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

SB 1068 substantially amends the following sections of the Florida Statutes:

1001.215, 1001.42, 1002.20, 1002.59, 1002.67, 1002.69, 1004.04, 1004.85, 1008.25, 1008.345, 1011.67, 1012.585, 1012.586, and 1012.98.

Also, the bill creates the following section of the Florida Statutes: 1012.567.

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

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Legg

17-01274B-16

20161068__

1 A bill to be entitled
 2 An act relating to education; amending s. 1001.215,
 3 F.S.; revising the duties of the Just Read, Florida!
 4 Office; amending s. 1001.42, F.S.; revising
 5 requirements for school improvement plans and early
 6 warning systems; authorizing a school-based team to
 7 include a psychologist; amending s. 1002.20, F.S.;
 8 revising requirements for notifying a parent of a
 9 student with a substantial reading deficiency;
 10 amending s. 1002.59, F.S.; revising the emergent
 11 literacy and performance standards training course
 12 requirements; amending s. 1002.67, F.S.; requiring the
 13 Office of Early Learning, rather than the State Board
 14 of Education, to approve specific Voluntary
 15 Prekindergarten Education Program assessments and
 16 establish requirements for individuals administering
 17 the assessments; requiring certain prekindergarten
 18 students to receive specific reading instruction;
 19 amending s. 1002.69, F.S.; conforming provisions to
 20 changes made by the act; requiring data from the
 21 statewide kindergarten screening to be used to
 22 identify certain students; amending s. 1004.04, F.S.;
 23 revising core curricula requirements for certain
 24 teacher preparation programs to include certain
 25 reading instruction and interventions; amending s.
 26 1004.85, F.S.; requiring certain educator preparation
 27 institutes to provide evidence of specified reading
 28 instruction as a condition of program approval;
 29 amending s. 1008.25, F.S.; revising the priority of
 30 the remedial and supplemental instruction resources
 31 allocations; revising the required plans for certain
 32 students deficient in reading; revising criteria and

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

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33 requiring the State Board of Education to identify
 34 guidelines for determining whether certain students
 35 have a substantial deficiency in reading; revising the
 36 parental notification requirements for students with a
 37 substantial deficiency in reading; requiring a school
 38 to provide updates to parents of students who receive
 39 certain services; requiring the Department of
 40 Education to develop a handbook containing specific
 41 information for parents of students with a substantial
 42 reading deficiency; requiring schools to provide
 43 certain instruction and intervention to students who
 44 received a good cause exemption from retention;
 45 revising grounds for such good cause exemption;
 46 revising intervention requirements for certain
 47 retained students; revising requirements relating to
 48 the intensive interventions for retained students in
 49 certain grades; revising a school district's duties;
 50 revising student progress evaluation requirements;
 51 amending s. 1008.345, F.S.; revising reporting
 52 requirements of the Commissioner of Education relating
 53 to the state system of school improvement and
 54 education accountability; amending s. 1011.67, F.S.;
 55 revising the contents of a comprehensive staff
 56 development plan required for each school district;
 57 requiring certain information to be included in a
 58 certification provided by each district school
 59 superintendent to the commissioner; creating s.
 60 1012.567, F.S.; requiring candidates for an educator
 61 certificate in certain areas to demonstrate competence

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62 in specified areas; requiring the State Board of
 63 Education to adopt by rule certain requirements;
 64 providing that a teacher certification from another
 65 state does not meet competency requirements; requiring
 66 the state board to identify teacher certification
 67 areas in which candidates must demonstrate competence;
 68 requiring certain teacher preparation courses to
 69 provide specific instruction in order to receive
 70 approval; providing requirements for an endorsement in
 71 reading instruction; providing for review of
 72 specialization and coverage area requirements for
 73 certain education area certifications by a specified
 74 date; providing for rulemaking; amending s. 1012.585,
 75 F.S.; revising requirements for renewal of
 76 professional teaching certificates; amending s.
 77 1012.586, F.S.; authorizing the department to
 78 recommend consolidation of endorsement areas and
 79 requirements for endorsements for teacher
 80 certificates; amending s. 1012.98, F.S.; revising
 81 duties and requirements for implementation of the
 82 School Community Professional Development Act;
 83 providing an effective date.

84

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

86

87 Section 1. Section 1001.215, Florida Statutes, is amended
 88 to read:

89 1001.215 Just Read, Florida! Office.—There is created in
 90 the Department of Education the Just Read, Florida! Office. The

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91 office ~~is shall be~~ fully accountable to the Commissioner of
 92 Education and shall:

93 (1) ~~Train highly effective~~ reading coaches.

94 (2) Create multiple designations of effective reading
 95 instruction, with accompanying credentials, to enable which
 96 ~~encourage~~ all teachers to integrate reading instruction into
 97 their content areas.

98 (3) Provide training to Train K-12 teachers, reading
 99 coaches, and school principals on effective content-area-
 100 specific reading strategies; the integration of content-rich,
 101 nonfiction texts from other core subject areas into reading
 102 instruction; and explicit, systematic, and multisensory
 103 approaches to reading instruction that are proven to improve the
 104 reading performance of all students. For secondary teachers,
 105 emphasis shall be on technical text. These strategies must be
 106 developed for all content areas in the K-12 curriculum.

107 (4) Provide parents with information and strategies for
 108 assisting their children in reading, including reading in the
 109 content areas area.

110 (5) Provide technical assistance to school districts in the
 111 development and implementation of district plans for use of the
 112 research-based reading instruction allocation provided in s.
 113 1011.62(9) and annually review and approve such plans.

114 (6) Review, evaluate, and provide technical assistance to
 115 school districts' implementation of the K-12 comprehensive
 116 reading plan required in s. 1011.62(9).

117 (7) Work with the Florida Center for Reading Research to
 118 identify effective research-based and evidence-based reading
 119 instructional and intervention ~~provide information on research-~~

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~~based reading programs and effective reading in the content area~~
 strategies. Reading intervention strategies are evidence-based
 strategies frequently used to remediate reading deficiencies and
 include individual instruction, tutoring, or mentoring that
 targets specific reading skills and abilities.

(8) Periodically review the Next Generation Sunshine State
Standards for English Language Arts to determine their
appropriateness at each grade level ~~reading at all grade levels.~~

(9) Periodically review teacher certification requirements
and examinations, including alternative certification
requirements and examinations ~~exams~~, to ascertain whether the
 examinations measure the skills needed for evidence-based
~~research-based~~ reading instruction and instructional strategies
 for teaching reading, including reading in the content areas.

(10) Work with teacher preparation programs approved
 pursuant to ss. 1004.04 and 1004.85 ~~ss. 1004.04~~ to integrate
effective research-based and evidence-based reading
instructional and intervention strategies; and ~~reading in the~~
 content area instructional strategies; and explicit, systematic,
 and multisensory reading instructional strategies into teacher
 preparation programs.

(11) Post on its website a list of core reading materials
and supplemental intervention reading materials for kindergarten
through grade 5 that meet, at a minimum, all of the following
criteria:

(a) Use of an explicit, systematic, sequential, and
multisensory approach to teaching phonemic awareness, phonics,
vocabulary, fluency, and text comprehension.

(b) Incorporation of cooperative learning strategies.

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(c) Incorporation of one-to-one or small group
instructional strategies.

(d) Incorporation of decodable or phonetic text
instructional strategies.

(e) Provision of teacher training on well-specified
teaching methods and instructional processes designed to
implement the materials.

~~(12)-(11)~~ Administer grants and perform other functions as
 necessary to help meet the goal that all students read at their
highest potential grade level.

Section 2. Paragraphs (a) and (b) of subsection (18) of
 section 1001.42, Florida Statutes, are amended to read:

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

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 Maintain a system of school improvement and education
 accountability as provided by statute and State Board of
 Education rule. This system of school improvement and education
 accountability shall be consistent with, and implemented
 through, the district's continuing system of planning and
 budgeting required by this section and ss. 1008.385, 1010.01,
 and 1011.01. This system of school improvement and education
 accountability shall comply with the provisions of ss. 1008.33,
 1008.34, 1008.345, and 1008.385 and include the following:

(a) School improvement plans.—

1. The district school board shall annually approve and
 require implementation of a new, amended, or continuation school
 improvement plan for each school in the district. If a school

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178 has a significant gap in achievement on statewide, standardized
 179 assessments administered pursuant to s. 1008.22 by one or more
 180 student subgroups, as defined in the federal Elementary and
 181 Secondary Education Act (ESEA), 20 U.S.C. s.
 182 6311(b)(2)(C)(v)(II); has not significantly increased the
 183 percentage of students passing statewide, standardized
 184 assessments; has not significantly increased the percentage of
 185 students demonstrating Learning Gains, as defined in s. 1008.34
 186 and as calculated under s. 1008.34(3)(b), who passed statewide,
 187 standardized assessments; or has significantly lower graduation
 188 rates for a subgroup when compared to the state's graduation
 189 rate, that school's improvement plan shall include strategies
 190 for improving these results. The state board shall adopt rules
 191 establishing thresholds and for determining compliance with this
 192 subparagraph.

193 2. A school that serves any students in kindergarten
 194 through grade includes any of grades 6, 7, or 8 shall include
 195 annually in its school improvement plan information and data on
 196 the school's early warning system required under paragraph (b),
 197 including a list of the early warning indicators used in the
 198 system, the number of students identified by the system as
 199 exhibiting two or more early warning indicators, the number of
 200 students by grade level that exhibit each early warning
 201 indicator, and a description of all intervention strategies
 202 employed by the school to improve the academic performance of
 203 students identified by the early warning system. The plan must
 204 also in addition, a school that includes any of grades 6, 7, or
 205 8 shall describe in its school improvement plan the strategies
 206 used by the school to implement and evaluate the instructional

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207 practices ~~for middle grades~~ emphasized by the district's
 208 professional development system pursuant to s. 1012.98(4)(b)9.
 209 and 10.

210 (b) *Early warning system.*—

211 1. A school that serves any students in kindergarten
 212 through grade includes any of grades 6, 7, or 8 shall implement
 213 an early warning system to identify students in these grades ~~6,~~
 214 ~~7, and 8~~ who need additional support to improve academic
 215 performance and stay engaged in school. The early warning system
 216 must include the following early warning indicators:

217 a. Attendance below 90 percent, regardless of whether
 218 absence is excused or a result of out-of-school suspension.

219 b. One or more suspensions, whether in school or out of
 220 school.

221 c. Course failure in English Language Arts or mathematics
 222 during any grading period.

223 d. A Level 1 score on the statewide, standardized
 224 assessments in English Language Arts or mathematics or, for
 225 students in kindergarten through grade 3, a substantial reading
 226 deficiency as provided in s. 1008.25(5)(a).

227
 228 A school district may identify additional early warning
 229 indicators for use in a school's early warning system.

230 2. A school-based team responsible for implementing the
 231 requirements of this paragraph shall monitor the data from the
 232 early warning system in subparagraph (a)2. The team may include
 233 a school psychologist. When a student exhibits two or more early
 234 warning indicators, the team shall ~~school's child study team~~
 235 ~~under s. 1003.02 or a school-based team formed for the purpose~~

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of implementing the requirements of this paragraph shall convene to determine, in consultation with the student's parent, appropriate intervention strategies for the student unless the student is already being served by an intervention program at the direction of a school-based, multidisciplinary team. Data and information relating to a student's early warning indicators must be used to inform any intervention strategies provided to the student. The school shall provide at least 10 days' written notice of the meeting to the student's parent, indicating the meeting's purpose, time, and location, and provide the parent the opportunity to participate.

Section 3. Subsection (11) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(11) STUDENTS WITH READING DEFICIENCIES.—The parent of any K-3 student who exhibits a substantial reading deficiency shall be immediately notified of the student's deficiency pursuant to s. 1008.25(5) and with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading, shall be consulted in the development of a plan, as described in s. 1008.25(4) (b), and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected. This subsection operates in addition to

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the remediation and notification provisions contained in s. 1008.25 and in no way reduces the rights of a parent or the responsibilities of a school district under that section.

Section 4. Subsection (1) of section 1002.59, Florida Statutes, is amended to read:

1002.59 Emergent literacy and performance standards training courses.—

(1) The office shall adopt minimum standards for one or more training courses in emergent literacy for prekindergarten instructors. Each course must comprise 5 clock hours and provide instruction in explicit, systematic, and multisensory instruction strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. Each course must address early identification of and intervention for students experiencing difficulties with emergent literacy skills and ~~also~~ provide resources containing strategies that allow students with disabilities and other special needs to derive maximum benefit from the Voluntary Prekindergarten Education Program. Successful completion of an emergent literacy training course approved under this section satisfies requirements for approved training in early literacy and language development under ss. 402.305(2)(d)5., 402.313(6), and 402.3131(5).

Section 5. Paragraphs (a) and (c) of subsection (3) of section 1002.67, Florida Statutes, are amended, and paragraph (d) is added to that subsection, to read:

1002.67 Performance standards; curricula and

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294 accountability.—

295 (3) (a) Contingent upon legislative appropriation, each
 296 private prekindergarten provider and public school in the
 297 Voluntary Prekindergarten Education Program must implement an
 298 evidence-based pre- and post-assessment that has been approved
 299 by the office ~~rule of the State Board of Education~~.

300 (c) The pre- and post-assessment must be administered by
 301 individuals meeting requirements established by the office ~~rule~~
 302 ~~of the State Board of Education~~.

303 (d) Students who exhibit a deficiency in emergent literacy
 304 skills, including oral communication, knowledge of print and
 305 letters, phonemic and phonological awareness, and vocabulary and
 306 comprehension development, must be provided intensive, explicit,
 307 and systematic instruction.

308 Section 6. Subsections (1) and (2) of section 1002.69,
 309 Florida Statutes, are amended to read:

310 1002.69 Statewide kindergarten screening; kindergarten
 311 readiness rates; state-approved prekindergarten enrollment
 312 screening; good cause exemption.—

313 (1) The department shall adopt a statewide kindergarten
 314 screening that assesses the readiness of each student for
 315 kindergarten based upon the performance standards adopted by the
 316 ~~office department~~ under s. 1002.67(1) for the Voluntary
 317 Prekindergarten Education Program. The department shall require
 318 that each school district administer the statewide kindergarten
 319 screening to each kindergarten student in the school district
 320 within the first 30 school days of each school year. Nonpublic
 321 schools may administer the statewide kindergarten screening to
 322 each kindergarten student in a nonpublic school who was enrolled

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323 in the Voluntary Prekindergarten Education Program.

324 (2) The statewide kindergarten screening shall provide
 325 objective data concerning each student's readiness for
 326 kindergarten and progress in attaining the performance standards
 327 adopted by the office under s. 1002.67(1). Data from the
 328 screening, along with other available data, must be used to
 329 identify students in need of intervention and support pursuant
 330 to s. 1008.25(5).

331 Section 7. Paragraphs (b) and (c) of subsection (2) of
 332 section 1004.04, Florida Statutes, are amended to read:

333 1004.04 Public accountability and state approval for
 334 teacher preparation programs.—

335 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

336 (b) The rules to establish uniform core curricula for each
 337 state-approved teacher preparation program must include, but are
 338 not limited to, the following:

339 1. The Florida Educator Accomplished Practices.

340 2. The state-adopted content standards.

341 3. Scientifically researched reading instruction, including
 342 explicit, systematic, and multisensory approaches to reading
 343 instruction and intervention that are proven to improve reading
 344 performance for all students.

345 4. Content literacy and mathematics practices.

346 5. Strategies appropriate for the instruction of English
 347 language learners.

348 6. Strategies appropriate for the instruction of students
 349 with disabilities.

350 7. School safety.

351 (c) Each candidate must receive instruction and be assessed

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on the uniform core curricula in the candidate's area or areas of program concentration, including reading instruction under s. 1012.567, as applicable, during course work and field experiences.

Section 8. Paragraphs (a) and (b) of subsection (3) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program previously approved by the Department of Education for this purpose or a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(a) Within 90 days after receipt of a request for approval, the Department of Education shall approve a preparation program pursuant to the requirements of this subsection or issue a statement of the deficiencies in the request for approval. The department shall approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:

1.a. Participant instruction and assessment in the Florida Educator Accomplished Practices.

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b. The state-adopted student content standards.

c. Scientifically researched reading instruction, including explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.

d. Content literacy and mathematical practices.

e. Strategies appropriate for instruction of English language learners.

f. Strategies appropriate for instruction of students with disabilities.

g. School safety.

2. An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in the areas listed in subparagraph 1.

3. Field experiences appropriate to the certification subject area specified in the educational plan with a diverse population of students in a variety of settings under the supervision of qualified educators.

4. A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening pursuant to s. 1012.32 and educator professional or temporary certification pursuant to s. 1012.56.

(b) Each program participant must:

1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet

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the requirements of s. 1012.56(2)(a)-(f).

2. Participate in coursework and field experiences that are appropriate to his or her educational plan prepared under paragraph (a), including reading instruction under s. 1012.567, as applicable.

3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.

Section 9. Subsection (3), paragraph (b) of subsection (4), and paragraphs (a) and (c) of subsection (5) of section 1008.25, Florida Statutes, are amended, paragraph (d) is added to subsection (5) of that section, and paragraph (b) of subsection (6), subsection (7), and paragraph (a) of subsection (8) of that section are amended, to read:

1008.25 Public school student progression; student support; reporting requirements.—

(3) ALLOCATION OF RESOURCES.—District school boards shall allocate remedial and supplemental instruction resources to students in the following priority:

(a) Students in kindergarten through grade 3 who have a substantial deficiency ~~are deficient~~ in reading as determined in paragraph (5)(a) by the end of grade 3.

(b) Students who fail to meet performance levels required for promotion consistent with the district school board's plan

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for student progression required in subsection (2) ~~paragraph (2)(b).~~

(4) ASSESSMENT AND SUPPORT.—

(b) A student who has a substantial reading deficiency as determined in paragraph (5)(a) or is not meeting the school district or state requirements for satisfactory performance in English Language Arts and mathematics must be covered by one of the following plans:

~~1-~~ a federally required student plan, such as an individual education plan, ~~+~~

~~2. A schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above on the English Language Arts and mathematics assessments may be exempted from participation by the principal; or~~

~~3-~~ an individualized progress monitoring plan, or both, as necessary.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(a) Any student in kindergarten through grade 3 who exhibits a substantial deficiency in reading, based upon screening, diagnostic, progress monitoring, or assessment data; locally determined or statewide assessments; conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations; must be provided given intensive, explicit, systematic, and multisensory reading interventions ~~instruction~~ immediately following the identification of the reading deficiency. A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. The student's reading

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proficiency must be monitored and the intensive interventions
~~instruction~~ must continue until the student demonstrates grade
 level proficiency in a manner determined by the district, which
 may include achieving a Level 3 on the statewide, standardized
 English Language Arts assessment. The State Board of Education
shall identify by rule guidelines for determining whether a
student in kindergarten through grade 3 has a substantial
deficiency in reading.

(c) The parent of any student who exhibits a substantial
 deficiency in reading, as described in paragraph (a), must be
 notified in writing of the following:

1. That his or her child has been identified as having a
 substantial deficiency in reading, including a description and
an explanation, in terms understandable to the parent, of the
exact nature of the student's difficulty in learning and lack of
achievement in reading.

2. A description of the current services that are provided
 to the child.

3. A description of the proposed intensive interventions
~~supplemental instructional services~~ and supports that will be
 provided to the child that are designed to remediate the
 identified area of reading deficiency.

4. That if the child's reading deficiency is not remediated
 by the end of grade 3, the child must be retained unless he or
 she is exempt from mandatory retention for good cause.

5. Opportunities to observe effective instruction and
intervention strategies in the classroom; receive literacy
instruction from the school or through community adult literacy
initiatives; and receive strategies, including multisensory

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strategies, through a read-at-home plan that the parent can for
~~parents to use in helping his or her their~~ child succeed in
 reading ~~proficiency~~.

6. That the statewide, standardized English Language Arts
 assessment is not the sole determiner of promotion and that
 additional evaluations, portfolio reviews, and assessments are
 available to the child to assist parents and the school district
 in knowing when a child is reading at or above grade level and
 ready for grade promotion.

7. The district's specific criteria and policies for a
 portfolio as provided in subparagraph (6)(b)4. and the evidence
 required for a student to demonstrate mastery of Florida's
 academic standards for English Language Arts. A parent of a
 student in grade 3 who is identified anytime during the year as
 being at risk of retention may request that the school
 immediately begin collecting evidence for a portfolio.

8. The district's specific criteria and policies for
 midyear promotion. Midyear promotion means promotion of a
 retained student at any time during the year of retention once
 the student has demonstrated ability to read at grade level.

After initial notification, the school shall apprise the parent
of the student's progress in response to the intensive
interventions and supports at least once every 2 weeks. These
communications must be in writing and must explain any
additional interventions or supports that will be used to
accelerate the student's progress if the interventions and
supports already being implemented have not resulted in
improvement.

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(d) The Department of Education shall develop a handbook that schools must provide to the parent of a student who is identified as having a substantial reading deficiency. The handbook must be made available in an electronic format that is accessible online and must include the following information:

1. An overview of the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.

2. An overview of the procedural requirements for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan (IEP) when necessary to inform school personnel responsible for implementing the IEP.

3. Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

4. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty with learning.

(6) ELIMINATION OF SOCIAL PROMOTION.—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(b), for good cause. A student who is promoted to grade 4 with a good cause exemption shall be provided intensive reading instruction and intervention that include specialized diagnostic information and

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specific reading strategies to meet the needs of each student so promoted. The school district shall assist schools and teachers with the implementation of explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted with a good cause exemption which research has shown to be successful in improving reading among students who have reading difficulties. Good cause exemptions are limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program based on the initial date of entry into a school in the United States.

2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of s. 1008.212.

3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.

4. A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized English Language Arts assessment.

5. Students with disabilities who take the statewide, standardized English Language Arts assessment and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive instruction in reading or English Language Arts for more than 2 years but still demonstrates a deficiency and was previously retained in

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kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

~~7. Students who have received intensive remediation in reading or English Language Arts for 2 or more years but still demonstrate a deficiency and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.~~

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under ~~the provisions of~~ paragraph (5)(b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions, as identified by a valid and reliable diagnostic assessment. This intensive intervention must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district. ~~effective instructional strategies,~~

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2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1, and appropriate teaching methodologies necessary to assist those students in becoming successful readers, able to read at or above grade level, and ready for promotion to the next grade.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

~~(b) Each school district shall:~~

1. Provide third grade students who are retained under the provisions of paragraph (5)(b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a) and a minimum of 90 minutes of daily, uninterrupted, ~~scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:~~

- a. Integration of content-rich, nonfiction texts in science and social studies ~~content~~ within the 90-minute block.
- b. Small group instruction.
- c. Reduced teacher-student ratios.
- d. More frequent progress monitoring.
- e. Tutoring or mentoring.
- f. Transition classes containing 3rd and 4th grade students.
- g. Extended school day, week, or year.

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642 (b) Each school district shall:

643 1.2- Provide written notification to the parent of a
 644 student who is retained under ~~the provisions of~~ paragraph (5) (b)
 645 that his or her child has not met the proficiency level required
 646 for promotion and the reasons the child is not eligible for a
 647 good cause exemption as provided in paragraph (6) (b). The
 648 notification must comply with paragraph (5) (c) ~~the provisions of~~
 649 ~~s. 1002.20(15)~~ and must include a description of proposed
 650 interventions and supports that will be provided to the child to
 651 remediate the identified areas of reading deficiency.

652 2.3- Implement a policy for the midyear promotion of a
 653 student retained under ~~the provisions of~~ paragraph (5) (b) who
 654 can demonstrate that he or she is a successful and independent
 655 reader and performing at or above grade level in reading or,
 656 upon implementation of English Language Arts assessments,
 657 performing at or above grade level in English Language Arts.
 658 Tools that school districts may use in reevaluating a student
 659 retained may include subsequent assessments, alternative
 660 assessments, and portfolio reviews, in accordance with rules of
 661 the State Board of Education. Students promoted during the
 662 school year after November 1 must demonstrate proficiency levels
 663 in reading equivalent to the level necessary for the beginning
 664 of grade 4. The rules adopted by the State Board of Education
 665 must include standards that provide a reasonable expectation
 666 that the student's progress is sufficient to master appropriate
 667 grade 4 level reading skills.

668 3.4- Provide students who are retained under ~~the provisions~~
 669 ~~of~~ paragraph (5) (b) with a highly effective teacher as
 670 determined by the teacher's performance evaluation under s.

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671 1012.34, and, beginning July 1, 2018, the teacher must also be
 672 certified or endorsed in reading.

673 4.5- Establish at each school, when applicable, an
 674 intensive reading acceleration course ~~class~~ for any student
 675 retained in grade 3 who was previously retained in kindergarten,
 676 grade 1, or grade 2 students who subsequently score Level 1 on
 677 the required statewide, standardized assessment identified in s.
 678 1008.22. The focus of the Intensive Acceleration Class shall be
 679 to increase a child's reading and English Language Arts skill
 680 level at least two grade levels in 1 school year. The intensive
 681 reading acceleration course must provide the following Class
 682 shall:

683 a. Uninterrupted reading instruction for the majority of
 684 student contact time each day and opportunities to master the
 685 grade 4 Next Generation Sunshine State Standards in other core
 686 subject areas through content-rich, nonfiction texts.

687 b. Small group instruction.

688 c. Reduced teacher-student ratios.

689 d. The use of explicit, systematic, and multisensory
 690 reading interventions, including intensive language and
 691 vocabulary instruction and use of a speech-language therapist if
 692 necessary, that have proven results in accelerating student
 693 reading achievement within the same school year.

694 e. A read-at-home plan.

695 ~~a. Be provided to a student in grade 3 who scores Level 1~~
 696 ~~on the statewide, standardized English Language Arts assessment~~
 697 ~~and who was retained in grade 3 the prior year because of~~
 698 ~~scoring Level 1.~~

699 ~~b. Have a reduced teacher-student ratio.~~

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~~e. Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 Next Generation Sunshine State Standards in other core subject areas.~~

~~d. Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year.~~

~~e. Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.~~

(8) ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5) (b), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in English Language Arts, science, social studies, and mathematics. The district school board must report to the parent the student's results on each statewide, standardized assessment. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, response to intensive interventions provided under paragraph (5) (a), and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

Section 10. Subsection (5) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(5) The commissioner shall annually report to the State

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Board of Education and the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. The report shall include:

(a) For each school district:

1. The percentage of students, by school and grade level, demonstrating learning growth in English Language Arts and mathematics.

2. The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English Language Arts and mathematics.

3. The information contained in the school district's annual report required under s. 1008.25(8).

(b) Intervention and support strategies used by school districts ~~boards~~ whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.

(c) Intervention and support strategies used by school districts ~~boards~~ whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects.

(d) Based upon a review of each school district's reading plan submitted pursuant to s. 1011.62(9), intervention and support strategies used by school districts that were effective in improving the reading performance of students, as indicated by student performance data, who are identified as having a substantial reading deficiency pursuant to s. 1008.25(5) (a).

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School reports shall be distributed pursuant to this subsection and s. 1001.42(18)(c) and according to rules adopted by the State Board of Education.

Section 11. Subsection (2) of section 1011.67, Florida Statutes, is amended to read:

1011.67 Funds for instructional materials.—

(2) (a) Annually by July 1 and before prior to the release of instructional materials funds, each district school superintendent shall certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including. The report shall include verification that training was provided; and that the materials are being implemented as designed; and, beginning April 1, 2019, for core reading materials and supplemental intervention reading materials used in kindergarten through grade 5, that the materials have been identified by the Just Read, Florida! Office as meeting the requirements of s. 1001.215(11). This paragraph does not preclude school districts from purchasing or using other materials to supplement reading instruction and provide additional skills practice.

(b) Each district school superintendent shall, as part of the certification under paragraph (a), report the number and percentage of the district's K-5 instructional personnel who have received training to implement the core and supplemental intervention reading materials. The district school superintendent shall also report the process and timeline by which the remaining K-5 personnel will be provided the training, including those newly hired by the district.

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Section 12. Section 1012.567, Florida Statutes, is created to read:

1012.567 Certification and endorsement of elementary reading instructors.—

(1) CERTIFICATION.—

(a) Beginning January 1, 2018, a candidate for an educator certificate in an area involving reading instruction or intervention for any students in kindergarten through grade 6 must, as part of the certification process, demonstrate competence in the following:

1. Identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills.

2. Using explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students.

3. Using predictive and other data to make instructional decisions based on individual student needs.

The State Board of Education shall adopt by rule the minimum requirements for instruction provided by teacher preparation programs and school districts for this purpose.

(b) Documentation of a valid professional standard teaching certificate issued by another state is not sufficient to meet the requirements of paragraph (a). The State Board of Education shall establish a procedure by which a candidate who holds a certificate issued by another state may demonstrate competence as required in paragraph (a).

(c) The State Board of Education shall identify by rule

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816 certification areas in which candidates must demonstrate
 817 competence as provided in paragraph (a) as part of the
 818 certification process.

819 (d) To receive initial or continued approval, a teacher
 820 preparation program under s. 1004.04 or s. 1004.85 must provide
 821 instruction in the skills and strategies listed in paragraph (a)
 822 to candidates for certificates in the areas identified by the
 823 state board pursuant to paragraph (c).

824 (2) ENDORSEMENT.—Beginning January 1, 2018, the
 825 specialization requirements for an endorsement in reading
 826 instruction must include at least 3 semester hours of
 827 instruction in explicit, systematic, and multisensory approaches
 828 to reading instruction and intervention that are proven to
 829 improve reading performance for all students. This instruction
 830 may be incorporated into semester hour requirements established
 831 in State Board of Education rule.

832 (3) REVIEW.—By July 1, 2017, and at least once every 5
 833 years thereafter, the department shall conduct a review of
 834 specialization and coverage area requirements in the elementary,
 835 reading, and exceptional student educational areas. At the
 836 conclusion of each review, the department shall recommend to the
 837 State Board of Education changes to the specialization and
 838 coverage area requirements based upon any identified
 839 instructional or intervention strategy proven to improve student
 840 reading performance.

841 (4) STATE BOARD RULES.—The State Board of Education shall
 842 adopt rules pursuant to ss. 120.536 and 120.54 as necessary to
 843 implement this section.

844 Section 13. Paragraph (a) of subsection (3) of section

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845 1012.585, Florida Statutes, is amended, and paragraph (f) is
 846 added to that subsection, to read:

847 1012.585 Process for renewal of professional certificates.—

848 (3) For the renewal of a professional certificate, the
 849 following requirements must be met:

850 (a) The applicant must earn a minimum of 6 college credits
 851 or 120 inservice points or a combination thereof. For each area
 852 of specialization to be retained on a certificate, the applicant
 853 must earn at least 3 of the required credit hours or equivalent
 854 inservice points in the specialization area. Education in
 855 "clinical educator" training pursuant to s. 1004.04(5)(b) and
 856 credits or points that provide training in the area of
 857 scientifically researched, knowledge-based reading literacy,
 858 including explicit, systematic, and multisensory approaches to
 859 reading instruction and intervention; ~~and~~ computational skills
 860 acquisition; ~~r~~ exceptional student education; ~~r~~ normal child
 861 development; ~~r~~ and the disorders of development may be applied
 862 toward any specialization area. Credits or points that provide
 863 training in the areas of drug abuse, child abuse and neglect,
 864 strategies in teaching students having limited proficiency in
 865 English, or dropout prevention, or training in areas identified
 866 in the educational goals and performance standards adopted
 867 pursuant to ss. 1000.03(5) and 1008.345 may be applied toward
 868 any specialization area, except specialization areas identified
 869 by State Board of Education rule as involving reading
 870 instruction or intervention for any students in kindergarten
 871 through grade 6 under s. 1012.567(1)(c). Credits or points
 872 earned through approved summer institutes may be applied toward
 873 the fulfillment of these requirements. Inservice points may also

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be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 1012.98 in the district's approved master plan for inservice educational training; however, such points may not be used to satisfy the specialization requirements of this paragraph, including, but not limited to, serving as a trainer in an approved teacher training activity, serving on an instructional materials committee or a state board or commission that deals with educational issues, or serving on an advisory council created pursuant to s. 1001.452.

(f) Beginning January 1, 2018, an applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule pursuant to s. 1012.567(1)(c) must earn a minimum of two college credits or the equivalent inservice points in the use of explicit, systematic, and multisensory approaches to reading instruction and intervention. Such training must be provided by teacher preparation programs under s. 1004.04 or s. 1004.85 or approved school district professional development systems under s. 1012.98. The requirements in this paragraph may not add to the total hours required by the department for continuing education or inservice training.

Section 14. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a

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valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement. To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 15. Paragraph (e) is added to subsection (3) of section 1012.98, Florida Statutes, and paragraph (b) of subsection (4) of that section is amended, to read:

1012.98 School Community Professional Development Act.—

(3) The activities designed to implement this section must:

(e) Provide all elementary grades instructional personnel without a reading endorsement with training sufficient to earn the endorsement before attainment or renewal of a professional certificate pursuant to s. 1012.56 or s. 1012.585.

(4) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional

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development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom

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management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to s. 1001.42(18). Each district inservice plan must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional development plan must be related to specific performance data

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for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional development plan.

5. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

6. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

7. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

8. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

9. For middle grades, emphasize:

a. Interdisciplinary planning, collaboration, and instruction.

b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.

c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based

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instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 must include in its school improvement plan, required under s. 1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

10. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting that are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and multisensory approach to reading instruction and intervention.

Section 16. This act shall take effect upon becoming a law.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Education Pre-K - 12, Chair
Ethics and Elections, Vice Chair
Appropriations Subcommittee on Education
Fiscal Policy
Government Oversight and Accountability
Higher Education

SENATOR JOHN LEGG

17th District

Legg.John.web@FLSenate.gov

January 28, 2016

The Honorable Don Gaetz
Appropriations Subcommittee on Education, Chair
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399

RE: SB 1068 - Education

Dear Chair Gaetz:

SB 1068: Education has been referred to your committee. I respectfully request that it be placed on the Appropriations Subcommittee on Education Agenda, at your convenience. Your leadership and consideration are appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Legg", with a stylized flourish at the end.

John Legg
State Senator, District 17

cc: Tim Elwell, Staff Director
JoAnne Bennett, Administrative Assistant

REPLY TO:

- ☐ 262 Crystal Grove Boulevard, Lutz, Florida 33548 (813) 909-9919
- ☐ 316 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5017

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

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 Appropriations Subcommittee on Education

BILL: CS/SB 1360

INTRODUCER: Education Pre-K - 12 Committee and Senator Gaetz and others

SUBJECT: Student Assessments

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Fav/CS
2.	Sikes	Elwell	AED	Favorable
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1360 establishes performance-based alternative means for students to demonstrate subject area and grade level competency and college and career readiness. However, the bill maintains the statewide, standardized assessments as the default common battery of assessments for all students attending public schools, and provides parents the option to select, for their child, statewide, standardized assessments in lieu of district-selected rigorous alternative assessments. Specifically, the bill:

- Establishes a process for a district school board to choose to voluntarily implement districtwide, ACT Aspire for grades 3 through 8; ACT Aspire and ACT for high school; Preliminary SAT (PSAT) or National Merit Scholarship Qualifying Test (NMSQT), and SAT for high school; or a combination of options, as specified.
- Identifies several rigorous alternative assessments and industry certifications as options for students to meet high school subject area, course, credit, and assessment requirements.
- Establishes performance-based alternative means to satisfy online course requirement for high school graduation.
- Creates a process for establishing proxy values for linking student performance on rigorous alternative assessments to assess teachers, schools, and school districts.
- Provides for the immediate renegotiation of existing student assessment contracts and negotiation of new contracts to implement the rigorous alternative assessment options.
- Establishes timelines for the implementation of district-selected rigorous alternative assessment options, and specifies notification and reporting requirements.

- Removes the annual cap on teacher bonuses for the teachers providing Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), or industry certification instruction which results in their students earning college credit or attaining industry certifications.
- Provides an exemption for the performance of students with excessive absences from counting against a classroom teacher's performance evaluation.
- Authorizes district school board members to visit schools to promote education and school improvements.

The bill provides that for 2016-2017 the “funding for the rigorous alternative assessments may not cause an increase in the assessment and evaluation appropriation in the General Appropriations Act.” The bill requires the Department of Education to immediately renegotiate the Florida Standards Assessment contract with American Institutes for Research and that “the renegotiated contract should not result in an increase in price per assessment or any other price increases.” The terms of that renegotiated contract, along with any other renegotiated assessment contracts or grants to school districts for test development, are to be used to provide funding for implementation of the district-selected rigorous alternative assessments authorized in the bill. SB 2500, the Senate's proposed 2016-2017 General Appropriations Bill, does not increase the assessment and evaluation appropriation to the State Board of Education, as compared to the appropriation for Fiscal Year 2015-2016.

The bill takes effect upon becoming law.

II. Present Situation:

Florida's assessment program consists primarily of statewide, standardized assessments that are selected and administered by the state, and local assessments that are selected and administered by the school districts to measure students' attainment of education expectations.¹

Statewide, Standardized Assessment Program

Purpose

The purpose of Florida's student assessment program is to improve instruction; provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff; and assess the cost benefit of the expenditure of taxpayer dollars.²

The Commissioner of Education (commissioner) is required to design and implement a statewide, standardized assessment program that is aligned to the curricular content established in the Next Generation Sunshine State Standards and the Florida Standards.³

Statewide, Standardized Assessment Requirements

The statewide, standardized assessment program consists of:

¹ Section 1008.22, F.S.

² Section 1008.22(1), F.S.

³ Section 1008.22(3), F.S.

- Statewide, standardized comprehensive assessments:⁴
 - English Language Arts (ELA) (grades 3 through 10);
 - Mathematics (grades 3-8); and
 - Science (once at the elementary grade level and once at the middle grade level).⁵
- End-of-Course (EOC) assessments:⁶
 - Civics (at the middle grade level);
 - U.S. History EOC;
 - Algebra I EOC;
 - Algebra II EOC;⁷
 - Geometry EOC; and
 - Biology I EOC.

Students must pass the grade 3 ELA assessment to be promoted to grade 4.⁸ Florida law authorizes seven good cause exemptions from mandatory retention in grade 3.⁹ Additionally, to graduate high school with a standard high school diploma, students must pass the grade 10 ELA and Algebra I EOC assessment,¹⁰ or attain concordant or comparative scores on specified alternative assessments.¹¹ Student performance on the EOC assessments constitute 30 percent of the student's final course grade.¹²

Additionally, the statewide, standardized assessment program also includes the Florida Alternate Assessment (FAA) to assess students with disabilities in the content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.¹³

Contracts for Assessments

The commissioner must provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts.¹⁴ The commissioner may enter into contracts for the continued administration of assessments that are authorized and funded by the

⁴ Section 1008.22(3)(a), F.S. Federal law requires students to be tested in reading or language arts and mathematics in each of grades 3 through 8 and not less than once in grades 10 through 12. With respect to science, students must be tested once during grades 3 through 5, grades 6 through 9, and grades 10 through 12. 20 U.S.C. s. 6311(b)(3). The Florida Department of Education posts the Statewide Assessment Schedule on its website. Florida Department of Education, *Florida Statewide Assessment Program 2016-2017 Schedule*, available at <http://info.fldoe.org/docushare/dsweb/Get/Document-7514/dps-2015-175a.pdf>.

⁵ Rule 6A-1.09422(3)(b), F.A.C., requires all eligible students in grades five and eight to take the FCAT 2.0 Science.

⁶ Section 1008.22(3)(b), F.S.

⁷ Students are not required to take the Algebra II EOC assessment. However, a student who selects Algebra II must take the Algebra II EOC assessment. Section 1003.4282(3)(b), F.S.

⁸ To be promoted to grade 4, a student must score a level 2 or higher on the grade 3 ELA assessment. A student must be retained in grade 3 if the student's reading deficiency is not remedied by the end of grade 3, as demonstrated by scoring Level 2 or higher on the grade 3 ELA assessment. Section 1008.25(5)(b), F.S.

⁹ Section 1008.25(6)(b), F.S.

¹⁰ Section 1003.4282(3), F.S.

¹¹ Section 1008.22(8)-(9), F.S.

¹² Sections 1003.4282 and 1008.22, F.S.

¹³ Section 1008.22(3)(c)1., F.S. A child with medical complexity may be exempt from participating in statewide, standardized assessments, including the Florida Alternate Assessment. Section 1008.22(10), F.S.

¹⁴ Section 1008.22(3)(g)1., F.S.

Legislature.¹⁵ Contracts may be initiated in one fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years.¹⁶ The law authorizes the commissioner to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed in accordance with law.¹⁷

For new contracts and renewal of existing contracts for statewide, standardized assessments, a student's performance on such assessments must be provided to the student's teachers and parents by the end of the school year, unless the commissioner determines that extenuating circumstances exist and reports the extenuating circumstances to the State Board of Education (SBE or state board).¹⁸

Use of Assessments

The Florida Legislature has established accountability mechanisms to assess the effectiveness of the of the state's K-20 education delivery system.¹⁹ The law specifies annual educator performance evaluations²⁰ and the evaluation criteria for instructional personnel, which must include student performance, instructional practice, and professional and job responsibilities.²¹ In addition, the Legislature has also established mechanisms to measure school performance by assigning school grades,²² school improvement ratings,²³ and district grades²⁴ based on student performance on statewide, standardized assessments.

Student performance data are analyzed and reported to parents, the community, and the state.²⁵

Authorized Alternatives to Statewide, Standardized Assessments

The Legislature has also authorized several alternative means for students to demonstrate competency and satisfy statewide, standardized assessment and credit requirements.

Concordant and Comparative Scores

To fulfill statewide, standardized assessment requirements, the state board has adopted:²⁶

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Section 1008.22(3)(g)2., F.S.

¹⁹ Section 1008.31, F.S.

²⁰ Section 1012.34, F.S.

²¹ Section 1012.34(3)(a)1., 2., and 4., F.S. School administrator evaluation criteria include instructional leadership. Section 1012.34(3)(a)3., F.S.

²² Section 1008.34, F.S.

²³ Section 1008.341, F.S.

²⁴ Section 1008.34(5), F.S.

²⁵ Section 1008.22(4), F.S.

²⁶ Section 1008.22(9)-(10), F.S.; *see also* Rule 6A-1.094223, F.A.C.

- Concordant scores on SAT²⁷ and ACT,²⁸ which if attained by a student satisfies the grade 10 statewide, standardized Reading²⁹ assessment, and
- Comparative scores on the Postsecondary Education Readiness Test (PERT), which if attained by a student satisfies the Algebra I EOC assessment requirement.

The SAT and ACT, and PERT substitutions are authorized for the two assessments in high school³⁰ that students must pass to graduate with a standard high school diploma.³¹ The law authorizes the commissioner to also identify concordant scores on assessments other than the SAT and ACT, and one or more comparative scores for the Algebra I EOC assessment.³²

Nationally Developed Comprehensive Assessments for Use as EOC Assessments

Additionally, the commissioner also has the authority to select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement (AP) course, International Baccalaureate (IB) course, or Advanced International Certificate of Education (AICE) course, or industry-approved examinations to earn national industry certifications identified in the Career and Professional Education (CAPE) Industry Certification Funding List,³³ for use as EOC assessments if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade level expectations for the curricular content established for the course in the Next Generation Sunshine State Standards.³⁴ The state board must adopt in rule the use of such examinations as EOC assessments.³⁵

²⁷ The concordant passing scale score for the SAT must be equal to or greater than 430 on the 200 to 800 scale. Rule 6A-1.094223(1), F.A.C.

²⁸ The concordant passing scale score for the ACT must be equal to or greater than 19 on the 1 to 36 scale. Rule 6A-1.094223(1), F.A.C.

²⁹ The English Language Arts (ELA) Florida Standards assessment, which replaced the FCAT Reading assessment, was administered for the first time during the 2014-2015 school year. Florida Department of Education, *Florida Statewide Assessment Program 2014-2015 Schedule*, available at <http://info.fldoe.org/docushare/dsweb/Get/Document-7047/dps-2014-81a.pdf>. Pursuant to law, the concordant scores on SAT and ACT will need to be adjusted to correspond to ELA assessment. Section 1008.22(8), F.S. Until such time that the new concordant scores on SAT and ACT are adopted in rule by the state board, students are allowed to use the existing concordant scores to satisfy the requirements for a standard high school diploma. Letter, Florida Department of Education (Sep. 18, 2015), on file with the Committee Education Pre-K -12, at 1.

³⁰ To fulfill the requirements for a standard high school diploma, students must pass the grade 10 ELA and Algebra I EOC assessments. Section 1003.4282(3)(a)-(b), F.S.

³¹ Section 1003.4282(3), F.S.

³² Section 1008.22(9)-(10), F.S.

³³ The State Board of Education (SBE or state board) adopts by rule, the list of industry certifications that are eligible for funding through the Florida Education Finance Program (FEFP). The list is updated annually. Sections 1008.44, F.S. Industry certifications on the “Gold Standard Career Pathways” list are incorporated by reference in the SBE rule, and articulated to Associate in Applied Science and Associate in Science degree programs. Rule 6A-10.0401, F.A.C.; *see also* Florida Department of Education, *Process for Establishing Gold Standard Career Pathways Industry Certification to AAS/AS Degree Statewide Articulation Agreements*, available at <http://www.fldoe.org/workforce/dwdframe/pdf/GSCPICprocess.pdf>.

³⁴ Section 1008.22(3)(b)3., F.S.

³⁵ *Id.*

The commissioner has identified passing scores on AP, IB, and AICE assessments for students to apply to meet the EOC assessment requirements.³⁶ Such assessments and corresponding passing scores are considered exceeding the grade level expectations for the curricular content.³⁷ Students who take rigorous courses such as AP or IB courses, take the corresponding AP or IB examination in lieu of the statewide, standardized assessment for that subject. For instance, a student who takes the AP Biology course, takes the corresponding AP Biology examination instead of the Biology I EOC assessment.³⁸ Additionally, the commissioner has recommended that “a passing score on the examination for the Agricultural Biotechnology Certification can substitute for the Biology I EOC assessment.”³⁹

The Course Code Directory (CCD),⁴⁰ which is adopted in rule by the state board, identifies courses including, but not limited to, the courses that meet subject-area graduation requirements, and specifies the course levels for such courses.⁴¹ The CCD includes AP, IB, AICE, and other courses, which students may take and complete to earn credit toward standard high school diploma requirements.⁴² However, the CCD does not identify the assessments (e.g., AP, IB, AICE, and industry certification examinations) that students may take to meet the statewide, standardized assessment requirements.

Award of Credit

Definition of Credit

For the purposes of satisfying high school graduation requirements, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as authorized under the Credit Acceleration Program.⁴³

³⁶ As an example, the Commissioner of Education (commissioner) has proposed that a student may satisfy the Algebra I EOC assessment requirement by attaining a score of 3, 4, or 5 on the AP Calculus AB examination, AP Calculus BC examination, or AP Statistics examination. Letter, Florida Department of Education (Sep. 18, 2015), on file with the Committee Education Pre-K -12, at 2.

³⁷ *Id.*

³⁸ Letter, Florida Department of Education (Feb. 2, 2015), on file with the Committee Education Pre-K -12, at 4.

³⁹ Letter, Florida Department of Education (Sep. 18, 2015), on file with the Committee Education Pre-K -12, at 2.

⁴⁰ 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 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. Rule 6A-1.09441, F.A.C.

⁴¹ Florida Department of Education, *2015-2016 Course Directory: Section 1-Narrative Section*, <http://www.fldoe.org/policy/articulation/ccd/2015-2016-course-directory.stml> (last visited Jan. 21, 2016). Level 1 courses are basic courses for which students may not earn credit towards a standard diploma unless specified otherwise; level 2 courses are regular, mainstreamed courses; and level 3 courses include honors, AP, IB, AICE, advanced college-preparatory courses, and other courses containing rigorous academic curriculum and performance standards. Numerous career and technical education courses are designated as level 3. *Id.*

⁴² *Id.* Dual enrollment courses and credit specifications for such courses are listed in the dual enrollment course equivalency list. Florida Department of Education, *2015-2016 Dual Enrollment Course-High School Subject Area Equivalency List*, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078394-delist.pdf>.

⁴³ Section 1003.436(1)(a), F.S. A “full-time equivalent student” is a student who receives instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program. The definition of a “full-time equivalent student” also includes students who receive instruction in a double-session school or

With regards to a school district that is authorized to implement block scheduling by the district school board, one full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for fulfilling high school graduation requirements.⁴⁴ The state board must determine the number of postsecondary credit hours earned through dual enrollment and that equal one full credit of the equivalent high school course.⁴⁵

To award credit for high school graduation, each district school board must maintain a one-half credit earned system that includes courses provided on a full-year basis.⁴⁶ A student enrolled in a full-year course must receive one-half credit if the student successfully completes either the first half or the second half of a full-year course but fails to complete the other half of the course.⁴⁷

Credit Requirements to Earn a Standard High School Diploma

In addition to fulfilling the assessment requirements, students in high school must also satisfy certain credit requirements. To graduate from high school with a standard high school diploma, a student must successfully complete 24 credits in the following subject areas:⁴⁸

- Four credits in ELA I, II, III, and IV.
- Four credits in mathematics including one credit each in Algebra I and Geometry. Industry certifications earned by students may substitute for up to two mathematics credits, except for Algebra I and Geometry.
- Three credits in science including one credit in Biology I and two credits in equally rigorous courses.⁴⁹ Industry certifications earned by students may substitute for one science credit, except for Biology I.
- Three credits in social studies including one credit each in United States History and World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or practical arts.
- One credit in physical education.
- Eight credits in electives.

Online Course Requirement

At least one of the 24 credits required for earning a standard high school diploma must be completed through online learning.⁵⁰ An online course taken in grades 6, 7, or 8 fulfills the online course requirement and the online course may be a course that is offered by the Florida Virtual School, a virtual education provider approved by the state board, high school, or online

a school utilizing an experimental school calendar approved by the Department of Education, comprising not less than the equivalent of 810 net hours in grades 4 through 12 or not less than 630 net hours in kindergarten through grade 3. Section 1011.61(1)(a)1.-2., F.S.

⁴⁴ Section 1003.436(1)(a), F.S.

⁴⁵ *Id.*

⁴⁶ Section 1003.436(2), F.S.

⁴⁷ *Id.*

⁴⁸ Section 1003.4282(1)(a) and (3), F.S.

⁴⁹ Two of the three science credits must have a laboratory component. Section 1003.4282(3)(c), F.S.

⁵⁰ Section 1003.4282(4), F.S.

dual enrollment.⁵¹ A student enrolled in a full-time or part-time approved virtual instruction program⁵² also meets the online course requirement.⁵³

A school district must not require a student to take the online course outside of the school day or in addition to the courses taken by the student in a given semester.⁵⁴

Authorized Alternatives to Earn High School Credit

The Florida Legislature has enacted alternatives to the specified high school graduation credit requirements, allowing students to earn fewer than 24 credits and generate high school credits through a credit-by-examination mechanism.

Academically Challenging Curriculum to Enhance Learning (ACCEL)

Students may also earn a standard high school diploma after completing 18 credits under the Academically Challenging Curriculum to Enhance Learning (ACCEL) program.⁵⁵ Under the ACCEL program, students need to earn fewer elective credits (i.e., 3 instead of required 8 elective credits under the 24-credit standard high school diploma pathway).⁵⁶ Additionally, students in the ACCEL program are not required to earn one credit in physical education.⁵⁷

The current mechanism for earning high school credit is contingent on students enrolling in and completing specified courses,⁵⁸ unless otherwise authorized in law.⁵⁹

Credit Acceleration Program (CAP)

In 2010, the Florida Legislature established the Credit Acceleration Program (CAP) to allow a student to earn high school credit in Algebra I, Algebra II, geometry, United States history, or Biology if the student attains a passing score on the corresponding statewide, standardized assessment without enrolling in or completing the course.⁶⁰

Acceleration Mechanisms to Earn College Credit

Current law identifies certain acceleration mechanism examinations that students may take before graduating from high school to generate college credits.⁶¹ Pursuant to the law, the Department of Education (department) must annually identify and publish the minimum scores, maximum credit, and course or courses for which college credit must be awarded for each:⁶²

- College Level Examination Program (CLEP) subject examination,

⁵¹ *Id.*

⁵² Section 1002.45, F.S.

⁵³ Section 1003.4282(4), F.S.

⁵⁴ *Id.*

⁵⁵ Section 1002.3105(5), F.S.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ Section 1003.436, F.S.

⁵⁹ Section 1003.4295(3), F.S.

⁶⁰ Section 5, ch. 2010-22, L.O.F., *codified at* s. 1003.4295(3), F.S.

⁶¹ Section 1007.27(2), F.S.

⁶² *Id.*

- College Board AP Program examination,
- AICE examination, and the
- IB examination.

The department must use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit must be granted.⁶³ Minimum scores may vary by subject area based on available performance data.⁶⁴ The department must identify such courses in the general education core curriculum of each state university and Florida College System (FCS) institution.⁶⁵

Credit-by-Examination Equivalency List

The Articulation Coordinating Committee (ACC)⁶⁶ has established passing scores and course and credit equivalents for the tests that are currently specified in law as well as for tests that are not specified in law (i.e., Defense Activity Non-Traditional Education Support (DANTES), Excelsior College, and UEXCEL examination).⁶⁷ The credit-by-exam equivalencies have been adopted in rule by the state board.⁶⁸ If a student attains a passing score on the AP, AICE, IB, or CLEP exam, state universities and FCS institutions must award the minimum credit for the course or courses specified on the credit-by-exam equivalencies list, even if such institutions do not offer the course or courses.⁶⁹

Although a student generates college credits, often at least three credit hours, by attaining a passing score on the assessments specified in the credit-by-examination equivalency list, the student does not concurrently earn high school credit for passing such examinations unless the student completes the specified courses corresponding to such assessments. For instance, if a student attains the maximum score of 5 on AP Biology examination, the student earns a minimum of 8 college credit hours toward the college biology course, BSC X010C or BSC X010/X010L and BSC X011C or BSC X011/X011L, as specified in the credit-by-examination list,⁷⁰ but none toward high school Biology I or other science course, unless the student completes the corresponding AP Biology course.

Similarly, if a student passes CLEP College Algebra examination with a scale score of 50, the student earns a minimum of 3 college credit hours toward the college mathematics course, MAC X105, as specified in the credit-by-examination list,⁷¹ but none toward high school Algebra I or other mathematics course.

⁶³ Section 1007.27(2), F.S.

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ The Articulation Coordinating Committee (ACC) is established by the commissioner in consultation with the Chancellor of the State University System, to make recommendations related to statewide articulation policies regarding access, quality, and data reporting. The ACC serves as an advisory body to the Higher Education Coordinating Council, the State Board of Education, and the Board of Governors. Section 1007.01(3), F.S.

⁶⁷ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

⁶⁸ Rule 6A-10.024, F.A.C.

⁶⁹ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>, at 1.

⁷⁰ *Id.*, at 3.

⁷¹ *Id.* at 11.

Dual Enrollment to Earn High School and College Credit

Dual enrollment is an acceleration mechanism that allows a student, who is enrolled in grades 6 through 12 in a Florida public school or in a Florida private school or who is a home education student, to enroll in a postsecondary course that is creditable toward high school completion as well as a career certificate, an associate degree, or a baccalaureate degree.⁷²

Dual enrollment is different from other acceleration mechanisms such as AP, IB, and AICE in that, students who take a dual enrollment course, which is considered a college-level course, must meet specified eligibility requirements⁷³ to enroll in dual enrollment courses. Additionally, instead of taking a standardized examination corresponding to such courses, dually enrolled students must only complete the dual enrollment course.⁷⁴

Dual Enrollment Equivalency List

The dual enrollment course-to-high school subject area equivalency list (list) specifies postsecondary courses that students may take and complete to earn both high school and college credit.⁷⁵ The list also indicates high school credit (i.e., 0.5 or 1.0) that must be awarded to a student who completes a specified dual enrollment course.⁷⁶ In addition, the list identifies dual enrollment courses in biology that students may take to prepare for the Biology I EOC assessment.⁷⁷ Similarly, dual enrollment courses in United States History that students may take to prepare for the United States History EOC assessment are also identified.⁷⁸

Teacher Bonuses for Students Who Earn College Credit

Florida law provides bonus funding to classroom teachers responsible for providing AP, IB, AICE, or industry certification instruction which results in their students scoring at specified levels on examinations (in the case of AP, IB, and AICE) or attaining industry certifications corresponding to such instruction.⁷⁹ For instance, a classroom teacher who provided AP instruction is eligible to receive:⁸⁰

- A bonus in the amount of \$50 for each student taught by him or her who received a score of 3 or higher on the AP examination.
- An additional \$500 if he or she teaches in a school that received a grade of “D” or “F” and at least one of his or her student scored 3 or higher on the AP examination.

⁷² Section 1007.271(1)-(2), F.S.

⁷³ Section 1007.271(3), F.S.; *see also* Rule 6A-14.064, F.A.C.

⁷⁴ Rule 6A-14.064, F.A.C.

⁷⁵ Florida Department of Education, *2015-2016 Dual Enrollment Course-High School Subject Area Equivalency List*, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078394-delist.pdf>.

⁷⁶ *Id.*

⁷⁷ *Id.* at 32.

⁷⁸ *Id.* at 42.

⁷⁹ Section 1011.62(1)(l)-(o), F.S.

⁸⁰ Section 1011.62(1)(n), F.S.

The bonuses are capped at \$2,000 in any given school year.⁸¹ However, if at least 50 percent of students enrolled in a teacher's course earn a score of 3 or higher in a school with a grade of "A," "B," or "C" or if at least 25 percent students enrolled in a teacher's course earn a score of 3 or higher in a school with a grade of "D" or "F," the maximum bonus is capped at \$3,000 annually.⁸² These bonuses must be in addition to any regular wage or other bonus that the teacher received or is scheduled to receive.⁸³

The teacher bonuses for AICE and industry certifications are capped at \$2,000.⁸⁴

District School Board Powers and Duties

The law specifies the powers and duties of the district school boards including, but not limited to the establishment, organization, and operation of schools, and enforcement of laws and rules.⁸⁵

III. Effect of Proposed Changes:

CS/SB 1360 establishes performance-based alternative means for students to demonstrate subject area and grade level competency and college and career readiness. However, the bill maintains the statewide, standardized assessments as the default common battery of assessments for all students attending public schools, and provides parents the option to select, for their child, statewide, standardized assessments in lieu of the district-selected rigorous alternative assessments.

Assessment Requirements

The bill expands current alternatives by creating new rigorous alternative assessment options for school districts and students to choose in lieu of the statewide, standardized assessments to meet student progression, graduation, and education accountability requirements. The intent of the Legislature, as specified in the bill, is to preserve the statewide, standardized assessments as the default common battery of assessments for all students attending public schools. The rigorous alternative assessments are intended to supplement the statewide assessment program with valid, reliable, and respected assessment options for students to demonstrate subject area and grade level competency and college and career readiness. The rigorous alternative assessment options are organized under:

- District options for students and
- Options for students in high school.

District Options for Students

The bill establishes a process for a district school board to choose to voluntarily implement districtwide, one or more of the specified rigorous alternative assessment options in lieu of the statewide, standardized assessments to assess the subject area and grade level competency of students, beginning in the 2016-2017 school year. However, the bill also affords parents the

⁸¹ *Id.*

⁸² *Id.*

⁸³ Section 1011.62(1)(n), F.S.

⁸⁴ Section 1011.62(1)(m) and (o), F.S.

⁸⁵ Section 1001.42, F.S.

option to select, for their child, statewide, standardized assessments in lieu of the district-selected specified rigorous alternative assessments. In effect, notwithstanding a district school board's decision to implement rigorous alternative assessments, parents will be able to choose, annually, for their child to take the set of required and applicable statewide, standardized assessments instead of the set of rigorous alternative assessments selected by the district school board.

The bill identifies three rigorous alternative assessment options for the districts but specifies that a district school board may choose to implement the alternative assessment option for grades 3-8 only or one of two alternative assessment options for high school only, or a combination of the alternative assessments for grades 3-8 and one of the two alternative assessment options for high school.

The rigorous alternative assessment options include the following:

- ACT Aspire⁸⁶ for grades 3 through 8. The bill authorizes ACT Aspire English and Reading assessments, ACT Aspire Mathematics assessment, and ACT Aspire Science assessment as alternatives to the statewide, standardized assessment requirements for English Language Arts (ELA), mathematics, and science, respectively.
- ACT Aspire and ACT for high school.⁸⁷ Contingent on students scoring at specified levels, the bill provides for the following substitutions:
 - ACT Aspire English and Reading assessments or the ACT English and Reading assessments as substitutes for either the grade 9 ELA assessment or the grade 10 ELA assessment, or both.
 - ACT Aspire Mathematics assessment or the ACT Mathematics assessment as a substitute for the Algebra I EOC assessment.

In addition, the bill creates a mechanism for students to be exempted from individual state-required high school tests or all statewide, standardized testing requirements for high school based on students scoring at specified levels on the English and Reading, Mathematics, and

⁸⁶ ACT Aspire was launched on April 1, 2014. Since then, more than 3 million tests have been administered. ACT Aspire includes summative 3-8 and 9th/10th grade assessments in English, Reading, Math, Science, and Writing. States that are currently using ACT Aspire assessments statewide include Alabama, South Carolina, and Arkansas. In Spring 2015, ACT Aspire was administered in 1,244 districts in 47 states and 4 territories. The time commitment for ACT Aspire is 60 minutes for the Reading assessment component, ranges between 30-40 minutes for the English and writing assessment components, and ranges between 55-65 minutes for the mathematics and science assessment components. Student performance on the ACT Aspire reports provide information on student performance toward ACT College Readiness Standards. An ACT Readiness Benchmark is provided for each assessment. Students who score at or above these benchmarks are considered on target to meet ACT's College and Career Readiness Benchmarks when they leave high school. ACT Readiness Range shows where a student who has met the ACT Readiness Benchmark on an assessment would typically perform. The predicted path for each assessment is a projection of where scores will fall based on expected growth rates. ACT, Inc., *ACT & College and Career Readiness*, on file with the Committee on Education Pre-K – 12, at 9-11.

⁸⁷ The ACT Test is available in paper and pencil as well as in computer-based format. In 2014-2015, 130,798 (79%) of Florida high school graduates took the ACT. Fifty-four percent of Florida students met the English College Readiness Benchmark. Nationwide, more than 1.9 million students took the ACT in 2015, amounting to nearly 59 percent of all high school graduates. In 2015, the following states administered the ACT statewide: Arkansas (district choice), Alabama, Alaska (district choice), Colorado, Hawaii, Illinois (district choice), Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nevada, North Carolina, North Dakota (student choice), Oklahoma (district choice), South Carolina, Tennessee (district choice), Utah, Wisconsin, and Wyoming. ACT, Inc., *ACT & College and Career Readiness*, on file with the Committee on Education Pre-K – 12, at 7-8.

Science components of ACT Aspire or the ACT. For instance, for a student who scores 432 on the ACT Aspire Mathematics assessment or 20 on the ACT Mathematics assessment, the bill requires the student to be exempted from the geometry end-of-course (EOC) assessment requirement.

For exemption from all statewide, standardized testing requirements for high school, the bill requires students to attain the score of:

- 428 on the ACT Aspire English and Reading assessments or 18 on the ACT English and Reading assessments,
 - 435 on the ACT Aspire Mathematics assessment or 22 on the ACT Mathematics assessment, and
 - 430 on the ACT Aspire Science assessment or 20 on the ACT Science assessment.
- Preliminary SAT (PSAT) or National Merit Scholarship Qualifying Test (NMSQT),⁸⁸ and SAT⁸⁹ for high school. Contingent on students scoring at specified levels, the bill provides for the following substitutions:
 - PSAT Critical Reading and Writing assessments, NMSQT Critical Reading and Writing assessments, or the SAT Critical Reading and Writing assessments as substitutes for either the grade 9 ELA assessment or the grade 10 ELA assessment, or both.
 - PSAT Mathematics assessment, NMSQT Mathematics assessment, or the SAT Mathematics assessment as a substitute for the Algebra I EOC assessment.

In addition, the bill creates a mechanism for students to be exempted from individual or all high school statewide, standardized testing requirements based on students scoring at specified levels on the Critical Reading and Writing and Mathematics components of the PSAT, NMSQT, or the SAT. For instance, for a student who attains the score of 45 on the PSAT or NMSQT, or 450 on the SAT, the bill requires the student to be exempted from the geometry end-of-course (EOC) assessment requirement.

For exemption from all statewide, standardized testing requirements for high school, the bill requires students to attain the score of 120 on the PSAT or NMSQT, or 1200 on the SAT (including the Critical Reading, Writing, and Mathematics components).

The bill requires a student who does not attain the specified score for exemption from the geometry EOC, Algebra II EOC, Biology I EOC, or United States History EOC assessment to take the applicable EOC assessment after completing the relevant course during that school year

⁸⁸ The Preliminary SAT (PSAT) 8/9 tests the same skills and knowledge as the SAT, PSAT/NMSQT, and PSAT 10 and helps students and teachers assess the “what the [students] need to work on most” to be ready for college when the students graduate from high school. College Board, *PSAT 8/9*, <https://professionals.collegeboard.com/testing/sat> (last visited Jan. 23, 2016). Similar to the PSAT 8/9, the PSAT/National Merit Scholarship Qualifying Test (NMSQT) and PSAT 10 also measure what students learn in school and what the students need to succeed in college. College Board, *PSAT/NMSQT and PSAT 10: Inside the Test*, <https://professionals.collegeboard.com/testing/sat> (last visited Jan. 23, 2016). College Board International, *PSAT/NMSQT*, <http://international.collegeboard.org/programs/psat-nmsqt-psss> (last visited Jan. 23, 2016).

⁸⁹ “Each year, more than 80 million students take the SAT. Nearly every college in America uses the test as a common and objective scale for evaluating student’s college readiness.” College Board, *The SAT*, <https://professionals.collegeboard.com/testing/sat> (last visited Jan. 23, 2016). Seventy percent of Florida’s public school graduates took the SAT in 2015. College Board, *Florida Public Schools 2014-2015*, on file with the Committee Education Pre-K -12.

to fulfill the statewide, standardized assessment requirements and the conditions for graduating with a standard high school diploma. Consistent with current law, the student's performance on the EOC assessment must constitute 30 percent of the student's final course grade,⁹⁰ and the student must pass the required EOCs to earn the scholar designation on the standard high school diploma.⁹¹

The bill allows for modifications to the specified rigorous alternative assessment scores (for demonstrating subject area and grade level competency) by requiring the State Board of Education (SBE or state board) to adopt in rule necessary adjustments to the specified scores based on recommendations from the Commissioner of Education (commissioner); ACT, Inc.; and the College Board.

Options for Students in High School

The bill identifies several rigorous alternative assessments (e.g. SAT Subject Tests, College-Level Examination Program, and Advanced Placement) as options for students to take, in lieu of the statewide, standardized assessments, to satisfy high school subject area, course, credit, and assessment requirements, beginning in the 2016-2017 school year. In effect, the bill expands the authority in current law,⁹² with regards to using ACT and SAT scores to fulfill grade 10 ELA assessment requirement, to also apply to additional assessments to meet other subject area, course, and assessment requirements.

The bill allows students to take the rigorous alternative assessments without enrolling in the corresponding courses. However, the bill specifies that students must attain a passing score on the rigorous alternative assessment to meet the subject area, course, credit, and assessment requirements specified in law.⁹³ This competency-based mechanism provides students with acceleration opportunities in high school, which may help students graduate early from high school or instead, take advanced coursework through dual enrollment⁹⁴ or the Collegiate High School program.⁹⁵

The bill creates several student performance-based worksheets for rigorous alternative assessments that form the basis for granting students exemption from course enrollment and completion obligations, and corresponding EOC assessment requirements. The bill provides a worksheet each for specific SAT Subject Tests, College-Level Examination Program (CLEP), DANTES Subject Standardized Test (DSST),⁹⁶ and Advanced Placement (AP). With regards to dual enrollment courses in biology and United States History, the performance-based worksheet

⁹⁰ Section 1003.4282, F.S.

⁹¹ Section 1003.4285(1)(a), F.S.

⁹² Section 1008.22(8)-(9), F.S.; *see also* Rule 6A-1.094223, F.A.C.

⁹³ Sections 1002.3105, 1003.4282, 1003.4285, 1003.4295(3), and 1008.22, F.S.

⁹⁴ Section 1007.271, F.S.

⁹⁵ Section 1007.273, F.S.

⁹⁶ Defense Activity for Non-Traditional Education Support (DANTES) is a division of the Department of Defense that provides educational support to military members. In 2004, the exams were acquired and are now owned and administered by Prometric. Prometric owns and administers DSST exams. DSST, *What is DSST?* http://getcollegecredit.com/what_is_dsst/ (last visited Jan. 20, 2016); *see also* DANTES, *DANTES*, <http://www.dantes.doded.mil/#sthash.nYKTxyfV.dpbs> (last visited Jan. 20, 2016). DSST offers a suite of more than 30 exams in college subject areas such as social sciences, math, applied technology, business, physical sciences, and humanities. DSST, *About DSST*, <http://getcollegecredit.com/about> (last visited Jan. 20, 2016).

specifies the EOC or the CLEP assessments that students must take to meet the statewide, standardized assessment requirements for Biology I and United States History.

Additionally, the worksheet for industry certifications lists the exemptions from various EOC assessment requirements for students who earn one or more of the specified national industry certifications. In this case, the bill provides for an alternative mechanism for a student to demonstrate subject area competency by earning an industry certification, which involves completing the required coursework and passing one or more industry-approved examinations.

Criteria for the Award and Application of Credit

The bill expands the competency-based mechanism for earning high school credit, as authorized under the Credit Acceleration Program (CAP),⁹⁷ by identifying in the student performance-based worksheets for CLEP, DSST, and AP, passing scores that, if attained by students, must result in such students receiving high school credit toward specified subject areas. The passing scores on CLEP, DSST, and AP are identified in the credit-by-examination equivalency list, which has been adopted as a rule by the state board.⁹⁸ In effect, this provision will allow a student earn both, high school and college credits concurrently, if the student passes one or more of the specified assessments.

With regards to dual enrollment courses in biology and United States History, the bill allows a student to earn high school credit in such subject areas by taking either the corresponding EOC assessment or the specified CLEP examination. However, if a student takes the Biology I EOC or the United States History EOC assessment corresponding to a dual enrollment course, which is considered a college-level course, the bill specifies that student performance on such EOC assessments must not constitute 30 percent of the student's final course grade.

Additionally, the bill:

- Exempts credits earned by students passing one or more of the specified rigorous alternative assessments from minimum instructional hour requirements in law⁹⁹ and
- Requires a passing score on such assessments to be applied first to meet the assessment and credit requirements for ELA, mathematics, science or social studies before applying the score to meet the required electives credit requirements.

Online Course Requirement

The bill establishes performance-based alternative means for student in public schools, including charter schools, to satisfy the online course requirement for high school graduation by:

- Either completing a course in which a student earns a nationally recognized industry certification, identified on the Career and Professional Education (CAPE) Industry Certification Funding List, in information technology, or passing the information technology certification examination without enrolling in, or completing, the course or courses corresponding to such certification.

⁹⁷ Section 1003.4295(3), F.S.; *see also* Rule 6A-10.024, F.A.C.

⁹⁸ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

⁹⁹ Section 1003.436, F.S.

- Passing an online content assessment, without enrolling in or completing the course or courses corresponding to that assessment, demonstrating his or her skills and competency in locating information and applying technology for instructional purposes.

Contracts for Assessments

The bill provides for the immediate renegotiation of existing student assessment contracts and negotiation of new contracts to implement the rigorous alternative assessment options.

Specifically, the bill states that the Department of Education (department):

- Must immediately renegotiate the Florida Standards Assessment contract (Contract Number 14-652) with American Institutes for Research (AIR) to implement the rigorous alternative assessment options, and specifies the following requirements:
 - The department must ensure that the renegotiated contract fully implements the student assessment program for public schools, in accordance with the law,¹⁰⁰ and the rigorous alternative assessment options. The department must minimize student disruption.
 - The renegotiated contract must be executed by May 27, 2016.
 - The renegotiated contract should not result in an increase in price per assessment or any other price increase.
 - The department may not use any funds to restore the loss of funds pursuant to the rigorous alternative assessment options to Contract Number 14-652.
- May renegotiate other existing assessment contracts (e.g., the Florida Comprehensive Assessment Test retake contract and the statewide end-of-course assessment contracts) to allow for the availability of funds to implement the rigorous alternative assessments.
- Must negotiate and contract with entities such as ACT, Inc., and the College Board to implement the rigorous alternative assessment options. Additionally, the department must ensure that it obtains the lowest possible total contract price and price per assessment, and that the contracts are executed in sufficient time to fully implement the rigorous alternative assessment options in the 2016-2017 school year.

Additionally, the bill prohibits the funding for rigorous alternative assessments from increasing the budget for assessment and evaluation in the General Appropriations Act. Funds made available as a result of renegotiated statewide, standardized assessment and other assessment contracts must be used to provide funding for the specified rigorous alternative assessment contracts.

Implementation Schedule

The bill establishes the following timelines for the implementation of district-selected rigorous alternative assessment options (e.g., ACT Aspire for grades 3 through 8; ACT Aspire and ACT for high school; PSAT or NMSQT, and SAT for high school; or a combination of options as specified):

- A district school board must, by April 1, 2016:
 - File a nonbinding notice of interest to administer a rigorous alternative assessment option with the department and

¹⁰⁰ Section 1008.22, F.S.

- Identify the assessment option that the district intends to administer.
- The department must:
 - Execute the contracts, as specified in the bill, by May 27, 2016.
 - Notify the school districts of the rigorous alternative assessment option by June 1, 2016.
- The district school board that chooses to administer a rigorous alternative assessment option must:
 - Decide by July 1, 2016, and
 - Notify the commissioner and the students' parents of the board's decision by July 8, 2016.
- The parent of a student in a school district that chooses to administer a rigorous alternative assessment option must notify the district, in writing, by August 10, 2016, of the parent's decision for his or her child to take the statewide, standardized assessments for the relevant subject area and grade level which are administered during that school year.

Use of Assessments and Reporting Requirements

The bill requires student performance on rigorous alternative assessments to be made available to the district school superintendents by August 1 of each year and requires the commissioner to:

- Collaborate with ACT, Inc., and the College Board to establish proxy values for linking student performance on the specified rigorous alternative assessments to educator performance evaluation, school grade, school improvement rating, and school district grade calculations, before the beginning of the 2016-2017 school year. For applicability statewide, such proxy values must be approved by the state board, and subsequently approved by the Legislature during the 2017 regular session.
- Submit to the Legislature, by December 31, 2016, statutory recommendations for improving the implementation of rigorous alternative assessment options and related provisions.

The commissioner must also indicate the assessment schedule for the specified rigorous alternative assessments within the statewide assessment schedule established in accordance with the law.¹⁰¹ The department posts the Statewide Assessment Schedule on its website,¹⁰² which provides information about the required assessments, the testing window for such assessments, and whether the test are computer-based or paper-based.¹⁰³ Inclusion of similar information for the rigorous alternative assessments may be helpful to the students and parents.

ESEA waiver

The bill requires the commissioner to amend Florida's request for renewal of flexibility under the Elementary and Secondary Education Act of 1965 (ESEA), as necessary to implement the rigorous alternative assessment options, and submit additional documents to the United States Department of Education (U.S. DOE), as necessary, to maintain compliance with the ESEA waiver flexibility¹⁰⁴ approved by the U.S. DOE.

¹⁰¹ Section 1008.22, F.S.

¹⁰² Florida Department of Education, *Assessment Schedules*, <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/assessment-schedules.shtml> (last visited February 5 2016).

¹⁰³ *Id.*

¹⁰⁴ Currently, the United States Department of Education (U.S. DOE) is allowing each SEA an opportunity to seek a 1-year extension of its ESEA flexibility request through the end of the 2015-2016 school year. Florida's *ESEA Flexibility Request*,

In addition, the bill requires the commissioner to faithfully and timely implement the rigorous alternative assessment options in accordance with the provisions specified in the bill, and submit by August 1, 2016, a report on the status of such implementation and compliance with the ESEA, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Teacher Bonuses for Students Who Earn College Credit

The bill removes the annual cap on teacher bonuses for the teachers providing AP, International Baccalaureate (IB), Advanced International Certificate of Education (AICE), or industry certification instruction which results in their students scoring at specified levels on examinations (in the case of AP, IB, and AICE) or attaining industry certifications corresponding to such instruction. As a result, the bill rewards teachers who prepare students with college and career readiness skills.

Teacher Evaluation

The bill provides that a classroom teacher's performance evaluation must be based on the performance of students who are assigned to their classroom and who have fewer than 25 absences within a school year.

Similarly, for schools with block scheduling, a classroom teacher's performance evaluation must be based on the performance of students who are assigned to their classroom and who have fewer than 10 absences within a school year.

District School Board Powers and Duties

The law adds to the existing powers and duties of the district school boards by allowing district school board members to visit schools to promote education and school improvements.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

recently revised July 22, 2015, available at <https://www2.ed.gov/policy/elsec/guid/esea-flexibility/flex-renewal/flrenewalreq2015.pdf>. The USDOE has renewed approval of Florida's request through the end of the 2015-2016 school year, subject to certain conditions as identified in USDOE's letter to FLDOE Commissioner Pam Stewart, dated August 21, 2015, available at <https://www2.ed.gov/policy/eseaflex/secretary-letters/flrenewalltr2015.pdf>.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

SB 1360 contains provisions that allow a student to earn college credit and high school credit simultaneously, which may reduce the student's cost of a postsecondary education. In addition, the use of the ACT or SAT exams as alternate assessments to measure student performance may reduce the parents' out-of-pocket cost for these college entrance exams. Also, the use of the ACT Aspire or Preliminary SAT, which are age appropriate versions of these exams for earlier grades, may help students prepare for the college entrance exams and result in higher scores and additional merit scholarship awards.

The removal of the cap on bonus funding for teachers of Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), and industry certification courses may provide additional income to teachers of students in these courses.

C. Government Sector Impact:

The bill provides that for 2016-2017 the "funding for the rigorous alternative assessments may not cause an increase in the assessment and evaluation appropriation in the General Appropriations Act." The bill requires the Department of Education to immediately renegotiate the Florida Standards Assessment contract with American Institutes for Research and that "the renegotiated contract should not result in an increase in price per assessment or any other price increases." The terms of that renegotiated contract, along with any other renegotiated assessment contracts or grants to school districts for test development, are to be used to provide funding for implementation of the district-selected rigorous alternative assessments authorized in the bill. SB 2500, the Senate's proposed 2016-2017 General Appropriations Bill, does not increase the assessment and evaluation appropriation to the State Board of Education, as compared to the appropriation for Fiscal Year 2015-2016.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.42, 1002.3105, 1002.33, 1003.4282, 1003.4285, 1003.4295, 1003.436, 1006.28, 1007.27, 1007.271, 1011.61, 1011.62, and 1012.34.

This bill creates the section 1008.223 of the Florida Statutes.

IX. 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 Pre-K - 12 on January 27, 2016:

The committee substitute includes additional provisions that:

- Establish alternative means to satisfy online course requirement for high school graduation.
- Authorize district school board members to visit schools to promote education and school improvements.

B. Amendments:

None.



643240

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/11/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Between lines 1333 and 1334
insert:

Section 16. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study to assess the full cost of the transition from the statewide, standardized assessment program established pursuant to s. 1008.22, Florida Statutes, to the rigorous alternative



643240

assessment option created under s. 1008.223, Florida Statutes,
for student progression and graduation requirements. OPPAGA
shall submit a report to the President of the Senate and the
Speaker of the House of Representatives by January 1, 2017.

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

And the title is amended as follows:

Between lines 100 and 101

insert:

requiring the Office of Program Policy Analysis and
Government Accountability to conduct a study regarding
the transition to a specified rigorous alternative
assessment option; requiring a report to the
Legislature by a specified date;



447302

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/11/2016	.	
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	.	
	.	

Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Delete line 544
and insert:
administered during that school year. The parent of a student in
a school district that does not choose to administer a rigorous
alternative assessment option pursuant to subsection (2) may
choose for his or her child to individually take the rigorous
alternative assessment option. The parent must notify the
district by August 10, 2016, in writing, if he or she selects



447302

this option for his or her child.

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

And the title is amended as follows:

Delete line 65

and insert:

schedule for the 2016-2017 school year; authorizing a
parent to choose for his or her child an assessment
that is different from the assessment that a school
district chooses to administer; requiring the parent
to notify the district of such decision; amending s.



838228

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/11/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Delete lines 609 - 640
and insert:
course (EOC) assessment constitutes 10 ~~30~~ percent of the
student's final course grade. A student must pass the statewide,
standardized Algebra I EOC assessment, or earn a comparative
score, in order to earn a standard high school diploma. A
student's performance on the statewide, standardized Geometry
EOC assessment constitutes 10 ~~30~~ percent of the student's final



838228

course grade. If the state administers a statewide, standardized Algebra II assessment, a student selecting Algebra II must take the assessment, and the student's performance on the assessment constitutes 10 ~~30~~ percent of the student's final course grade. ~~A student who earns~~ An industry certification attained by a student for which there is a statewide college credit articulation agreement approved by the State Board of Education shall ~~may~~ substitute ~~the certification~~ for one mathematics credit. ~~Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.~~

(c) *Three credits in science.*—Two of the three required credits must have a laboratory component. A student must earn one credit in Biology I and two credits in equally rigorous courses. The statewide, standardized Biology I EOC assessment constitutes 10 ~~30~~ percent of the student's final course grade. ~~A student who earns~~ An industry certification attained by a student for which there is a statewide college credit articulation agreement approved by the State Board of Education shall ~~may~~ substitute ~~the certification~~ for one science credit, ~~except for Biology I.~~

(d) *Three credits in social studies.*—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 10 ~~30~~ percent of the student's final course grade.

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

And the title is amended as follows:



838228

40 Delete line 73
41 and insert:
42 by a specified date; revising the requirements for a
43 standard high school diploma; revising the percentage
44 of a student's performance on an end-of-course
45 assessment which constitutes the student's final
46 course grade; revising the online course



681604

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/11/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Delete line 420
and insert:
and school district grade calculations; however, such proxy values may not go into effect until the 2019-2020 school year. The 2016-2017 and 2017-2018 school years shall be considered implementation years for the new rigorous alternative assessment option. Such proxy values for



681604

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

12 And the title is amended as follows:

13 Delete line 37

14 and insert:

15 evaluations and grades; providing that such values may

16 not go into effect until a specified school year;

17 requiring certain school years to be considered

18 implementation years; requiring the commissioner to



578098

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/11/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Between lines 544 and 545
insert:

(13) ADDITIONAL OPTIONS.—In addition to the rigorous alternative assessment options identified in this section, the commissioner shall determine scores on the Florida Standards Assessment which may qualify students for exemptions from any required end-of-course assessment.



578098

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

12 And the title is amended as follows:

13 Delete line 65

14 and insert:

15 schedule for the 2016-2017 school year; requiring the
16 commissioner to determine scores on the Florida
17 Standards Assessment that may exempt students from
18 required end-of-course assessments; amending s.

By the Committee on Education Pre-K - 12; and Senators Gaetz, Bradley, Detert, Ring, Negron, Montford, and Sobel

581-02674-16

20161360c1

1 A bill to be entitled
 2 An act relating to student assessments; creating s.
 3 1008.223, F.S.; providing purposes; authorizing a
 4 district school board to choose to implement certain
 5 rigorous alternative assessment options by a certain
 6 school year; providing requirements for the rigorous
 7 alternative assessment options; specifying the types
 8 of exams that may be taken and the corresponding
 9 substitutions or exemptions that may be earned by
 10 certain students; requiring the Commissioner of
 11 Education to collaborate with ACT, Inc.; requiring the
 12 State Board of Education to adopt such scores in rule
 13 by a specified school year; requiring a district
 14 school board that chooses to implement rigorous
 15 alternative assessment options to notify the
 16 commissioner, students, and parents of the decision by
 17 a specified date; requiring a parent to annually
 18 notify the school district in writing by a certain
 19 date if his or her child will take the statewide,
 20 standardized assessments; requiring the state board to
 21 adopt in rule adjustments to certain scores based on
 22 certain recommendations; requiring rigorous
 23 alternative assessment options to be available for
 24 students in high school beginning in the 2016-2017
 25 school year; specifying the types of industry
 26 certifications and assessments that may be taken and
 27 the corresponding exemptions and high school credit
 28 that may be earned by a student in high school;
 29 requiring the commissioner to adopt the schedule for
 30 the administration of the rigorous alternative
 31 assessment options; requiring student performance

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20161360c1

32 results to be made available to district school
 33 superintendents annually by a specified date;
 34 providing requirements for high school credits;
 35 providing proxy values to link student performance on
 36 rigorous alternative assessments to certain
 37 evaluations and grades; requiring the commissioner to
 38 seek legislative approval for any adjustments to the
 39 proxy values by a specified time; requiring the
 40 commissioner to submit certain recommendations to the
 41 Legislature by a specified date; requiring the
 42 rigorous alternative assessment options and proxies to
 43 be included in each district school board-approved
 44 student progression plan and each district school
 45 board-approved educator performance evaluation system
 46 by a specified time; requiring the commissioner to
 47 coordinate with school districts for the
 48 administration of the rigorous alternative
 49 assessments; requiring the Department of Education to
 50 renegotiate the Florida Standards Assessment contract;
 51 specifying that certain requirements do not apply to
 52 the renegotiation; requiring the renegotiated contract
 53 to be executed by a specified date; authorizing the
 54 department to renegotiate other assessment contracts;
 55 requiring the department to negotiate and contract
 56 with certain entities in order to implement the
 57 rigorous alternative assessments; prohibiting the
 58 funding for the assessments from causing an increase
 59 in a certain appropriation in the General
 60 Appropriations Act; requiring each district school

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20161360c1

61 board to publish notification of the rigorous
 62 alternative assessment and student choice options on
 63 its school district website; providing applicability;
 64 providing for rulemaking; providing an implementation
 65 schedule for the 2016-2017 school year; amending s.
 66 1002.3105, F.S.; specifying that a student who attains
 67 a passing score on a rigorous alternative assessment
 68 may meet certain requirements; amending s. 1002.33,
 69 F.S.; revising compliance requirements for charter
 70 schools; amending s. 1003.4282, F.S.; requiring each
 71 school district to annually notify students and
 72 parents of standard high school diploma requirements
 73 by a specified date; revising the online course
 74 requirement; authorizing a district school board or a
 75 charter school governing board to offer certain
 76 additional options to meet the requirement; conforming
 77 provisions to changes made by the act; amending ss.
 78 1003.4285, 1003.4295, and 1003.436, F.S.; conforming
 79 provisions to changes made by the act; amending s.
 80 1006.28, F.S.; requiring instructional materials to be
 81 consistent with the rigorous alternative assessment
 82 option; requiring a district school board to make
 83 certain certifications at a public meeting; amending
 84 s. 1007.27, F.S.; requiring the department to identify
 85 the minimum scores, maximum credit, and courses for
 86 which credit is awarded for certain examinations;
 87 amending ss. 1007.271 and 1011.61, F.S.; conforming
 88 provisions to changes made by the act; amending s.
 89 1011.62, F.S.; deleting certain bonus limits that may

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90 be earned for instructing students who receive
 91 specified grades on certain examinations; amending s.
 92 1012.34, F.S.; requiring a classroom teacher's
 93 performance evaluation to be based on the performance
 94 of certain students; amending s. 1001.42, F.S.;
 95 revising the duties of a district school board;
 96 requiring the commissioner to make certain requests
 97 and submit certain documentation regarding the federal
 98 Elementary and Secondary Education Act by a specified
 99 date; requiring the commissioner to submit a report to
 100 the Governor and the Legislature by a specified date;
 101 providing an effective date.

102
 103 Be It Enacted by the Legislature of the State of Florida:

104
 105 Section 1. Section 1008.223, Florida Statutes, is created
 106 to read:

107 1008.223 Rigorous alternative assessment options.—

108 (1) PURPOSE.—The purpose of this section is to enable
 109 students to choose to take rigorous alternative assessments, in
 110 lieu of the statewide, standardized assessments established
 111 pursuant to s. 1008.22 to meet subject area, course, credit, and
 112 assessment requirements for student progression and graduation.
 113 It is the intent of the Legislature to preserve the statewide,
 114 standardized assessments as the default common battery of
 115 assessments for all students attending public schools. The
 116 rigorous alternative assessments are intended to supplement the
 117 statewide assessment program with valid, reliable, and respected
 118 assessment options for students to demonstrate subject area and

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grade level competency and college and career readiness.

Additionally, the purpose of this section is to:

(a) Expand the availability of rigorous alternative assessment options that students take to meet requirements for admission to postsecondary educational institutions or to generate college credits, often at least three credit hours, so that such credits also substitute for statewide, standardized assessments.

(b) Maximize a performance-based approach that allows students to generate credit based on attaining a concordant, comparative, or passing score on a rigorous alternative assessment without enrolling in the corresponding course to demonstrate satisfactory performance in meeting the requirements to earn a standard high school diploma.

(c) Link student performance on rigorous alternative assessments to educator evaluation, school grade, school improvement rating, and school district grade calculations.

(d) Leverage the Course Code Directory and the statewide course numbering system to link assessments and courses to award credit and assist the state and school districts with planning and administering rigorous alternative assessments.

Nothing stated in this section shall be construed to require students to take rigorous alternative assessments in addition to the statewide, standardized assessments or as substitutes for the Florida Alternate Assessment for students with disabilities pursuant to s. 1008.22.

(2) DISTRICT OPTIONS FOR STUDENTS.—

(a) Beginning in the 2016-2017 school year, a district

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school board may choose to implement one of the following rigorous alternative assessment options or a combination of such assessments as specified in this paragraph, in lieu of the statewide, standardized assessments:

1. ACT Aspire for grades 3 through 8. If a district school board chooses to administer the ACT Aspire assessments for grades 3 through 8 districtwide, a student enrolled in a public school within that school district must take the ACT Aspire assessments to satisfy the statewide, standardized assessment requirements and demonstrate subject area and grade level competency in English Language Arts (ELA), mathematics, and science, unless the student's parent selects the statewide, standardized assessments pursuant to s. 1008.22 for the student. The commissioner must collaborate with ACT, Inc., to establish ACT Aspire scores that demonstrate grade level and subject area competency in ELA, mathematics, and science for grades 3 through 8. Before the beginning of the 2016-2017 school year, the state board must adopt the scores in rule.

2. ACT Aspire and ACT for high school. If a district school board chooses to administer the ACT Aspire assessments for grades 9 and 10 and ACT districtwide, a student enrolled in a public school in that school district must take the ACT Aspire and ACT assessments to satisfy the statewide, standardized assessment requirements and demonstrate subject area competency and college and career readiness, unless the student's parent selects the statewide, standardized assessments pursuant to s. 1008.22 for the student. A student may take the ACT after taking the ACT Aspire assessments for grades 9 and 10 or after demonstrating his or her readiness to take the ACT, as

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determined by the district school superintendent, through
coursework or scores on the ACT Aspire assessments.

a. The ACT Aspire and ACT Performance-Based Student Outcome Worksheet under this sub-subparagraph shall be used to authorize ACT Aspire assessment and ACT substitutions for the grade 9 and grade 10 ELA assessments and the Algebra I EOC assessment. The scores specified in the worksheet demonstrate grade level and subject area competency in ELA and mathematics.

ACT Aspire and ACT Performance-Based Student Outcome Worksheet
Student Performance

<u>Test</u>	<u>Score</u>		<u>Substitution</u>
ACT Aspire or ACT English and Reading components	426 on ACT Aspire or 17 on ACT (English and Reading Average)	=	Grade 9 ELA assessment
ACT Aspire or ACT English and Reading components	428 on ACT Aspire or 18 on ACT (English and Reading Average)	=	Grade 9 ELA and Grade 10 ELA assessments
ACT Aspire or	428 on ACT	=	Algebra I EOC assessment

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ACT Aspire or 18
Mathematics on ACT

b. The ACT Aspire and ACT Performance-Based Student Outcome Worksheet under this sub-subparagraph shall be used to authorize ACT Aspire and ACT as rigorous alternative assessment options for granting exemptions from taking the Geometry EOC, Algebra II EOC, and Biology I EOC assessments. Additionally, the worksheet shall be used to authorize ACT Aspire and ACT as rigorous alternative assessment options for granting exemptions from all assessment requirements in order to earn a standard high school diploma. The scores specified in the worksheet shall serve as the basis for granting the exemptions from taking the statewide, standardized assessments.

ACT Aspire and ACT Performance-Based Student Outcome Worksheet
Student Performance

<u>Test</u>	<u>Score</u>		<u>Exemption</u>
ACT Aspire or ACT Mathematics	432 on ACT Aspire or 20 on ACT	=	Geometry EOC assessment
ACT Aspire or ACT Mathematics	435 on ACT Aspire or 22 on ACT	=	Geometry EOC and Algebra II EOC assessments
ACT Aspire or	430 on ACT	=	Biology I EOC assessment

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ACT Science Aspire or 20
on ACT

ACT Aspire or 428 on ACT = Grade 9 ELA and Grade 10
ACT Aspire or 18 ELA, Algebra I EOC,
on ACT Geometry EOC, Algebra II
(English and EOC, Biology I EOC, and
Reading United States History EOC
Average); 435 assessments
on ACT Aspire
or 22 on ACT
Mathematics;
and 430 on ACT
Aspire or 20
on ACT Science

3. PSAT or NMSQT, and SAT for high school. If a district
school board chooses to administer the PSAT or NMSQT, and SAT
assessments districtwide, a student enrolled in a public school
in that school district must take the PSAT or NMSQT, as
applicable, and SAT assessments to satisfy the statewide,
standardized assessment requirements and demonstrate subject
area competency and college and career readiness, unless the
student's parent selects the statewide, standardized assessments
pursuant to s. 1008.22 for the student. A student may take the
SAT after taking the PSAT or NMSQT assessments or after
demonstrating his or her readiness to take the SAT, as
determined by the district school superintendent, through
coursework or scores on the PSAT or NMSQT assessments.

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a. The PSAT, NMSQT, and SAT Performance-Based Student
Outcome Worksheet under this sub-subparagraph shall be used to
authorize PSAT, NMSQT, and SAT substitutions for the grade 9 and
grade 10 ELA assessments and the Algebra I EOC assessment. The
scores specified in the worksheet demonstrate grade level and
subject area competency in ELA and mathematics.

PSAT, NMSQT, and SAT Performance-Based Student Outcome
Worksheet
Student Performance

<u>Test</u>	<u>Score</u>	<u>Substitution</u>
<u>PSAT, NMSQT,</u>	<u>64 on PSAT or</u>	<u>= Grade 9 ELA assessment</u>
<u>or SAT</u>	<u>NMSQT, or 640</u>	
<u>Critical</u>	<u>on SAT</u>	
<u>Reading and</u>	<u>(Critical</u>	
<u>Writing</u>	<u>Reading and</u>	
	<u>Writing Sum)</u>	
<u>PSAT, NMSQT,</u>	<u>67 on PSAT or</u>	<u>= Grade 9 ELA and Grade 10</u>
<u>or SAT</u>	<u>NMSQT, or 670</u>	<u>ELA assessments</u>
<u>Critical</u>	<u>on SAT</u>	
<u>Reading and</u>	<u>(Critical</u>	
<u>Writing</u>	<u>Reading and</u>	
	<u>Writing Sum)</u>	
<u>PSAT, NMSQT,</u>	<u>42 on PSAT or</u>	<u>= Algebra I EOC assessment</u>
<u>or SAT</u>	<u>NMSQT, or 420</u>	

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Mathematics on SAT

b. The PSAT, NMSQT, and SAT Performance-Based Student Outcome Worksheet under this sub-subparagraph shall be used to authorize PSAT, NMSQT, and SAT as rigorous alternative assessment options for granting exemptions from taking the Geometry EOC and Algebra II EOC assessments. Additionally, the worksheet shall be used to authorize PSAT, NMSQT, and SAT for exemption from all assessment requirements in order to earn a standard high school diploma. The scores specified in the worksheet shall serve as the basis for granting exemptions from taking the statewide, standardized assessments.

PSAT, NMSQT, and SAT Performance-Based Student Outcome
Worksheet
Student Performance

<u>Test</u>	<u>Score</u>	<u>Exemption</u>
PSAT, NMSQT, or SAT <u>Mathematics</u>	45 on PSAT or NMSQT, or 450 <u>on SAT</u>	= <u>Geometry EOC assessment</u>
PSAT, NMSQT, or SAT <u>Mathematics</u>	50 on PSAT or NMSQT, or 500 <u>on SAT</u>	= <u>Geometry EOC and Algebra II EOC assessments</u>
PSAT, NMSQT, or SAT	120 on PSAT or NMSQT, or	= <u>Grade 9 ELA and Grade 10 ELA, Algebra I EOC,</u>

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1200 on SAT Geometry EOC, Algebra II
(Critical EOC, Biology I EOC, and
Reading, United States History EOC
Writing, and assessments
Mathematics
Sum)

A district school board may, pursuant to this paragraph, choose any one of the rigorous alternative assessment options specified under subparagraphs 1., 2., and 3. or a combination of assessment options specified under subparagraphs 1. and 2. or subparagraphs 1. and 3.

(b) A student who does not attain the score specified under this subsection for exemption from taking the Geometry EOC, Algebra II EOC, Biology I EOC, or United States History EOC assessments must take the applicable EOC assessment after completing the relevant course during that school year to meet the requirements of ss. 1003.4282 and 1008.22. A student's performance on the statewide, standardized EOC assessment constitutes 30 percent of the student's final course grade pursuant to s. 1003.4282, and the student must pass the Geometry EOC, Algebra II EOC, Biology I EOC, and United States History EOC assessments to earn the Scholar designation on the standard high school diploma pursuant to s. 1003.4285.

(c) By July 8, 2016, for the 2016-2017 school year pursuant to subsection (12) and by August 1 of each school year thereafter, a district school board that selects rigorous alternative assessments must identify and approve such assessments for districtwide use. Accordingly, the district

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school superintendent shall notify the commissioner, inform the students and parents of the rigorous alternative assessment options, and coordinate with the commissioner to arrange for the administration and facilitation of such assessments.

(d) Annually, by August 10 of each school year, a parent must notify the applicable school district, in writing, if the parent selects the statewide, standardized assessments for his or her child. The parent's selection shall apply to the required statewide, standardized assessments pursuant to s. 1008.22 for the relevant grade level and subject area which are administered during that school year. A student may not be required to take an assessment if the student has satisfied the subject area, course, credit, or assessment requirements, as applicable, through rigorous alternative assessment options for student progression and graduation.

(e) The state board shall adopt in rule adjustments, as necessary, to the scores specified under this subsection before the beginning of the 2016-2017 school year based on recommendations from the commissioner; ACT, Inc.; and the College Board.

(3) OPTIONS FOR STUDENTS IN HIGH SCHOOL.—Beginning in the 2016-2017 school year, rigorous alternative assessment options, adopted pursuant to this subsection, must be available to students statewide. A student may choose to take rigorous alternative assessments without enrolling in the corresponding courses. However, the student must attain a passing score on the rigorous alternative assessments to meet the subject area, course, credit, and assessment requirements under ss. 1002.3105, 1003.4282, 1003.4285, 1003.4295(3), and 1008.22. At a minimum,

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the rigorous alternative assessment options that a student may choose to take must include:

(a) Passing scores on nationally recognized industry certifications. A student who attains national industry certifications by passing industry-approved examinations for such certifications is exempt from the relevant statewide, standardized assessment requirements to earn a standard high school diploma, as specified under this section. The Industry Certifications Performance-Based Student Outcome Worksheet under this paragraph shall be used to exempt a student from the relevant statewide, standardized assessment based on student performance on the industry-approved examinations to earn national industry certifications. Annually, the state board shall adopt by rule additional industry certifications that, if attained by a student, shall exempt the student from the relevant statewide, standardized assessment requirements.

Industry Certifications Performance-Based Student Outcome
Worksheet
Student Performance

<u>Industry Certification</u>	=	<u>Exemption</u>
<u>Associate Level Certified</u>	=	<u>Algebra I EOC and</u>
<u>Electronic Technician</u>	=	<u>Geometry EOC</u>
		<u>assessments</u>
<u>Autodesk Certified Professional -</u>	=	<u>Geometry EOC assessment</u>
<u>AutoCAD, AutoCAD Civil 3D,</u>		

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321 Inventor, Revit Architecture

322 Biotechnician Assistant = Biology I EOC

323 Certified Apprentice Drafter - = Geometry EOC assessment

324 Architectural

325 Chief Architect Certified = Geometry EOC assessment

326 Apprentice

327 Certified Dental Assistant = Biology I EOC

328 assessment

329 Cisco Certified Network = Algebra I EOC and

Professional = Geometry EOC

assessments

ComTIA A+ = Algebra I EOC and

Geometry EOC

assessments

Emergency Medical Technician = Biology I EOC

assessment

FAA Aviation Mechanic Technician = Algebra I EOC, Geometry

- Airframe = EOC, and Algebra II EOC

assessments

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330 FAA Aviation Maintenance = Algebra I EOC, Geometry

Technician - Powerplant = EOC, and Algebra II EOC

assessments

331 FAA Ground School = Algebra I EOC, Geometry

EOC, and Algebra II EOC

assessments

332 Global Logistics Associate = Algebra I EOC, Geometry

EOC, and Algebra II EOC

assessments

333 MSSC Certified Production = Algebra I EOC, Geometry

Technician = EOC, and Algebra II EOC

assessments

334 Oracle Certified Associate: = Algebra I EOC, Geometry

Database = EOC, and Algebra II EOC

assessments

335 (b) Passing scores on assessments such as:

336 1. The SAT Subject Test. The SAT Subject Test Performance-

337 Based Student Outcome Worksheet under this subparagraph shall be

338 used to satisfy high school subject area, course, credit, and

339 assessment requirements, based on student performance on the SAT

340 Subject Test, as adopted in rule by the state board.

341 SAT Subject Test Performance-Based Student Outcome Worksheet

Student Performance

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<u>Test</u>	<u>Score</u>	=	<u>Exemption</u>
SAT Biology- Ecological, Biology- Molecular, U.S. History, World History, Chemistry, or Physics Subject Tests	Passing score on the respective SAT Subject Test	=	Enrolling in and completing the corresponding course and taking the corresponding EOC assessment, if applicable, to earn high school credit

2. College-Level Examination Program (CLEP), DSST examination, or another rigorous alternative assessment. The CLEP and DSST Performance-Based Student Outcome Worksheet under this subparagraph shall be used to satisfy high school subject area, course, credit, and assessment requirements, based on student performance on the CLEP or DSST, as specified.

CLEP and DSST Performance-Based Student Outcome Worksheet
Student Performance

<u>Examination</u>	<u>Score</u>	=	<u>Exemption</u>	<u>High School Credit Award</u>
CLEP College Algebra or DSST	Passing score on CLEP or	=	Enrolling in and completing the corresponding	1 Algebra I credit for any

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<u>Fundamentals of College Algebra</u>	<u>DSST</u>	=	<u>course and taking the Algebra I EOC assessment</u>
CLEP College Algebra- Trigonometry	Passing score	=	Enrolling in and completing the corresponding course and taking the Algebra II EOC assessment

3. Advanced Placement (AP) Examination. The AP Exam Performance-Based Student Outcome Worksheet under this subparagraph shall be used to satisfy high school subject area, course, credit, and assessment requirements, based on student performance on the AP examinations, as specified. A student who attains a passing score on the specified examinations must be awarded one high school credit each toward the corresponding courses if the student takes the examinations without enrolling in the corresponding courses.

AP Exam Performance-Based Student Outcome Worksheet
Student Performance

<u>Examination</u>	<u>Score</u>	=	<u>Exemption</u>	<u>High School Credit Award</u>
AP Calculus	3	=	Enrolling in and	1 Mathematics

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AB, Calculus completing the credit for
BC, or corresponding each
Statistics course examination

AP Biology 3 = Enrolling in and 1 Biology I
completing the credit
corresponding
course and
taking the
Biology I EOC
assessment

AP Physics 1 3 = Enrolling in and 1 Science
completing the credit for
corresponding each
Chemistry course examination

AP United 3 = Enrolling in and 1 United
States completing the States
History corresponding History
course and credit
taking the
United States
History EOC
assessment

AP World 3 = Enrolling in and 1 World
History completing the History
corresponding credit

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course

AP United 3 = Enrolling in and 0.5 United
States completing the States
Government corresponding Government
and Politics course credit

AP Macro 3 = Enrolling in and 0.5
Economics or completing the Economics
AP Micro corresponding credit
Economics course

4. Dual enrollment course and corresponding assessment. The
Dual Enrollment Performance-Based Student Outcome Worksheet
under this subparagraph shall be used to satisfy high school
subject area, course, credit, and assessment requirements, based
on student performance on the statewide, standardized EOC
assessment or CLEP examination corresponding to the dual
enrollment course, as specified.

Dual Enrollment Performance-Based Student Outcome Worksheet
Student Performance

<u>Course</u>	<u>Test</u>	<u>Exemption</u>	<u>High School</u> <u>Credit Award</u>
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<u>Sequence of</u> <u>college-credit</u> <u>dual enrollment</u>	<u>Take Biology</u> <u>I EOC</u> <u>assessment</u>	<u>= EOC</u> <u>assessment</u> <u>performance</u>	<u>1 Biology I</u> <u>credit</u>
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courses in Life Sciences and Biological Sciences or college-credit courses in General Biology or CLEP General Biology does not constitute 30 percent of the final course grade

Sequence of college-credit dual enrollment courses in Introductory Survey to 1877 and Introductory Survey Since 1877 Take United States History EOC or CLEP History of the United States I and CLEP History of the United States II = EOC assessment performance does not credit 1 United States History credit

If a student attains a passing score on a rigorous alternative assessment under this subsection, the score must be applied toward the credit requirements for electives unless the passing score is applied first to meet the assessment and credit requirements for ELA, mathematics, science, or social studies pursuant to this paragraph.

(4) ASSESSMENT SCHEDULE AND REPORTING OF RESULTS.—The commissioner must adopt within the assessment schedule pursuant to s. 1008.22 the assessment schedule for the administration of

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rigorous alternative assessment options. To the extent possible, the commissioner shall consider the semester calendars of public colleges and universities in the state to accommodate and maximize the availability of assessment options for dual enrollment students. Student performance on rigorous alternative assessments must be made available to the district school superintendents by August 1 of each year.

(5) CREDIT REQUIREMENTS.—The following authorizations apply to credit earned through rigorous alternative assessment options pursuant to this section:

(a) The credit earned by a student passing a rigorous alternative assessment is exempt from the minimum instructional hour requirements under s. 1003.436.

(b) A school district must award one credit, or as otherwise authorized under this section, for each rigorous alternative assessment or statewide, standardized assessment that a student passes, without requiring the student to enroll in or complete the corresponding coursework, as authorized under the Credit Acceleration Program pursuant to s. 1003.4295(3).

(6) PROXIES.—Before the beginning of the 2016-2017 school year, the commissioner shall collaborate with ACT, Inc., and the College Board to establish proxy values for linking student performance on rigorous alternative assessments to educator performance evaluation, school grade, school improvement rating, and school district grade calculations. Such proxy values for applicability statewide must be approved by the state board. The commissioner must seek the Legislature's approval for the state board-approved proxy values under this subsection during the 2017 regular session. Additionally, by December 31, 2016, the

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commissioner shall submit to the President of the Senate and the Speaker of the House of Representatives statutory recommendations for improving the implementation of this section.

(7) AVAILABILITY.—

(a) Rigorous alternative assessment options specifically outlined under this section and other options must be adopted by the state board in rule. Beginning no later than the 2016-2017 school year, a school district must clearly identify the available rigorous alternative assessment options pursuant to this section in each district school board-approved student progression plan, and the proxies established pursuant to subsection (6) must be included in each district school board-approved educator performance evaluation system.

(b) Pursuant to s. 1008.22, the commissioner shall coordinate with the school districts to provide for the administration of rigorous alternative assessments by school districts or through contracts with private vendors, public vendors, public agencies, or postsecondary educational institutions.

(8) STATEWIDE ASSESSMENT CONTRACTS.—

(a) The Department of Education shall immediately renegotiate the Florida Standards Assessment contract with American Institutes for Research, Contract Number 14-652, to implement this section, including, but not limited to, reducing the contract amount to fund the contracts executed pursuant to paragraph (c). The competitive procurement requirements in s. 287.057 do not apply to contract renegotiations pursuant to this paragraph.

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1. The department shall ensure the renegotiated contract fully implements s. 1008.22 and this section. The department's priority, for any reductions to the scope of work which are demanded by American Institutes for Research to implement this section, is to minimize student disruption.

2. The renegotiated contract shall be executed by May 27, 2016.

3. The renegotiated contract should not result in an increase in price per assessment or any other price increases.

4. The department may not use any funds to restore the loss of funds pursuant to this subsection to Contract Number 14-652.

(b) The department may also renegotiate other existing assessment contracts, such as the Florida Comprehensive Assessment Test retake contract; the Florida Assessments for Instruction in Reading assessment contract; the statewide end-of-course assessment contracts; and grants to school districts for test development, so that funds shall be available for the administration of the rigorous alternative assessments.

(c) The department shall negotiate and contract with entities such as ACT, Inc., and the College Board to implement this section. The competitive procurement requirements in s. 287.057 do not apply to contracts executed pursuant to this paragraph. The department shall ensure that:

1. The contracts are executed in sufficient time for this section to be fully implemented in the 2016-2017 school year.

2. All contracts pursuant to this paragraph fully implement this section.

3. It obtains the lowest possible total contract price and price per assessment. In obtaining the lowest possible price,

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the department shall use the lowest pricing offered by the vendor in this state and in other states that reasonably matches the contract's scope of work.

(d) For 2016-2017, funding for the rigorous alternative assessments may not cause an increase in the Assessment and Evaluation appropriation in the General Appropriations Act. Funds made available as a result of renegotiated statewide, standardized assessment and other assessment contracts in paragraphs (a) and (b) shall be used to provide funding for the alternative assessment contracts in paragraph (c).

(9) NOTIFICATION.—By September 1 of each year, as a component of notification requirements pursuant to s. 1003.4282, each district school board must notify students and parents, in writing, after a properly noticed public meeting, of the rigorous assessment options that students may select to meet the subject area, course, credit, and assessment requirements, as applicable, for student progression and graduation. Each district school board must publish the notification regarding rigorous alternative assessment and student choice options prominently on the home page of the school district's website.

(10) APPLICABILITY.—The duties assigned to a district school board pursuant to subsection (2) apply to a charter school governing board, and the duties assigned to the school district, superintendent, or district employee apply to a charter school principal.

(11) RULES.—The State Board of Education shall expeditiously adopt rules to implement this section. The rules adopted by the board must clearly identify all options for awarding credit corresponding to the subject area, course, and

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assessment, as applicable. The options must be clearly reflected in the Course Code Directory, statewide course numbering system, credit-by-examination equivalency list adopted by the state board in rule, and the list of equivalency of dual enrollment courses to high school subject areas which is approved by the department.

(12) IMPLEMENTATION SCHEDULE FOR THE 2016-2017 SCHOOL YEAR.—Notwithstanding the provisions of this section, the following actions related to districtwide use of rigorous alternative assessment options must occur by the following specified dates:

(a) A district school board must file with the department a nonbinding notice of interest to indicate if the school district intends to administer a rigorous alternative assessment option specified in subsection (2) and identify the chosen assessment option by April 1, 2016.

(b) The department shall execute the contracts required pursuant to subsection (8) by May 27, 2016.

(c) The department shall notify the school districts of the rigorous alternative assessment option pursuant to subsection (2) by June 1, 2016.

(d) Each district school board that chooses to administer a rigorous alternative assessment option pursuant to subsection (2) must make the decision by July 1, 2016, and must notify the commissioner and the student's parents of the board's decision by July 8, 2016.

(e) The parent of a student in a school district that chooses to administer a rigorous alternative assessment option pursuant to subsection (2) must notify the district by August

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541 10, 2016, in writing, if he or she selects for his or her child
 542 to take the statewide, standardized assessments pursuant to s.
 543 1008.22 for the relevant grade level and subject area which are
 544 administered during that school year.

545 Section 2. Subsection (5) of section 1002.3105, Florida
 546 Statutes, is amended to read:

547 1002.3105 Academically Challenging Curriculum to Enhance
 548 Learning (ACCEL) options.—

549 (5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who
 550 meets the applicable grade 9 cohort graduation requirements of
 551 s. 1003.4282(3)(a)-(e) or s. 1003.4282(10)(a)1.-5., (b)1.-5.,
 552 (c)1.-5., or (d)1.-5., earns three credits in electives, and
 553 earns a cumulative grade point average (GPA) of 2.0 on a 4.0
 554 scale shall be awarded a standard high school diploma in a form
 555 prescribed by the State Board of Education. A student may meet
 556 the requirements specified under this subsection by attaining a
 557 passing score on a rigorous alternative assessment pursuant to
 558 s. 1008.223.

559 Section 3. Paragraph (a) of subsection (16) of section
 560 1002.33, Florida Statutes, is amended to read:

561 1002.33 Charter schools.—

562 (16) EXEMPTION FROM STATUTES.—

563 (a) A charter school shall operate in accordance with its
 564 charter and shall be exempt from all statutes in chapters 1000-
 565 1013. However, a charter school shall be in compliance with the
 566 following statutes in chapters 1000-1013:

567 1. Those statutes specifically applying to charter schools,
 568 including this section.

569 2. Those statutes pertaining to the student assessment

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570 program and school grading system, including, but not limited
 571 to, the ability to choose a rigorous alternative assessment
 572 option pursuant to s. 1008.223(2) regardless of its sponsor's
 573 decision.

574 3. Those statutes pertaining to the provision of services
 575 to students with disabilities.

576 4. Those statutes pertaining to civil rights, including s.
 577 1000.05, relating to discrimination.

578 5. Those statutes pertaining to student health, safety, and
 579 welfare.

580 Section 4. Subsections (2), (3), and (4) of section
 581 1003.4282, Florida Statutes, are amended to read:

582 1003.4282 Requirements for a standard high school diploma.—

583 (2) NOTIFICATION REQUIREMENTS.—By July 8, 2016, for the
 584 2016-2017 school year and by August 1 of each school year
 585 thereafter, the school district must notify students and
 586 parents, in writing, of the requirements for a standard high
 587 school diploma, rigorous alternative assessments pursuant to s.
 588 1008.223 which may be taken in lieu of the statewide,
 589 standardized assessments, available designations, and the
 590 eligibility requirements for state scholarship programs and
 591 postsecondary admissions. The Department of Education shall
 592 directly and through the school districts notify registered
 593 private schools of public high school course credit and
 594 assessment requirements. Each private school must make this
 595 information available to students and their parents so they are
 596 aware of public high school graduation requirements.
 597 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 598 REQUIREMENTS.—Unless otherwise specified under s. 1002.3105, s.

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599 1003.4295(3), or s. 1008.223, a student must meet the following
 600 requirements to earn a standard high school diploma:

601 (a) *Four credits in English Language Arts (ELA).*—The four
 602 credits must be in ELA I, II, III, and IV. A student must pass
 603 the statewide, standardized grade 10 Reading assessment or, when
 604 implemented, the grade 10 ELA assessment, or earn a concordant
 605 score, in order to earn a standard high school diploma.

606 (b) *Four credits in mathematics.*—A student must earn one
 607 credit in Algebra I and one credit in Geometry. A student's
 608 performance on the statewide, standardized Algebra I end-of-
 609 course (EOC) assessment constitutes 30 percent of the student's
 610 final course grade. A student must pass the statewide,
 611 standardized Algebra I EOC assessment, or earn a comparative
 612 score, in order to earn a standard high school diploma. A
 613 student's performance on the statewide, standardized Geometry
 614 EOC assessment constitutes 30 percent of the student's final
 615 course grade. If the state administers a statewide, standardized
 616 Algebra II assessment, a student selecting Algebra II must take
 617 the assessment, and the student's performance on the assessment
 618 constitutes 30 percent of the student's final course grade. An A
 619 student who earns an industry certification attained by a
 620 student for which there is a statewide college credit
 621 articulation agreement approved by the State Board of Education
 622 shall may substitute the certification for one mathematics
 623 credit. ~~Substitution may occur for up to two mathematics~~
 624 ~~credits, except for Algebra I and Geometry.~~

625 (c) *Three credits in science.*—Two of the three required
 626 credits must have a laboratory component. A student must earn
 627 one credit in Biology I and two credits in equally rigorous

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628 courses. The statewide, standardized Biology I EOC assessment
 629 constitutes 30 percent of the student's final course grade. An A
 630 ~~student who earns an industry certification attained by a~~
 631 student for which there is a statewide college credit
 632 articulation agreement approved by the State Board of Education
 633 shall may substitute the certification for one science credit,
 634 ~~except for Biology I.~~

635 (d) *Three credits in social studies.*—A student must earn
 636 one credit in United States History; one credit in World
 637 History; one-half credit in economics, which must include
 638 financial literacy; and one-half credit in United States
 639 Government. The United States History EOC assessment constitutes
 640 30 percent of the student's final course grade.

641 (e) *One credit in fine or performing arts, speech and*
 642 *debate, or practical arts.*—The practical arts course must
 643 incorporate artistic content and techniques of creativity,
 644 interpretation, and imagination. Eligible practical arts courses
 645 are identified in the Course Code Directory.

646 (f) *One credit in physical education.*—Physical education
 647 must include the integration of health. Participation in an
 648 interscholastic sport at the junior varsity or varsity level for
 649 two full seasons shall satisfy the one-credit requirement in
 650 physical education if the student passes a competency test on
 651 personal fitness with a score of "C" or better. The competency
 652 test on personal fitness developed by the Department of
 653 Education must be used. A district school board may not require
 654 that the one credit in physical education be taken during the
 655 9th grade year. Completion of one semester with a grade of "C"
 656 or better in a marching band class, in a physical activity class

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that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan.

(g) *Eight credits in electives.*—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit.

Unless otherwise authorized under s. 1008.223, a student must take the statewide, standardized assessments and pass the grade 10 ELA and Algebra I EOC assessments as specified under this subsection to earn a standard high school diploma.

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(4) ONLINE COURSE REQUIREMENT.—At least one course within the 24 credits required under this section must be completed through online learning. ~~A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester.~~

(a) An online course taken in grade 6, grade 7, or grade 8 fulfills ~~the~~ this requirement in this subsection. ~~The~~ This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets the ~~this~~ requirement.

(b) A district school board or a charter school governing board, as applicable, may offer students the following options to satisfy the online course requirement in this subsection:

1. Completion of a course in which a student earns a nationally recognized industry certification in information technology that is identified on the CAPE Industry Certification Funding List pursuant to s. 1008.44 or passage of the information technology certification examination without enrollment in or completion of the corresponding course or courses, as applicable.

2. Passage of an online content assessment, without enrollment in or completion of the corresponding course or courses, as applicable, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.

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For purposes of this subsection, a school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. This subsection requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

Section 5. Subsection (1) of section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) *Scholar designation*.—In addition to the requirements of s. 1003.4282, in order to earn the Scholar designation, a student must satisfy the following requirements through statewide, standardized assessments or rigorous alternative assessments as authorized under s. 1008.223:

1. Mathematics.—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. Beginning with students entering grade 9 in the 2014-2015 school year, pass the Algebra II and Geometry statewide, standardized assessments.

2. Science.—Pass the statewide, standardized Biology I EOC assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. However, a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International

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Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE Biology assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized Biology I EOC assessment.

3. Social studies.—Pass the statewide, standardized United States History EOC assessment. However, a student enrolled in an AP, IB, or AICE course that includes United States History topics who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit as identified pursuant to s. 1007.27(2) meets the requirement of this subparagraph without having to take the statewide, standardized United States History EOC assessment.

4. Foreign language.—Earn two credits in the same foreign language.

5. Electives.—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

(b) *Merit designation*.—In addition to the requirements of s. 1003.4282, in order to earn the Merit designation, a student must attain one or more industry certifications from the list established under s. 1003.492.

Section 6. Subsection (3) of section 1003.4295, Florida Statutes, is amended to read:

1003.4295 Acceleration options.—

(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in

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Algebra I, Algebra II, geometry, United States history, or biology if the student passes the statewide, standardized assessment administered under s. 1008.22. Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding statewide, standardized assessment, an examination identified under s. 1007.27(2), or a rigorous alternative assessment under s. 1008.223. The school district shall permit a student who is not enrolled in the course, or who has not completed the course, to take the assessment during the regular administration of the assessment.

Section 7. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:

1003.436 Definition of "credit."—

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3). One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement

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according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9). Notwithstanding this paragraph, if a student attains a passing score on an examination or assessment identified under s 1007.27(2) or s. 1008.223, the score must be considered equal to one full credit of an equivalent or equally rigorous high school course, or as authorized under s. 1008.223, and shall apply toward the subject area, course, credit, and assessment requirements for student progression and graduation.

Section 8. Paragraph (b) of subsection (1) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The term "adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core subject areas of mathematics, language arts, social studies, science, reading, and literature. The district school board has the following specific duties and responsibilities:

(b) *Instructional materials.*—Provide for proper

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831 requisitioning, distribution, accounting, storage, care, and use
 832 of all instructional materials and furnish such other
 833 instructional materials as may be needed. Instructional
 834 materials used must be consistent with the district goals and
 835 objectives and the course descriptions established in rule of
 836 the State Board of Education, as well as with the applicable
 837 Next Generation Sunshine State Standards provided for in s.
 838 1003.41 or a rigorous alternative assessment option pursuant to
 839 s. 1008.223(2) for students to demonstrate college and career
 840 readiness. A district school board that uses a rigorous
 841 alternative assessment option pursuant to s. 1008.223(2) may
 842 continue to use any of the processes in ss. 1006.28-1006.42 to
 843 obtain instructional materials; however, the district school
 844 board must certify at a public meeting that such instructional
 845 materials are appropriate for students who take the rigorous
 846 alternative assessments in the relevant grades and subject
 847 areas.

848 Section 9. Subsections (2), (3), and (6) of section
 849 1007.27, Florida Statutes, are amended to read:

850 1007.27 Articulated acceleration mechanisms.—

851 (2) The Department of Education shall annually identify and
 852 publish the minimum scores, maximum credit, and course or
 853 courses for which credit is to be awarded for each College Level
 854 Examination Program (CLEP) subject examination, College Board
 855 Advanced Placement Program examination, Advanced International
 856 Certificate of Education examination, ~~and~~ International
 857 Baccalaureate examination, DSST examination, Excelsior College
 858 Examinations, and UExcel examination. The department shall use
 859 student performance data in subsequent postsecondary courses to

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860 determine the appropriate examination scores and courses for
 861 which credit is to be granted. Minimum scores may vary by
 862 subject area based on available performance data. In addition,
 863 the department shall identify such courses in the general
 864 education core curriculum of each state university and Florida
 865 College System institution.

866 (3) Each district school board, Florida College System
 867 institution, and state university must award credit for specific
 868 courses for which competency has been demonstrated by successful
 869 passage of one of the examinations in subsection (2) unless the
 870 award of credit duplicates credit already awarded. District
 871 school boards, Florida College System institutions, and state
 872 universities may not exempt students from courses without the
 873 award of credit if competencies have been so demonstrated.

874 (6) Credit by examination shall be the program through
 875 which secondary and postsecondary students generate high school
 876 and postsecondary credit based on the receipt of a specified
 877 minimum score on nationally standardized general or subject-area
 878 examinations. For the purpose of statewide application, such
 879 examinations and the corresponding minimum scores required for
 880 an award of high school and postsecondary credit shall be
 881 delineated by the State Board of Education ~~or and~~ the Board of
 882 Governors, as applicable, in the statewide articulation
 883 agreement required by s. 1007.23(1) and the credit-by-
 884 examination equivalency list adopted by the state board in rule
 885 pursuant to s. 1007.27. The maximum credit generated by a
 886 student pursuant to this subsection shall be mitigated by any
 887 related postsecondary credit earned by the student ~~before~~ prior
 888 to the administration of the examination. This subsection ~~does~~

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889 ~~shall~~ not preclude Florida College System institutions and
 890 universities from awarding postsecondary credit by examination
 891 based on student performance on examinations developed within
 892 and recognized by the individual postsecondary institutions.

893 Section 10. Paragraph (a) of subsection (6) and subsection
 894 (18) of section 1007.271, Florida Statutes, are amended to read:
 895 1007.271 Dual enrollment programs.—

896 (6) The following curriculum standards apply to college
 897 credit dual enrollment:

898 (a) Dual enrollment courses taught on the high school
 899 campus must meet the same competencies required for courses
 900 taught on the postsecondary institution campus. To ensure
 901 equivalent rigor with courses taught on the postsecondary
 902 institution campus, the secondary school or the postsecondary
 903 institution that provides the dual enrollment course instruction
 904 ~~offering the course~~ is responsible for providing in a timely
 905 manner a comprehensive, cumulative end-of-course assessment, a
 906 rigorous alternative assessment pursuant to s. 1008.223, or a
 907 series of assessments of all expected learning outcomes to the
 908 faculty member teaching the course. Completed, scored
 909 assessments must be returned to the postsecondary institution
 910 and held for 1 year.

911 (18) School districts and Florida College System
 912 institutions must weigh dual enrollment courses the same as
 913 advanced placement, International Baccalaureate, and Advanced
 914 International Certificate of Education courses when grade point
 915 averages are calculated. Unless otherwise specified in s.
 916 1008.223, alternative grade calculation systems, alternative
 917 grade weighting systems, and information regarding student

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918 education options that discriminate against dual enrollment
 919 courses are prohibited.

920 Section 11. Paragraph (c) of subsection (1) of section
 921 1011.61, Florida Statutes, is amended to read:

922 1011.61 Definitions.—Notwithstanding the provisions of s.
 923 1000.21, the following terms are defined as follows for the
 924 purposes of the Florida Education Finance Program:

925 (1) A "full-time equivalent student" in each program of the
 926 district is defined in terms of full-time students and part-time
 927 students as follows:

928 (c)1. A "full-time equivalent student" is:

929 a. A full-time student in any one of the programs listed in
 930 s. 1011.62(1)(c); or

931 b. A combination of full-time or part-time students in any
 932 one of the programs listed in s. 1011.62(1)(c) which is the
 933 equivalent of one full-time student based on the following
 934 calculations:

935 (I) A full-time student in a combination of programs listed
 936 in s. 1011.62(1)(c) shall be a fraction of a full-time
 937 equivalent membership in each special program equal to the
 938 number of net hours per school year for which he or she is a
 939 member, divided by the appropriate number of hours set forth in
 940 subparagraph (a)1. or subparagraph (a)2. The difference between
 941 that fraction or sum of fractions and the maximum value as set
 942 forth in subsection (4) for each full-time student is presumed
 943 to be the balance of the student's time not spent in a special
 944 program and shall be recorded as time in the appropriate basic
 945 program.

946 (II) A prekindergarten student with a disability shall meet

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947 the requirements specified for kindergarten students.
 948 (III) A full-time equivalent student for students in
 949 kindergarten through grade 12 in a full-time virtual instruction
 950 program under s. 1002.45 or a virtual charter school under s.
 951 1002.33 shall consist of six full-credit completions or the
 952 prescribed level of content that counts toward promotion to the
 953 next grade in programs listed in s. 1011.62(1)(c). Credit
 954 completions may be a combination of full-credit courses or half-
 955 credit courses. Beginning in the 2016-2017 fiscal year, the
 956 reported full-time equivalent students and associated funding of
 957 students enrolled in courses requiring passage of an end-of-
 958 course assessment under s. 1003.4282 to earn a standard high
 959 school diploma shall be adjusted if the student does not pass
 960 the end-of-course assessment. However, no adjustment shall be
 961 made for a student who enrolls in a segmented remedial course
 962 delivered online.
 963 (IV) A full-time equivalent student for students in
 964 kindergarten through grade 12 in a part-time virtual instruction
 965 program under s. 1002.45 shall consist of six full-credit
 966 completions in programs listed in s. 1011.62(1)(c)1. and 3.
 967 Credit completions may be a combination of full-credit courses
 968 or half-credit courses. Beginning in the 2016-2017 fiscal year,
 969 the reported full-time equivalent students and associated
 970 funding of students enrolled in courses requiring passage of an
 971 end-of-course assessment under s. 1003.4282 to earn a standard
 972 high school diploma shall be adjusted if the student does not
 973 pass the end-of-course assessment. However, no adjustment shall
 974 be made for a student who enrolls in a segmented remedial course
 975 delivered online.

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976 (V) A Florida Virtual School full-time equivalent student
 977 shall consist of six full-credit completions or the prescribed
 978 level of content that counts toward promotion to the next grade
 979 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
 980 participating in kindergarten through grade 12 part-time virtual
 981 instruction and the programs listed in s. 1011.62(1)(c) for
 982 students participating in kindergarten through grade 12 full-
 983 time virtual instruction. Credit completions may be a
 984 combination of full-credit courses or half-credit courses.
 985 Beginning in the 2016-2017 fiscal year, the reported full-time
 986 equivalent students and associated funding of students enrolled
 987 in courses requiring passage of an end-of-course assessment
 988 under s. 1003.4282 to earn a standard high school diploma shall
 989 be adjusted if the student does not pass the end-of-course
 990 assessment. However, no adjustment shall be made for a student
 991 who enrolls in a segmented remedial course delivered online.
 992 (VI) Each successfully completed full-credit course earned
 993 through an online course delivered by a district other than the
 994 one in which the student resides shall be calculated as 1/6 FTE.
 995 (VII) A full-time equivalent student for courses requiring
 996 passage of a statewide, standardized end-of-course assessment
 997 under s. 1003.4282 to earn a standard high school diploma shall
 998 be defined and reported based on the number of instructional
 999 hours as provided in this subsection until the 2016-2017 fiscal
 1000 year. Beginning in the 2016-2017 fiscal year, the FTE for the
 1001 course shall be assessment-based and shall be equal to 1/6 FTE.
 1002 The reported FTE shall be adjusted if the student does not pass
 1003 the end-of-course assessment. However, no adjustment shall be
 1004 made for a student who enrolls in a segmented remedial course

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delivered online.

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment or a rigorous alternative assessment pursuant to s. 1008.223 without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in:

a. Juvenile justice education programs.

b. The Florida Virtual School.

c. Virtual instruction programs and virtual charter schools for the purpose of course completion and credit recovery pursuant to ss. 1002.45 and 1003.498. Course completion applies only to a student who is reported during the second or third membership surveys and who does not complete a virtual education course by the end of the regular school year. The course must be completed no later than the deadline for amending the final student enrollment survey for that year. Credit recovery applies only to a student who has unsuccessfully completed a traditional or virtual education course during the regular school year and must re-take the course in order to be eligible to graduate with the student's class.

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The full-time equivalent student enrollment calculated under this subsection is subject to the requirements in subsection (4).

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

Section 12. Paragraphs (1) through (o) of subsection (1) of section 1011.62, Florida Statutes, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(1) *Calculation of additional full-time equivalent membership based on International Baccalaureate examination scores of students.*—A value of 0.16 full-time equivalent student membership shall be calculated for each student enrolled in an International Baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each

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1063 student who receives an International Baccalaureate diploma.
 1064 Such value shall be added to the total full-time equivalent
 1065 student membership in basic programs for grades 9 through 12 in
 1066 the subsequent fiscal year. Each school district shall allocate
 1067 80 percent of the funds received from International
 1068 Baccalaureate bonus FTE funding to the school program whose
 1069 students generate the funds and to school programs that prepare
 1070 prospective students to enroll in International Baccalaureate
 1071 courses. Funds shall be expended solely for the payment of
 1072 allowable costs associated with the International Baccalaureate
 1073 program. Allowable costs include International Baccalaureate
 1074 annual school fees; International Baccalaureate examination
 1075 fees; salary, benefits, and bonuses for teachers and program
 1076 coordinators for the International Baccalaureate program and
 1077 teachers and coordinators who prepare prospective students for
 1078 the International Baccalaureate program; supplemental books;
 1079 instructional supplies; instructional equipment or instructional
 1080 materials for International Baccalaureate courses; other
 1081 activities that identify prospective International Baccalaureate
 1082 students or prepare prospective students to enroll in
 1083 International Baccalaureate courses; and training or
 1084 professional development for International Baccalaureate
 1085 teachers. School districts shall allocate the remaining 20
 1086 percent of the funds received from International Baccalaureate
 1087 bonus FTE funding for programs that assist academically
 1088 disadvantaged students to prepare for more rigorous courses. The
 1089 school district shall distribute to each classroom teacher who
 1090 provided International Baccalaureate instruction:
 1091 1. A bonus in the amount of \$50 for each student taught by

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1092 the International Baccalaureate teacher in each International
 1093 Baccalaureate course who receives a score of 4 or higher on the
 1094 International Baccalaureate examination.
 1095 2. An additional bonus of \$500 to each International
 1096 Baccalaureate teacher in a school designated with a grade of "D"
 1097 or "F" who has at least one student scoring 4 or higher on the
 1098 International Baccalaureate examination, regardless of the
 1099 number of classes taught or of the number of students scoring a
 1100 4 or higher on the International Baccalaureate examination.
 1101 ~~Bonuses awarded to a teacher according to this paragraph may not~~
 1102 ~~exceed \$2,000 in any given school year. However, the maximum~~
 1103 ~~bonus shall be \$3,000 if at least 50 percent of the students~~
 1104 ~~enrolled in a teacher's course earn a score of 4 or higher on~~
 1105 ~~the examination in a school designated with a grade of "A," "B,"~~
 1106 ~~or "C"; or if at least 25 percent of the students enrolled in a~~
 1107 ~~teacher's course earn a score of 4 or higher on the examination~~
 1108 ~~in a school designated with a grade of "D" or "F."~~ Bonuses
 1109 awarded under this paragraph shall be in addition to any regular
 1110 wage or other bonus the teacher received or is scheduled to
 1111 receive. For such courses, the teacher shall earn an additional
 1112 bonus of \$50 for each student who has a qualifying score ~~up to~~
 1113 ~~the maximum of \$3,000~~ in any given school year.
 1114 (m) Calculation of additional full-time equivalent
 1115 membership based on Advanced International Certificate of
 1116 Education examination scores of students.—A value of 0.16 full-
 1117 time equivalent student membership shall be calculated for each
 1118 student enrolled in a full-credit Advanced International
 1119 Certificate of Education course who receives a score of E or
 1120

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1121 higher on a subject examination. A value of 0.08 full-time
 1122 equivalent student membership shall be calculated for each
 1123 student enrolled in a half-credit Advanced International
 1124 Certificate of Education course who receives a score of E or
 1125 higher on a subject examination. A value of 0.3 full-time
 1126 equivalent student membership shall be calculated for each
 1127 student who receives an Advanced International Certificate of
 1128 Education diploma. Such value shall be added to the total full-
 1129 time equivalent student membership in basic programs for grades
 1130 9 through 12 in the subsequent fiscal year. The school district
 1131 shall distribute to each classroom teacher who provided Advanced
 1132 International Certificate of Education instruction:

1133 1. A bonus in the amount of \$50 for each student taught by
 1134 the Advanced International Certificate of Education teacher in
 1135 each full-credit Advanced International Certificate of Education
 1136 course who receives a score of E or higher on the Advanced
 1137 International Certificate of Education examination. A bonus in
 1138 the amount of \$25 for each student taught by the Advanced
 1139 International Certificate of Education teacher in each half-
 1140 credit Advanced International Certificate of Education course
 1141 who receives a score of E or higher on the Advanced
 1142 International Certificate of Education examination.

1143 2. An additional bonus of \$500 to each Advanced
 1144 International Certificate of Education teacher in a school
 1145 designated with a grade of "D" or "F" who has at least one
 1146 student scoring E or higher on the full-credit Advanced
 1147 International Certificate of Education examination, regardless
 1148 of the number of classes taught or of the number of students
 1149 scoring an E or higher on the full-credit Advanced International

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1150 Certificate of Education examination.

1151 3. Additional bonuses of \$250 each to teachers of half-
 1152 credit Advanced International Certificate of Education classes
 1153 in a school designated with a grade of "D" or "F" which has at
 1154 least one student scoring an E or higher on the half-credit
 1155 Advanced International Certificate of Education examination in
 1156 that class. The maximum additional bonus for a teacher awarded
 1157 in accordance with this subparagraph may ~~shall~~ not exceed \$500
 1158 in any given school year. Teachers receiving an award under
 1159 subparagraph 2. are not eligible for a bonus under this
 1160 subparagraph.

1161
 1162 Bonuses awarded to a teacher according to this paragraph ~~shall~~
 1163 ~~not exceed \$2,000 in any given school year and shall be in~~
 1164 addition to any regular wage or other bonus the teacher received
 1165 or is scheduled to receive.

1166 (n) *Calculation of additional full-time equivalent*
 1167 *membership based on college board advanced placement scores of*
 1168 *students.*—A value of 0.16 full-time equivalent student
 1169 membership shall be calculated for each student in each advanced
 1170 placement course who receives a score of 3 or higher on the
 1171 College Board Advanced Placement Examination for the prior year
 1172 and added to the total full-time equivalent student membership
 1173 in basic programs for grades 9 through 12 in the subsequent
 1174 fiscal year. Each district must allocate at least 80 percent of
 1175 the funds provided to the district for advanced placement
 1176 instruction, in accordance with this paragraph, to the high
 1177 school that generates the funds. The school district shall
 1178 distribute to each classroom teacher who provided advanced

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placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

~~Bonuses awarded to a teacher according to this paragraph shall not exceed \$2,000 in any given school year. However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher's course earn a score of 3 or higher on the examination in a school with a grade of "A," "B," or "C" or if at least 25 percent of the students enrolled in a teacher's course earn a score of 3 or higher on the examination in a school with a grade of "D" or "F." Bonuses awarded under this paragraph shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score up to the maximum of \$3,000 in any given school year.~~

(o) Calculation of additional full-time equivalent membership based on successful completion of a career-themed course pursuant to ss. 1003.491, 1003.492, and 1003.493, or courses with embedded CAPE industry certifications or CAPE

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Digital Tool certificates, and issuance of industry certification identified on the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education or CAPE Digital Tool certificates pursuant to s. 1003.4203.-

1.a. A value of 0.025 full-time equivalent student membership shall be calculated for CAPE Digital Tool certificates earned by students in elementary and middle school grades.

b. A value of 0.1 or 0.2 full-time equivalent student membership shall be calculated for each student who completes a course as defined in s. 1003.493(1)(b) or courses with embedded CAPE industry certifications and who is issued an industry certification identified annually on the CAPE Industry Certification Funding List approved under rules adopted by the State Board of Education. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued a CAPE industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For CAPE industry certifications that do not articulate for college credit, the Department of Education shall assign a full-time equivalent value of 0.1 for each certification. Middle grades students who earn additional FTE membership for a CAPE Digital Tool certificate pursuant to sub-subparagraph a. may not use the previously funded examination to satisfy the requirements for earning an industry certification under this sub-subparagraph. Additional FTE membership for an elementary or middle grades student may ~~shall~~ not exceed 0.1 for certificates or certifications earned within the same fiscal

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year. The State Board of Education shall include the assigned values on the CAPE Industry Certification Funding List under rules adopted by the state board. Such value shall be added to the total full-time equivalent student membership for grades 6 through 12 in the subsequent year for courses that were not provided through dual enrollment. CAPE industry certifications earned through dual enrollment must be reported and funded pursuant to s. 1011.80.

c. A value of 0.3 full-time equivalent student membership shall be calculated for student completion of the courses and the embedded certifications identified on the CAPE Industry Certification Funding List and approved by the commissioner pursuant to ss. 1003.4203(5)(a) and 1008.44.

d. A value of 0.5 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours, and 1.0 full-time equivalent student membership shall be calculated for CAPE Acceleration Industry Certifications that articulate for 30 or more college credit hours pursuant to CAPE Acceleration Industry Certifications approved by the commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

2. Each district must allocate at least 80 percent of the funds provided for CAPE industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program.

3. For CAPE industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct

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instruction toward the attainment of a CAPE industry certification that qualified for additional full-time equivalent membership under subparagraph 1.:

a. A bonus in the amount of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.

b. A bonus in the amount of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2, 0.3, 0.5, and 1.0.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of a CAPE industry certification on the CAPE Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph ~~may not exceed \$2,000 in any given school year and~~ is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

Section 13. Paragraph (e) is added to subsection (3) of section 1012.34, Florida Statutes, to read:

1012.34 Personnel evaluation procedures and criteria.—

(3) EVALUATION PROCEDURES AND CRITERIA.—Instructional personnel and school administrator performance evaluations must be based upon the performance of students assigned to their

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1295 classrooms or schools, as provided in this section. Pursuant to
 1296 this section, a school district's performance evaluation system
 1297 is not limited to basing unsatisfactory performance of
 1298 instructional personnel and school administrators solely upon
 1299 student performance, but may include other criteria to evaluate
 1300 instructional personnel and school administrators' performance,
 1301 or any combination of student performance and other criteria.
 1302 Evaluation procedures and criteria must comply with, but are not
 1303 limited to, the following:

1304 (e) A classroom teacher's performance evaluation must be
 1305 based on the performance of students with fewer than 25 absences
 1306 within the school year, or for schools with block scheduling,
 1307 fewer than 10 absences within the school year, assigned to their
 1308 classrooms, as provided in this section.

1309 Section 14. Present subsection (27) of section 1001.42,
 1310 Florida Statutes, is redesignated as subsection (28), and a new
 1311 subsection (27) is added to that section, to read:

1312 1001.42 Powers and duties of district school board.—The
 1313 district school board, acting as a board, shall exercise all
 1314 powers and perform all duties listed below:

1315 (27) VISITATION OF SCHOOLS.—Visit the schools, observe the
 1316 management and instruction, give suggestions for improvement,
 1317 and advise citizens with the view of promoting interest in
 1318 education and improving the school.

1319 Section 15. By July 1, 2016, the Commissioner of Education
 1320 shall amend Florida's request for renewal of flexibility under
 1321 the Elementary and Secondary Education Act of 1965 (ESEA), 20
 1322 U.S.C. ss. 6301 et seq., as necessary to implement s. 1008.223,
 1323 Florida Statutes, and submit any additional documentation to the

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1324 United States Department of Education which may be required to
 1325 maintain compliance with Florida's ESEA flexibility waiver
 1326 approved by the United States Secretary of Education. The
 1327 commissioner shall faithfully and timely execute all other
 1328 duties required of him or her under s. 1008.223, Florida
 1329 Statutes, and the federal ESEA. By August 1, 2016, the
 1330 commissioner shall submit to the Governor, the President of the
 1331 Senate, and the Speaker of the House of Representatives a report
 1332 on the status of implementation of s. 1008.223, Florida
 1333 Statutes, and compliance with the ESEA.

1334 Section 16. 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)

2/11/16

Meeting Date

1360

Bill Number (if applicable)

Topic Student Assessment

Amendment Barcode (if applicable)

Name Beth Overholt

Job Title Parent

Address 4130 Faulkner Lane

Phone 728-0587

Street

Tallahassee FL 32311

City

State

Zip

Email overholtbeth2@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-11-16

Meeting Date

1360

*Bill Number (if applicable)*Topic Student Assessments*Amendment Barcode (if applicable)*Name Catherine BaerJob Title ChairAddress 1421 Woodgate Way

Phone _____

*Street*TallahasseeFL32308

Email _____

*City**State**Zip*Speaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ NoLobbyist 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.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/16
Meeting Date

1360
Bill Number (if applicable)

Topic Alternative Assessment

Amendment Barcode (if applicable)

Name Vern Pickup-Crawford

Job Title Legislative Liaison

Address 571 Kingsbury Terrace
Street

Phone 561-644-2439

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City State Zip

Email vgcrawford@msn.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Charlotte, Collier, Palm Beach, Treasure Coast, St. Lucie, Okeechobee, Indian River, Schools

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 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/11/16
Meeting Date

1360
Bill Number (if applicable)
681604
Amendment Barcode (if applicable)

Topic Grade calculations

Name Vera Pickup-Crawford

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Wellington FL 33414
City State Zip

Email vacrawford@mru.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Charlotte, Collier, Palmetto, Treasure Coast, Martin, St. Lucie, Okeechobee, Indian River

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 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: PCS/SB 1638 (698686)

INTRODUCER: Senator Lee

SUBJECT: Postsecondary Education for Veterans

DATE: February 11, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	HE	Favorable
2.	Smith	Elwell	AED	Fav/CS
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 1638 expands education and certification opportunities for members of the United States military. Specifically, the bill:

- Requires the Department of Education to annually, for specified tests, identify and publish minimum scores, maximum credit, and course or courses for which college credit must be awarded.
- Modifies the residency requirements for recipients of a Purple Heart or other combat decoration superior in precedence to qualify for a waiver from tuition for undergraduate college credit programs and career certificate programs.
- Adds new methods for demonstrating mastery of subject area knowledge for educator certification purposes.

The bill has an insignificant impact on state funds. State colleges and universities may generate slightly less in tuition revenue due to the requirements of the bill.

The bill takes effect July 1, 2016.

II. Present Situation:

The Florida Legislature has enacted laws to provide members of the Armed Forces access to public postsecondary education in the state.

College Credit for Military Training and Education Courses

The Board of Governors for the State University System of Florida (BOG) and the State Board of Education (SBE or state board) must adopt rules that enable eligible members of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military.¹ Such rules must include procedures for credential evaluation and the award of academic college credit, including but not limited to, equivalency and alignment of military coursework with appropriate college courses, course descriptions, type and amount of college credit that may be awarded, and transfer of credit.²

Pursuant to law,³ the BOG and the state board have adopted in regulation and rule, respectively, policies for granting college credit for military training and coursework.⁴ For instance, state university and Florida College System (FCS) institution boards of trustees must grant college credit to students who have received military training or coursework that is recognized by the American Council on Education (ACE) and specify if such training or coursework fulfills general education, major, or degree requirements at the receiving institution.⁵

Fee Waivers

The term “tuition” is defined as “the basic fee charged to a student for instruction provided by a public postsecondary educational institution in this state.”⁶ An “out-of-state fee” is the additional fee for instruction provided by a public postsecondary educational institution charged to a student who does not qualify for the in-state tuition rate.”⁷

A student who is classified as a “resident for tuition purposes” is a student who qualifies for the in-state tuition rate.⁸ A “non-resident for tuition purposes” is defined as a “person who does not qualify for the in-state tuition rate,”⁹ and pays the out-of-state fee in addition to tuition.

Florida law affords exemptions¹⁰ and waivers¹¹ from fees for students who meet specified criteria.

Waivers for Purple Heart or Other Combat Decoration

In accordance with the law, a state university, an FCS institution, a career center operated by a school district, or a charter technical career center must waive tuition for undergraduate college credit programs and career certificate programs for each recipient of a Purple Heart or other

¹ Section 1004.096, F.S.

² *Id.*

³ *Id.*

⁴ Board of Governors Regulation 6.013 and Rule 6A-14.0302, F.A.C.

⁵ *Id.*

⁶ Section 1009.01(1), F.S. Additionally, the definition states that “[a] charge for any other purpose shall not be included within this fee.” *Id.*

⁷ Section 1009.01(2), F.S. Adding that “[a] charge for any other purpose shall not be included within this fee.” *Id.*

⁸ Section 1009.21(1)(g), F.S.

⁹ Section 1009.21(1)(e), F.S.

¹⁰ Section 1009.25, F.S.

¹¹ Section 1009.26, F.S.

combat decoration superior in precedence.¹² To qualify for this fee waiver, the recipient of such combat decoration must:¹³

- Be enrolled as a full-time, part-time, or summer-school student in a program that terminates in an associate or baccalaureate degree, a college credit certificate, or a career certificate.
- Currently, and at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, be a resident of this state.
- Submit to the university, college, or career center the DD-214 form issued at the time of separation from service as documentation that the student has received the Purple Heart or other combat decoration superior in precedence. If the DD-214 is not available, other documentation may be acceptable if recognized by the United States Department of Defense or the United States Department of Veterans Affairs as documenting the award.

The fee waiver for a Purple Heart recipient or recipient of other combat decoration superior in precedence is applicable for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled.¹⁴

In 2014-2015, 100 students at FCS institutions received a fee waiver as the result of receiving a Purple Heart or other combat decoration superior in precedence.¹⁵ At state universities, 39 students received fee waivers as the result of receiving a Purple Heart or other combat decoration superior in precedence.¹⁶

Educator Certification Requirements

Current law provides for eligibility criteria, mastery of general and subject area knowledge, mastery of professional preparation and education competence, the types and terms of certification, as well as examinations.¹⁷

Specifically, for subject area knowledge, the law specifies the following acceptable means of demonstrating mastery:¹⁸

- For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;
- For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

¹² Section 1009.26(8), F.S. “The U.S. Department of Veterans Affairs indicates that the Purple Heart is ranked immediately behind the bronze star in order of precedence. The Department of Florida, Military Order of the Purple Heart of the United States of America notes that there are over 2,700 members in Florida.” Board of Governors, 2016 Agency Legislative Bill Analysis for SB 1638 (Jan. 20, 2016), at 2.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Email, Florida Department of Education (Jan. 20, 2016), on file with the Committee on Higher Education.

¹⁶ Email, Florida Board of Governors (Jan. 21, 2016), on file with the Committee on Higher Education.

¹⁷ Section 1012.56, F.S.

¹⁸ Section 1012.56(5), F.S.

- For a subject for which a Florida subject area examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;
- For a subject requiring a master's or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination specified in state board rule;
- Documentation of a valid professional standard teaching certificate issued by another state; or
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education.

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.¹⁹

III. Effect of Proposed Changes:

SB 1638 expands education and certification opportunities for members of the United States military. Specifically, the bill:

- Requires the Department of Education to annually, for specified tests, identify and publish minimum scores, maximum credit, and course or courses for which college credit must be awarded.
- Modifies the residency requirements for recipients of a Purple Heart or other combat decoration superior in precedence to qualify for a waiver from tuition for undergraduate college credit programs and career certificate programs.
- Adds new methods for demonstrating mastery of subject area knowledge, for educator certification purposes.

College Credit for Military Training and Education Courses

The bill expands the mechanism through which eligible members of the United States Armed Forces can earn college credit for military experience. Specifically, the bill identifies the following three types of subject tests that members of Armed Forces can take to generate college credit:

- Excelsior College subject examination.
- Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test.²⁰

¹⁹ *Id.*

²⁰ Defense Activity for Non-Traditional Education Support (DANTES) is a division of the Department of Defense that provides educational support to military members. In 2004, the exams were acquired and are now owned and administered by Prometric. Prometric owns and administers DSST exams. DSST, *What is DSST?* http://getcollegecredit.com/what_is_dsst/ (last visited Jan. 20, 2016); see also DANTES, *DANTES*, <http://www.dantes.doded.mil/#sthash.nYKTxyfV.dpbs> (last visited

- Defense Language Proficiency Test (DLPT).²¹

The bill requires the Department of Education (department) to annually identify and publish minimum scores, maximum credit, and course or courses for which credit must be awarded for each of the specified examinations. The department must identify such courses in the general education core²² curriculum of each state university and FCS institution. In effect, the bill codifies Excelsior College subject examination, DANTES, and Defense Language Proficiency Tests (DLPT) as authorized tests that students can take to earn college credit by demonstrating subject area competency on such tests.

Current law requires the department to annually identify and publish the minimum scores, maximum credit, and course or courses for which credit must be awarded for each.²³

- College Level Examination Program (CLEP) subject examination,
- College Board Advanced Placement (AP) Program examination,
- Advanced International Certificate of Education (AICE) examination, and the
- International Baccalaureate (IB) examination.

The law does not specify such requirements for Excelsior College subject examination, DANTES, and DLPT. However, the Articulation Coordinating Committee (ACC)²⁴ has established passing scores and course and credit equivalents for the tests that are currently specified in law as well as for DANTES and Excelsior College exam.²⁵ The credit-by-exam equivalencies have been adopted in rule by the State Board of Education (SBE or state board).²⁶ If a student attains a passing score on the AP, AICE, IB, or CLEP exam, state universities and FCS institutions must award the minimum credit for the course or courses specified on the credit-by-exam equivalencies list, even if such institutions do not offer the course or courses.²⁷ The credit-by-exam equivalencies will need to be updated to include DLPT.

Jan. 20, 2016). DSST offers a suite of more than 30 exams in college subject areas such as social sciences, math, applied technology, business, physical sciences, and humanities. DSST, *About DSST*, <http://getcollegecredit.com/about> (last visited Jan. 20, 2016).

²¹ The Language Proficiency Assessment Directorate of the Defense Language Institute Foreign Language Center designs, develops, validates, implements, and monitors Defense Language Proficiency Tests (DLPTs) to measure proficiency in listening and reading comprehension. Defense Language Institute Foreign Language Center, *Language Proficiency Assessment Directorate*, <http://dliflc.edu/academics/evaluation-standardization/> (last visited Jan. 20, 2016).

²² General education core course options consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. The course options are identified by faculty committees that are jointly appointed by the chair of the State Board of Education and the chair of the Board of Governors. Section 1007.25(3), F.S.; see also Rule 6A-14.0303, F.A.C. and Board of Governors Regulation 8.005.

²³ Section 1007.27(2), F.S.

²⁴ The Articulation Coordinating Committee (ACC) is established by the Commissioner of Education in consultation with the Chancellor of the State University System, to make recommendations related to statewide articulation policies regarding access, quality, and data reporting. The ACC serves as an advisory body to the Higher Education Coordinating Council, the State Board of Education, and the Board of Governors. Section 1007.01(3), F.S.

²⁵ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

²⁶ Rule 6A-10.024, F.A.C.

²⁷ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>, at 1.

Additionally, the bill modifies current law to apply the existing mechanisms for generating college credit (based on military training and coursework) to eligible servicemembers and honorably discharged veterans of the United States Armed Forces. As a result, such members and veterans of the United States Armed Forces will also be able to earn college credit at public postsecondary educational institutions through the specified mechanisms.²⁸

Fee Waivers

The bill modifies the residency requirements for recipients of Purple Heart or other combat decoration superior in precedence to qualify for the fee waiver.²⁹

Current eligibility requirements for the fee waiver specify that a student must be both a resident of Florida currently, and must have been a Florida resident at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence. The bill changes this residency requirement to allow students to qualify for the fee waiver if the student is currently or was at the time of the military action that resulted in the awarding of the combat decoration, a resident of this state, but not both. As a result, additional students will be able to receive the fee waiver to access public postsecondary education in Florida.

Educator Certification Requirements

The bill modifies educator certification requirements by adding new methods for demonstrating mastery of subject area knowledge. Specifically, the bill allows individuals to demonstrate subject area competency through documentation of:

- Successful completion of a United States Defense Language Institute Foreign Language Center program,³⁰ or
- A passing score on the DLPT.

The bill recognizes military training and coursework and specifies that the United States Defense Language Institute Foreign Language Center program and the DLPT are acceptable means to demonstrate mastery of subject area knowledge. As a result, individuals will have additional means to demonstrate such competency.³¹

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

²⁸ Board of Governors, 2016 Agency Legislative Bill Analysis for SB 1638 (Jan. 20, 2016), at 3.

²⁹ The waiver amounts to a waiver from tuition for undergraduate college credit programs and career certificate programs for each recipient of a Purple Heart or other combat decoration superior in precedence. Section 1009.26(8), F.S.

³⁰ The Defense Language Institute Foreign Language Center offers courses in many languages for various duration (e.g., 26-weeks long course in French and 64-weeks long course in Arabic – Egyptian). Defense Language Institute Foreign Language Center, *Languages Taught at DLIFLC and Duration of Courses*, <http://dliflc.edu/about/languages-at-dliflc/> (last visited Jan. 20, 2016).

³¹ Board of Governors, 2016 Agency Legislative Bill Analysis for SB 1638 (Jan. 20, 2016), at 5.

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:

SB 1638 expands the eligibility to receive a tuition waiver for each recipient of a Purple Heart or another combat decoration superior in precedence by allowing to students to either be a Florida resident currently or have been a Florida resident at the time of the military action that resulted in the awarding of the combat decoration. The bill also expands the mechanism through which eligible members of the United States Armed Forces can earn college credit for military experience.

For the State University System, the statutory resident undergraduate tuition rate per credit hour in 2015-2016 is \$105.07.³² Tuition will be waived for each eligible recipient of a Purple Heart or other combat decoration superior in precedence for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled. A student enrolled in a program requiring 120 credit hours could save approximately \$14,000.

For the Florida College System, the statutory resident tuition rate per credit hour in 2015-2016 is \$91.79 for baccalaureate degree programs.³³ Tuition shall be waived for each eligible recipient of a Purple Heart or other combat decoration superior in precedence for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled. A student enrolled in a program requiring 120 credit hours could save approximately \$12,000.

C. Government Sector Impact:

PCS/SB 1638 will have an indeterminable fiscal impact on state universities because the annual loss of tuition revenue under the waiver expansion is contingent upon the number of eligible students for a given year. In 2012-2013, the most recent year for which data is available, there were 46 Purple Heart or other combat decoration fee waivers given to eligible students attending a state university.³⁴ For Fiscal Year 2015-2016, the statutory

³² Section 1009.24(4)(a), F.S.

³³ Section 1009.23(3)(b), F.S.

³⁴ Board of Governors, 2016 Agency Legislative Bill Analysis for SB 1638 (Jan. 20, 2016).

resident undergraduate tuition rate per credit hour is \$105.07.³⁵ Assuming these students attend full-time and take 30 credit hours per year, the state university system would have generated approximately \$145,000 less in tuition revenues in Fiscal Year 2015-2016.

PCS/SB 1638 will have an indeterminable fiscal impact on the Florida College System because the annual loss of tuition revenue under the waiver expansion is contingent upon the number of eligible students for a given year. According to the Department of Education, in 2014-2015, there were 100 Purple Heart or other combat decoration fee waivers given to eligible students attending a Florida College System institution at total amount of \$230,000.³⁶

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1004.096, 1007.27, 1009.26, and 1012.56.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

Recommended CS by Appropriations Subcommittee on Education on February 11, 2016:
The committee substitute:

- Moves the section that specifies the types of subject tests that members of Armed Forces can take to generate college credit from s. 1004.096, F.S. to s. 1007.27, F.S. relating to articulated acceleration mechanisms.
- Changes the residency requirements of s. 1009.26, F.S. to allow students to qualify for the fee waiver if the student is currently, or was at the time of the military action that resulted in the awarding of the combat decoration, a resident of this state, but not both.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

³⁵ Section 1009.24(4)(a), F.S.

³⁶ Email, Florida Department of Education (Feb. 5, 2016), on file with the Appropriations Subcommittee on Education.



752062

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete lines 16 - 39
and insert:

Section 1. Section 1004.096, Florida Statutes, is amended to read:

1004.096 College credit for military training and education courses.—The Board of Governors shall adopt regulations and the State Board of Education shall adopt rules that enable eligible servicemembers or honorably discharged veterans ~~members~~ of the



752062

United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military. The regulations and rules shall include procedures for credential evaluation and the award of academic college credit, including, but not limited to, equivalency and alignment of military coursework with appropriate college courses, course descriptions, type and amount of college credit that may be awarded, and transfer of credit.

Section 2. Subsection (2) of section 1007.27, Florida Statutes, is amended to read:

1007.27 Articulated acceleration mechanisms.—

(2) The Department of Education shall annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board Advanced Placement Program examination, Advanced International Certificate of Education examination, ~~and~~ International Baccalaureate examination, Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). The department shall use student performance data in subsequent postsecondary courses to determine the appropriate examination scores and courses for which credit is to be granted. Minimum scores may vary by subject area based on available performance data. In addition, the department shall identify such courses in the general education core curriculum of each state university and Florida College System institution.



752062

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

And the title is amended as follows:

Delete lines 3 - 5

and insert:

veterans; amending s. 1004.096, F.S.; specifying
individuals who are eligible for college credit for
college-level military training and education;
amending s. 1007.27, F.S.; expanding the list of
examinations for which the department is required to
establish college credit equivalencies; amending



106726

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/15/2016	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Stargel) recommended the following:

Senate Amendment

Delete lines 53 - 57
and insert:

(b) Is currently, or ~~and~~ was at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, a resident of this state; and

By Senator Lee

24-01476A-16

20161638__

A bill to be entitled

An act relating to postsecondary education for veterans; amending s. 1004.096, F.S.; directing the Department of Education to award postsecondary course credit for specified examinations and tests; amending s. 1009.26, F.S.; revising the residency requirement for certain tuition waivers for recipients of specified military decorations; conforming provisions; amending s. 1012.56, F.S.; providing that specified programs and test scores meet certain educator certification requirements; providing an effective date.

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

Section 1. Section 1004.096, Florida Statutes, is amended to read:

1004.096 College credit for military training, and education courses, and subject examinations.—

(1) The Board of Governors shall adopt regulations and the State Board of Education shall adopt rules that enable eligible servicemembers or honorably discharged veterans ~~members~~ of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military. The regulations and rules shall include procedures for credential evaluation and the award of academic college credit, including, but not limited to, equivalency and alignment of military coursework with appropriate college courses, course descriptions, type and amount of college credit that may be awarded, and transfer of credit.

(2) The department shall annually identify and publish the

24-01476A-16

20161638__

minimum scores, maximum credit, and course or courses for which credit is to be awarded for each Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). The department shall identify such courses in the general education core curriculum of each state university and Florida College System institution.

Section 2. Subsection (8) of section 1009.26, Florida Statutes, is amended to read:

1009.26 Fee waivers.—

(8) A state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center shall waive tuition for undergraduate college credit programs and career certificate programs for each recipient of a Purple Heart or another combat decoration superior in precedence who:

(a) Is enrolled as a full-time, part-time, or summer-school student in a program that terminates in an associate or a baccalaureate degree, a college credit certificate, or a career certificate;

(b) Physically resides in ~~Is currently, and was at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, a resident of this state while enrolled in the university, institution, or center; and~~

(c) Submits to the ~~state university, the Florida College System~~ institution, or the career center operated by a school district under s. 1001.44, or the charter technical career center the DD-214 form issued at the time of separation from

24-01476A-16

20161638__

service as documentation that the student has received a Purple Heart or another combat decoration superior in precedence. If the DD-214 is not available, other documentation may be acceptable if recognized by the United States Department of Defense or the United States Department of Veterans Affairs as documenting the award.

Such a waiver for a Purple Heart recipient or recipient of another combat decoration superior in precedence shall be applicable for 110 percent of the number of required credit hours of the degree or certificate program for which the student is enrolled.

Section 3. Subsection (5) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) For a subject requiring only a baccalaureate degree for which a Florida subject area examination has been developed, achievement of a passing score on the Florida-developed subject area examination specified in state board rule;

(b) For a subject for which a Florida subject area examination has not been developed, achievement of a passing score on a standardized examination specified in state board rule, including, but not limited to, passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages;

(c) For a subject for which a Florida subject area

24-01476A-16

20161638__

examination has not been developed or a standardized examination has not been specified in state board rule, completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school;

(d) For a subject requiring a master's or higher degree, completion of the subject area specialization requirements specified in state board rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination specified in state board rule;

(e) Documentation of a valid professional standard teaching certificate issued by another state; ~~or~~

(f) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;

(g) Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or

(h) Documentation of a passing score on the Defense Language Proficiency Test (DLPT).

School districts are encouraged to provide mechanisms for middle grades teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

24-01476A-16

20161638__

120

Section 4. This act shall take effect July 1, 2016.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Appropriations, *Chair*
Appropriations Subcommittee on General
Government
Banking and Insurance
Reapportionment
Rules

JOINT COMMITTEE:
Joint Legislative Budget Commission,
Alternating Chair

SENATOR TOM LEE
24th District

January 26, 2015

The Honorable Don Gaetz
Appropriations Subcommittee on Education, Chair
420 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Chair Gaetz,

I respectfully request that SB 1638, related *Postsecondary Education for Veterans*, be placed on the Appropriations Subcommittee on Education agenda at your earliest convenience.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Tom Lee".

Tom Lee
Senator, District 24

Cc: Tim Elwell, Staff Director

REPLY TO:

- ☐ 915 Oakfield Drive, Suite D, Brandon, Florida 33511 (813) 653-7061
- ☐ 418 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5024

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

602-03061-16

A bill to be entitled

An act relating to education; amending s. 1011.71, F.S.; limiting the increase in local ad valorem tax funds to a specified percentage of a certain increase for the 2016-2017 state fiscal year; providing applicability; providing for retroactive application; providing an effective date.

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

Section 1. Subsection (1) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(1)(a) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62(15) shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

(b) For the 2016-2017 state fiscal year, and as determined

602-03061-16

30 and publicly reported by the Legislature when the 2016-2017
31 General Appropriations Act is enacted, the aggregate increase in
32 local ad valorem tax funds which is provided pursuant to the
33 Florida Education Finance Program may not be greater than 50
34 percent of any increase in the total of state and local funds
35 provided or authorized pursuant to the Florida Education Finance
36 Program in the 2016-2017 state fiscal year, as compared to the
37 actual total of state and local funds used in the 2015-2016
38 state fiscal year. This paragraph does not affect the authority
39 of a district school board to levy discretionary millage
40 authorized in paragraph (a).

41 Section 2. This act shall take effect upon becoming a law,
42 and applies retroactively to January 1, 2016.

Florida Education Finance Program
Comparison of Funding Scenarios, February 11, 2016

	FEFP Metrics	2016-17			
		Governor's Recommended Budget	Senate Bill 2500 <u>2.00%</u> increase per FTE	Tax Cut Proposal <u>2.00%</u> increase 50/50 Split	
		-1-	-2-	-3-	
1	Total Funds	\$20,214,411,178	\$20,349,300,303	\$20,349,300,303	1
2	Total Funds Increase	\$507,285,836	\$650,591,366	\$650,591,366	2
3	% Funds Increase	2.57%	3.30%	3.30%	3
4	% State & Local Funds for Increase	16%/84%	22%/78%	50%/50%	4
5	Total Funds per FTE	\$7,220.59	\$7,249.23	\$7,249.23	5
6	Funds per FTE Increase	\$115.53	\$141.90	\$141.90	6
7	% Funds per FTE Increase	1.63%	2.00%	2.00%	7
8	Required Millage	4.984	4.984	4.860	8
9	Additional Local Funds	\$427,285,836	\$507,544,882	\$324,325,556	9
10	Additional State Formula Funds	\$80,000,000	\$143,046,484	\$326,265,810	10
11	<u>Additional State Funds</u> over SB 2500 @ 2.00%			\$183,219,326	11
12	<u>Reduced Local Funds</u> compared to SB 2500			(\$183,219,326)	12
13	Reduction in Millage			-0.124	13

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A bill to be entitled
An act relating to education; amending s. 1013.62,
F.S.; deleting provisions relating to priorities for
charter school capital outlay funding; deleting
provisions relating to a charter school's allocation;
providing that a charter school is not eligible for
funding unless it meets certain requirements; defining
the term "affiliated party of the charter school";
revising the funding allocation calculation; requiring
the Department of Education to calculate and
periodically recalculate, as necessary, the eligible
charter school funding allocations; deleting
provisions relating to certain duties of the
Commissioner of Education; amending s. 1013.64, F.S.;
requiring school districts to maintain accurate
documentation related to specified costs; requiring
the Auditor General to review such documentation;
providing that the Auditor General makes final
determinations on compliance; requiring the Office of
Program Policy Analysis and Government Accountability
to conduct a study, in consultation with the
department, on cost per student station amounts;
requiring a report to the Governor and the Legislature
by a specified date; prohibiting a district school
board from using funds for specified purposes for
certain projects; providing sanctions for school
districts that exceed certain costs; providing for the
creation of a district capital outlay oversight
committee; providing for membership of the oversight

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committee; requiring the department to provide certain reports to the Auditor General; deleting a provision relating to applicability of certain restrictions on the cost per student station of new construction; amending s. 1002.33, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Section 1013.62, Florida Statutes, is amended to read:

1013.62 Charter schools capital outlay funding.—

(1) In each year in which funds are appropriated for charter school capital outlay purposes, the Commissioner of Education shall allocate the funds among eligible charter schools as specified in this section.

(a) To be eligible for a funding allocation, a charter school must:

1.a. Have been in operation for 3 or more years;

b. Be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state;

c. Be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds;

d. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools; or

e. Serve students in facilities that are provided by a business partner for a charter school-in-the-workplace pursuant

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to s. 1002.33(15)(b).

2. Have financial stability for future operation as a charter school.

3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.

4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.

~~(b) The first priority for charter school capital outlay funding is to allocate to charter schools that received funding in the 2005-2006 fiscal year an allocation of the same amount per capital outlay full-time equivalent student, up to the lesser of the actual number of capital outlay full-time equivalent students in the current year, or the capital outlay full-time equivalent students in the 2005-2006 fiscal year. After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay full-time equivalent student amount in the first priority calculation to eligible charter schools not included in the first priority calculation and to schools in the first priority calculation with growth greater than the 2005-2006 capital outlay full-time equivalent students. After calculating the first and second priorities, excess funds remaining in the appropriation must be allocated to all eligible charter schools.~~

~~(c) A charter school's allocation may not exceed one-fifteenth of the cost per student station specified in s. 1013.64(6)(b). Before releasing capital outlay funds to a school~~

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~~district on behalf of the charter school, the Department of Education must ensure that the district school board and the charter school governing board enter into a written agreement that provides for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the district school board, as provided for in subsection (3) if the school terminates operations. Any funds recovered by the state shall be deposited in the General Revenue Fund.~~

(b)~~(d)~~ A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.

(c) A charter school is not eligible for a funding allocation unless the chair of the governing board and the chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities that are:

1. Owned by a school district, political subdivision of the state, municipality, Florida College System institution, or state university;

2. Owned by an organization, qualified as an exempt organization under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution, the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College System institution, or

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117 state university; or

118 3. Owned by and leased from a person who or an entity that
119 is not an affiliated party of the charter school. For purposes
120 of this paragraph, the term "affiliated party of the charter
121 school" means the applicant for the charter school pursuant to
122 s. 1002.33; the governing board of the charter school or a
123 member of the governing board; the charter school owner; the
124 charter school principal; an employee of the charter school; an
125 independent contractor of the charter school or the governing
126 board of the charter school; a relative, as defined in s.
127 1002.33(24)(a)2., of a charter school governing board member, a
128 charter school owner, a charter school principal, a charter
129 school employee, or an independent contractor of a charter
130 school or charter school governing board; a subsidiary
131 corporation, a service corporation, an affiliated corporation, a
132 parent corporation, a limited liability company, a limited
133 partnership, a trust, a partnership, or a related party that
134 individually or through one or more entities that share common
135 ownership or control that directly or indirectly manages,
136 administers, controls, or oversees the operation of the charter
137 school; or any person or entity, individually or through one or
138 more entities that share common ownership, that directly or
139 indirectly manages, administers, controls, or oversees the
140 operation of any of the foregoing.

141 (d) The funding allocation for eligible charter schools
142 shall be calculated as follows:

143 1. Eligible charter schools shall be grouped into
144 categories based on their student populations according to the
145 following criteria:

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146 a. Seventy-five percent or greater who are eligible for
147 free or reduced-price school lunch.

148 b. Twenty-five percent or greater with disabilities as
149 defined in state board rule and consistent with the requirements
150 of the Individuals with Disabilities Education Act.

151 2. If an eligible charter school does not meet the criteria
152 for either category under subparagraph 1., its FTE shall be
153 provided as the base amount of funding and shall be assigned a
154 weight of 1.0. An eligible charter school that meets the
155 criteria under sub-subparagraph 1.a. or sub-subparagraph 1.b.
156 shall be provided an additional 25 percent above the base
157 funding amount, and the total FTE shall be multiplied by a
158 weight of 1.25. An eligible charter school that meets the
159 criteria under both sub-subparagraphs 1.a. and 1.b. shall be
160 provided an additional 50 percent above the base funding amount,
161 and the FTE for that school shall be multiplied by a weight of
162 1.5.

163 3. The state appropriation for charter school capital
164 outlay shall be divided by the total weighted FTE for all
165 eligible charter schools to determine the base charter school
166 per weighted FTE allocation amount. The per weighted FTE
167 allocation amount shall be multiplied by the weighted FTE to
168 determine each charter school's capital outlay allocation.

169 ~~(c) Unless otherwise provided in the General Appropriations~~
170 ~~Act, the funding allocation for each eligible charter school is~~
171 ~~determined by multiplying the school's projected student~~
172 ~~enrollment by one fifteenth of the cost per student station~~
173 ~~specified in s. 1013.64(6)(b) for an elementary, middle, or high~~
174 ~~school, as appropriate. If the funds appropriated are not~~

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sufficient, the commissioner shall prorate the available funds among eligible charter schools. However, a charter school or charter lab school may not receive state charter school capital outlay funds greater than the one fifteenth cost per student station formula if the charter school's combination of state charter school capital outlay funds, capital outlay funds calculated through the reduction in the administrative fee provided in s. 1002.33(20), and capital outlay funds allowed in s. 1002.32(9)(c) and (h) exceeds the one fifteenth cost per student station formula.

(2)(a)(f) The department shall calculate the eligible charter school funding allocations. Funds shall be allocated using distributed on the basis of the capital outlay full-time equivalent membership from by grade level, which is calculated by averaging the results of the second and third enrollment surveys and free and reduced-price school lunch data. The department shall recalculate the allocations periodically based on the receipt of revised information, on a schedule established by the Commissioner of Education.

(b) The department of Education shall distribute capital outlay funds monthly, beginning in the first quarter of the fiscal year, based on one-twelfth of the amount the department reasonably expects the charter school to receive during that fiscal year. The commissioner shall adjust subsequent distributions as necessary to reflect each charter school's recalculated allocation actual student enrollment as reflected in the second and third enrollment surveys. The commissioner shall establish the intervals and procedures for determining the projected and actual student enrollment of eligible charter

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~~schools.~~

(3)~~(2)~~ A charter school's governing body may use charter school capital outlay funds for the following purposes:

(a) Purchase of real property.

(b) Construction of school facilities.

(c) Purchase, lease-purchase, or lease of permanent or relocatable school facilities.

(d) Purchase of vehicles to transport students to and from the charter school.

(e) Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.

(f) Effective July 1, 2008, purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements.

(g) Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.

(h) Purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s.

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1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

(4)~~(3)~~ ~~If~~ When a charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with district public funds shall revert to the ownership of the district school board, as provided for in s. 1002.33(8)(e) and (f). In the case of a charter lab school, any unencumbered funds and all equipment and property purchased with university public funds shall revert to the ownership of the state university that issued the charter. The reversion of such equipment, property, and furnishings shall focus on recoverable assets, but not on intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. The reversion of all property secured with public funds is subject to the complete satisfaction of all lawful liens or encumbrances. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.

(5)~~(4)~~ The Commissioner of Education shall specify procedures for submitting and approving requests for funding under this section and procedures for documenting expenditures.

(6)~~(5)~~ The annual legislative budget request of the Department of Education shall include a request for capital outlay funding for charter schools. The request shall be based on the projected number of students to be served in charter schools who meet the eligibility requirements of this section. ~~A dedicated funding source, if identified in writing by the Commissioner of Education and submitted along with the annual~~

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~~charter school legislative budget request, may be considered an additional source of funding.~~

~~(6) Unless authorized otherwise by the Legislature, allocation and proration of charter school capital outlay funds shall be made to eligible charter schools by the Commissioner of Education in an amount and in a manner authorized by subsection (1).~~

Section 2. Paragraphs (b) through (e) of subsection (6) of section 1013.64, Florida Statutes, are amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(6)

(b)1. A district school board may ~~must~~ not use funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds provided in s. 1013.68; nonvoted 1.5-mill levy of ad valorem property taxes provided in s. 1011.71(2); Classrooms for Kids Program funds provided in s. 1013.735; District Effort Recognition Program funds provided in s. 1013.736; or High Growth District Capital Outlay Assistance Grant Program funds provided in s. 1013.738 for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than:

a. \$17,952 for an elementary school,

b. \$19,386 for a middle school, or

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c. \$25,181 for a high school,
(January 2006) as adjusted annually to reflect increases or decreases in the Consumer Price Index.

2. School districts shall maintain accurate documentation related to the costs of all new construction of educational plant space reported to the Department of Education pursuant to paragraph (d). The Auditor General shall review the documentation maintained by the school districts and verify compliance with the limits under this paragraph during its scheduled operational audits of the school district. The Auditor General shall make the final determination on district compliance.

3. The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall, in consultation with the department, conduct a study of the cost per student station amounts using the most recent available information on construction costs. In this study, the costs per student station should represent the costs of classroom construction and administrative offices as well as the supplemental costs of group areas, including gymnasiums, music rooms, cafeterias, vocational areas, and other defined specialty areas, including special education areas. The study must take into account appropriate cost-effectiveness factors in school construction and should include input from industry experts. OPPAGA must provide the results of the study and recommendations on the cost per student station to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 31, 2017.

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320 4. Effective July 1, 2017, in addition to the funding
321 sources listed in subparagraph 1., a district school board may
322 not use funds from any sources for new construction of
323 educational plant space with a total cost per student station,
324 including change orders, which equals more than the current
325 adjusted amounts provided in sub-subparagraphs 1.a.-c. which
326 shall subsequently be adjusted annually to reflect increases or
327 decreases in the Consumer Price Index.

328 5.2- A district school board must not use funds from the
329 Public Education Capital Outlay and Debt Service Trust Fund or
330 the School District and Community College District Capital
331 Outlay and Debt Service Trust Fund for any new construction of
332 an ancillary plant that exceeds 70 percent of the average cost
333 per square foot of new construction for all schools.

334 (c) Except as otherwise provided, new construction
335 initiated by a district school board on or after July 1, 2017,
336 may after June 30, 1997, must not exceed the cost per student
337 station as provided in paragraph (b). A school district that
338 exceeds the cost per student station provided in paragraph (b),
339 as determined by the Auditor General, shall be subject to the
340 following sanctions:

341 1. The school district shall be ineligible for allocations
342 from the Public Education Capital Outlay and Debt Service Trust
343 Fund for the next 3 years in which the school district would
344 have received allocations had the violation not occurred.

345 2. The school district shall be subject to the supervision
346 of a district capital outlay oversight committee. The oversight
347 committee is authorized to approve all capital outlay
348 expenditures of the school district, including new construction,

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349 renovations, and remodeling, for 3 fiscal years following the
350 violation.

351 a. Each oversight committee shall be composed of the
352 following:

353 (I) One appointee of the Commissioner of Education who has
354 significant financial management, school facilities
355 construction, or related experience.

356 (II) One appointee of the office of the state attorney with
357 jurisdiction over the district.

358 (III) One appointee of the Auditor General who is a
359 licensed certified public accountant.

360 b. An appointee to the oversight committee may not be
361 employed by the school district; be a relative, as defined in s.
362 1002.33(24)(a)2., of any school district employee; or be an
363 elected official. Each appointee must sign an affidavit
364 attesting to these conditions and affirming that no conflict of
365 interest exists in his or her oversight role.

366 (d) The department shall:

367 1. Compute for each calendar year the statewide average
368 construction costs for facilities serving each instructional
369 level, for relocatable educational facilities, for
370 administrative facilities, and for other ancillary and auxiliary
371 facilities. The department shall compute the statewide average
372 costs per student station for each instructional level.

373 2. Annually review the actual completed construction costs
374 of educational facilities in each school district. For any
375 school district in which the total actual cost per student
376 station, including change orders, exceeds the statewide limits
377 established in paragraph (b), the school district shall report

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to the department the actual cost per student station and the reason for the school district's inability to adhere to the limits established in paragraph (b). The department shall collect all such reports and shall provide these reports to the Auditor General for verification purposes ~~report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31 of each year a summary of each school district's spending in excess of the cost per student station provided in paragraph (b) as reported by the school districts.~~

Cost per student station includes contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment, and site improvement costs. Cost per student station does not include the cost of purchasing or leasing the site for the construction or the cost of related offsite improvements.

~~(c) The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of ss. 212.055 and 1011.73 and s. 9, Art. VII of the State Constitution, if the school board approves the project by majority vote.~~

Section 3. Paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall

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include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school, that any funds due to the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district.

2. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students, except that when 75 percent or more of the students enrolled in the charter school are exceptional students as defined in s.

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1003.01(3), the 5 percent of those available funds shall be calculated based on unweighted full-time equivalent students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(3) ~~s. 1013.62(2)~~.

3. For high-performing charter schools, as defined in ch. 2011-232, a sponsor may withhold a total administrative fee of up to 2 percent for enrollment up to and including 250 students per school.

4. In addition, a sponsor may withhold only up to a 5-percent administrative fee for enrollment for up to and including 500 students within a system of charter schools which meets all of the following:

a. Includes both conversion charter schools and nonconversion charter schools;

b. Has all schools located in the same county;

c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;

d. Has the same governing board; and

e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes

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specified in s. 1013.62(3) ~~s. 1013.62(2)~~.

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and implementation of the school district's digital classrooms plan pursuant to s. 1011.62.

Section 4. This act shall take effect July 1, 2016.

Overview of Senate Proposed Legislation Regarding Capital Outlay Funding

Two Main Components:

- A. Revises the allocation model for charter school capital outlay funding (state funds)
 - B. Modifies the requirements relating to school construction costs
-

Charter School Capital Outlay Funding

Primary Issues in Charter School Capital Outlay Funding

1. Eligibility Criteria - Criteria specifying which charter schools are eligible to receive capital outlay funds. *Proposed legislation does not change current law.*
2. Source of Funds - Potential sources of funding include state appropriations, school district discretionary capital improvement millage (maximum 1.5 mills), and other local funds. *Proposed legislation does not change current law; maintains state funds as the source of funding.*
3. Allocation Formula – Model or method used to determine the amount of capital outlay funds each eligible charter school will receive from the available funding. *Proposed legislation changes the allocation model provided for in current law.*
4. Use of Funds – Statutory requirements governing how charter schools may use the capital outlay funds they receive through state appropriations. *Proposed legislation adds additional restrictions on the use of funds, specifically prohibiting schools from receiving capital outlay funds unless they certify that those funds will not be used for "private enrichment."*

Present Allocation Model for Charter School Capital Outlay Funding

The current allocation methodology provided for in law requires the use of a priority-based funding system comprised of the following:

- First priority is given to those charter schools that received capital outlay funding in FY 2005-06. These schools receive the same per-student amount received in FY 2005-06 for the lesser of the number of students enrolled in the current year or the number of students enrolled in FY 2005-06.
- Second, after calculating first priority funding, remaining funds are allocated with the same per-student amount to those schools not included in the first priority allocation and to those schools in the first priority allocation with growth in excess of FY 2005-06 student enrollments.
- Third, any excess funds remaining after the first and second priority calculations are allocated among all eligible charter schools.
- Each charter school's capital outlay allocation must not exceed 1/15th of the statutory cost per student station.

Proposed Allocation Model for Charter School Capital Outlay Funding

The proposed allocation methodology uses a weighted funding approach to provide additional funds to charter schools who serve a high proportions of students eligible for free and reduced price lunch (75%) and/or students with disabilities (25%). Specifically, the proposed allocation eliminates the current prioritization system and awards capital outlay funds on a weighted basis as follows:

- All eligible charter schools would receive a standard base amount of funds per FTE derived from the gross capital outlay funding amount appropriated for charter schools.
- Charter schools with 75% or more free and reduced lunch enrollment would receive an additional 25% of the standard base amount.
- Charter schools with 25% or more ESE enrollment would receive an additional 25% of the standard base amount.

- Charter schools with both 75% or more free and reduced lunch enrollment AND 25% or more ESE enrollment would receive an additional 50% of the standard base amount.

Present Uses of Charter School Capital Outlay Funding

Section 1013.62(2)(a)-(h), F.S., provides that charter school governing boards may use capital outlay funds for the following purposes:

- Purchase of real property.
- Construction of school facilities.
- Purchase, lease-purchase, or lease of permanent or relocatable school facilities.
- Purchase of vehicles to transport students to and from the charter school.
- Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of five years or longer.
- Purchase, lease-purchase, or lease of new and replacement equipment, and enterprise resource software applications.
- Payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities.
- Purchase, lease-purchase, or lease of driver's education vehicles, motor vehicles used for the maintenance or operation of plants and equipment, security vehicles, or vehicles used in storing or distributing materials and equipment.

In addition, s. 1013.62(3), F.S., specifies that when a charter school is non-renewed or terminated, any unencumbered funds and all equipment and property purchased with school district public funds shall revert to the district school board as provided for in s. 1002.33(8)(e) and (f), F.S.

Proposed Prohibition on the Use of Capital Outlay Funds for "Private Enrichment"

The proposed legislation would prohibit an otherwise eligible charter school from receiving a capital outlay allocation unless the governing board of the schools annually certifies under oath that the funds will be used solely and exclusively for constructing, renovating or improving charter school facilities:

1. Owned by a school district (excluding conversion schools), political subdivision of the state, municipality, Florida College System institution or state university;
2. Owned by an organization, qualified under s. 501(c)(3) of the Internal Revenue Code, whose articles of incorporation specify that upon the organization's dissolution all of the subject property will be transferred to a school district, political subdivision of the state, municipality, Florida College institution or state university; or
3. Owned by and leased from a person who or entity that, is not an affiliated party of the charter school. The proposed legislation defines "affiliated party" as well.

School Construction Costs

Present Situation

- Section 1013.64(5)(2), F.S., limits the cost of school district capital outlay projects to the following student station costs:
 - \$17,952 for an elementary school;
 - \$19,386 for a middle school; and
 - \$25,181 for a high school.
- These costs were established in 2006, and the statute provides for an annual adjustment each year by the Office of Economic and Demographic research based on the Consumer Price Index. 2014 student station costs factors are: Elementary = \$21,194; Middle = \$22,886; and High = \$29,728.

- School districts are not required to adhere to these cost maximums for new construction projects funded entirely from voted Sales Surtax (1/2 cent) proceeds, proceeds from revenue bonds authorized by the State Constitution, or voted ad valorem property tax proceeds authorized by a referendum of the general electorate.
- School districts that exceed the cost maximums are required to report the reasons for the excess costs to the Department of Education. The department is required to provide this information to the Legislature each year by December 31.
- A recent presentation in the House Appropriations Committee (prepared by staff) raised questions about school districts' compliance with the statutory maximum costs per student station, which in turn prompted responses and explanations from district school superintendents. The presentation and responses from various superintendents are provided in the committee packet.

Effect of Proposed Legislation

- **OPPAGA Study** - The proposed legislation requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to work in consultation with the Department of Education to conduct a study of the statutory cost per student station amounts using the most recent available information on construction costs. OPPAGA must provide recommendations for the revised costs to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2016.
- **Revenue Sources** - Beginning in Fiscal Year 2017-18, the proposed legislation prohibits school districts from spending more than the statutory cost per student station on new construction from all available revenue sources. The legislation requires districts to maintain accurate documentation the documentation related to the costs of all new construction projects subject to the statutory per student station costs.

- **Auditor General Audit** - The proposed legislature requires the Auditor General to review the documentation maintained by the districts and to verify compliance with statutory per student station costs during its scheduled operational audits of the school districts.
- **Sanctions** - Lastly, the proposed legislation establishes the following sanctions for districts that exceed the statutory student station costs as verified by the Auditor General:
 - Districts shall be ineligible for allocations from the PECO Trust Fund for the next three years in which the district would have received allocations had the violation not occurred.
 - The district will be subject to the supervision of a district capital outlay oversight committee, authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for three fiscal years following the violation. Each district capital outlay oversight committee shall be comprised of the following:
 - a) One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.
 - b) One appointee of the State Attorney's Office with jurisdiction over the district.
 - c) One appointee of the Auditor General who is a licensed Certified Public Accountant.

SCHOOL DISTRICT FIXED CAPITAL OUTLAY FUNDING

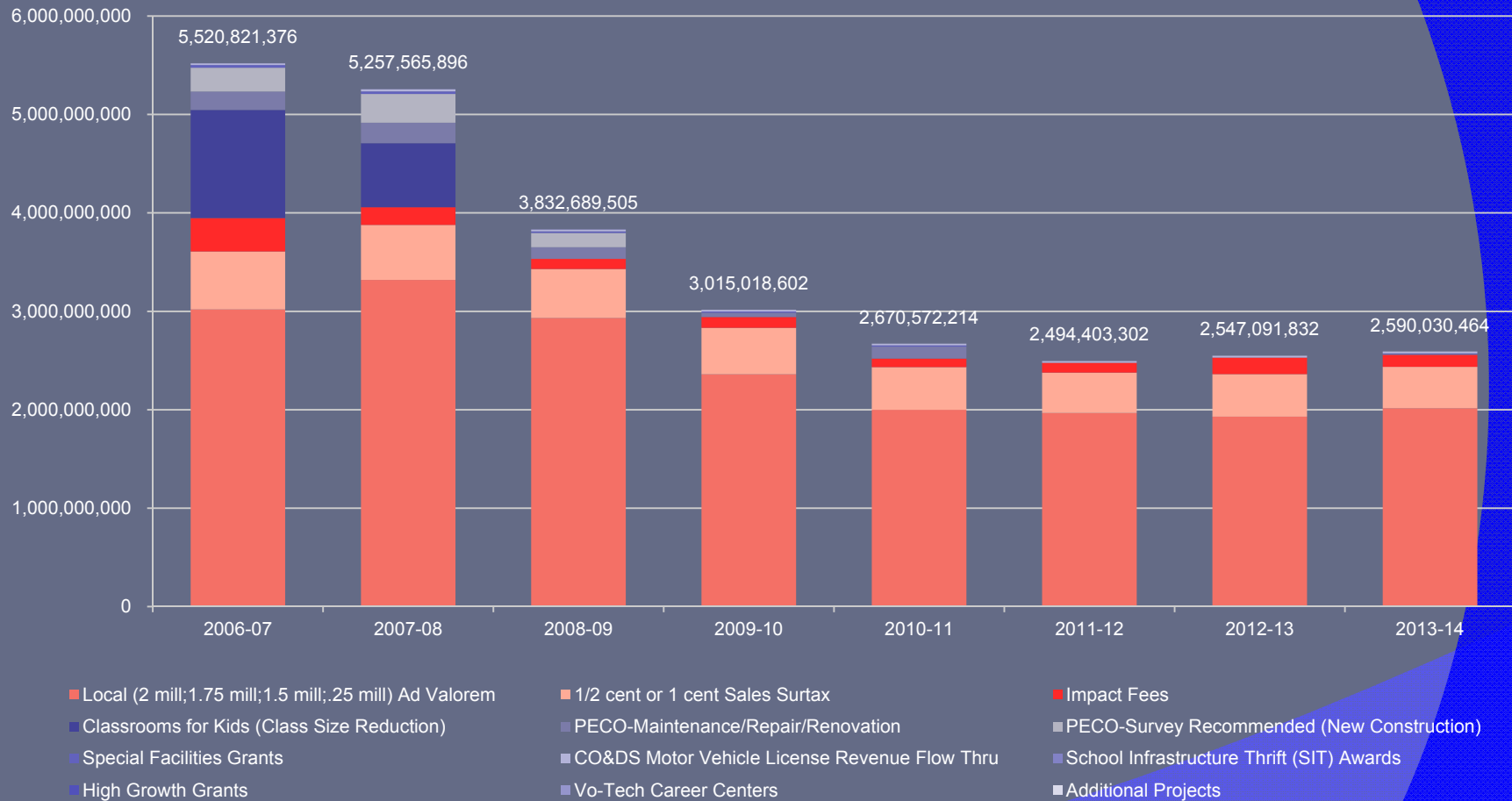
HOUSE APPROPRIATIONS COMMITTEE
RICHARD CORCORAN, CHAIRMAN



SCHOOL DISTRICT PRIMARY FCO REVENUE SOURCES

- ◎ Non-voted 1.5 millage levy - s. 1011.71(2), F.S.
 - 55 districts levy max of 1.5 mills
 - 12 districts levy less than 1.5 mills
- ◎ Voted Debt service millage – s. 1011.74, F.S.
 - 2 districts levy
- ◎ Voted 2-year or 4-year Millage – s. 1011.73(1), F.S.
 - No districts currently levy
- ◎ Voted ½ cent sales surtax – s. 212.055(6), F.S.
 - 15 districts levy sales surtax
- ◎ State appropriated PECO – s. 1013.64, F.S.
 - Special Facilities Construction Accounts
 - Maintenance and Repair
 - New Construction (formula)
 - Specific line item appropriation

Total Revenue Collections from all sources



Statutory Requirements

- ◎ Section 1013.64(6)(c), F.S.
 - Except as otherwise provided, new construction initiated by a district school board after June 30, 1997, must not exceed the cost per student station as provided in paragraph (b).

Statutory Requirements

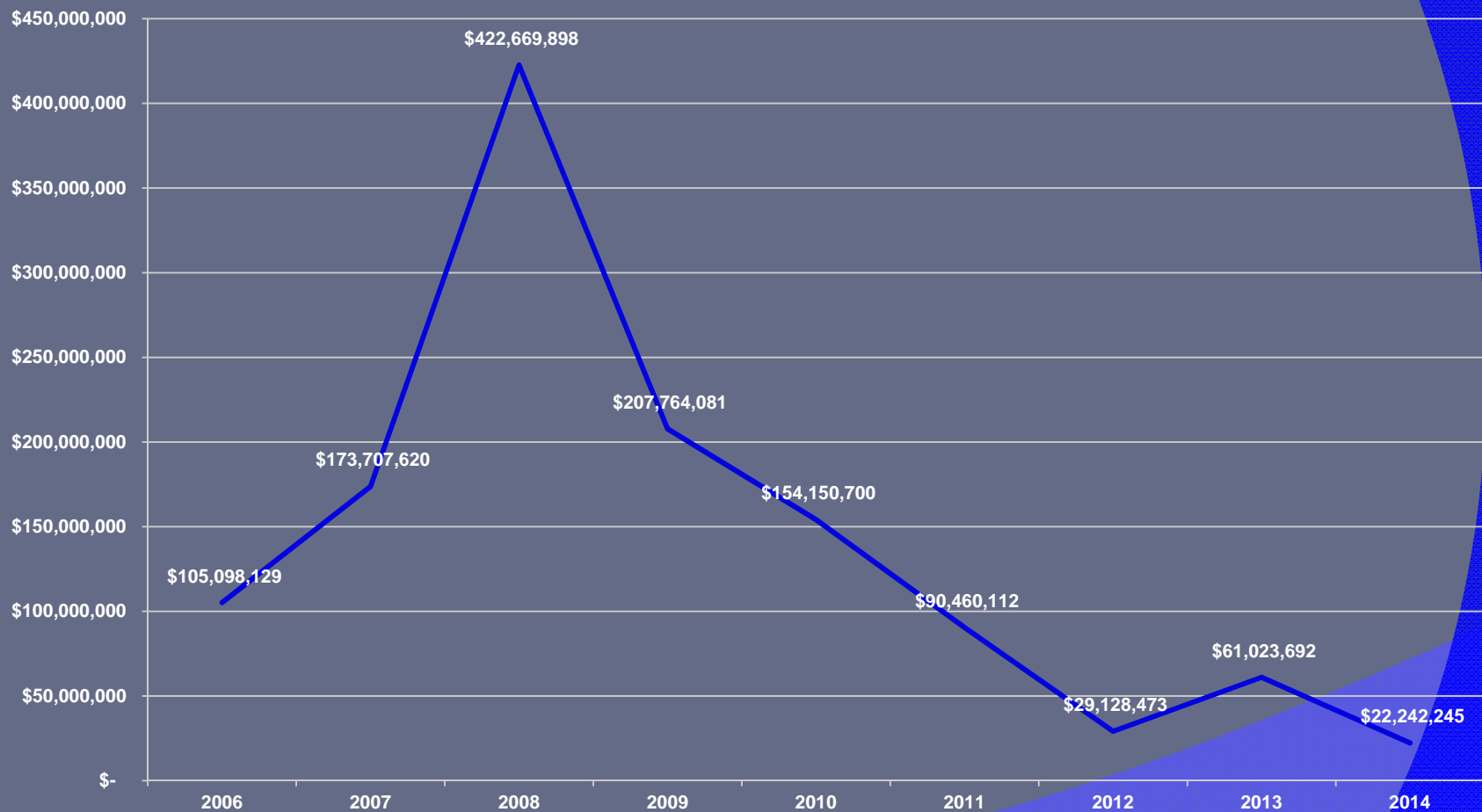
- ◎ Section 1013.64(6)(e), F.S.
 - The restrictions of this subsection on the cost per student station of new construction do not apply to a project funded entirely from proceeds received by districts through provisions of:
 - ½ cent Sales Surtax;
 - 2- and 4-year voted millages; and
 - Bond referendums.
 - if the school board approves the project by majority vote.

Cost of Construction Limitations

- ◎ Construction of facilities is limited to a cost per student station.
- ◎ 2014 Student Station Cost Factors are:
 - Elementary \$21,194
 - Middle \$22,886
 - High \$29,728
- ◎ Actual average cost per student station:
 - Elementary \$23,219 +11.3%
 - Middle \$37,744 +67.6%
 - High \$40,092 +37.0%

Funds Expended Over Statutory Limit

9-year total = \$1,266,244,950



CHARTER SCHOOLS

Charter School FCO Funding

FY	Appropriation		FY	Appropriation
1998-1999	351,432		2007-2008	54,039,458
1999-2000	7,876,274		2008-2009	55,066,208
2000-2001	22,845,142		2009-2010	56,112,466
2001-2002	27,700,000		2010-2011	56,112,466
2002-2003	27,700,000		2011-2012	55,209,106
2003-2004	27,700,000		2012-2013	55,209,106
2004-2005	27,700,000		2013-2014	90,604,553
2005-2006	27,700,000		2014-2015	75,000,000
2006-2007	53,083,947		2015-2016	50,000,000

10 years of Charter School Funding 2006-07 through 2015-16

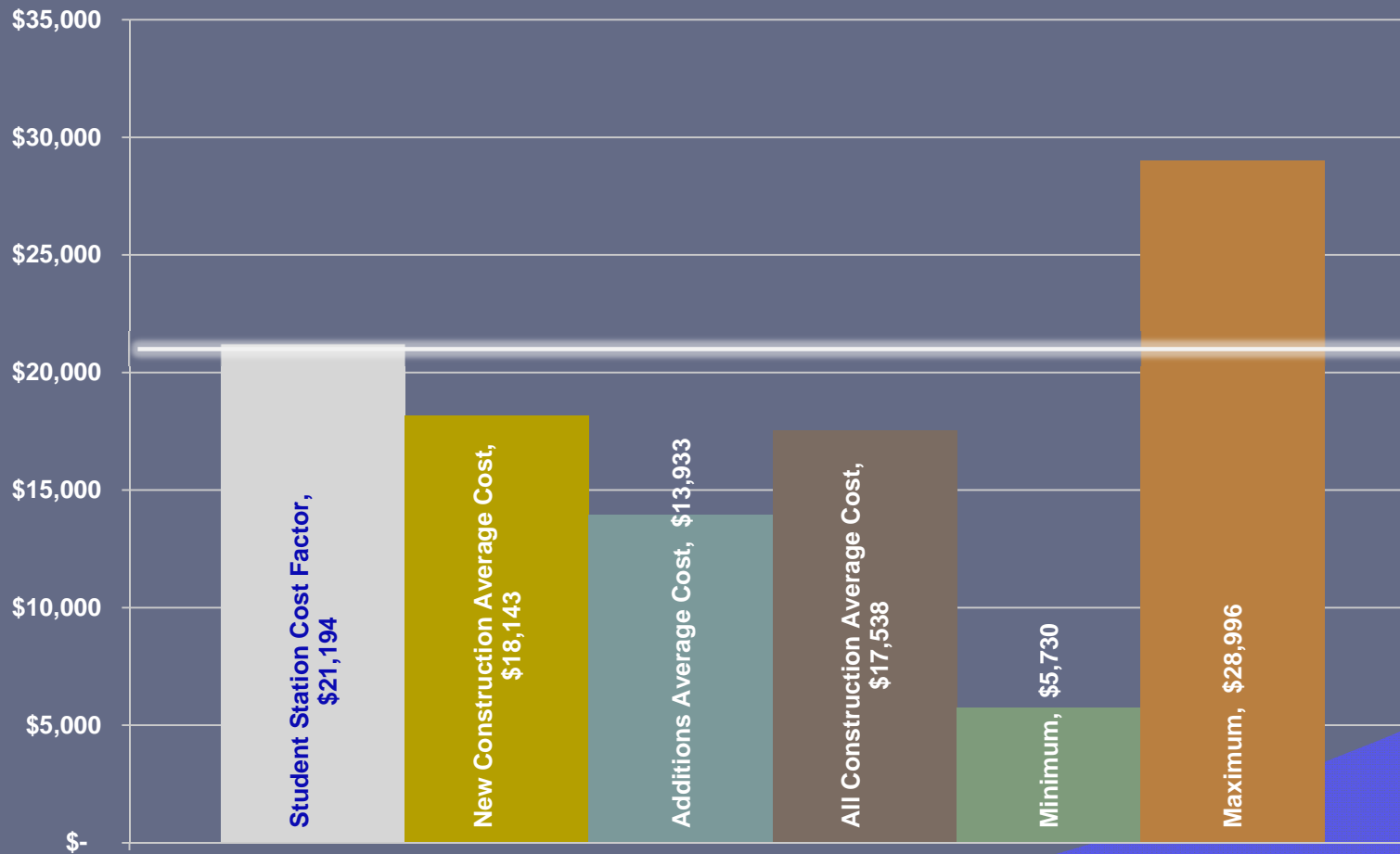
- ◎ 628 charter schools
 - \$597,790,233 in payments
- ◎ 220 charters schools in 2006-07
- ◎ 485 charter schools in 2015-16
 - Includes 73 of 2006-07 charter schools
- ◎ 143 charter schools - no FCO funding in 2015-16
 - 114 closed charter schools = \$35,121,974
 - 29 open charter schools = \$11,851,313

ADDITIONAL INFORMATION BY FISCAL YEAR

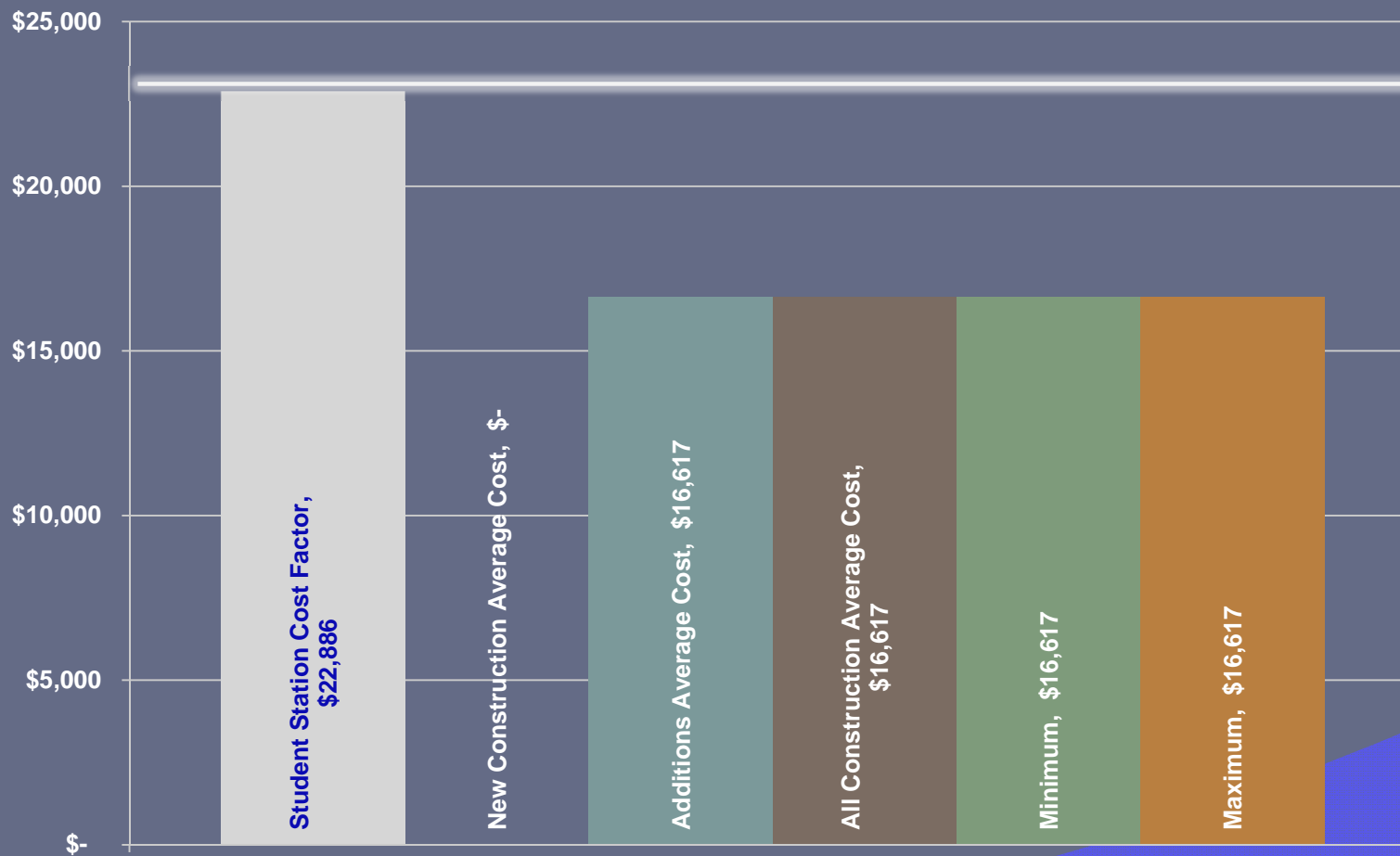


2014

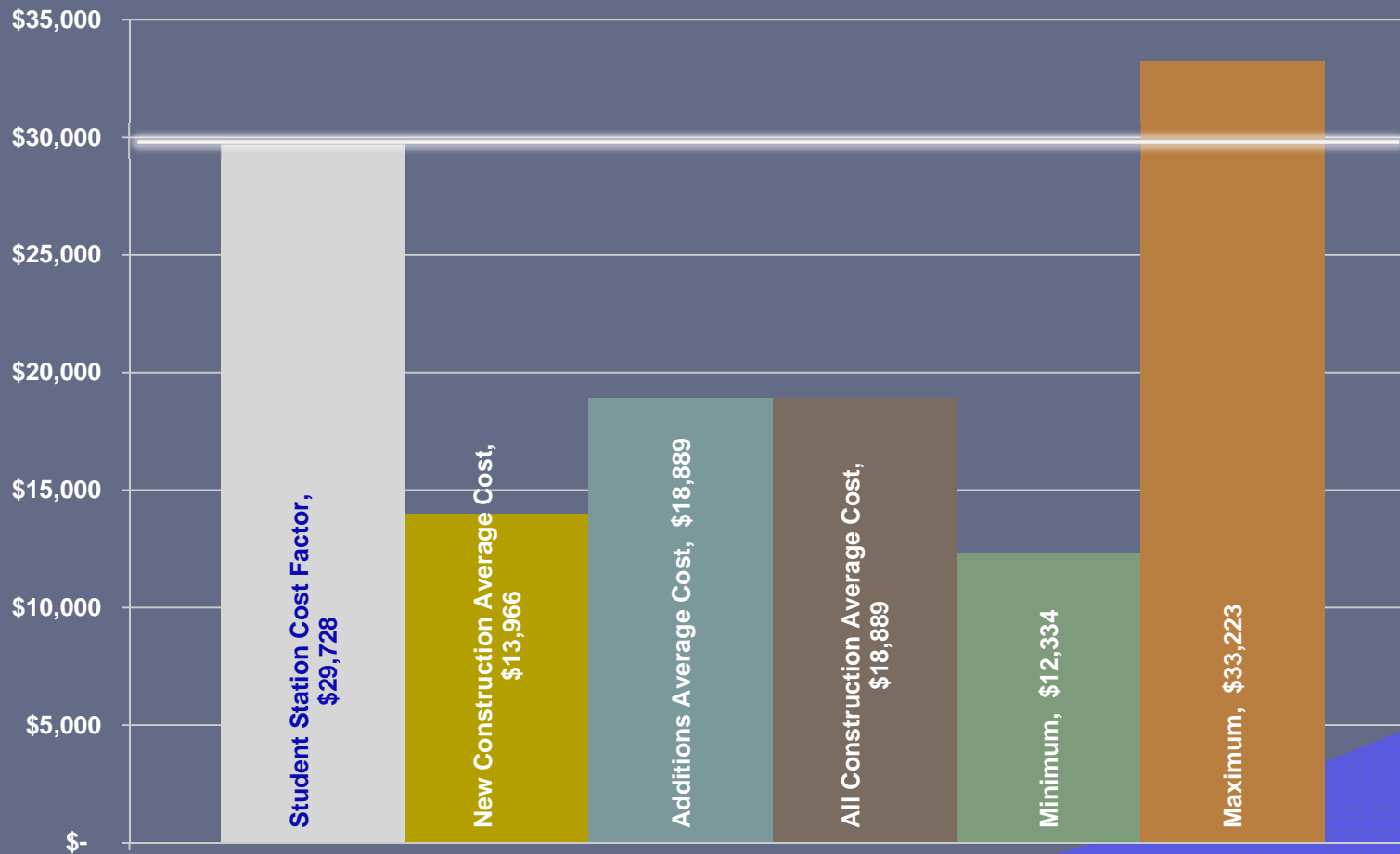
2014 Construction Costs Elementary Schools



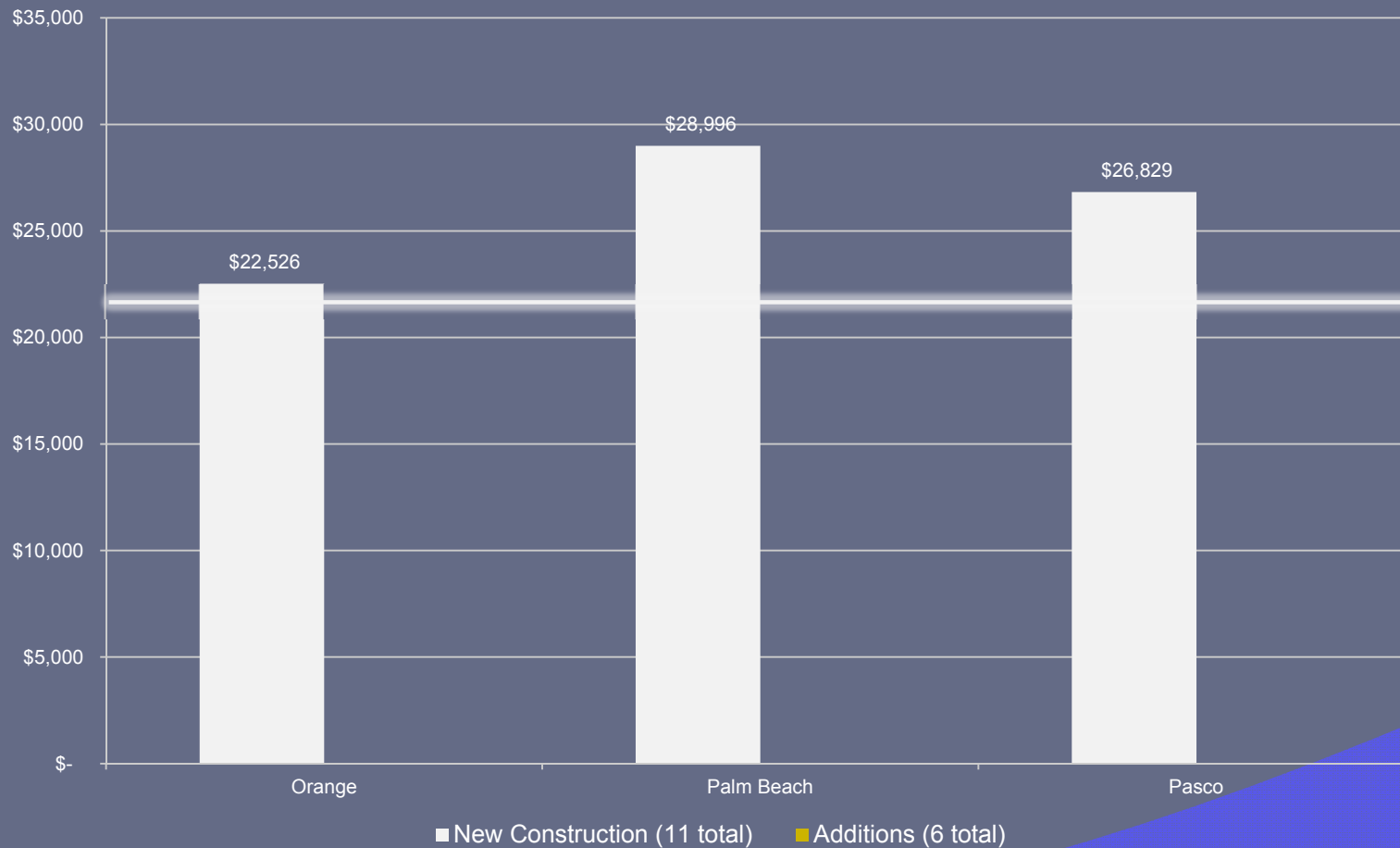
2014 Construction Costs Middle Schools



2014 Construction Costs High Schools



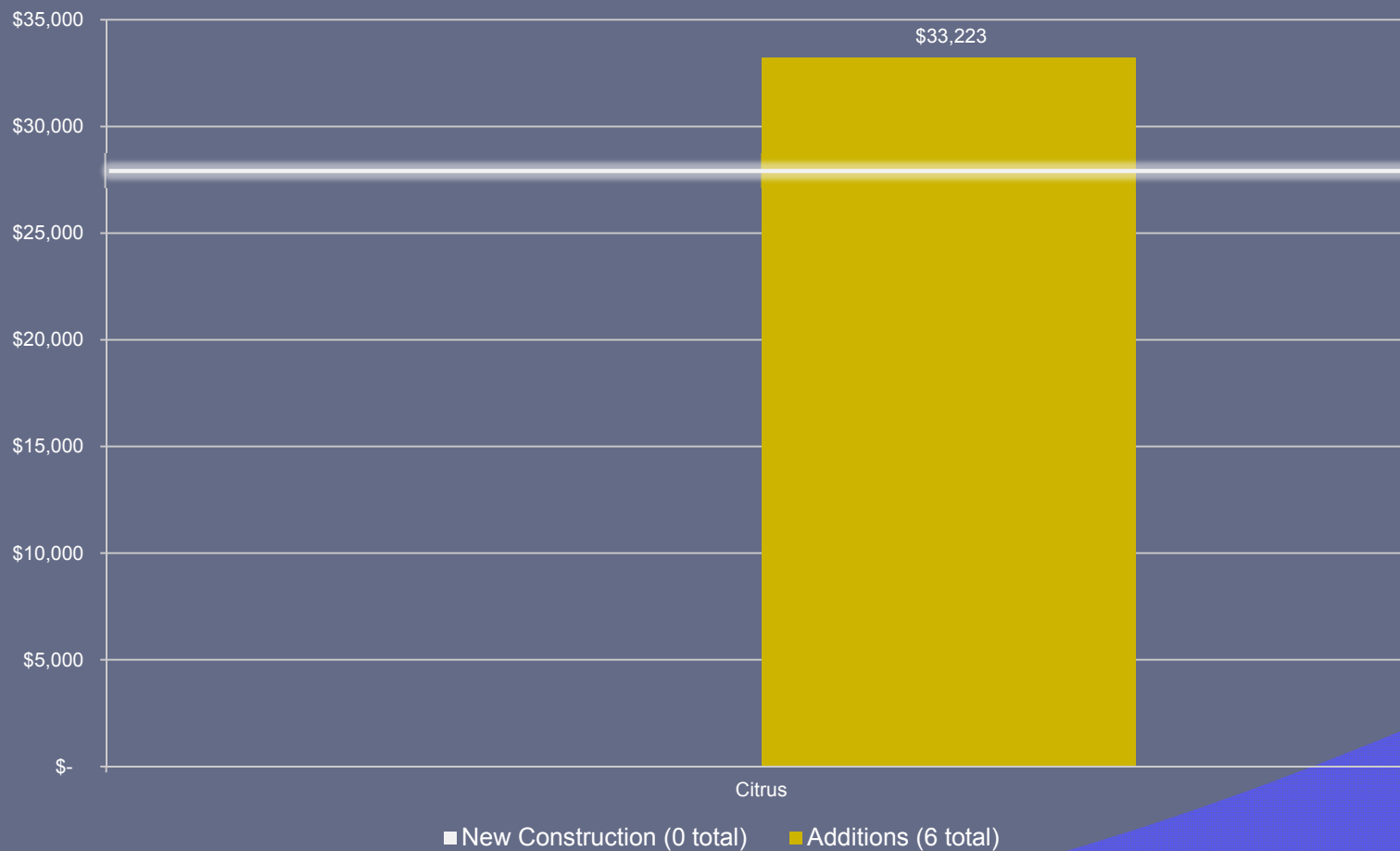
2014 Projects Above Elementary School Student Station Cost of \$21,194



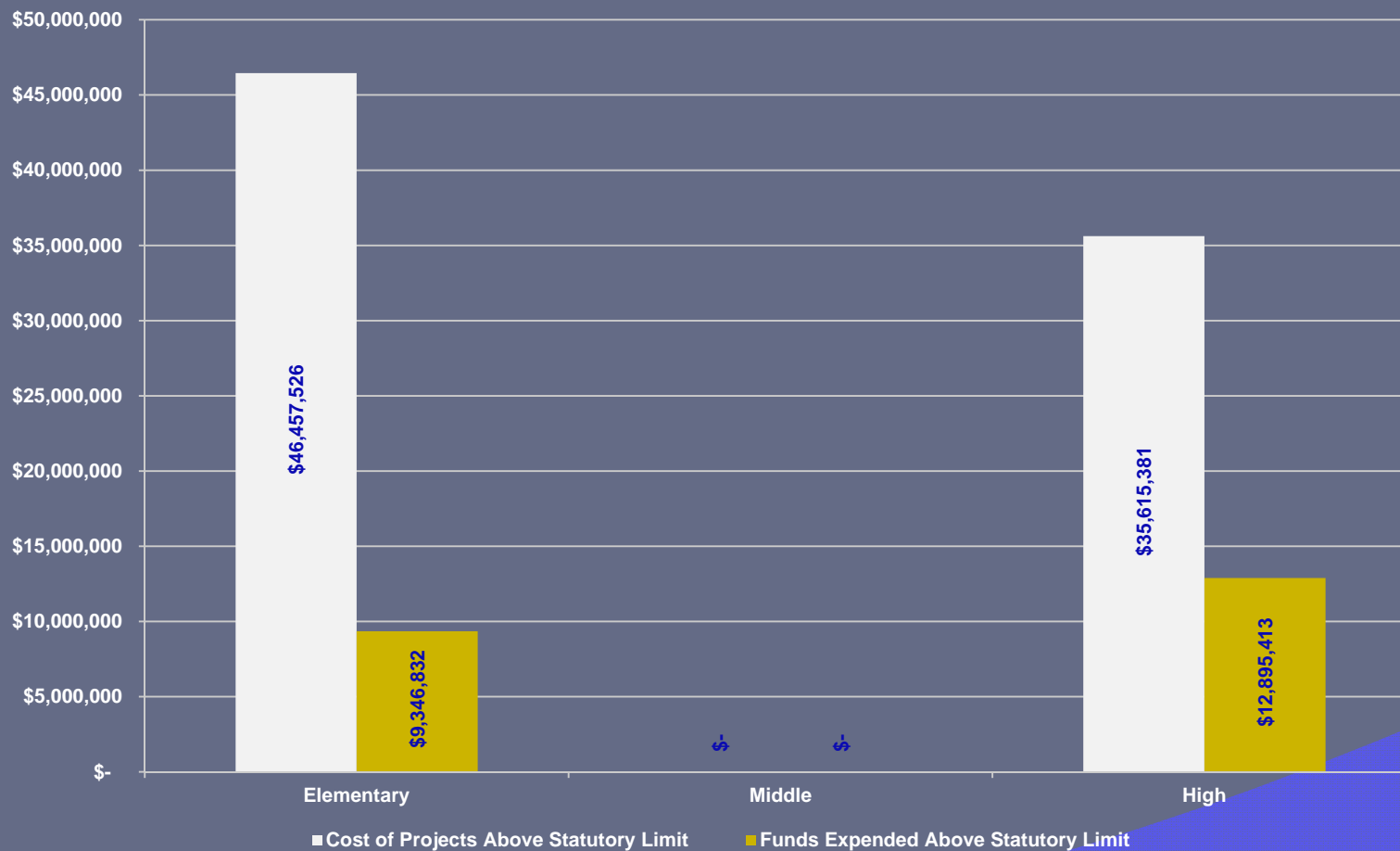
2014 Middle School Student Station Cost of \$22,886



2014 Projects Above High School Student Station Cost of \$29,728



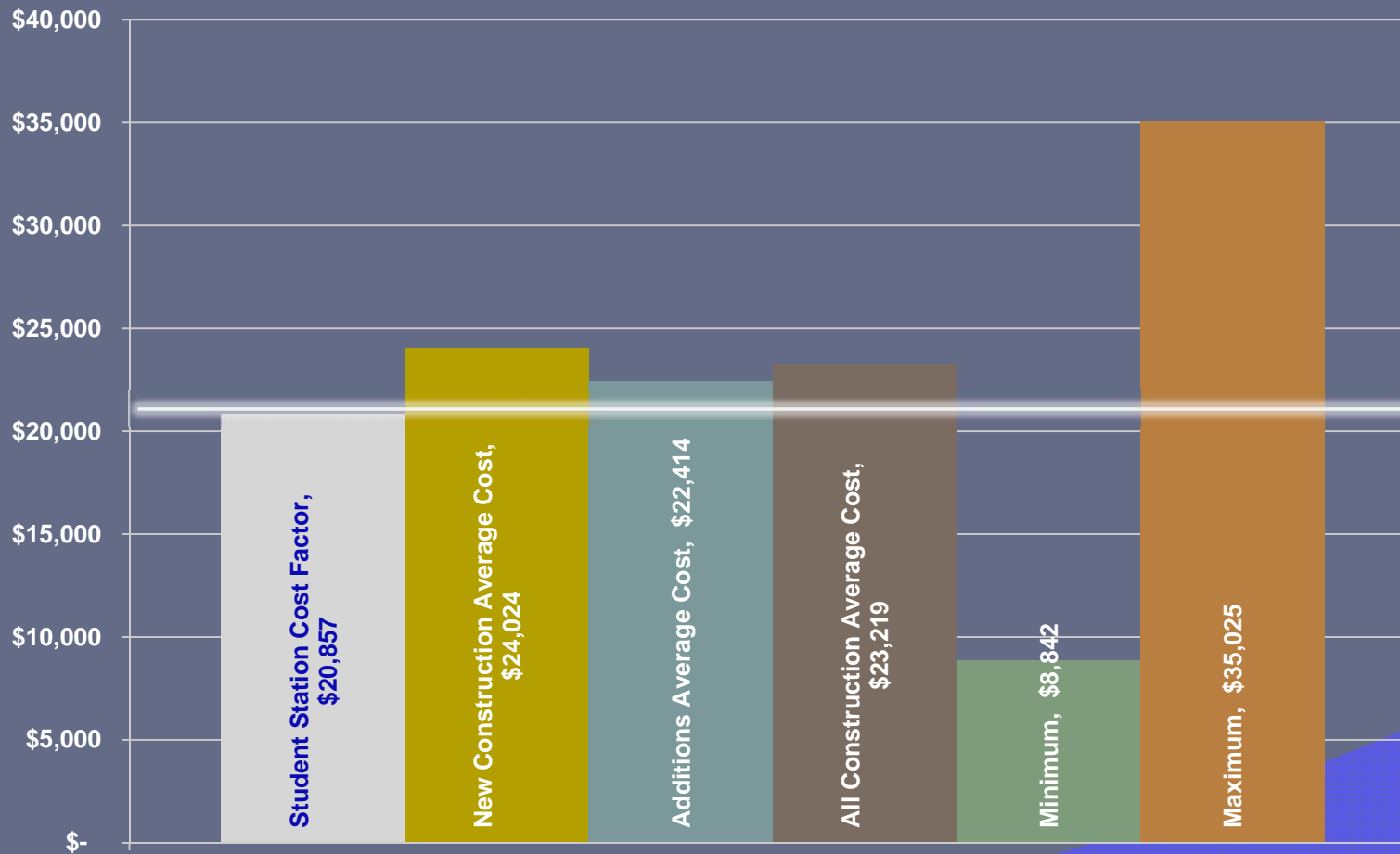
2014 Total Construction Costs for Schools Exceeding the Statutory Limit = \$82.0 million Excess of Statutory Limit = \$22 million



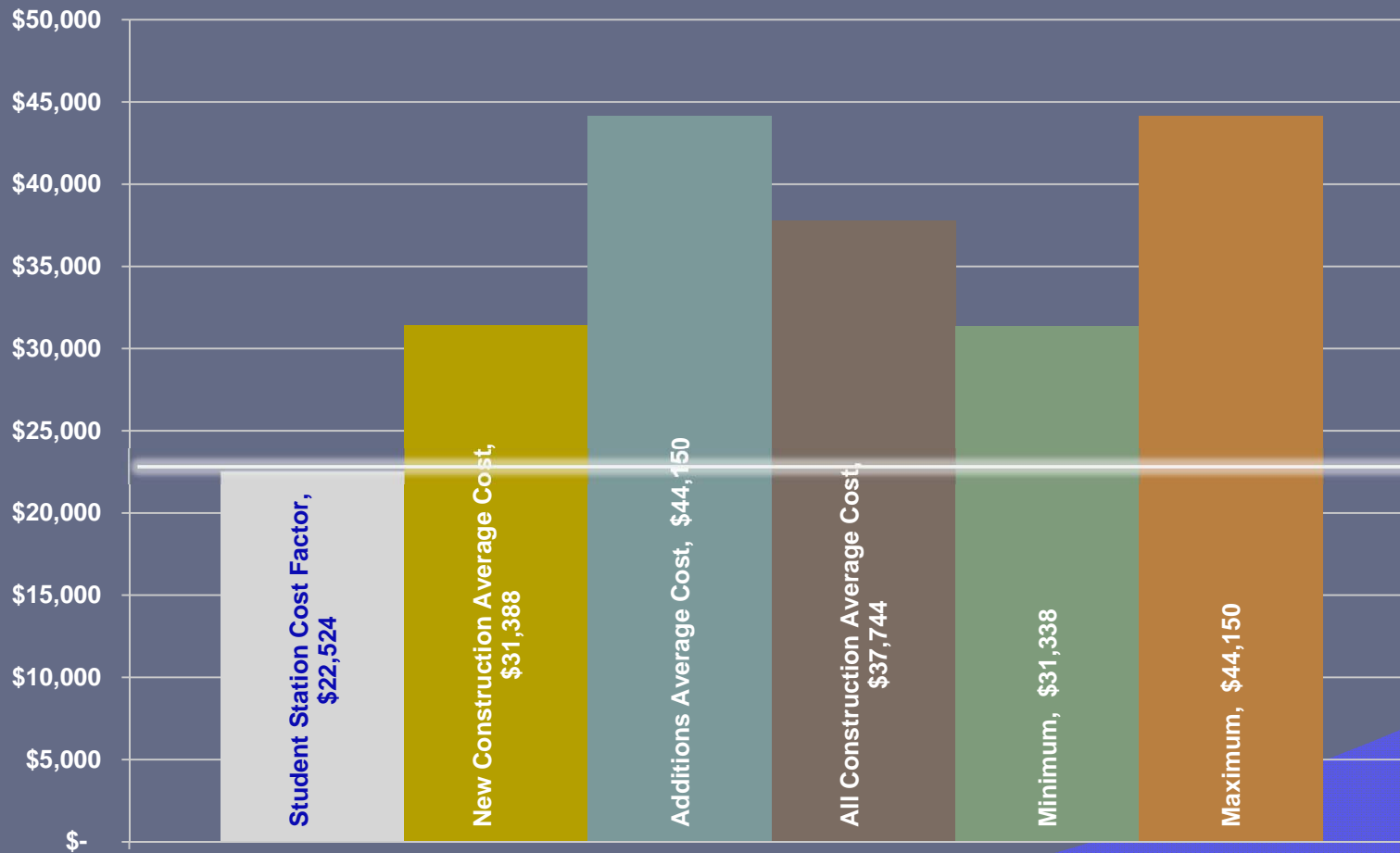


2013

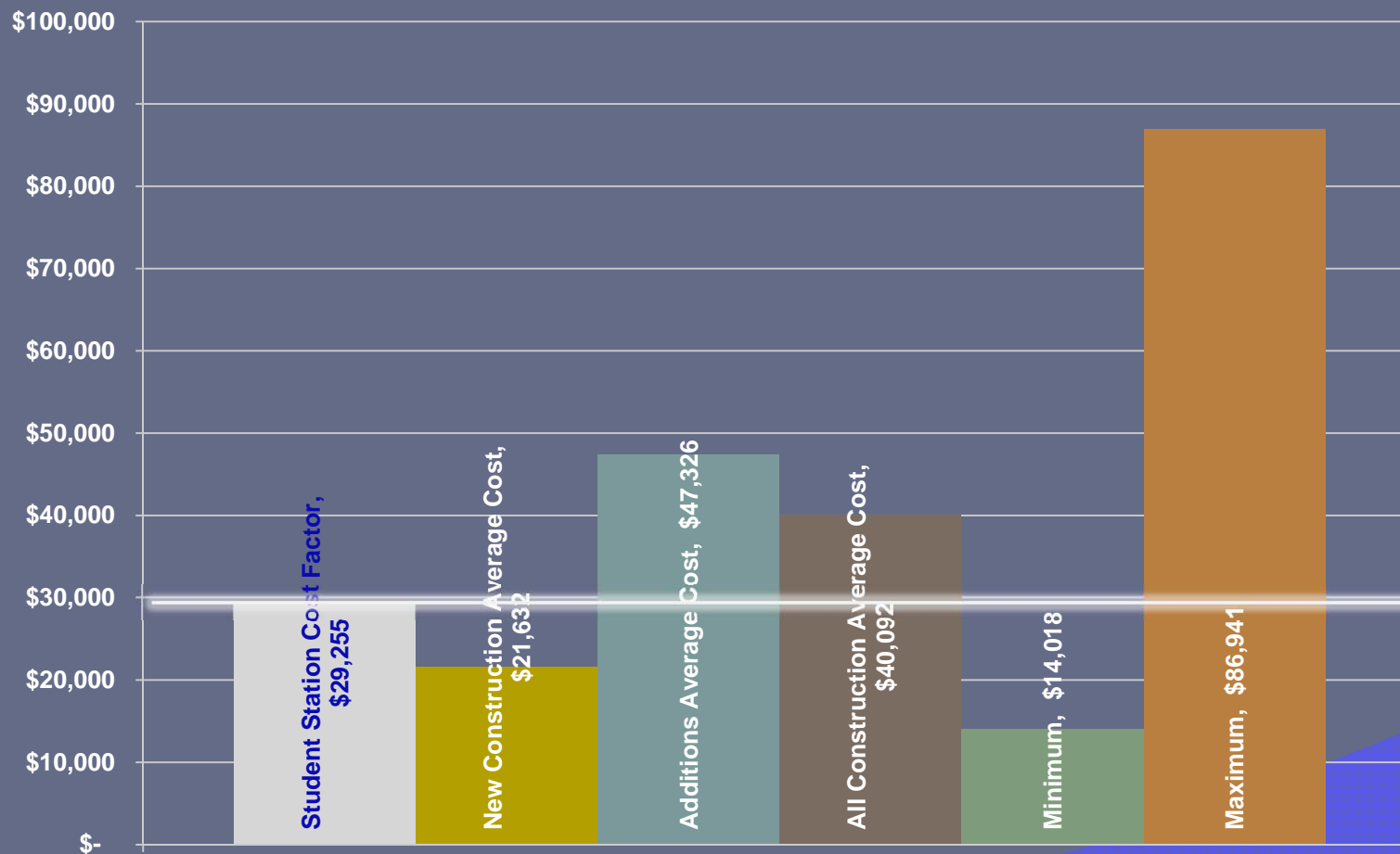
2013 Construction Costs Elementary Schools



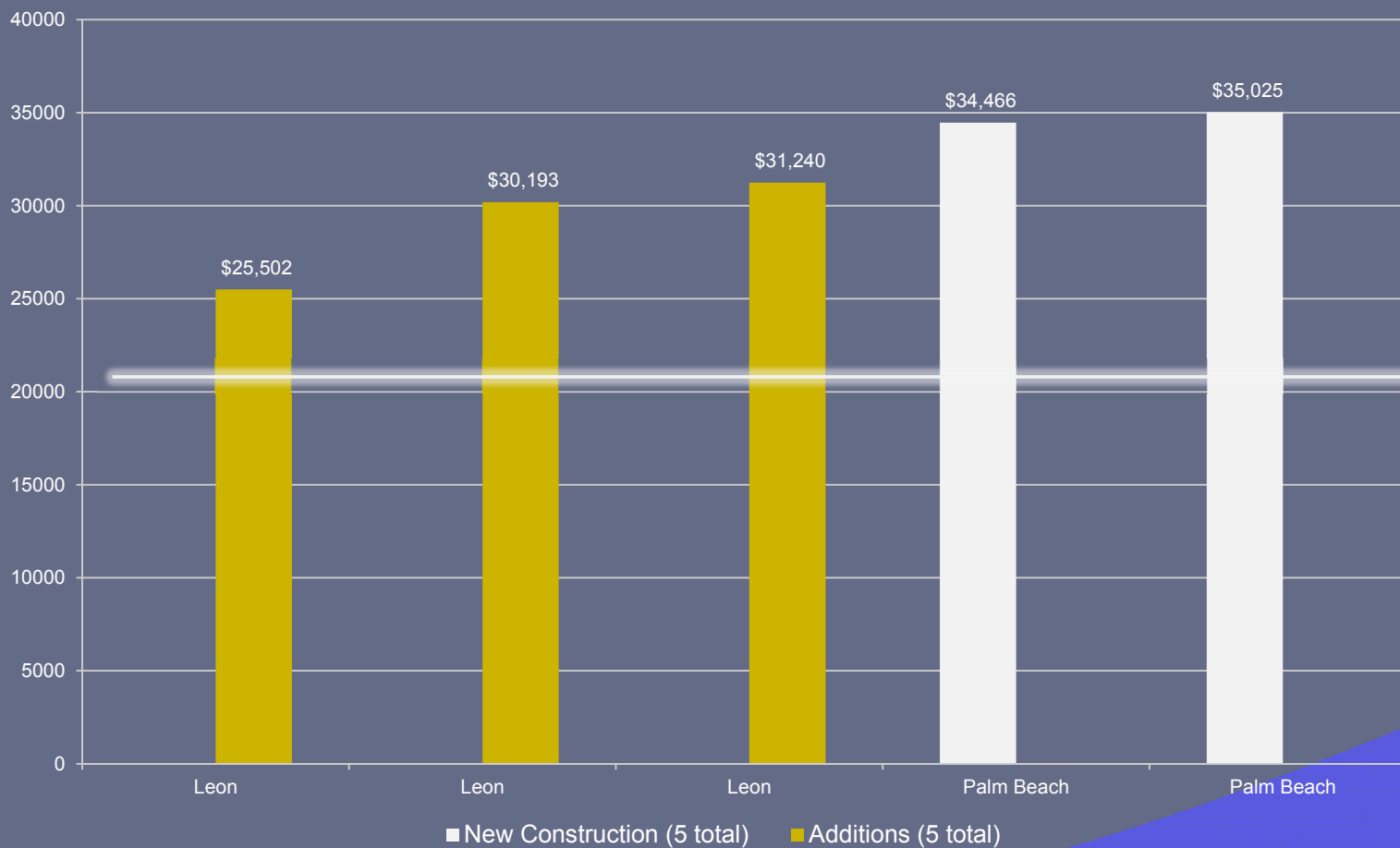
2013 Construction Costs Middle Schools



2013 Construction Costs High Schools



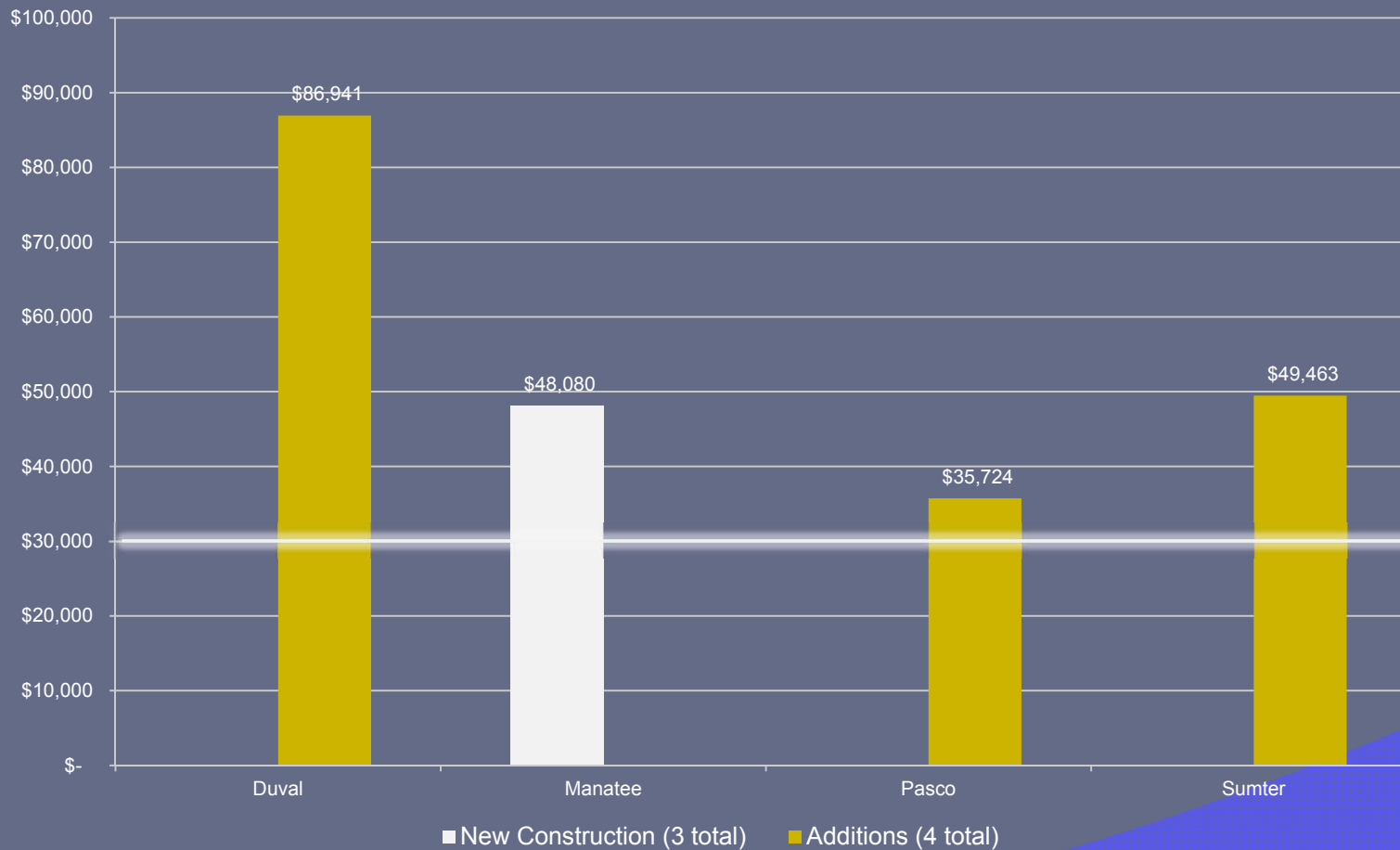
2013 Projects Above Elementary School Student Station Cost of \$20,857



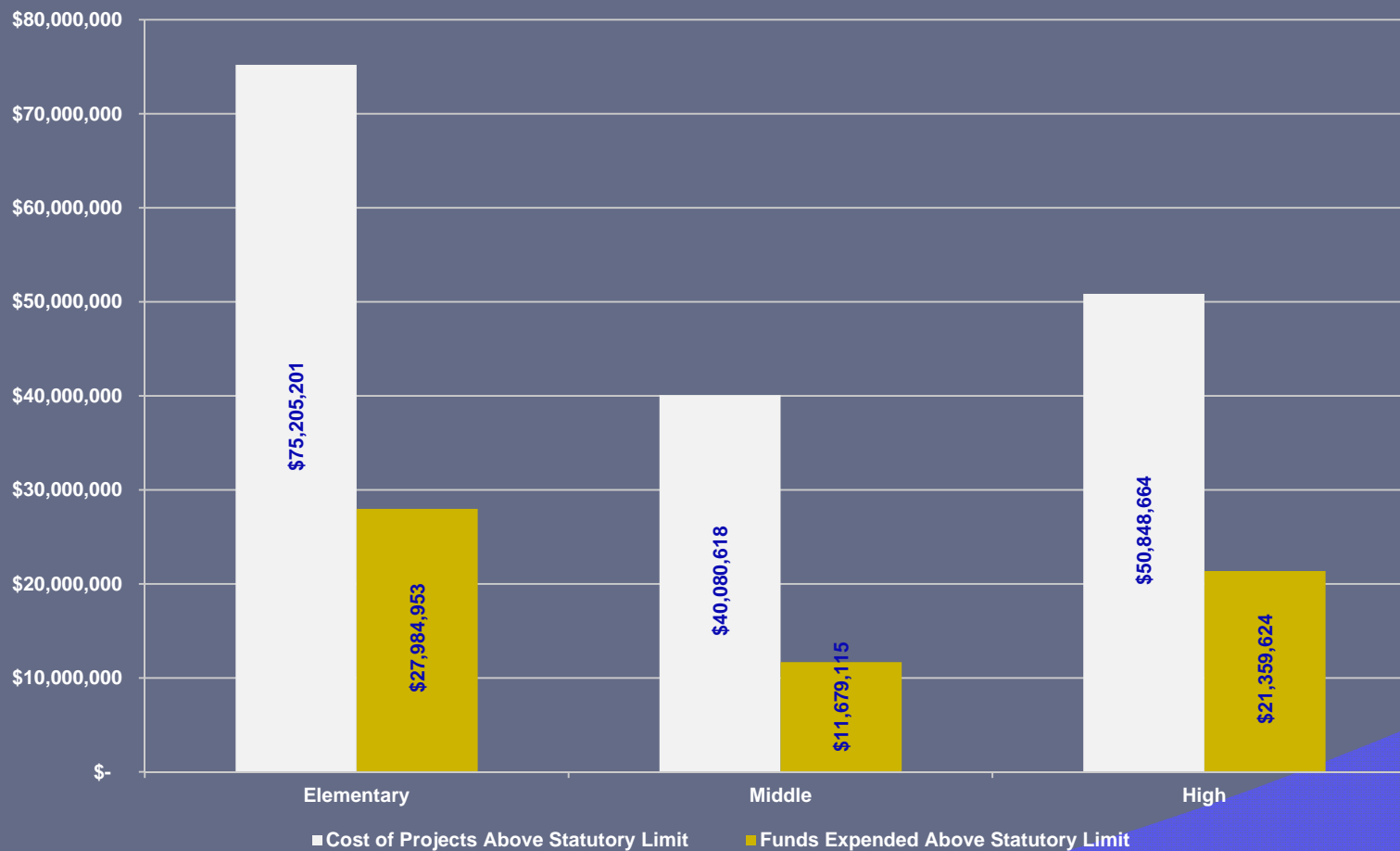
2013 Projects Above Middle School Student Station Cost of \$22,524



2013 Projects Above High School Student Station Cost of \$29,255



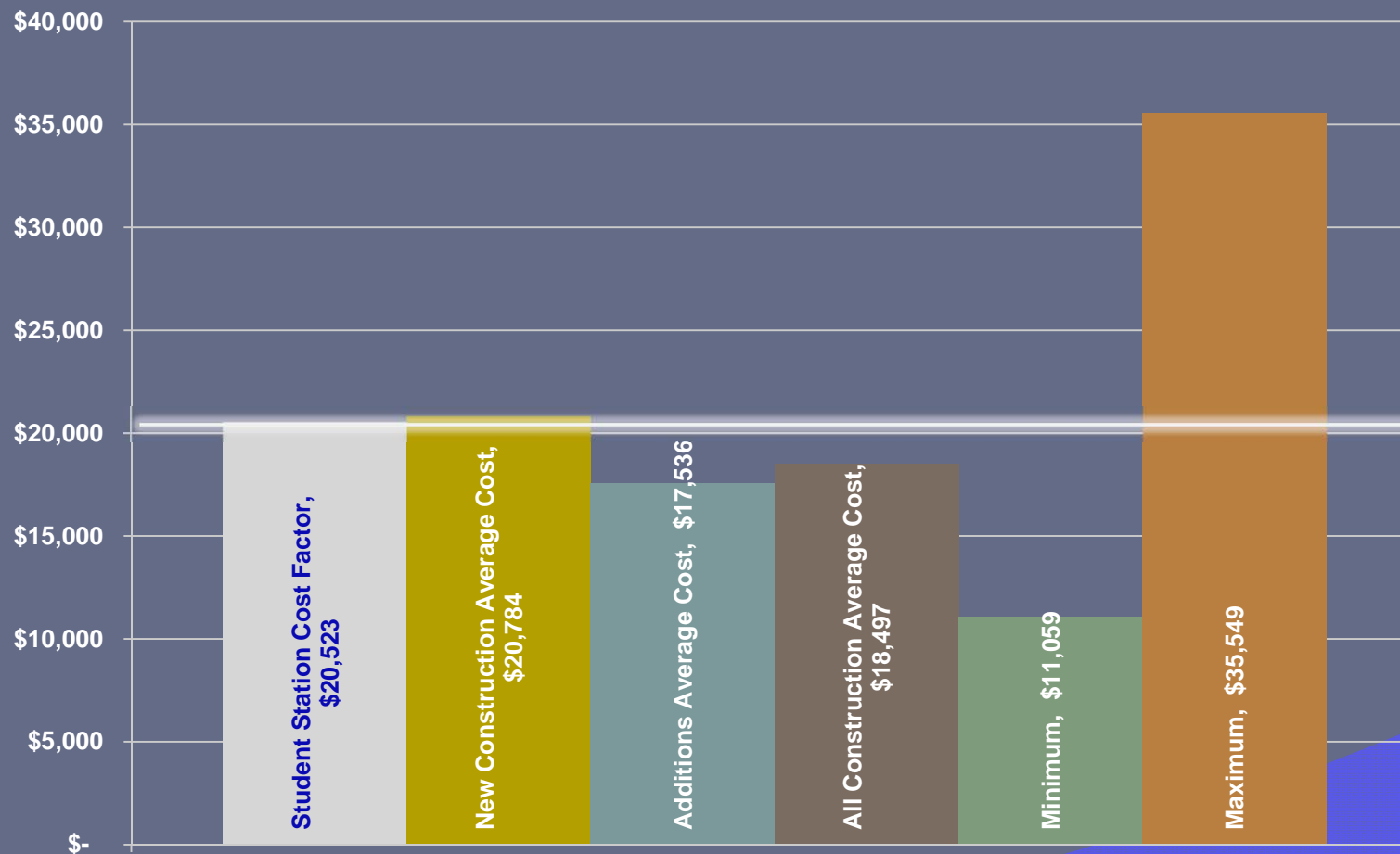
2013 Total Construction Costs for Schools Exceeding the Statutory Limit = \$166 million Amount in Excess of Statutory Limit = \$61 million



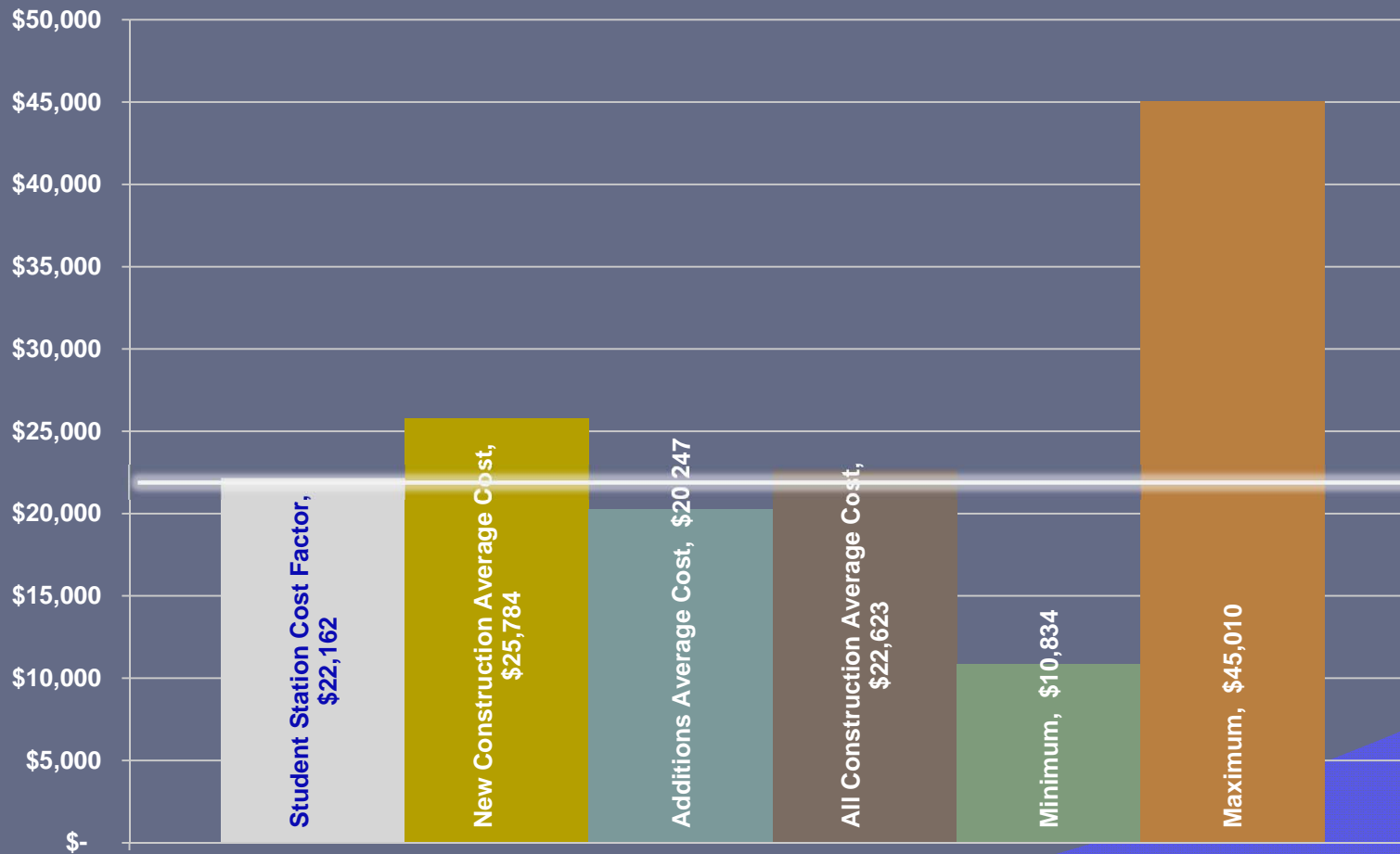


2012

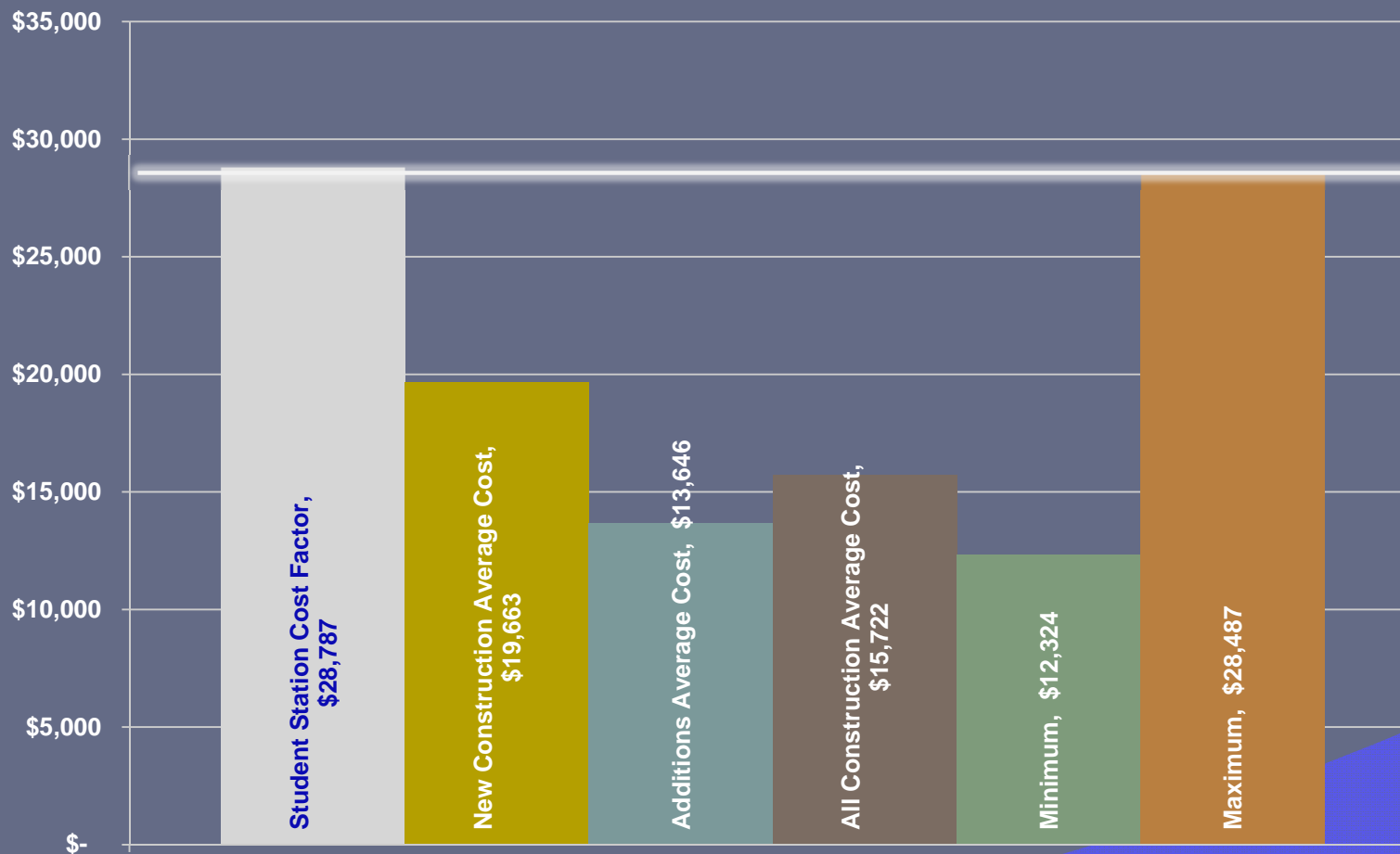
2012 Construction Costs Elementary Schools



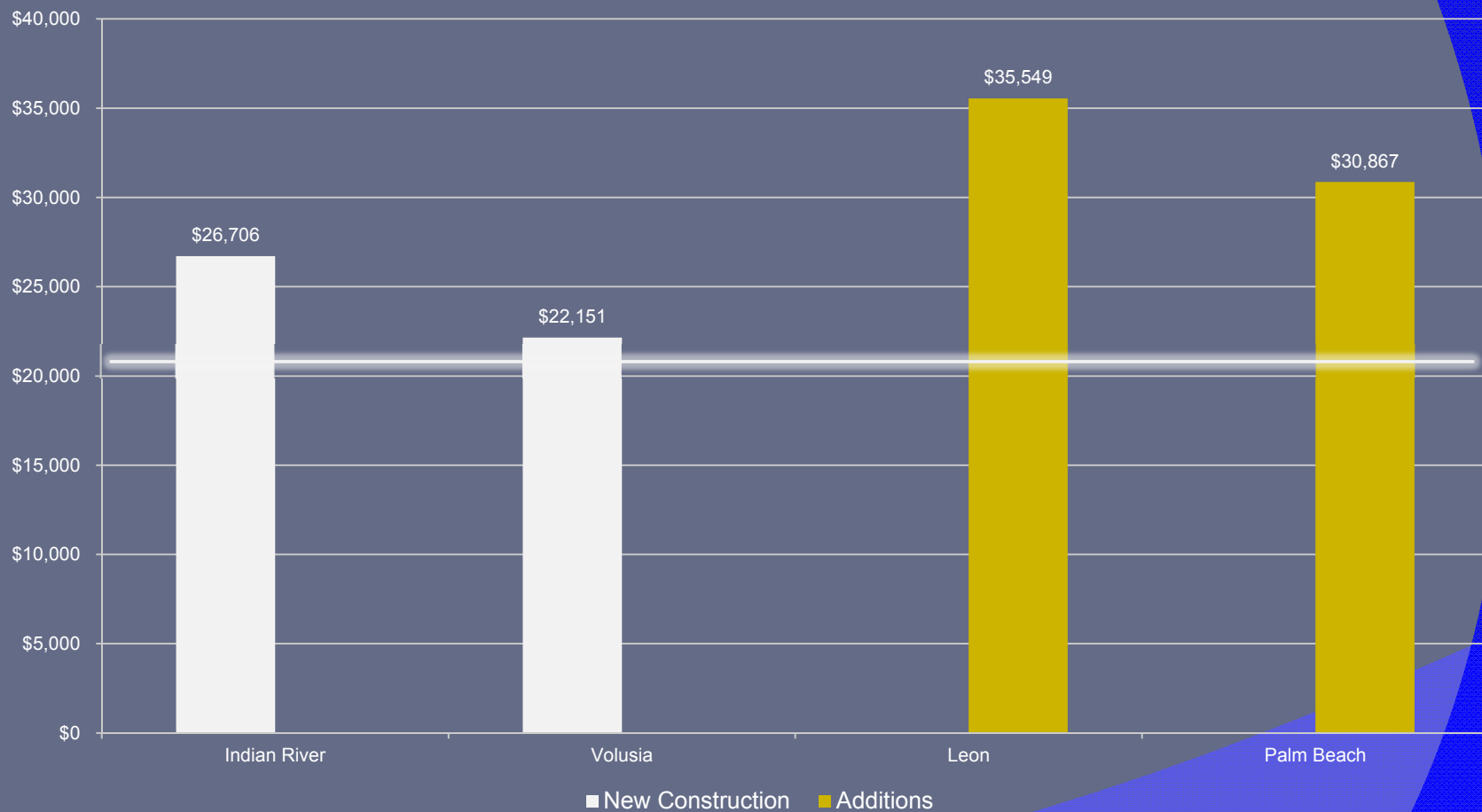
2012 Construction Costs Middle Schools



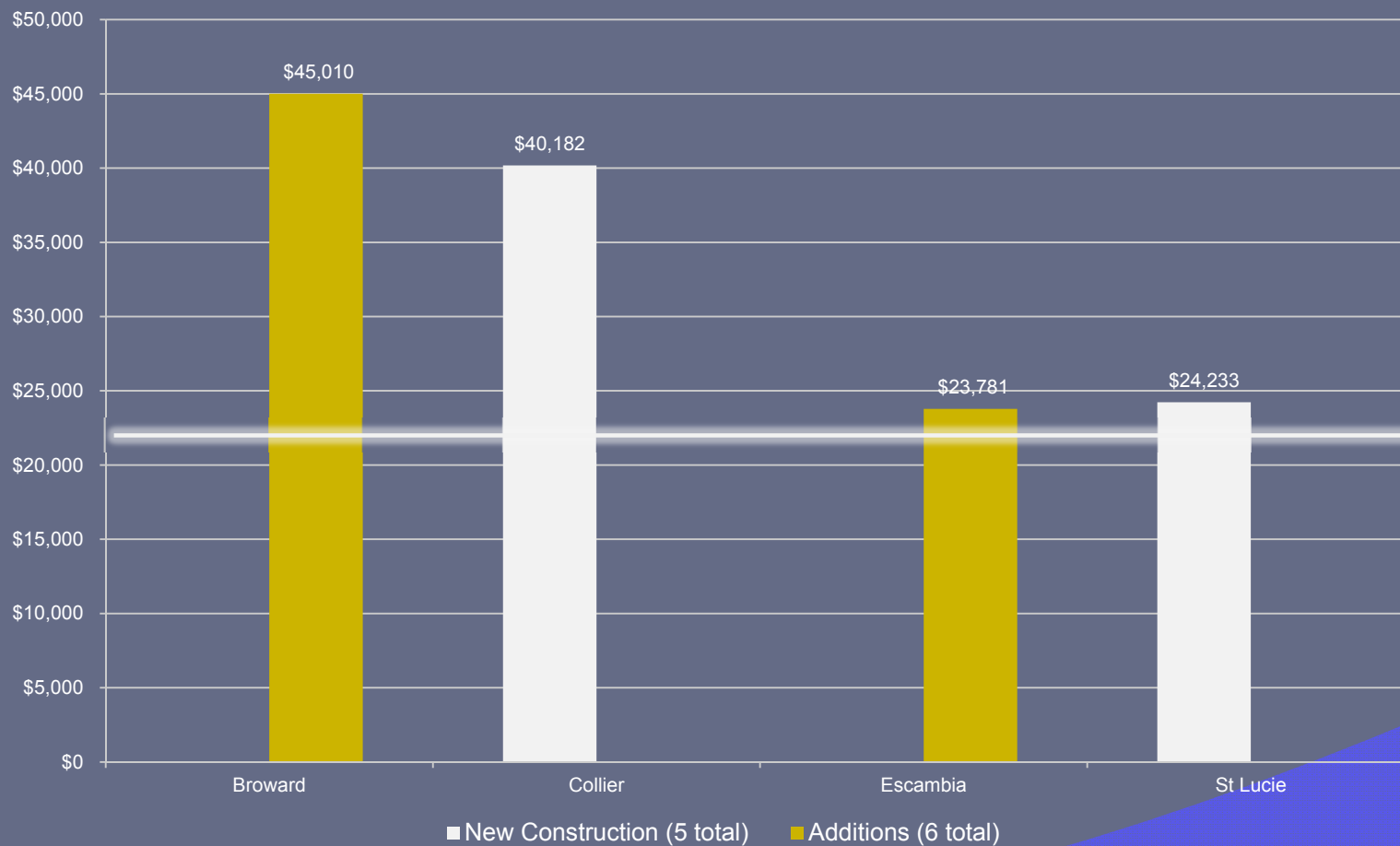
2012 Construction Costs High Schools



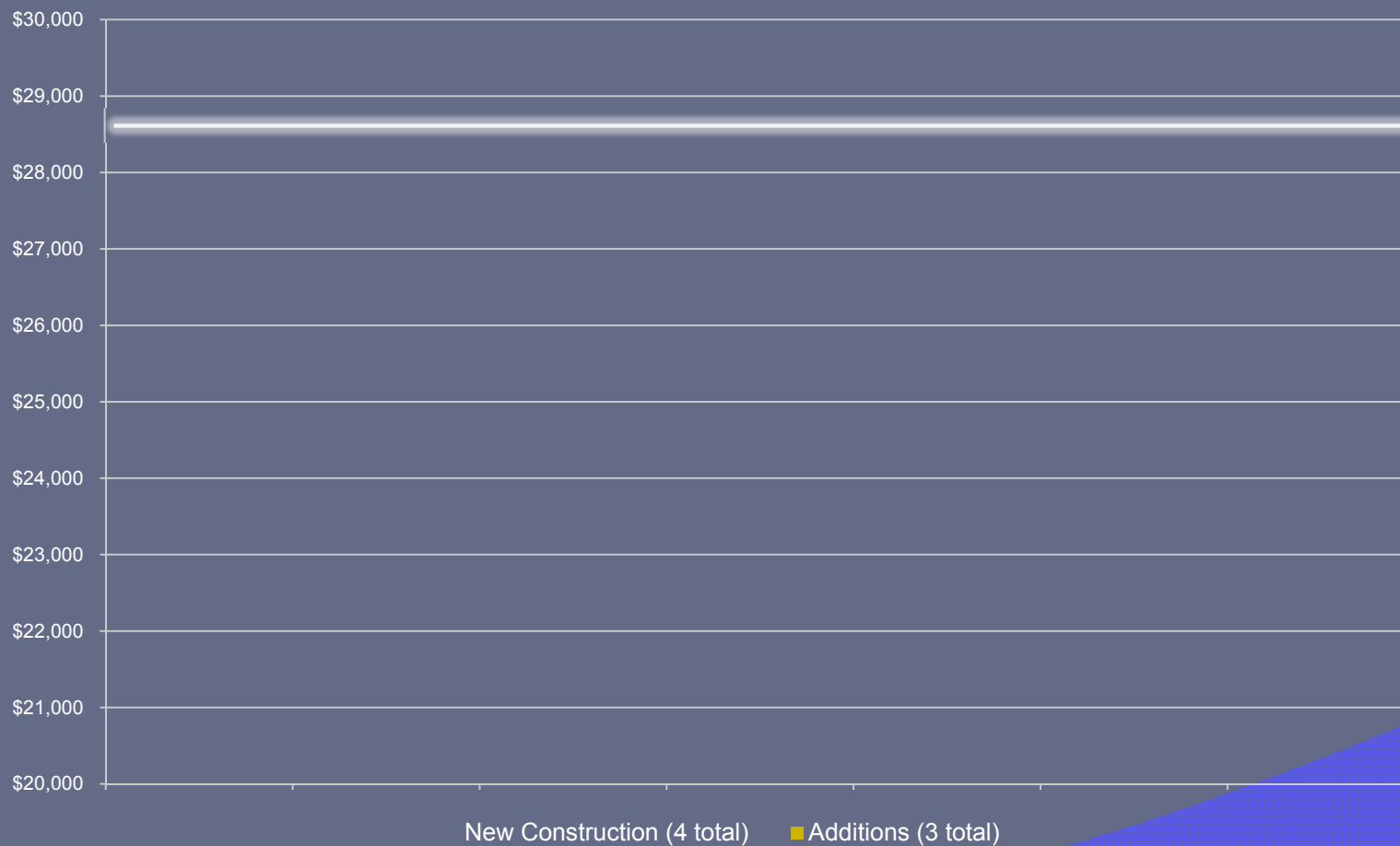
2012 Projects Above Elementary School Student Station Cost of \$20,523



2012 Projects Above Middle School Student Station Cost of \$22,162

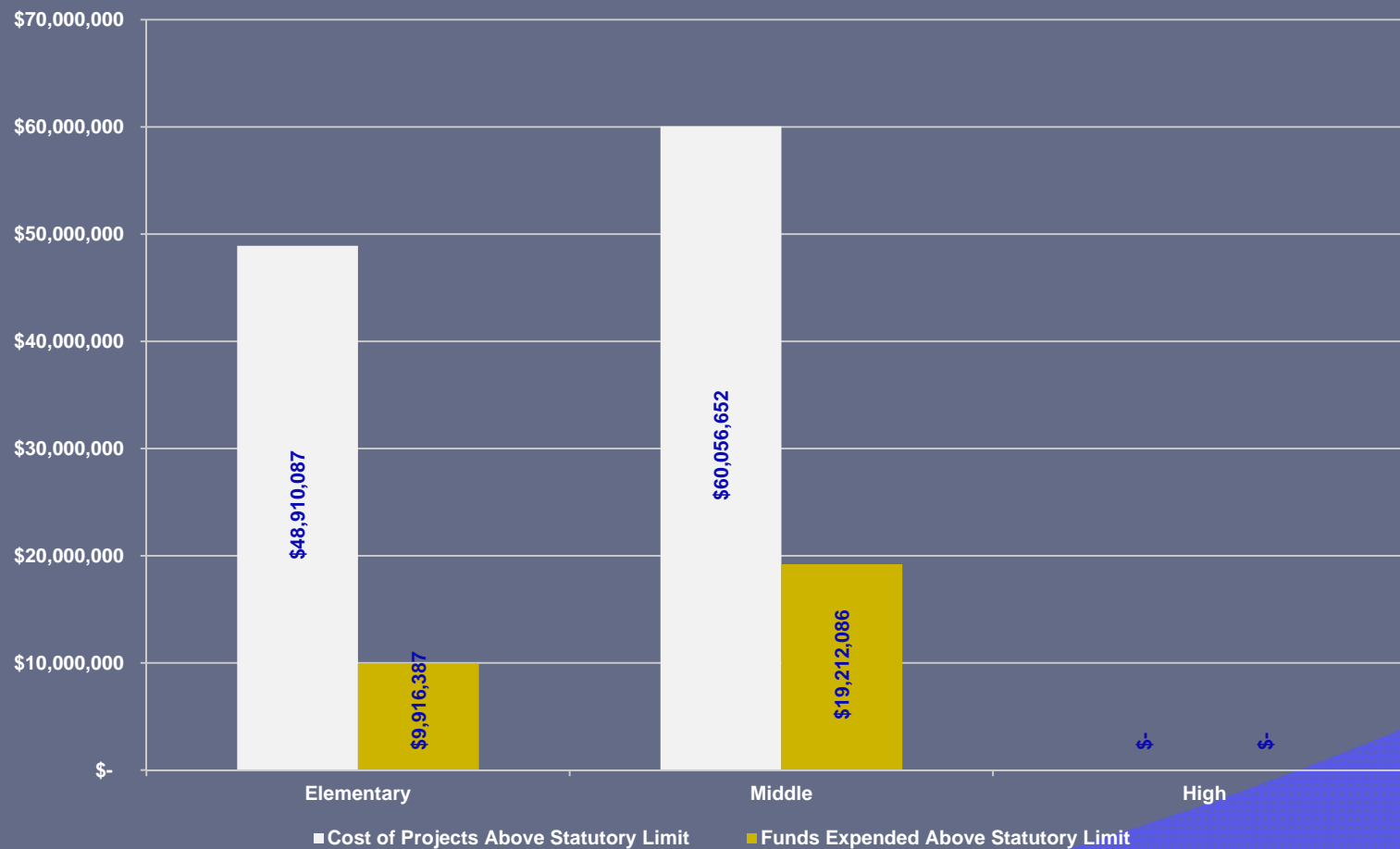


2012 Projects Above High School Student Station Cost of \$28,787



2012 Total Construction Costs for Schools Exceeding the Statutory Limit = \$109 million

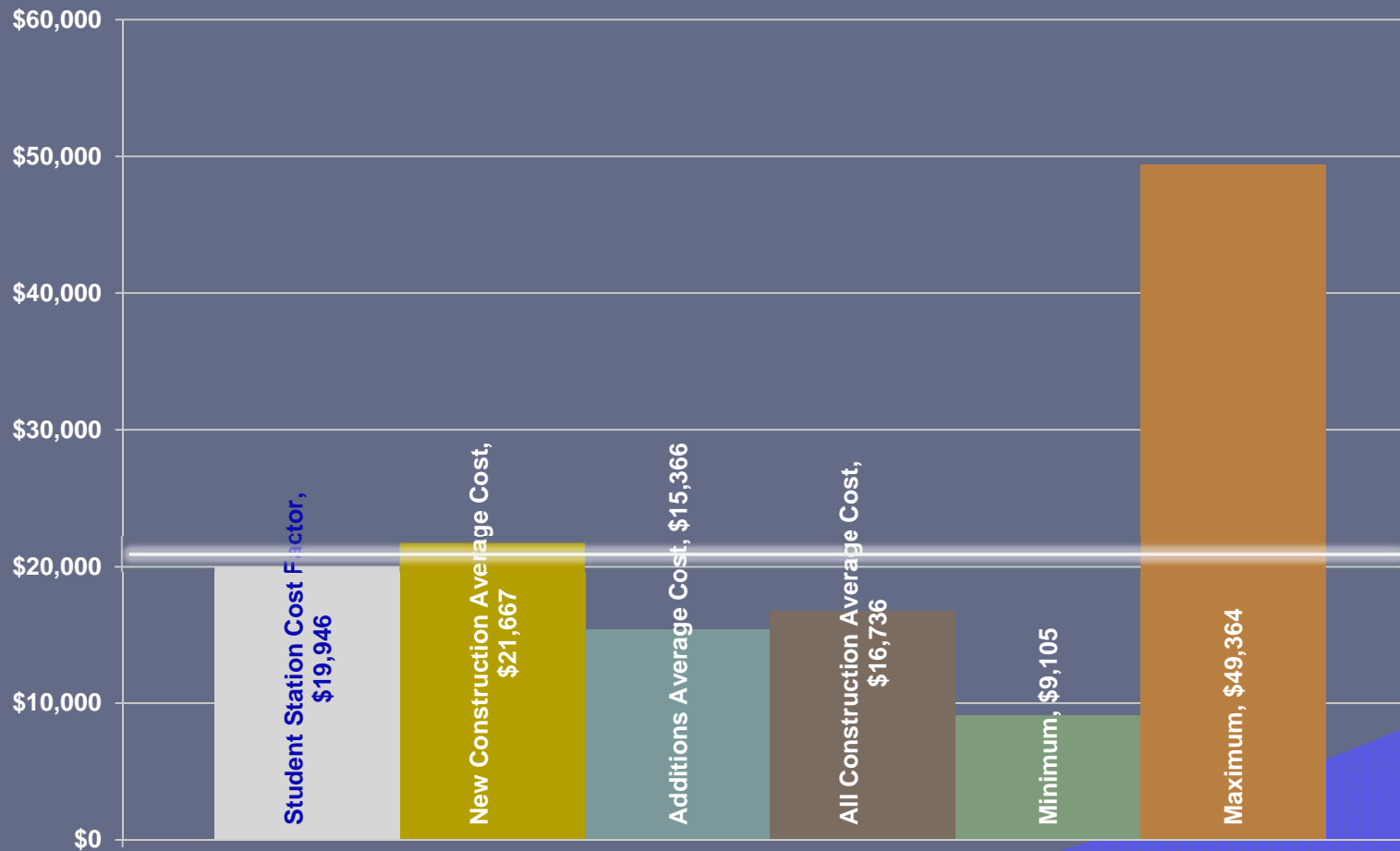
Amount in Excess of Statutory Limit = \$29 million



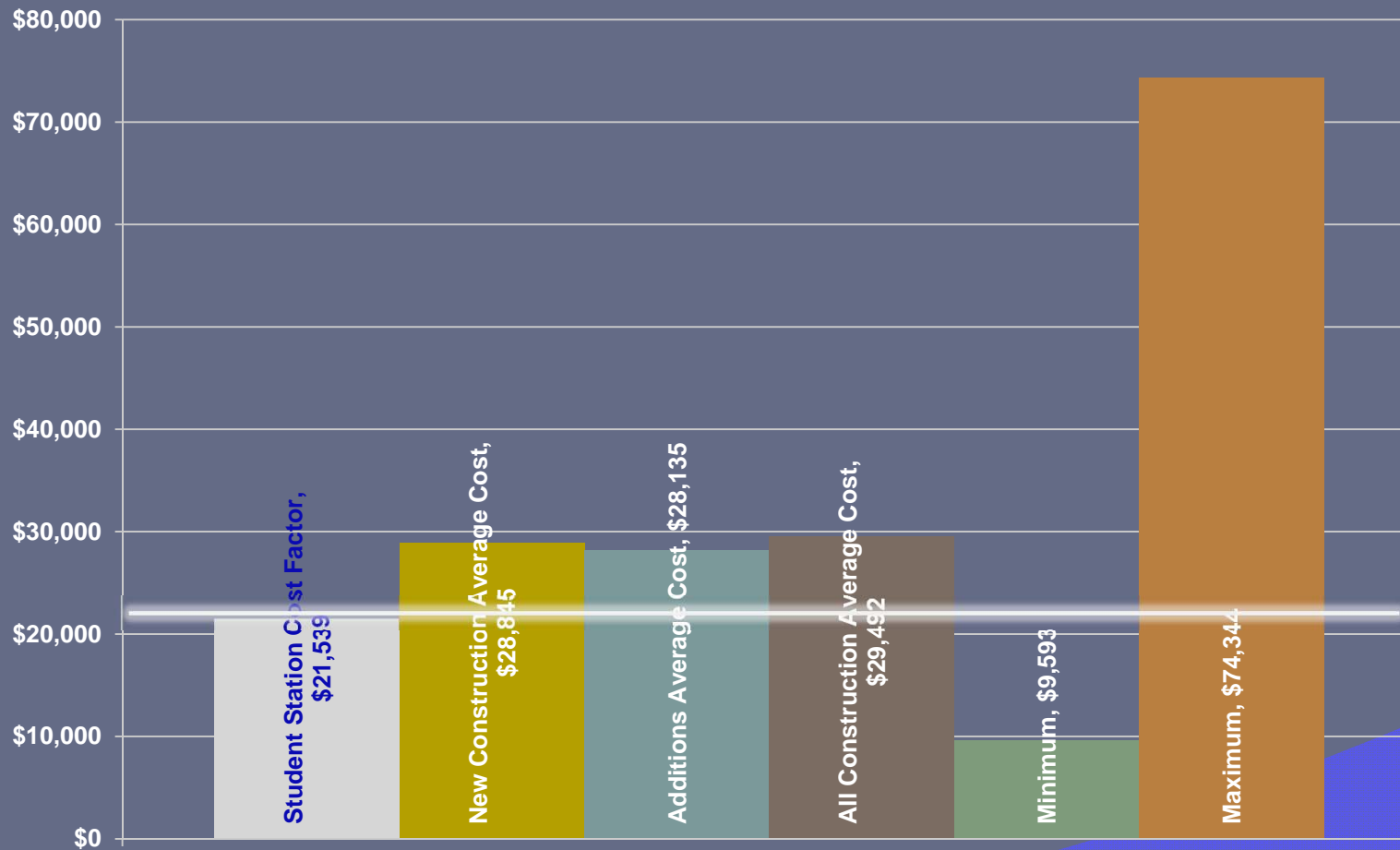


2011

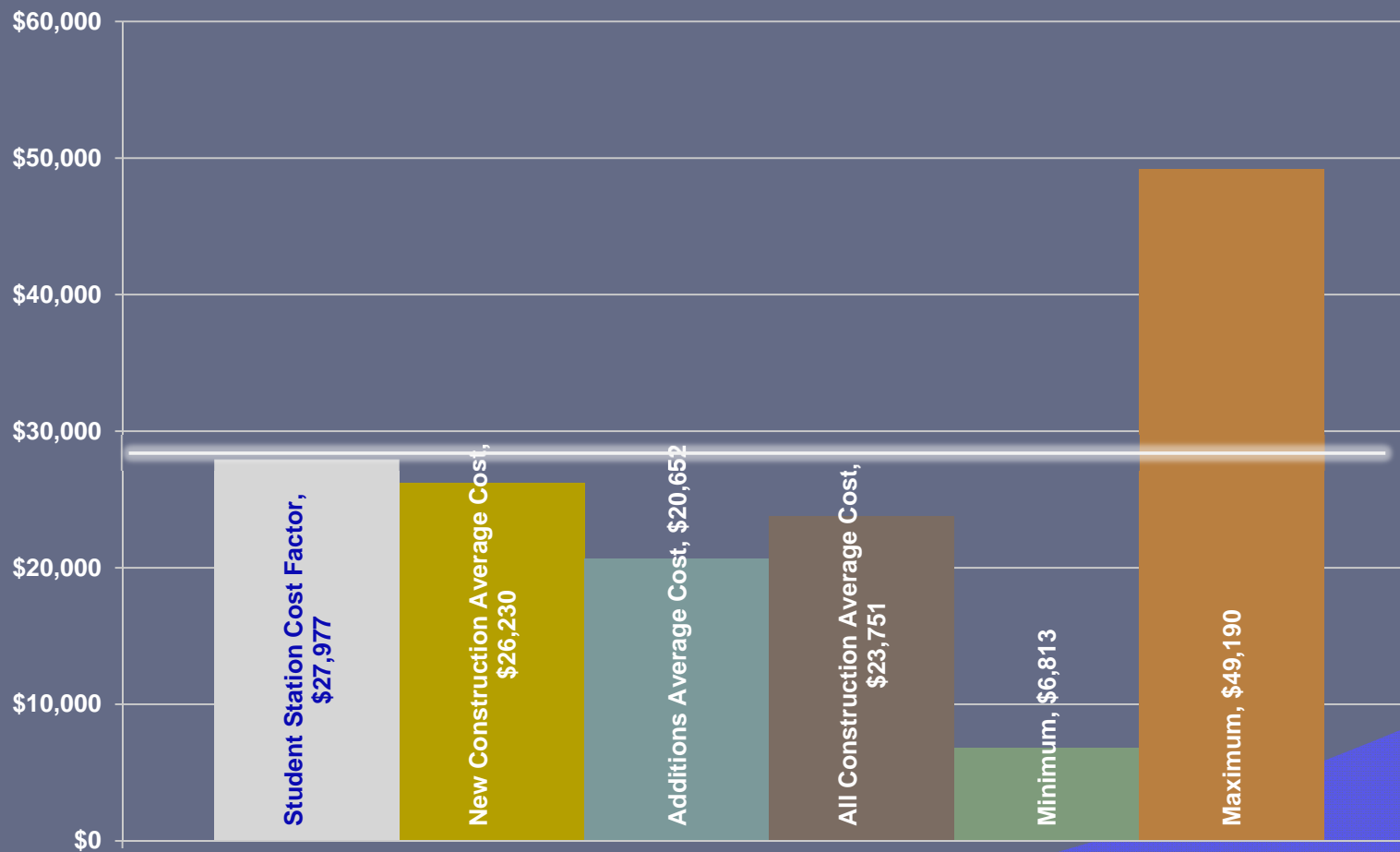
2011 Construction Costs Elementary Schools



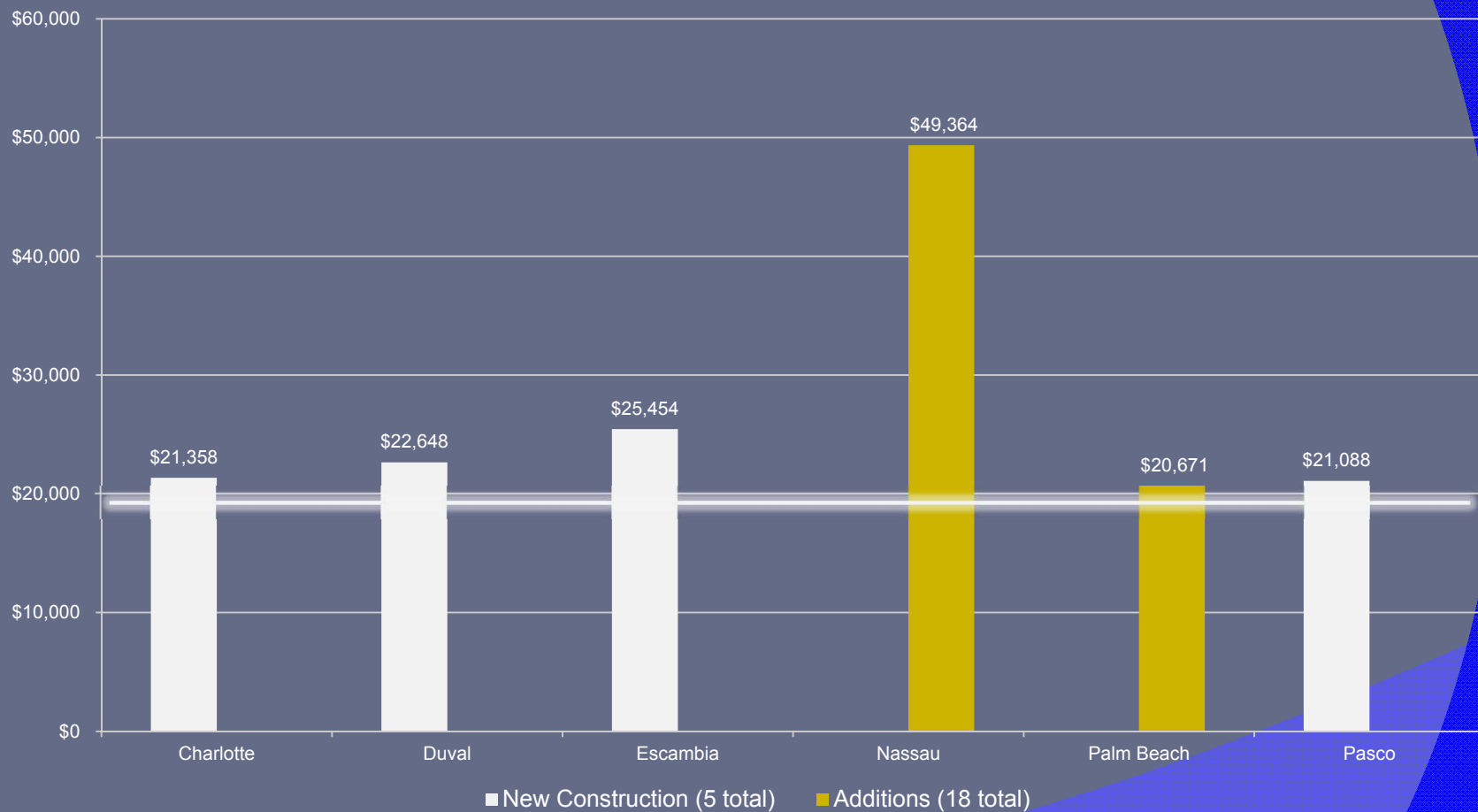
2011 Construction Costs Middle Schools



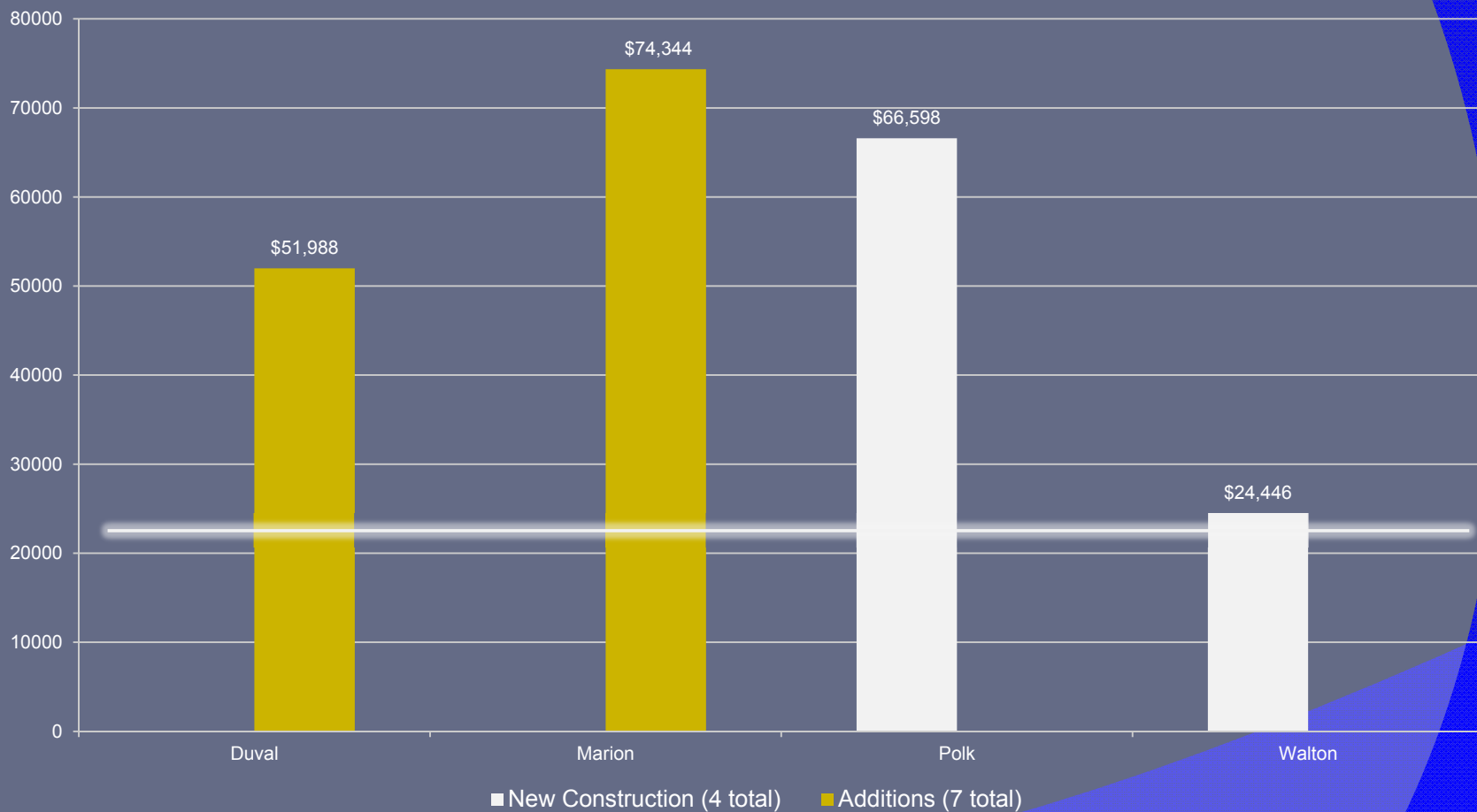
2011 Construction Costs High Schools



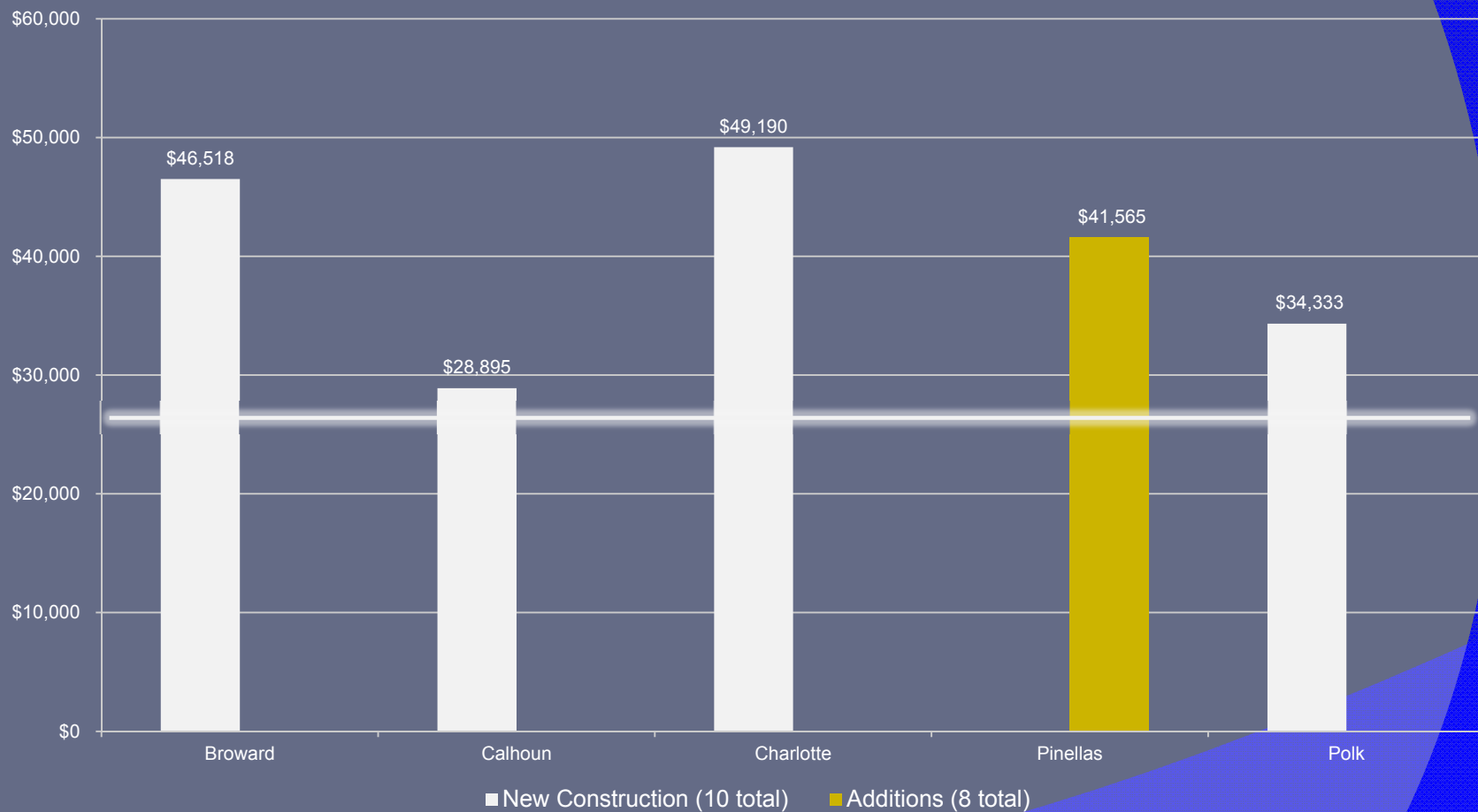
2011 Projects Above Elementary School Student Station Cost of \$19,946



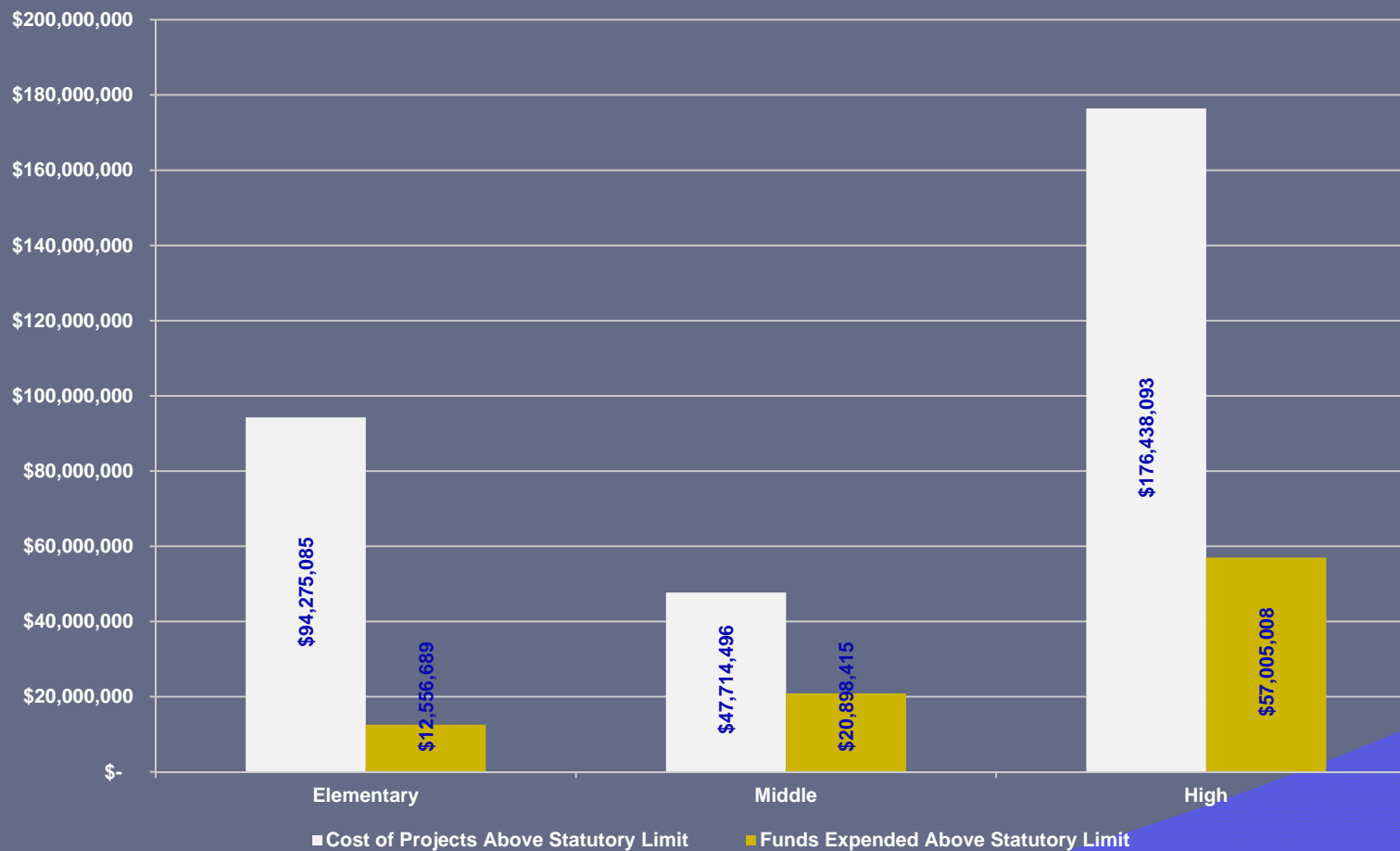
2011 Projects Above Middle School Student Station Cost of \$21,539



2011 Projects Above High School Student Station Cost of \$27,977



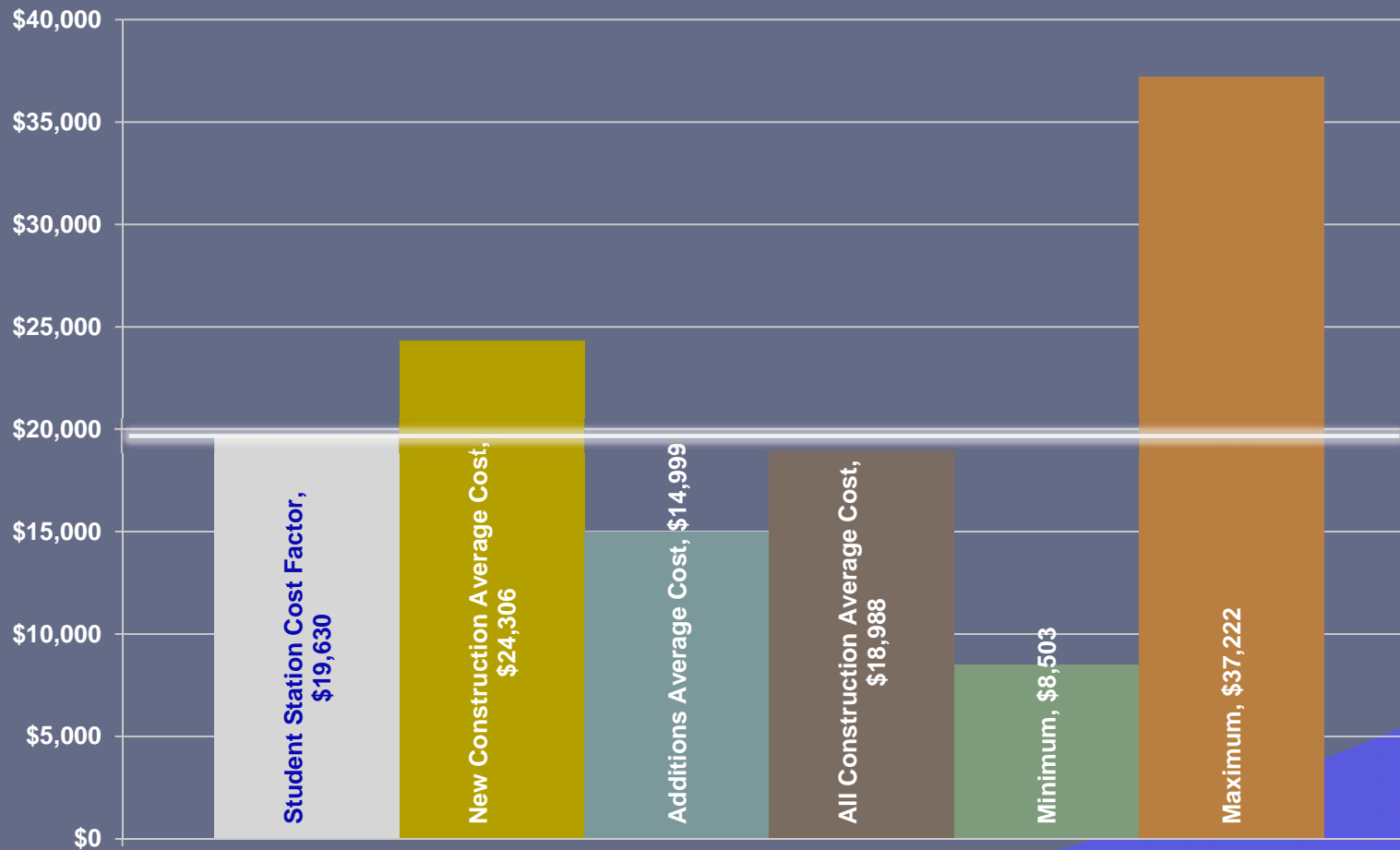
2011 Total Construction Costs for Schools Exceeding the Statutory Limit = \$318 million Amount in Excess of Statutory Limit = \$90 million



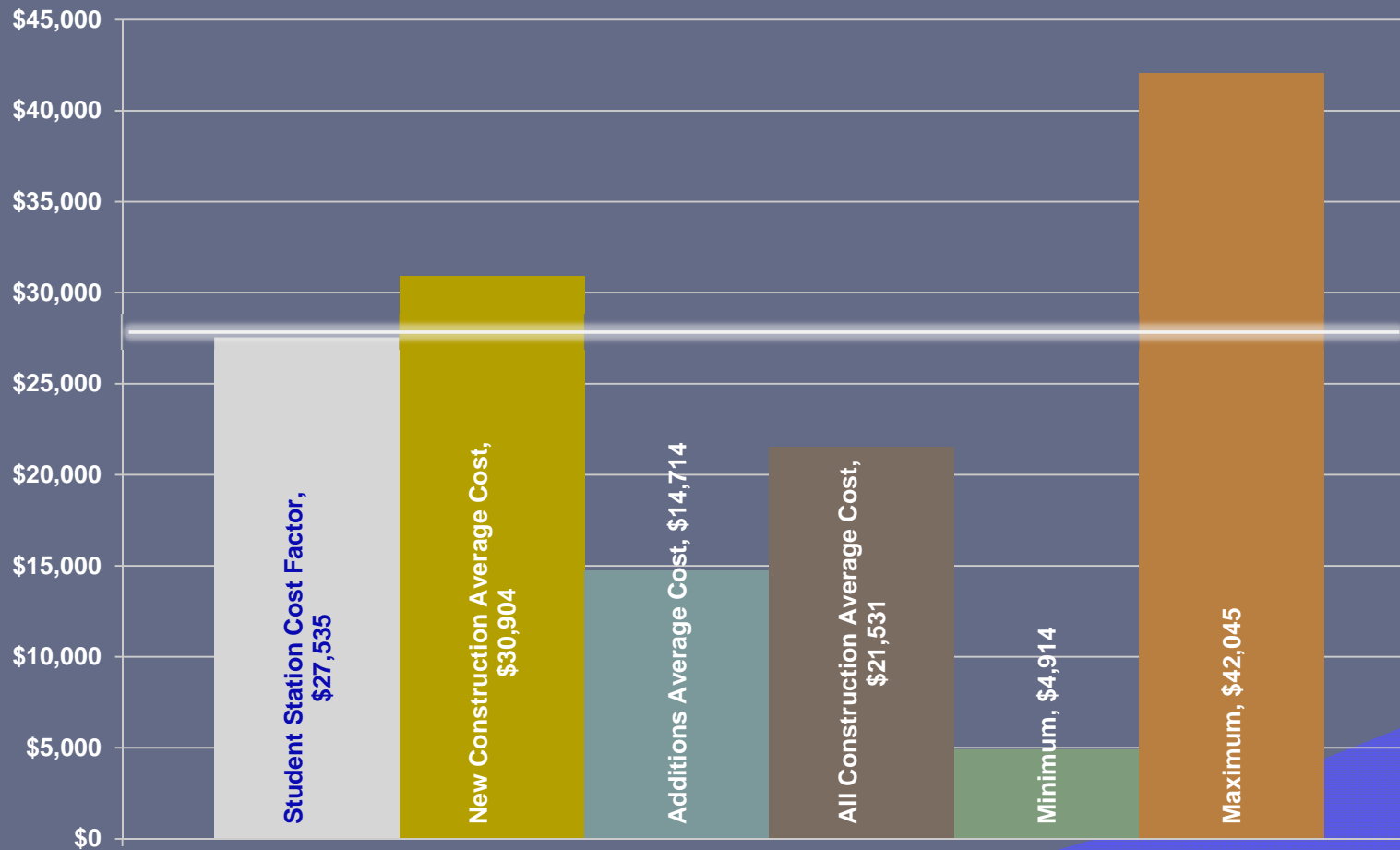


2010

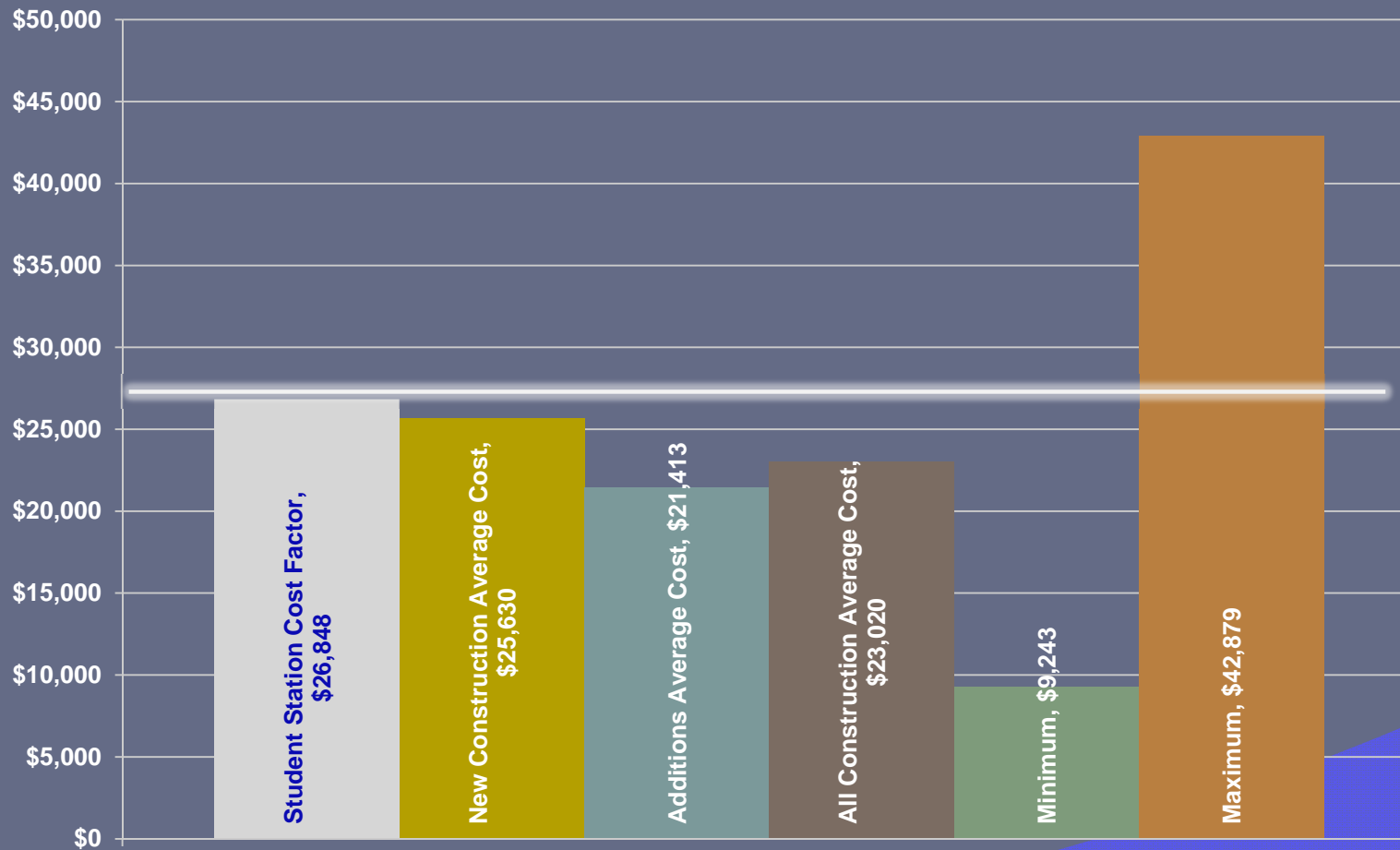
2010 Construction Costs Elementary Schools



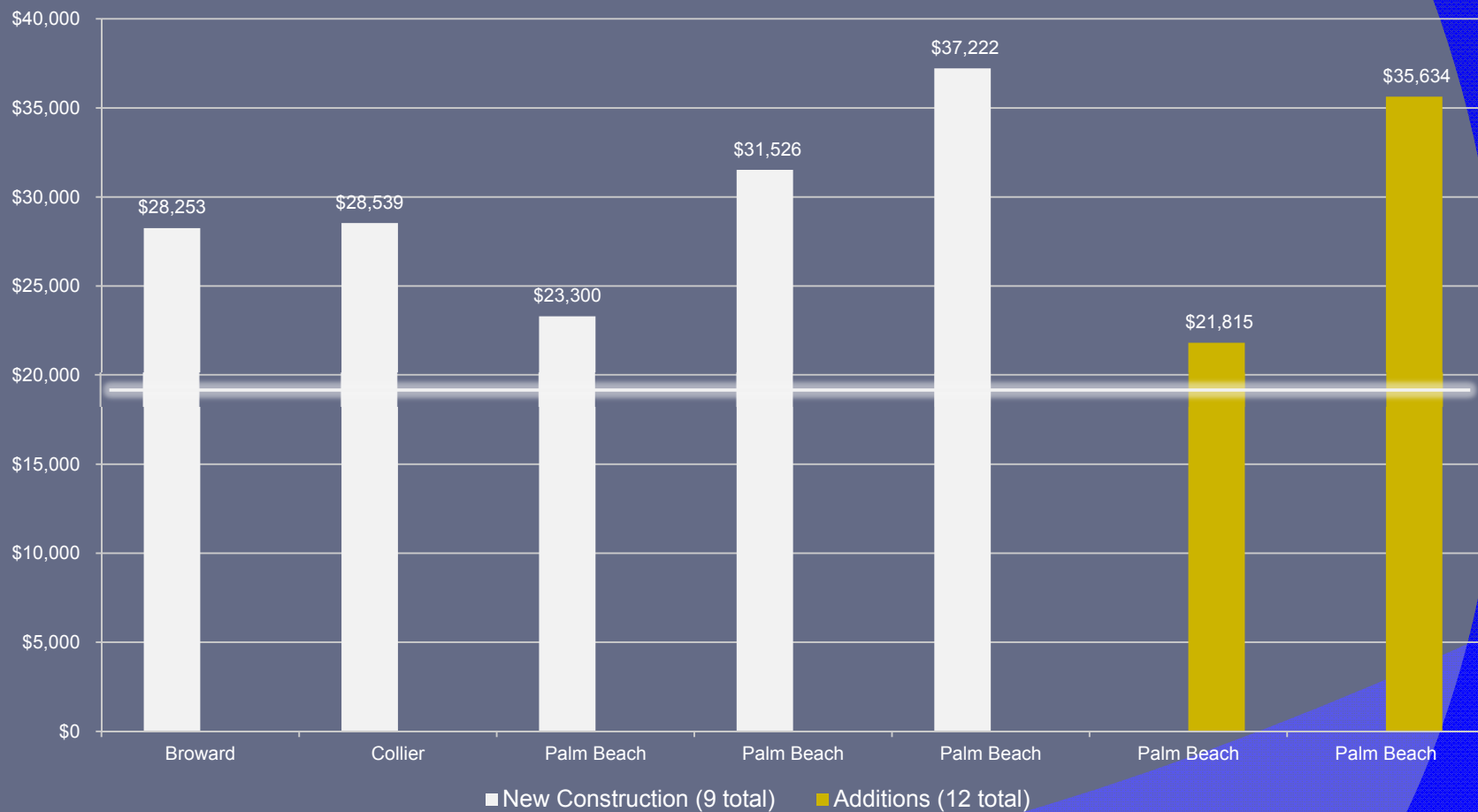
2010 Construction Costs Middle Schools



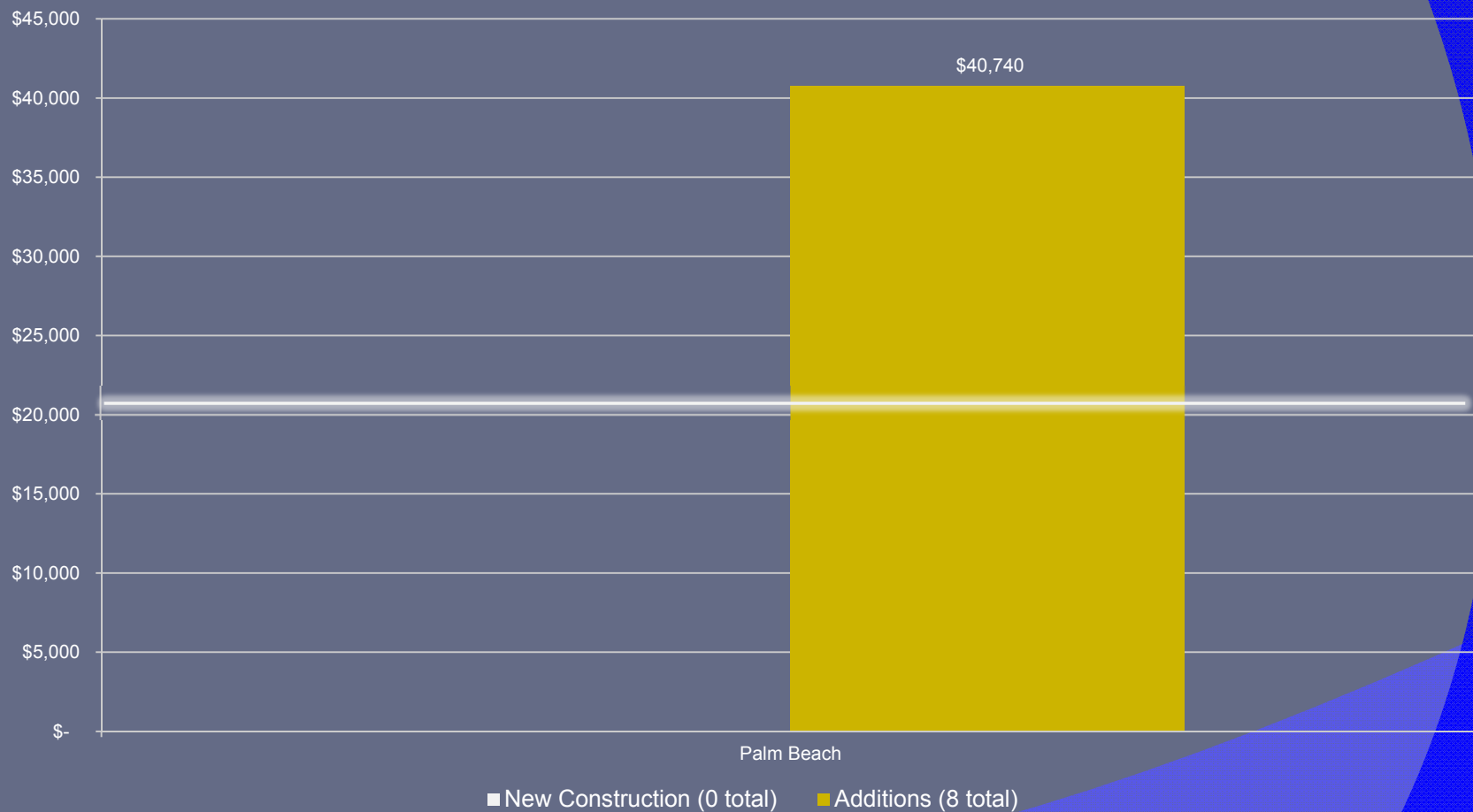
2010 Construction Costs High Schools



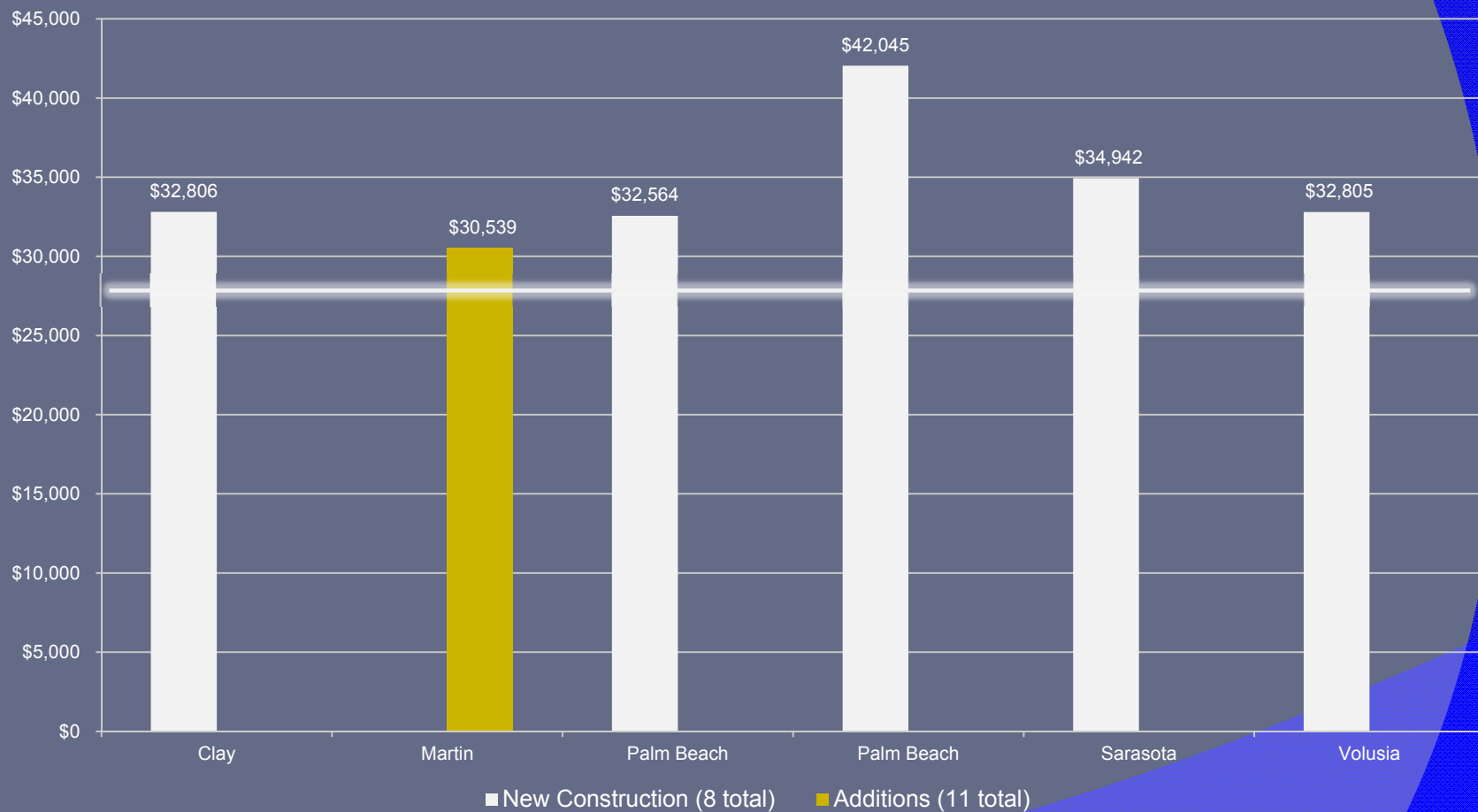
2010 Projects Above Elementary School Student Station Cost of \$19,630



2010 Projects Above Middle School Student Station Cost of \$21,198

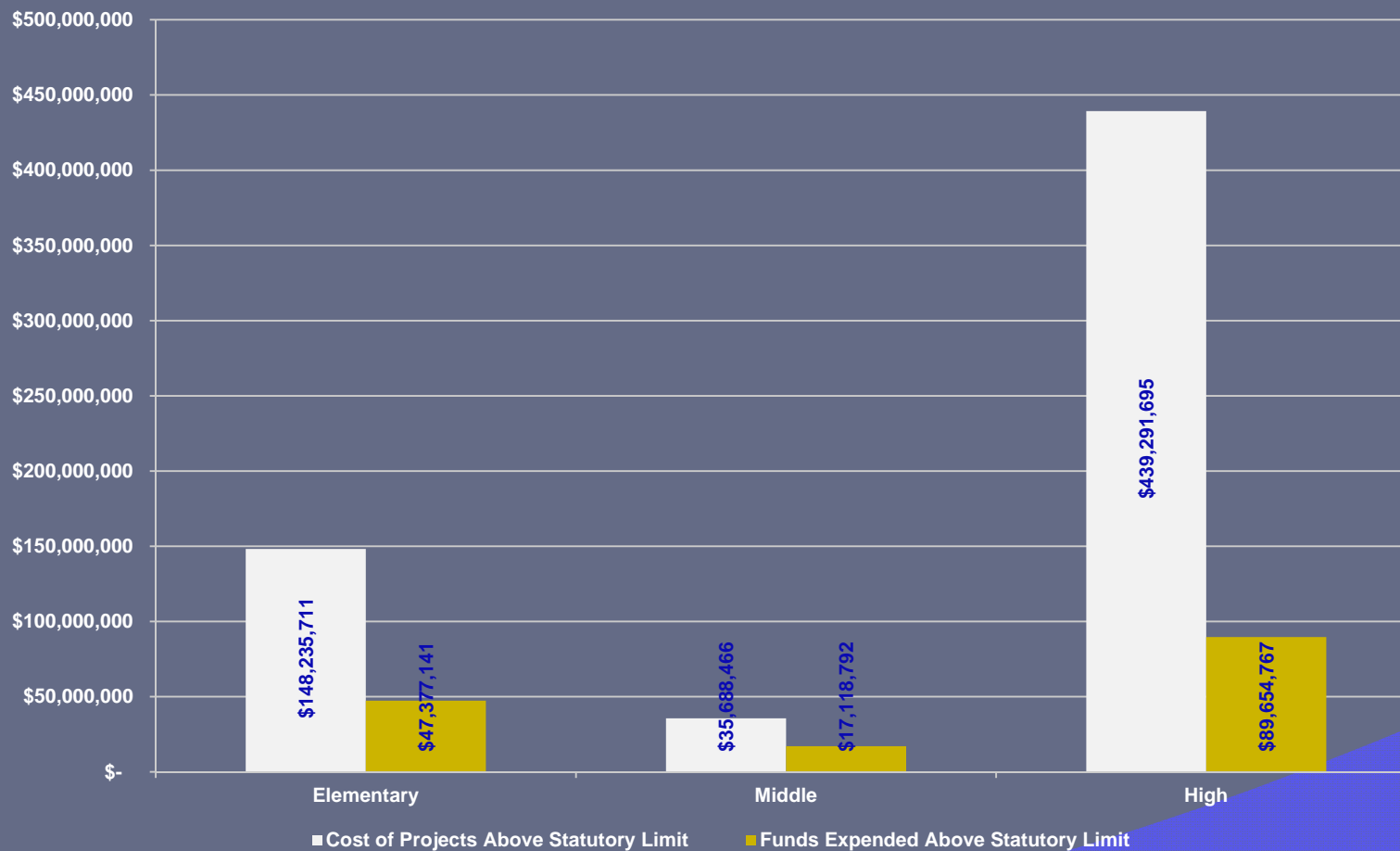


2010 Projects Above High School Student Station Cost of \$27,535



2010 Total Construction Costs for Schools Exceeding the Statutory Limit = \$623 million

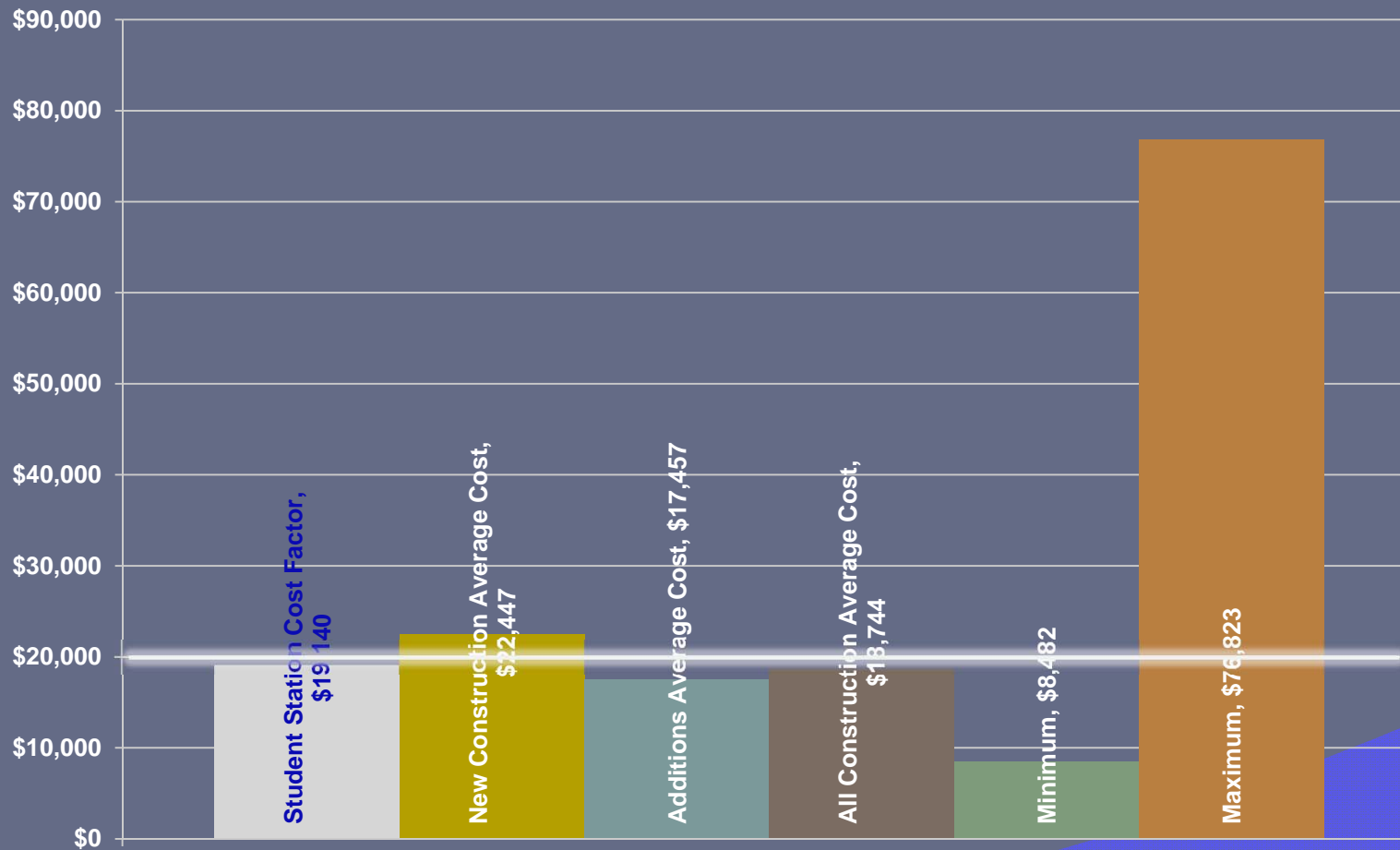
Amount in Excess of Statutory Limit = \$154 million



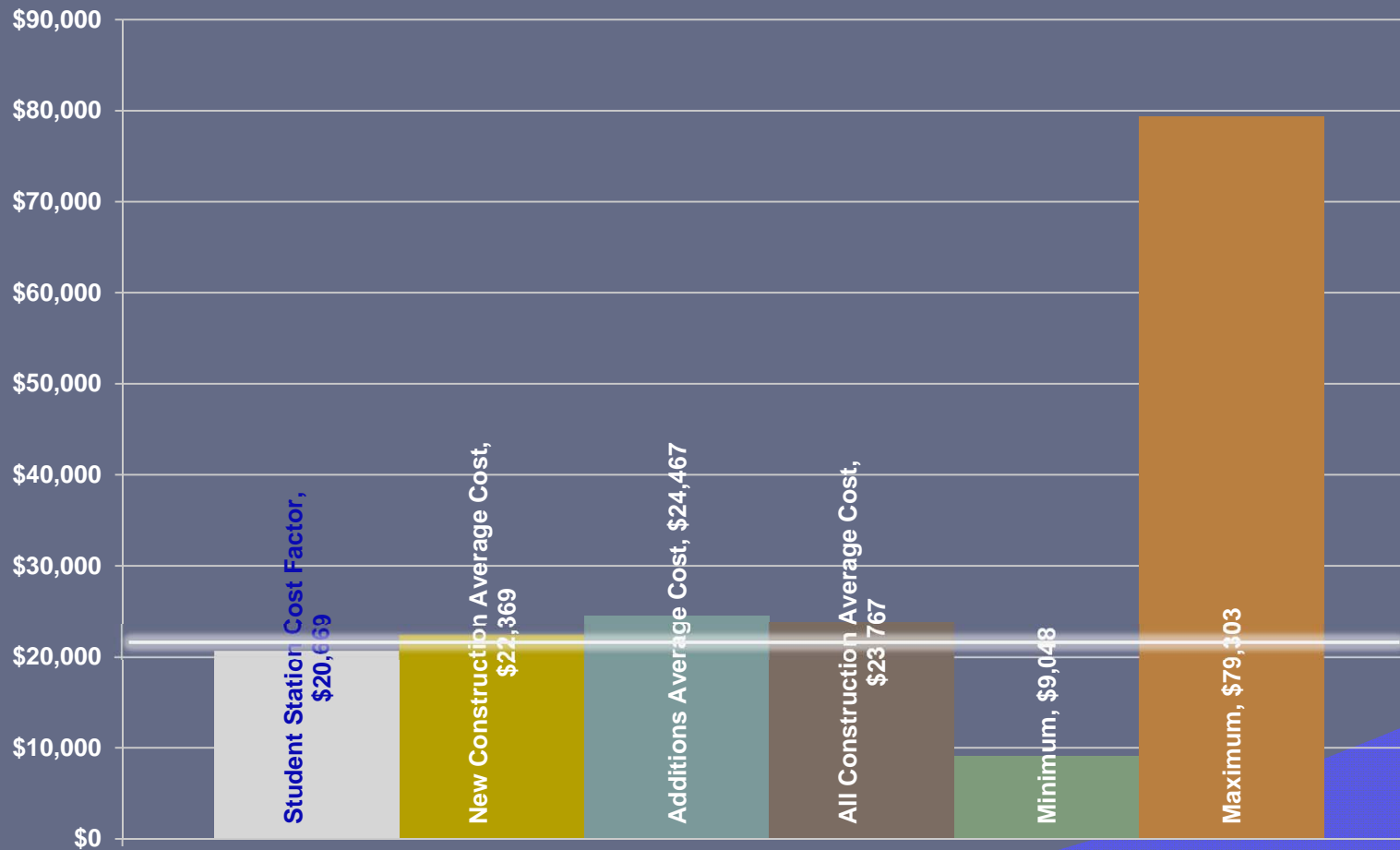


2009

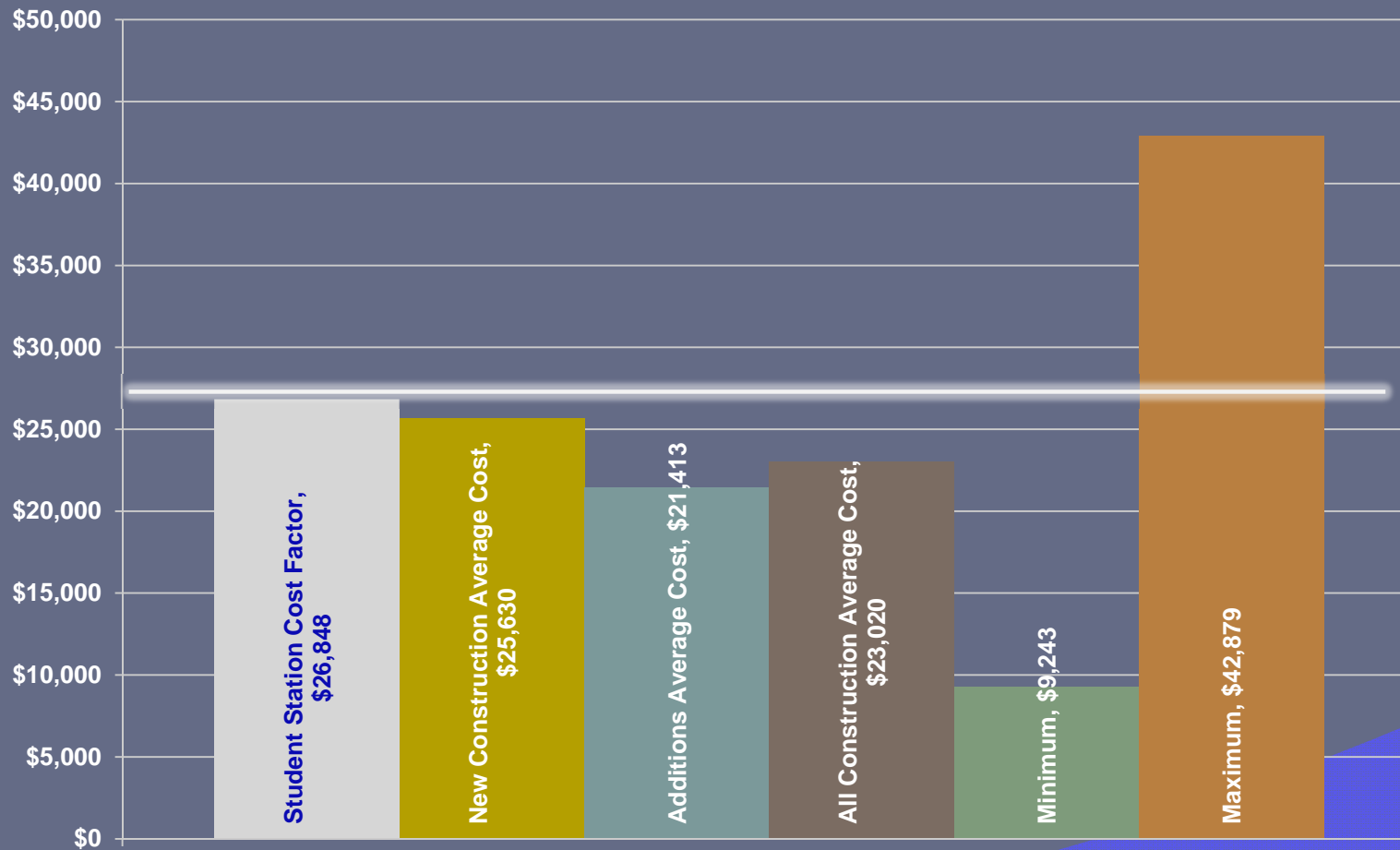
2009 Construction Costs Elementary Schools



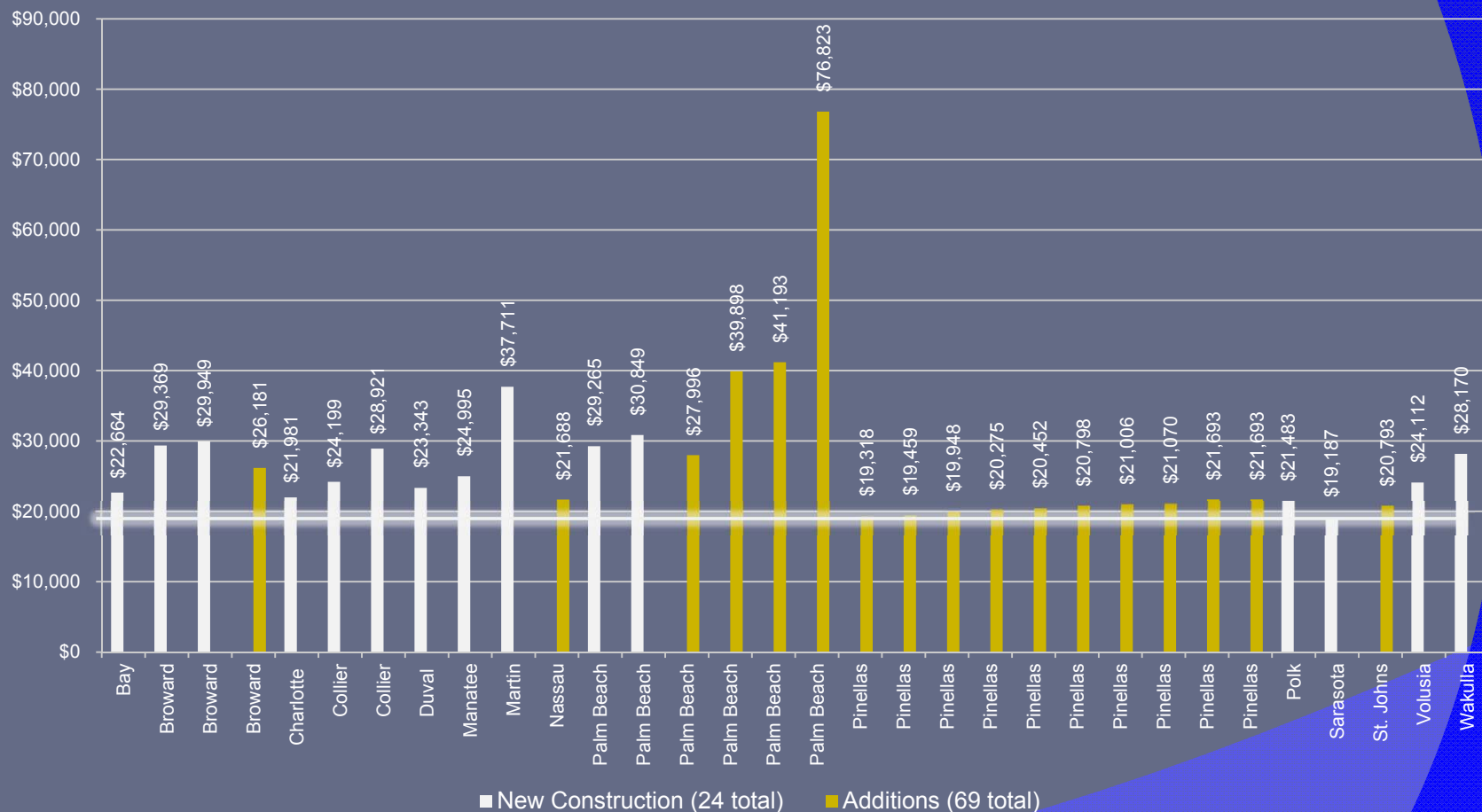
2009 Construction Costs Middle Schools



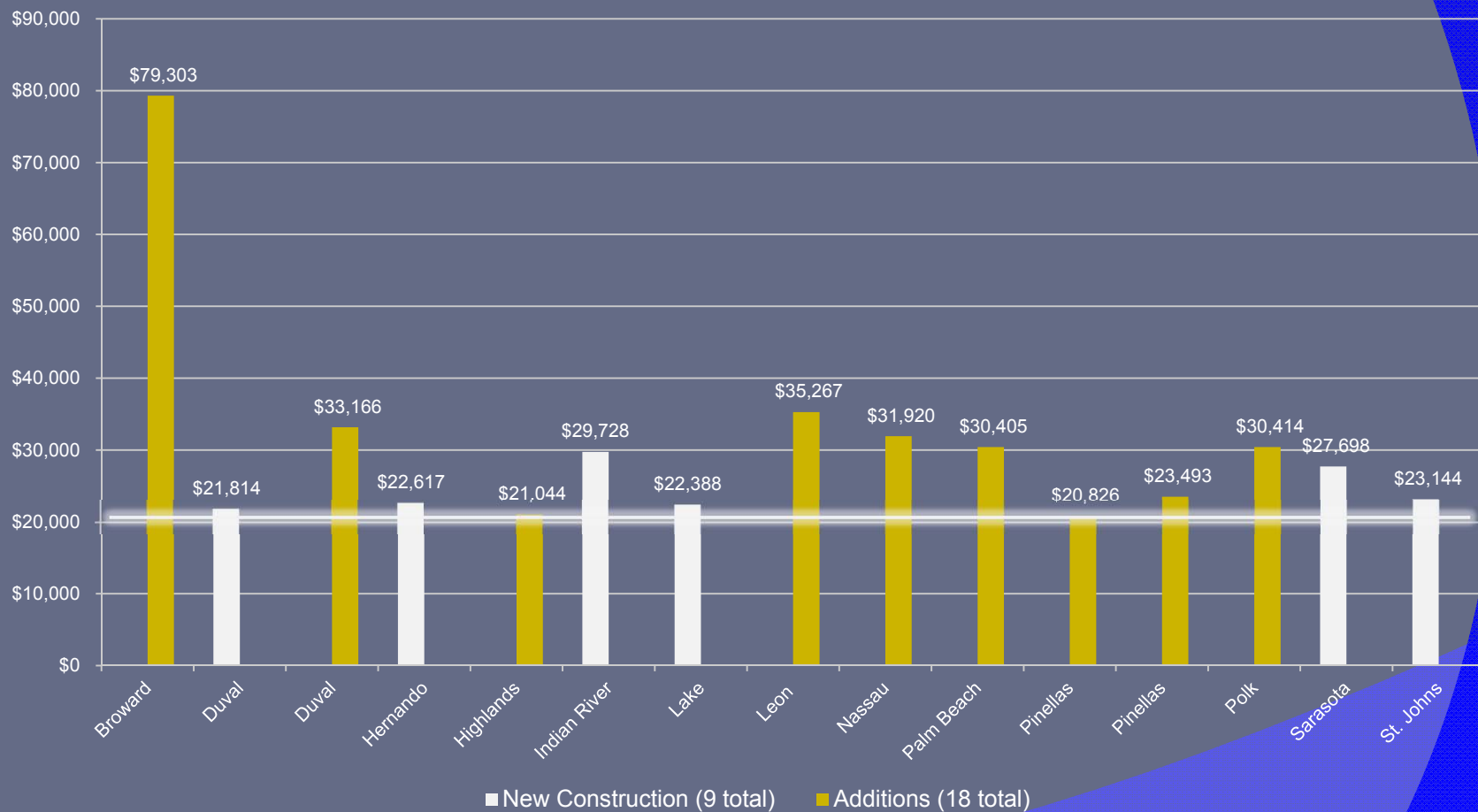
2009 Construction Costs High Schools



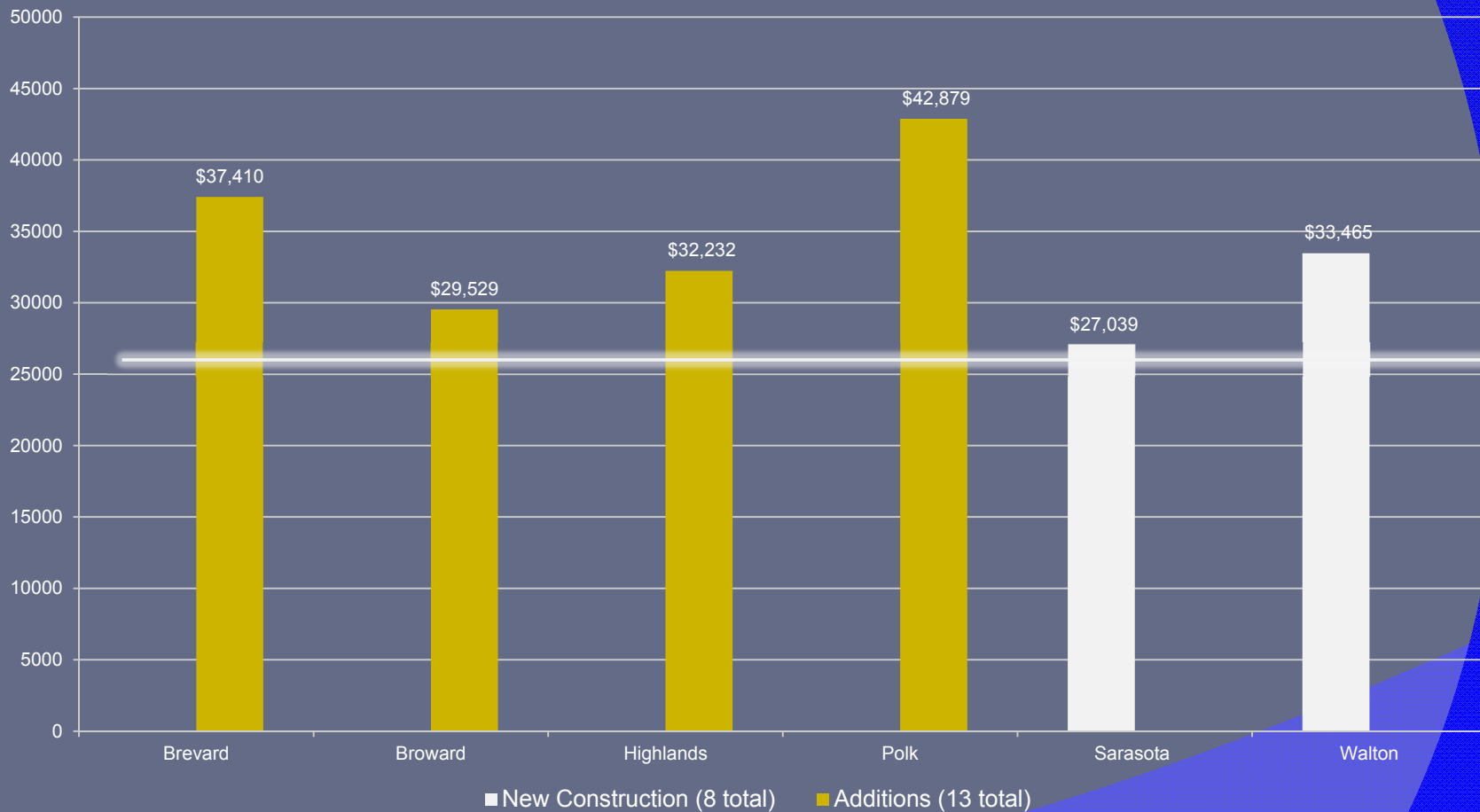
2009 Projects Above Elementary School Student Station Cost of \$19,140



2009 Projects Above Middle School Student Station Cost of \$20,669

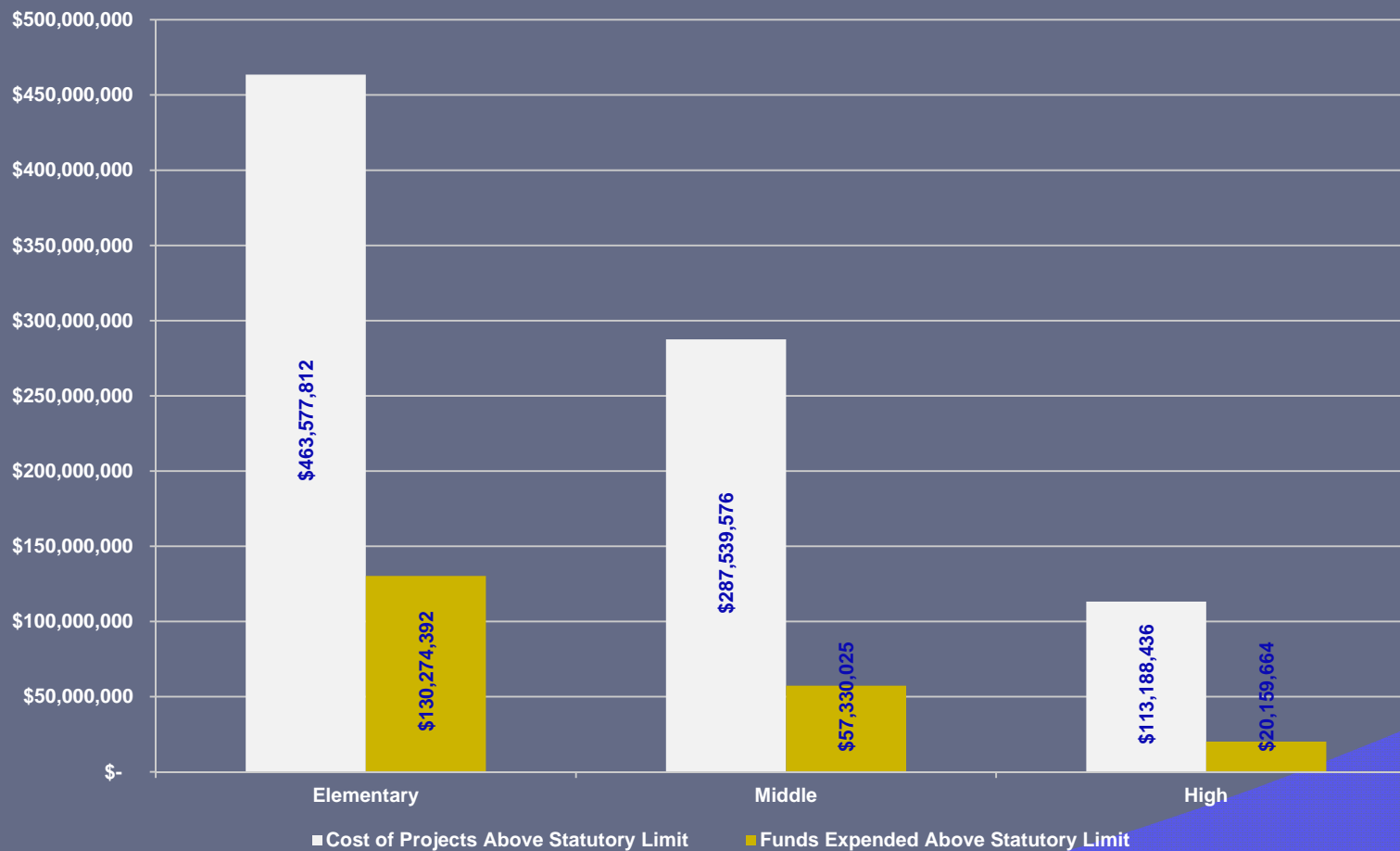


2009 Projects Above High School Student Station Cost of \$26,848



2009 Total Construction Costs for Schools Exceeding the Statutory Limit = \$864 million

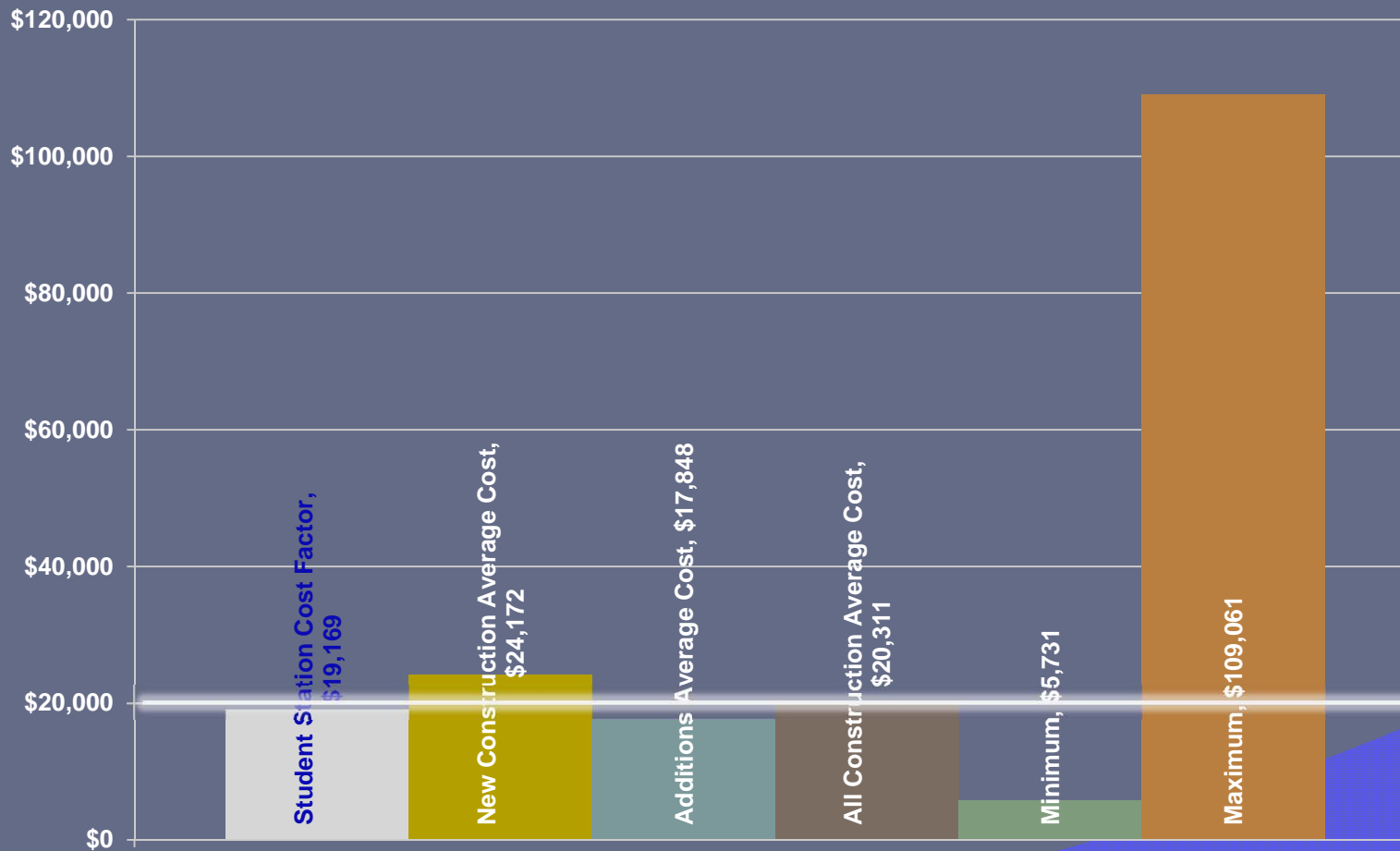
Amount in Excess of Statutory Limit = \$207 million



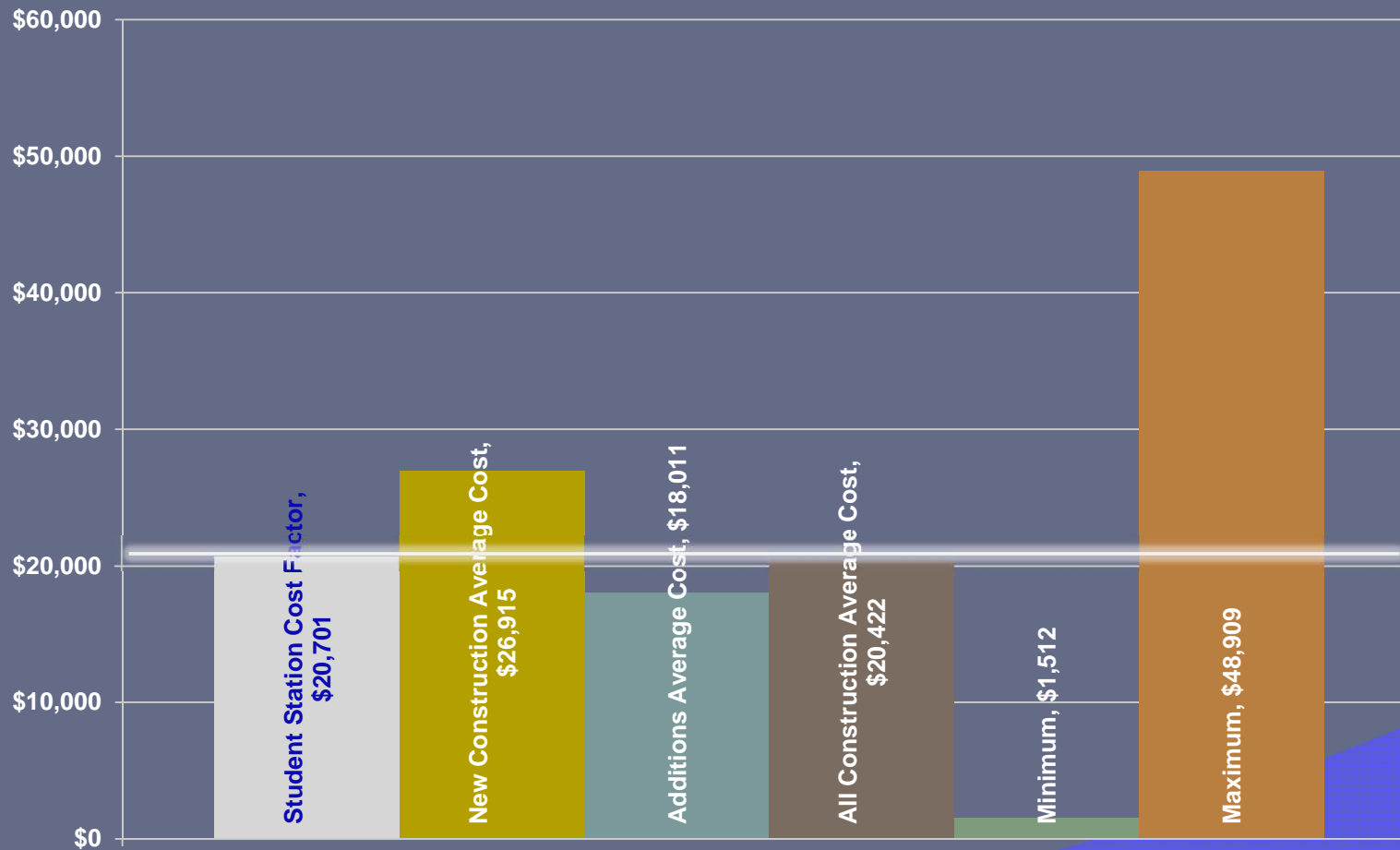


2008

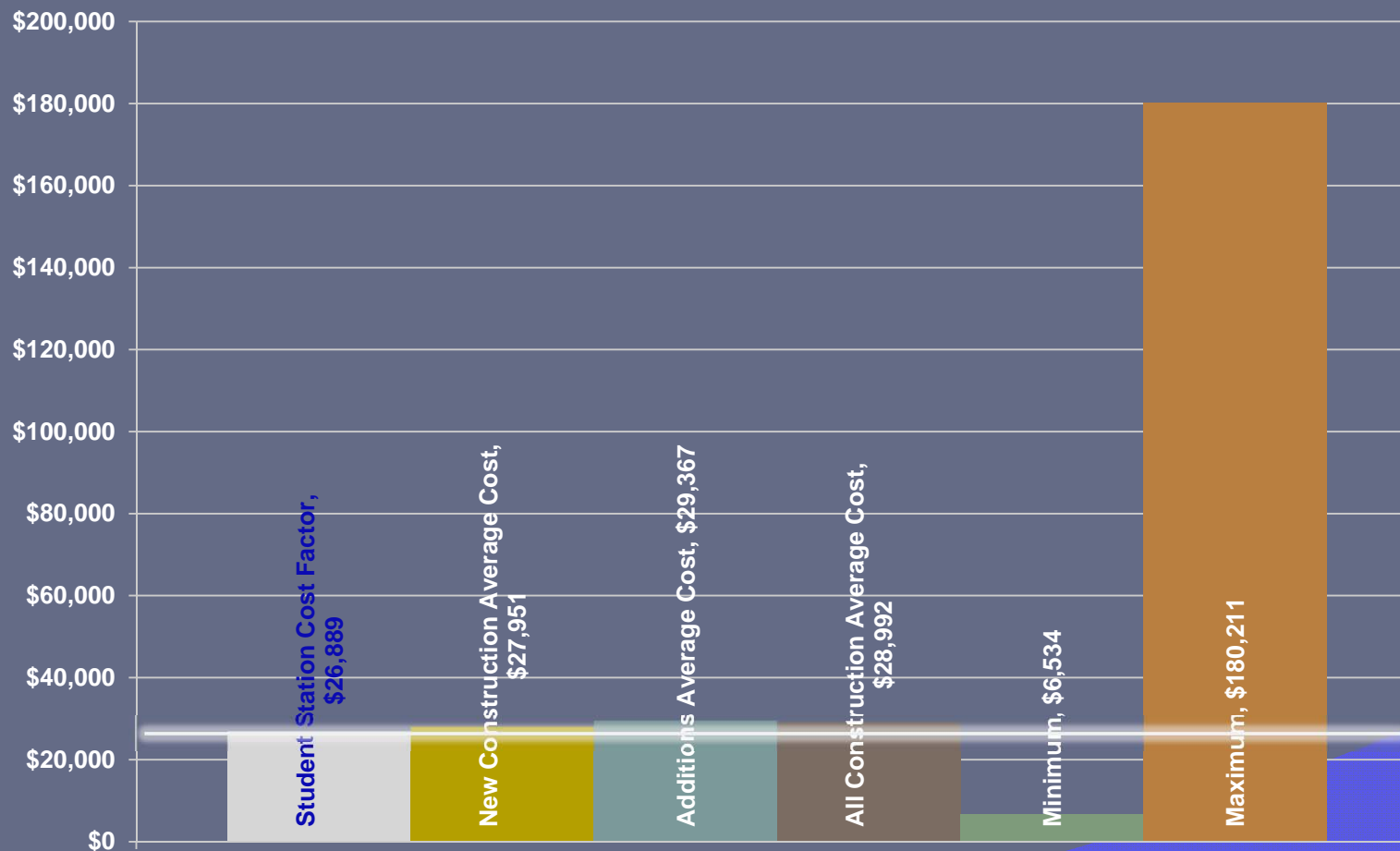
2008 Construction Costs Elementary Schools



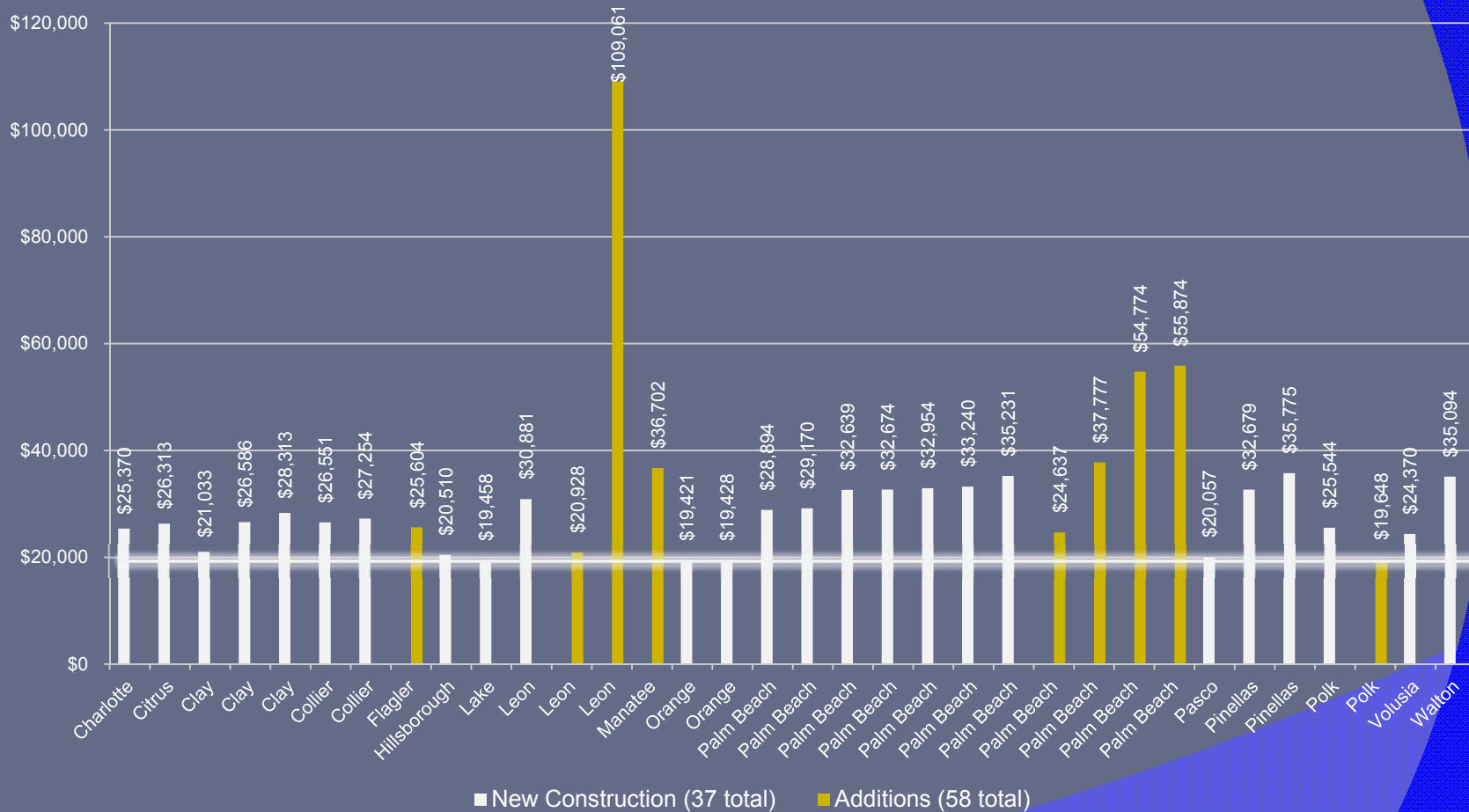
2008 Construction Costs Middle Schools



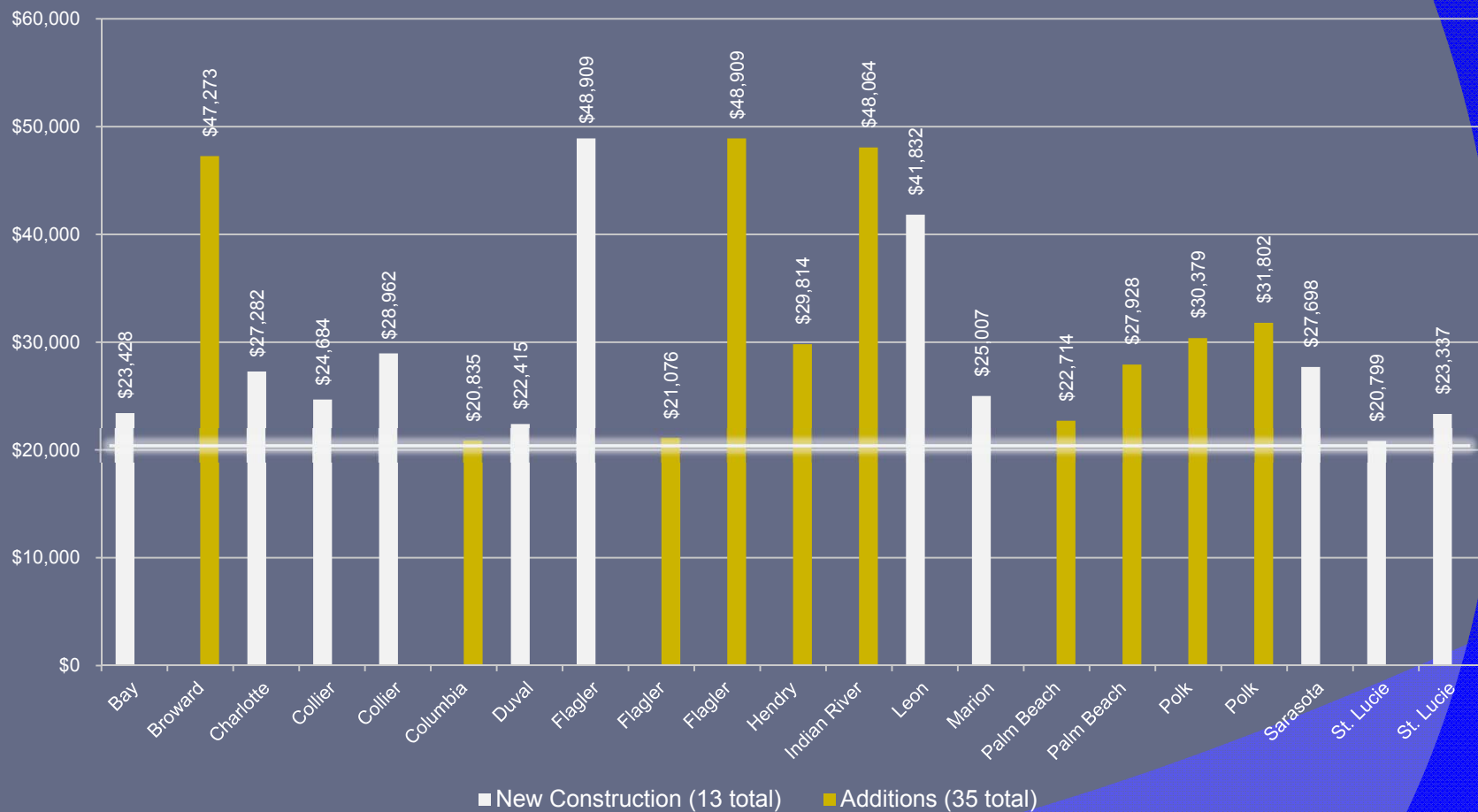
2008 Construction Costs High Schools



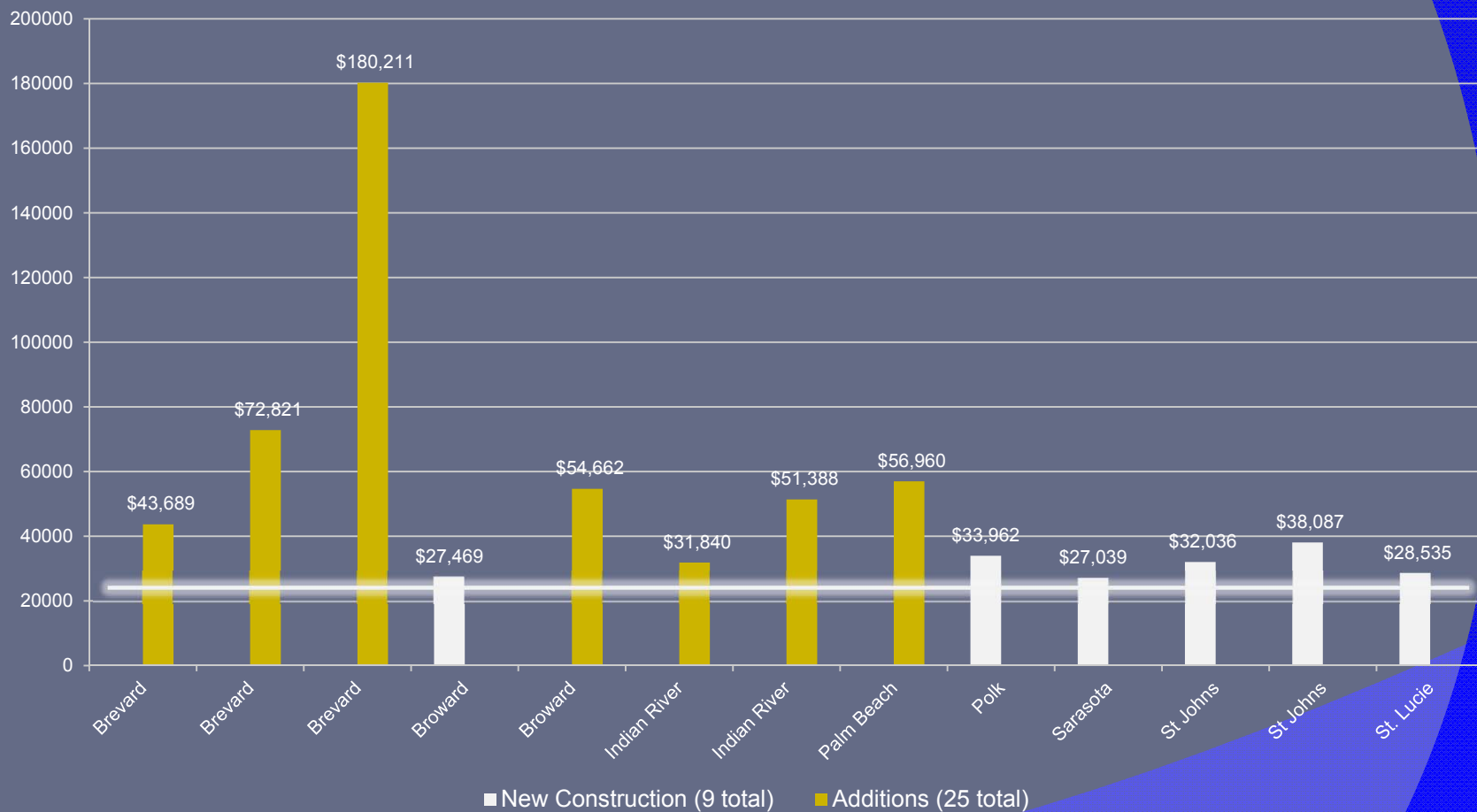
2008 Projects Above Elementary School Student Station Cost of \$19,169



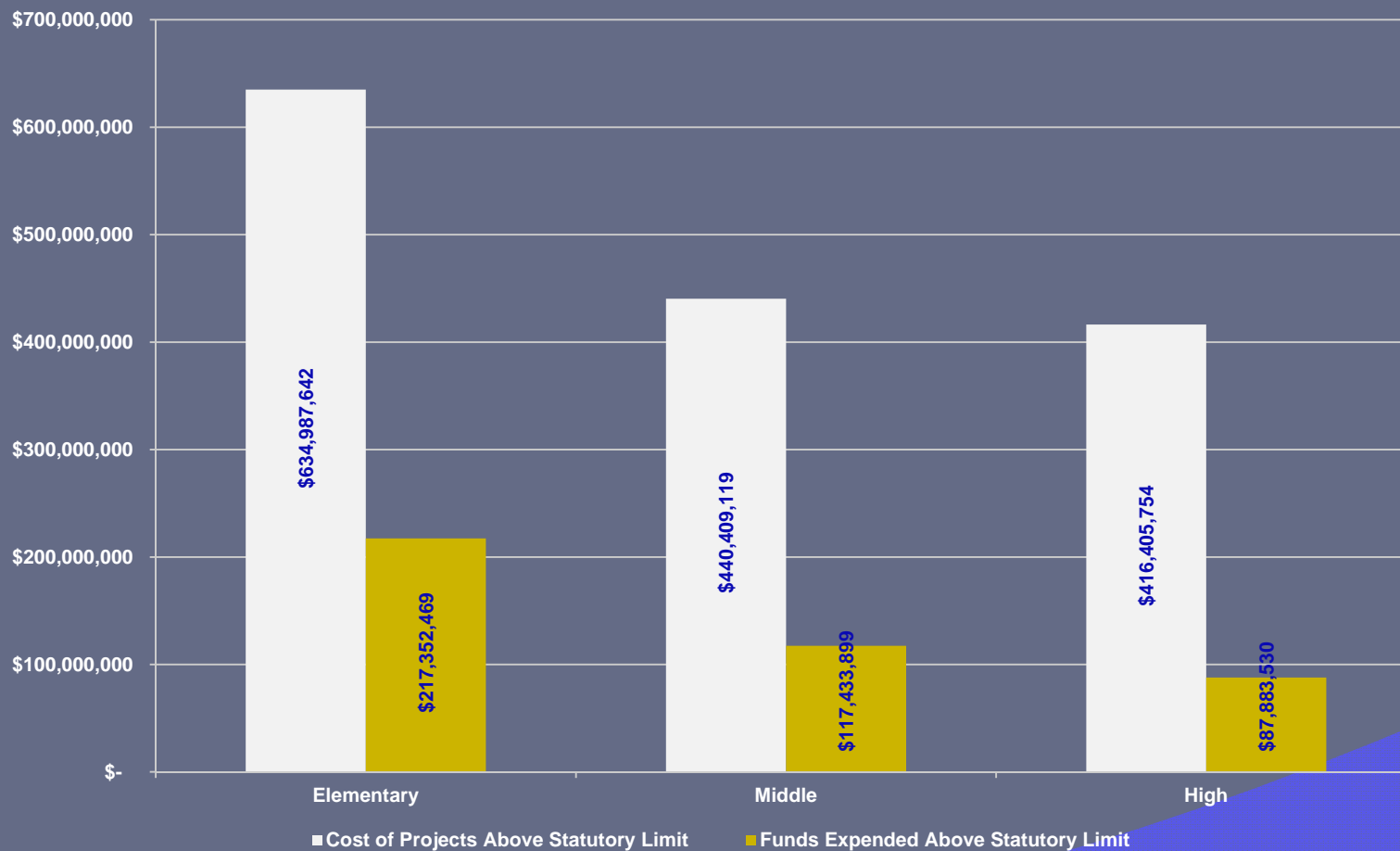
2008 Projects Above Middle School Student Station Cost of \$20,701



2008 Projects Above High School Student Station Cost of \$26,889



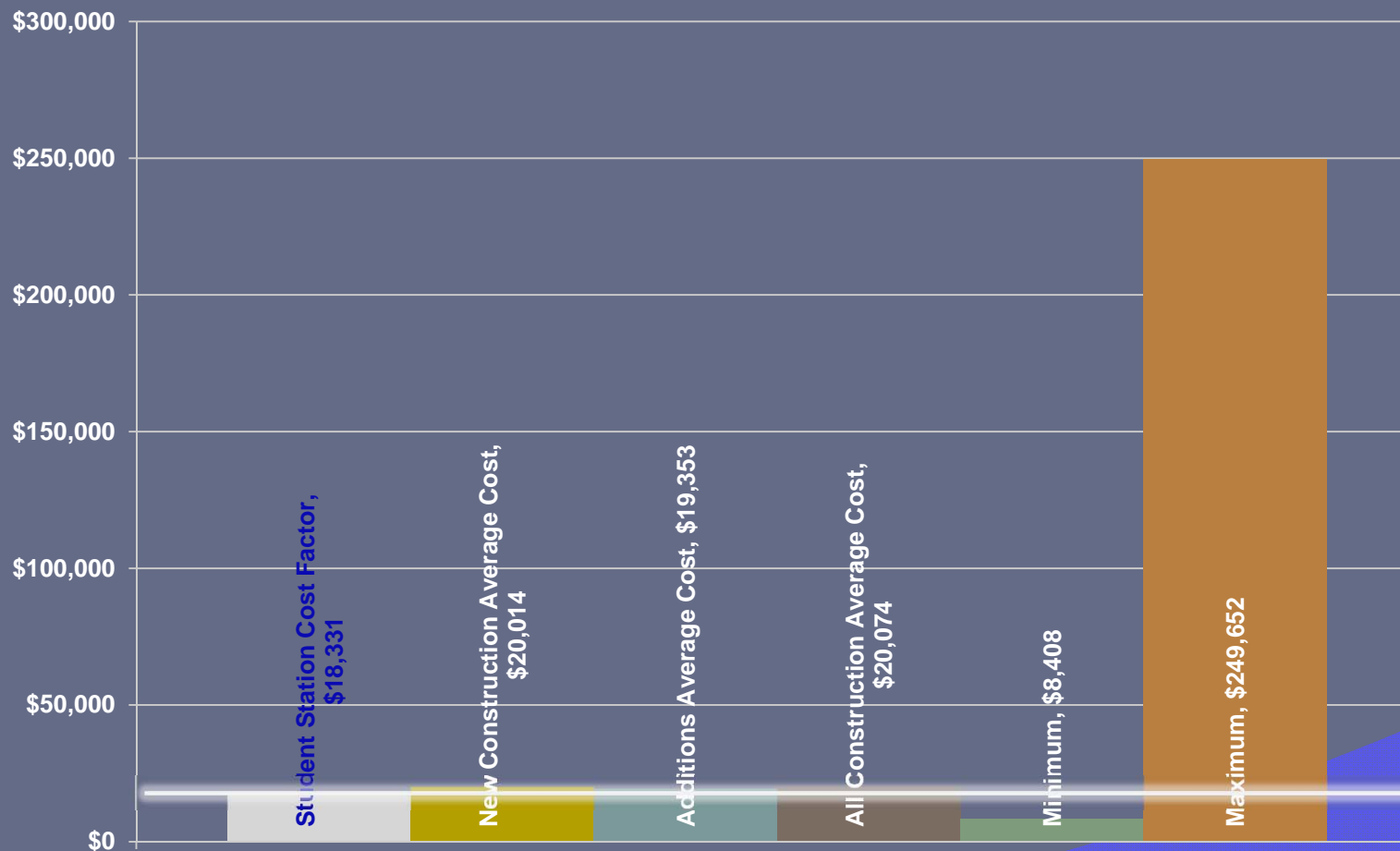
2008 Total Construction Costs for Schools Exceeding the Statutory Limit = \$1.5 billion Amount in Excess of Statutory Limit = \$423 million



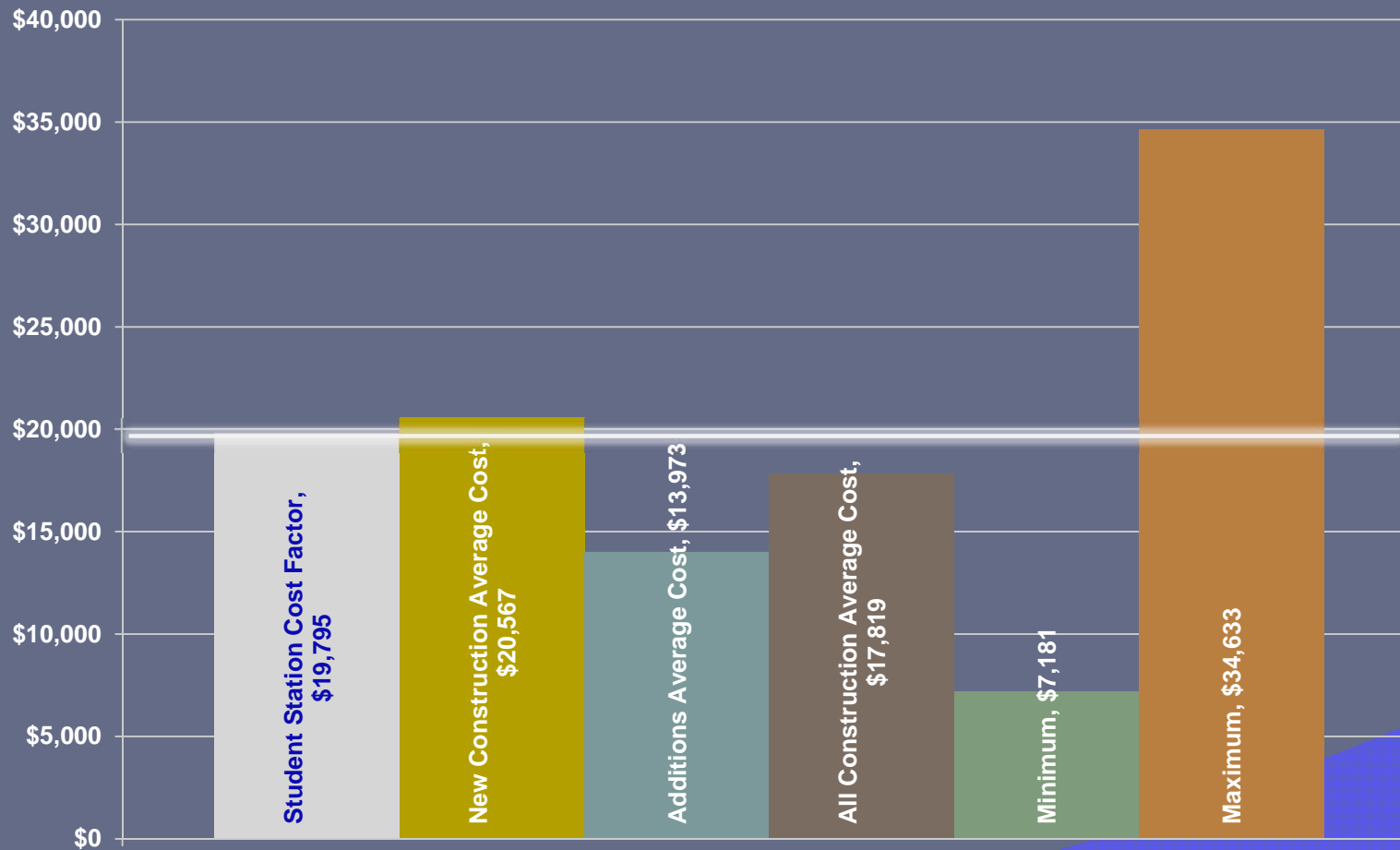


2007

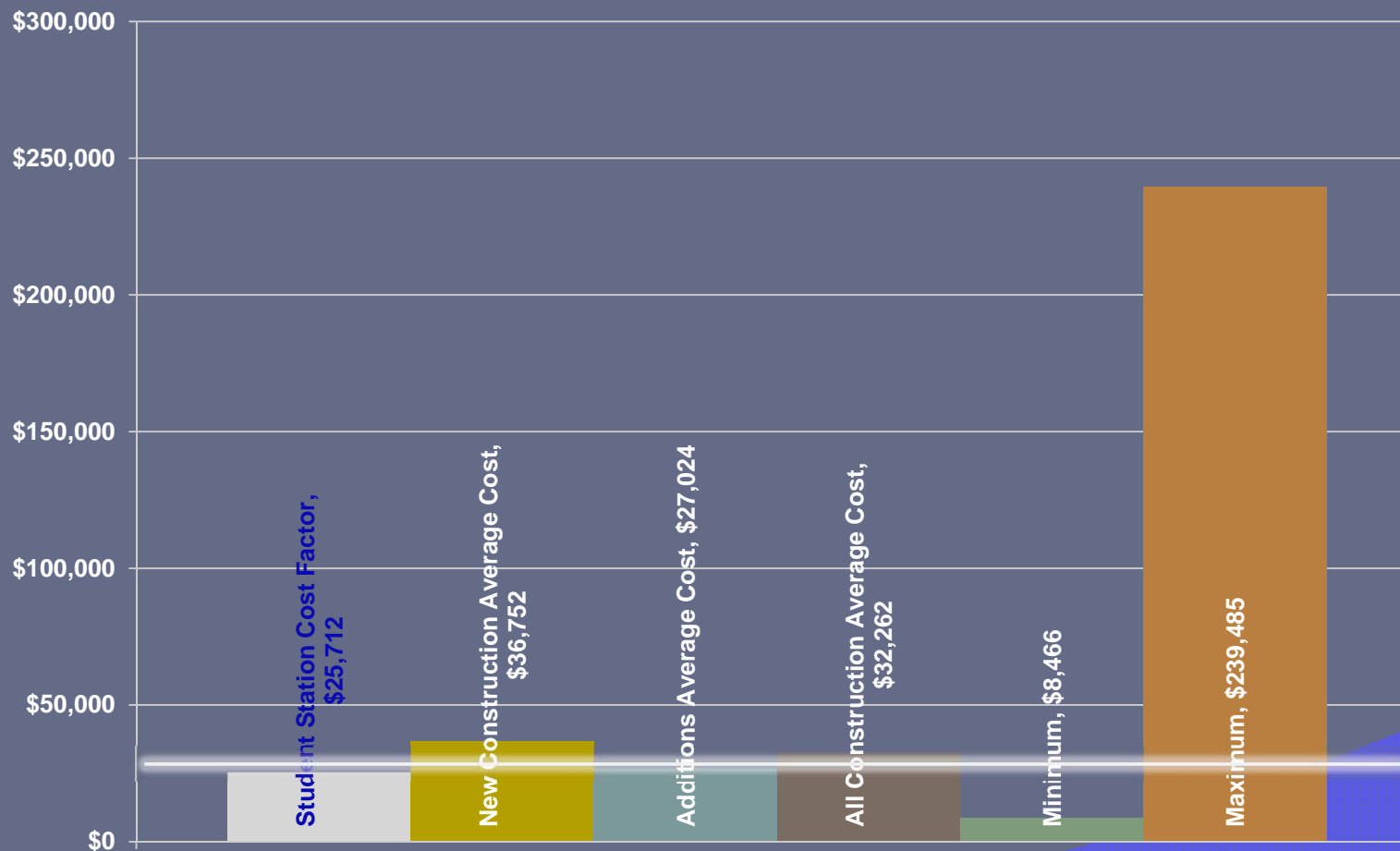
2007 Construction Costs Elementary Schools



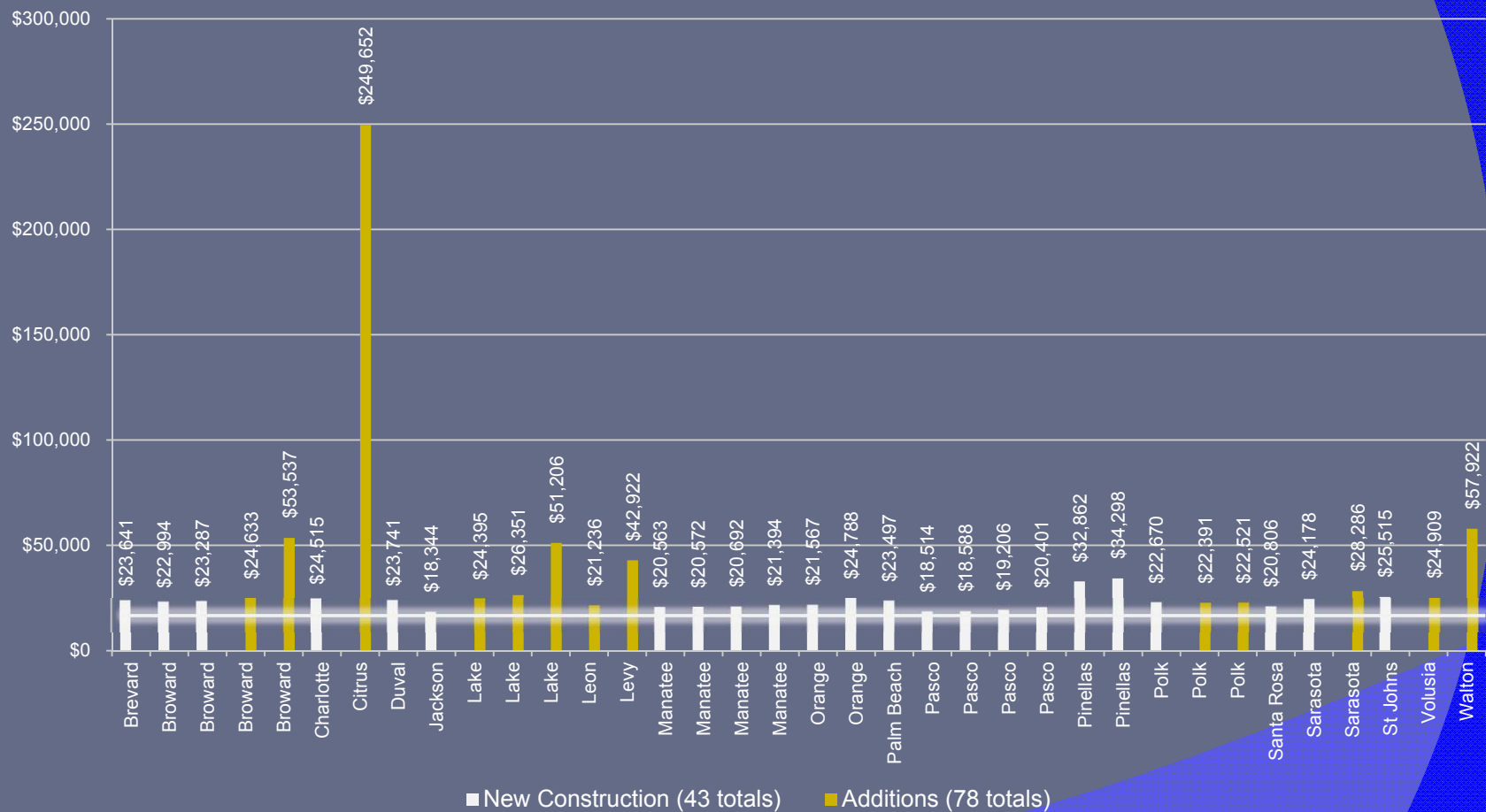
2007 Construction Costs Middle Schools



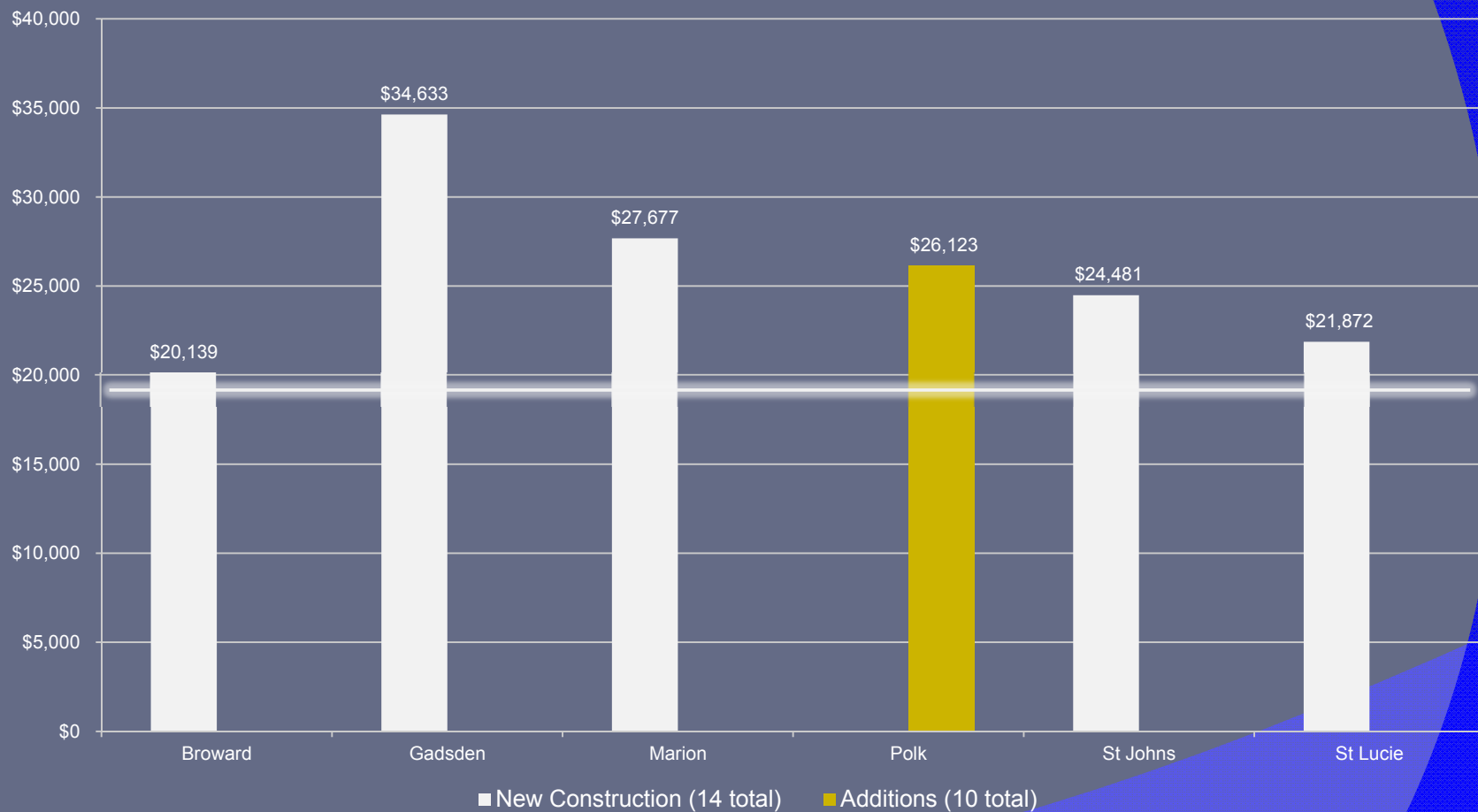
2007 Construction Costs High Schools



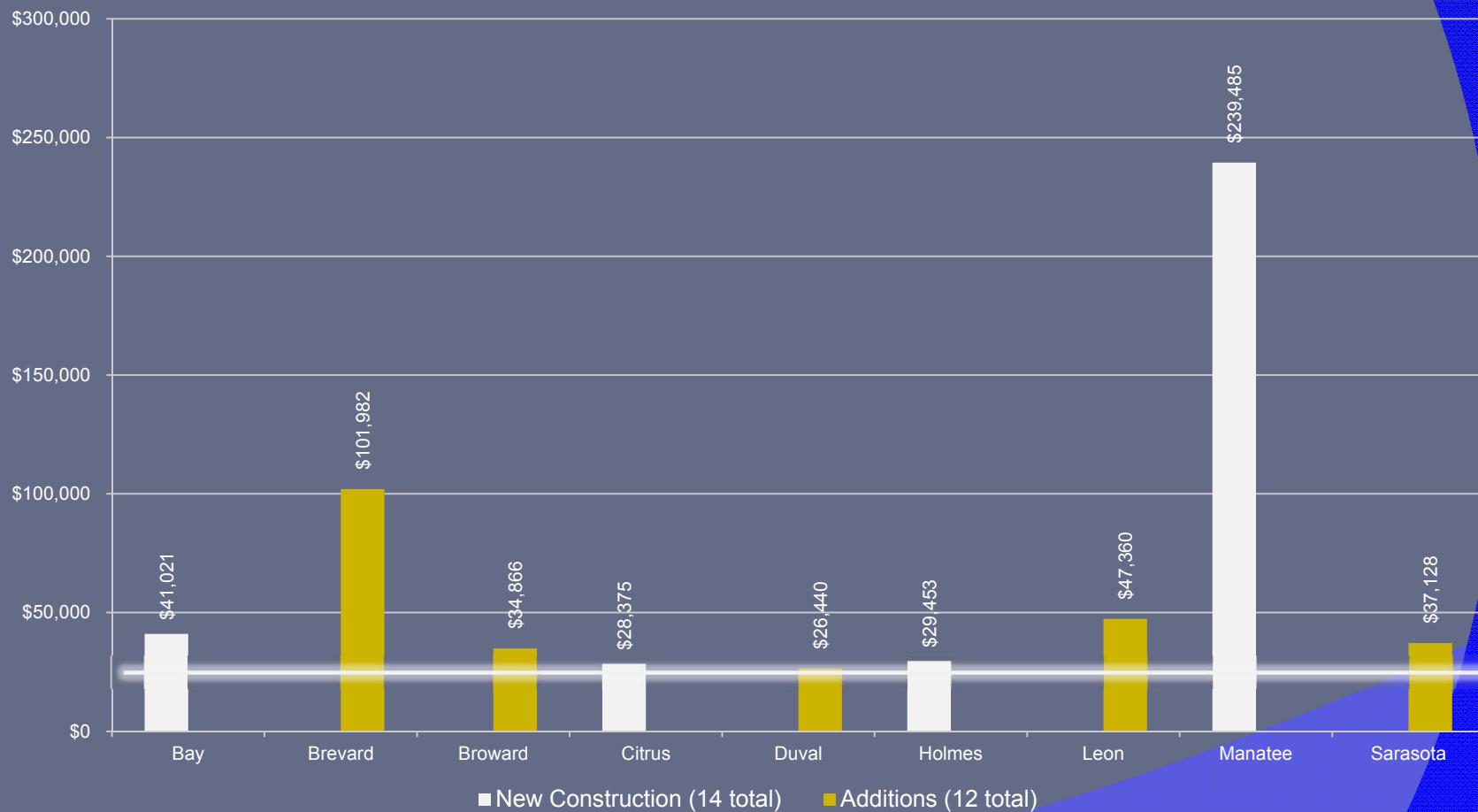
2007 Projects Above Elementary School Student Station Cost of \$18,331



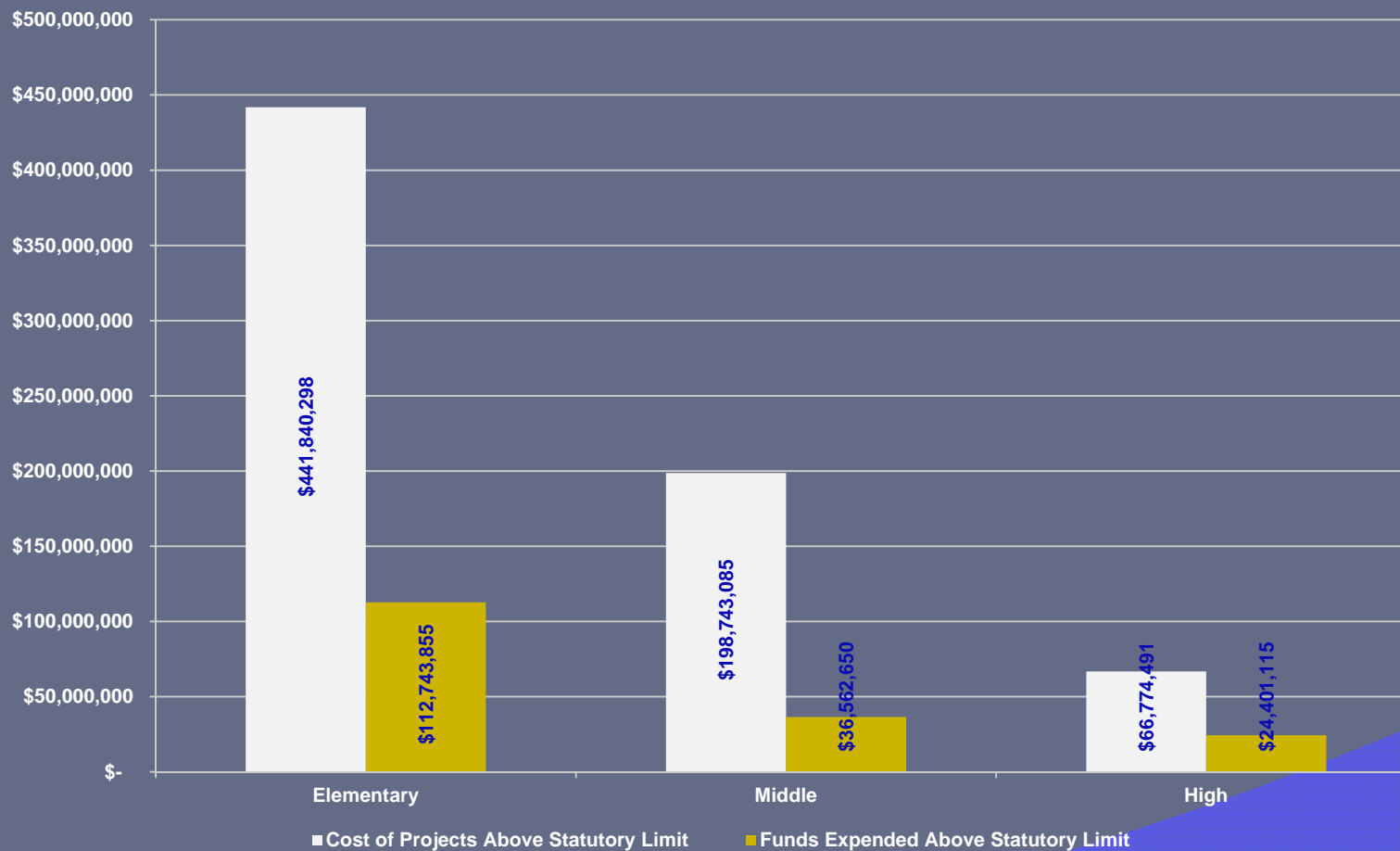
2007 Projects Above Middle School Student Station Cost of \$19,795



2007 Projects Above High School Student Station Cost of \$25,712



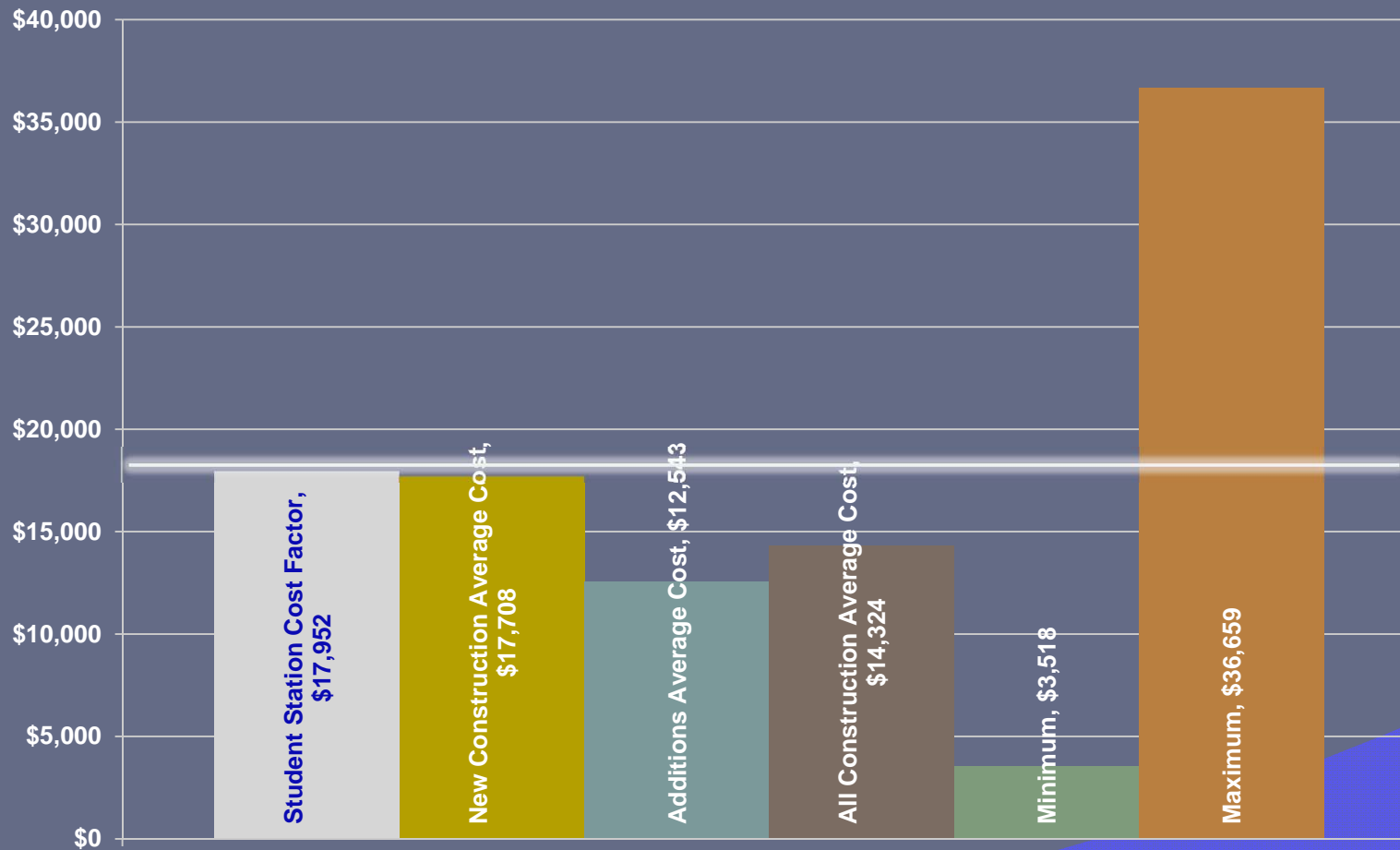
2007 Total Construction Costs for Schools Exceeding the Statutory Limit = \$707 million Amount in Excess of Statutory Limit = \$174 million



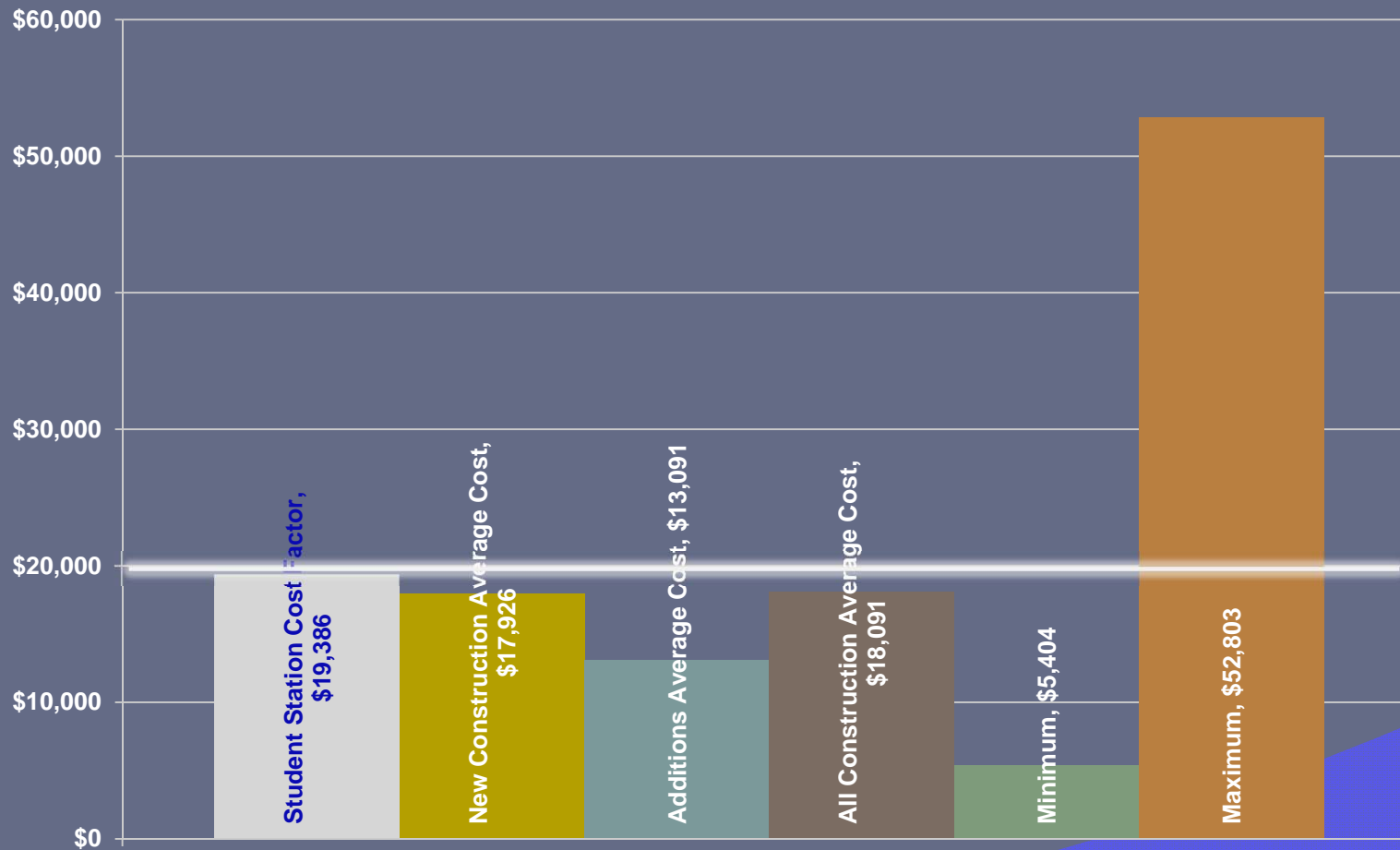


2006

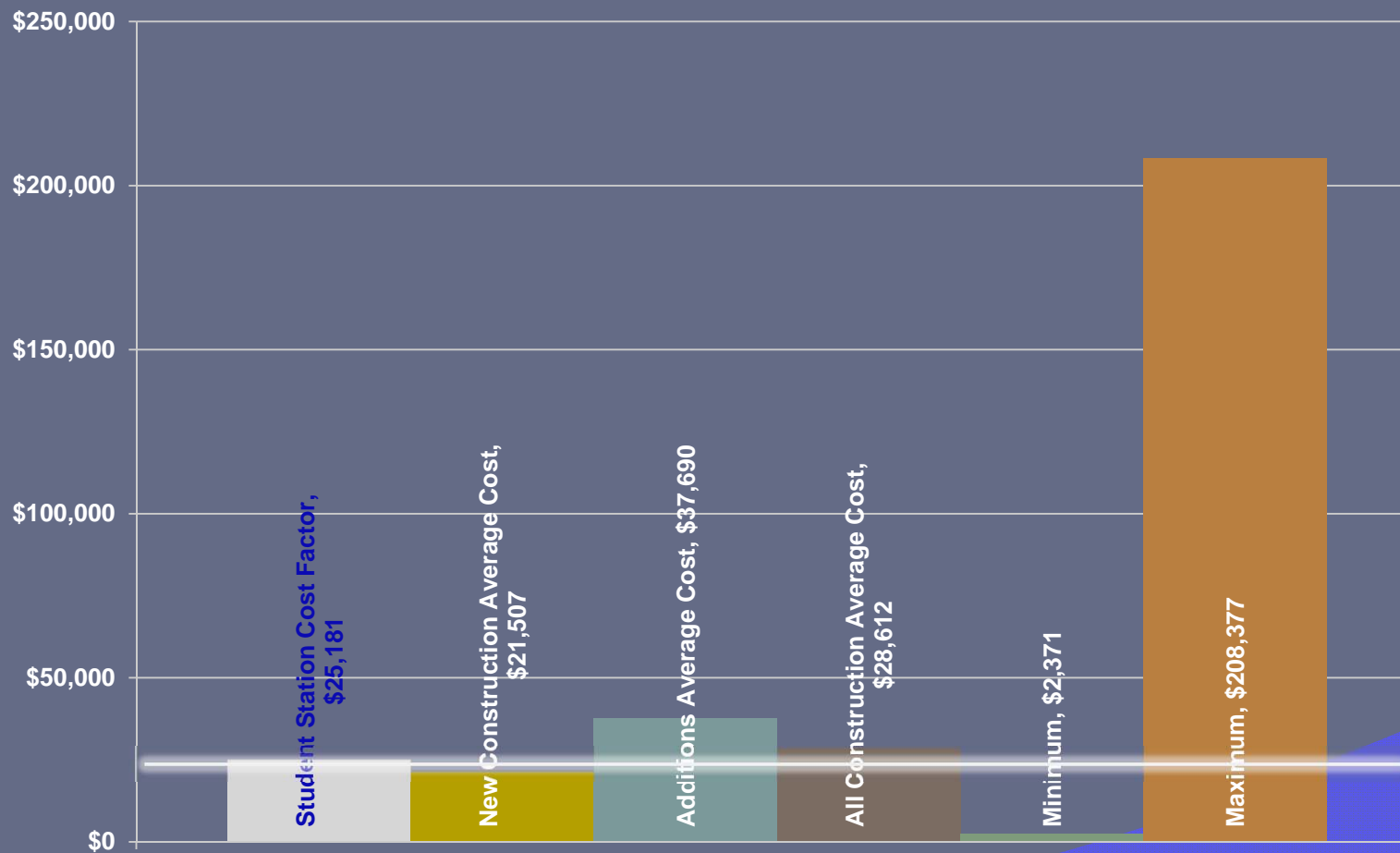
2006 Construction Costs Elementary Schools



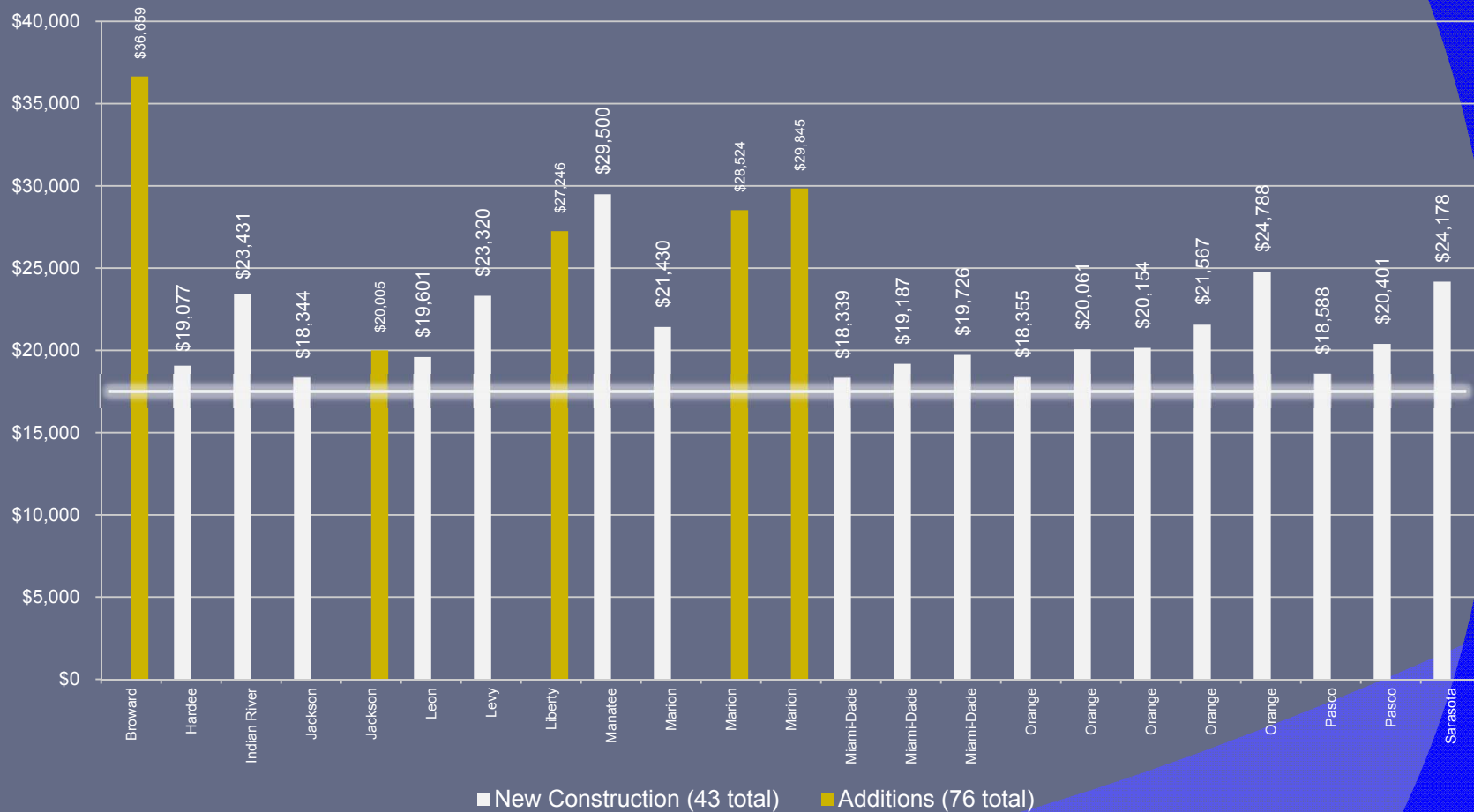
2006 Construction Costs Middle Schools



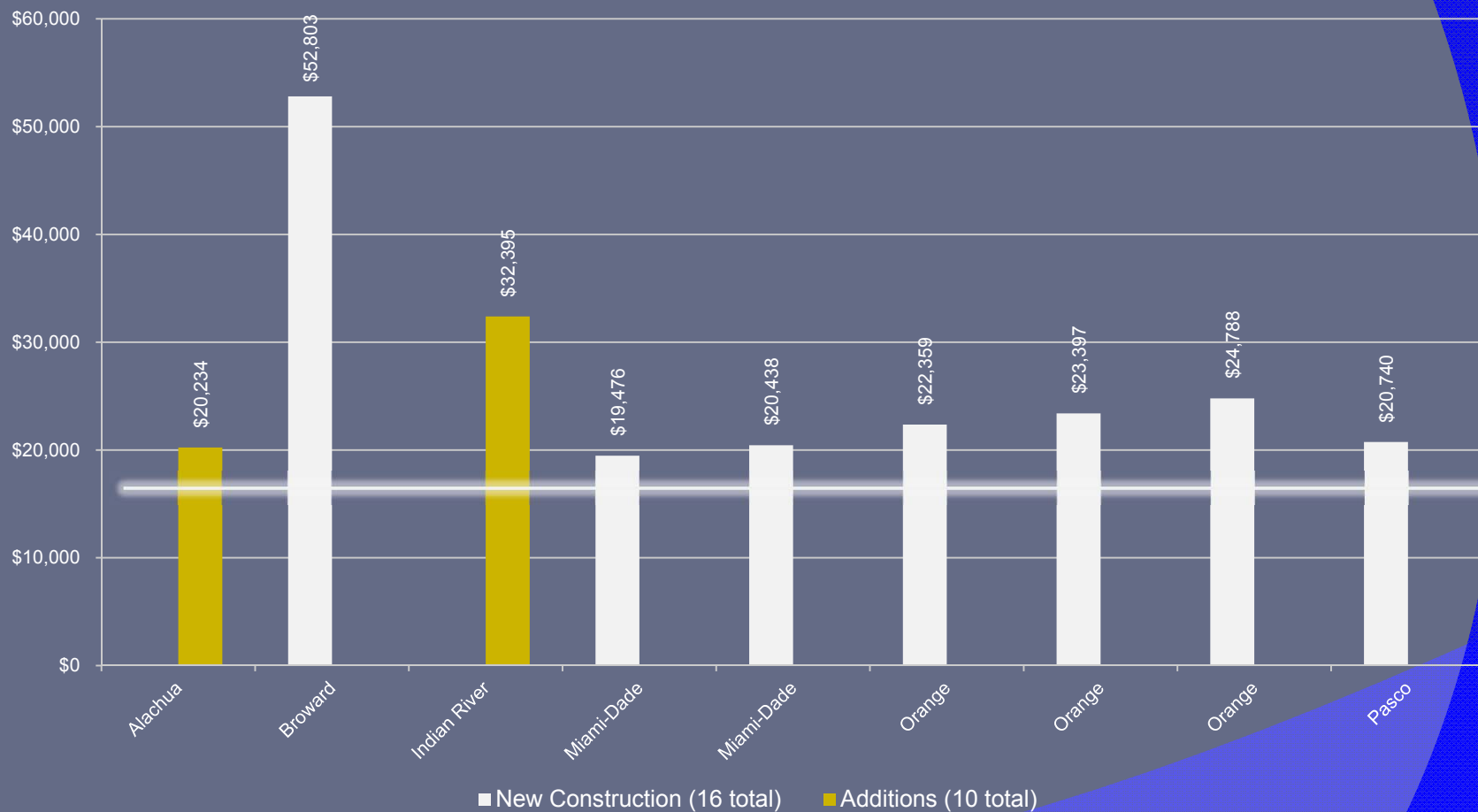
2006 Construction Costs High Schools



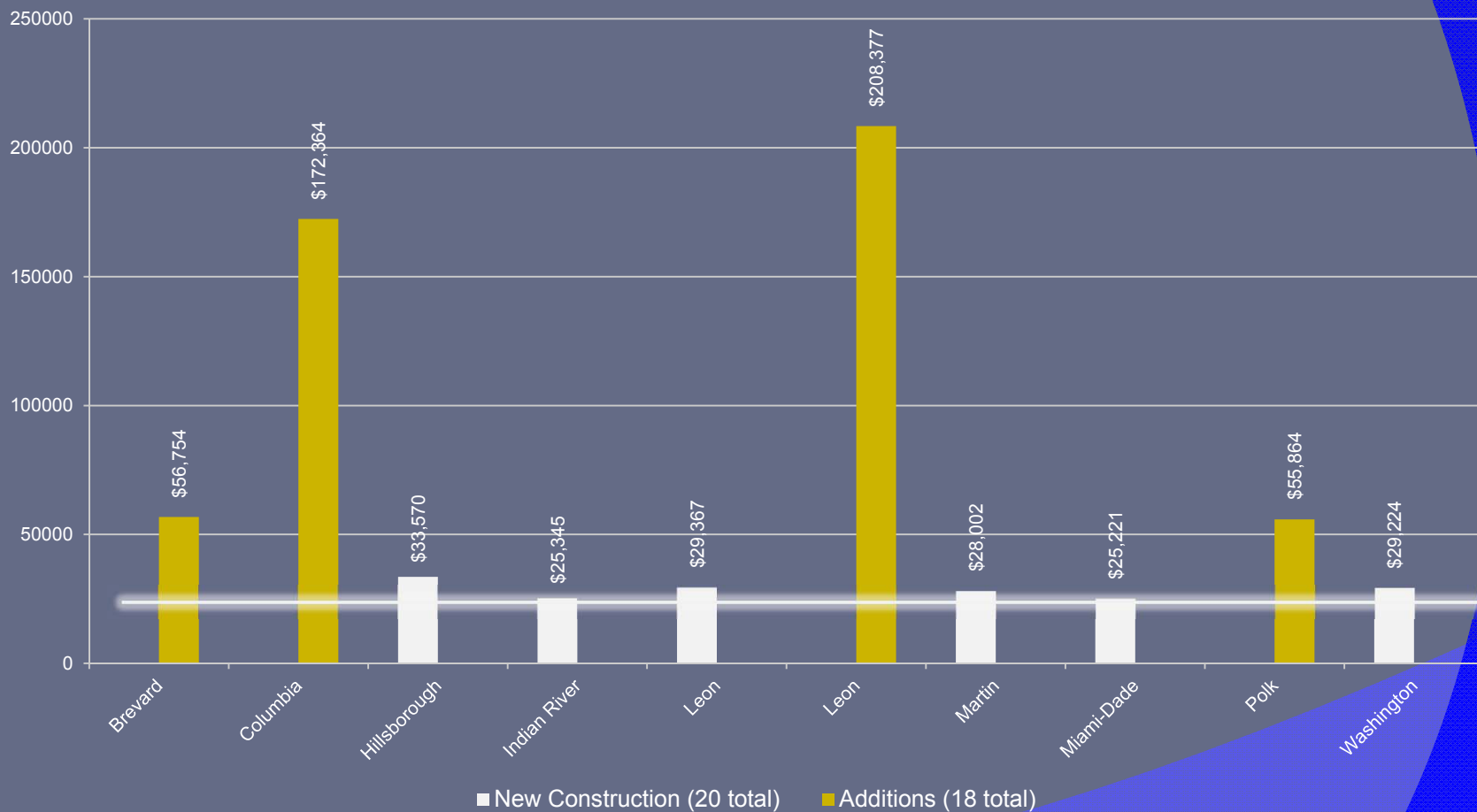
2006 Projects Above Elementary School Student Station Cost of \$17,952



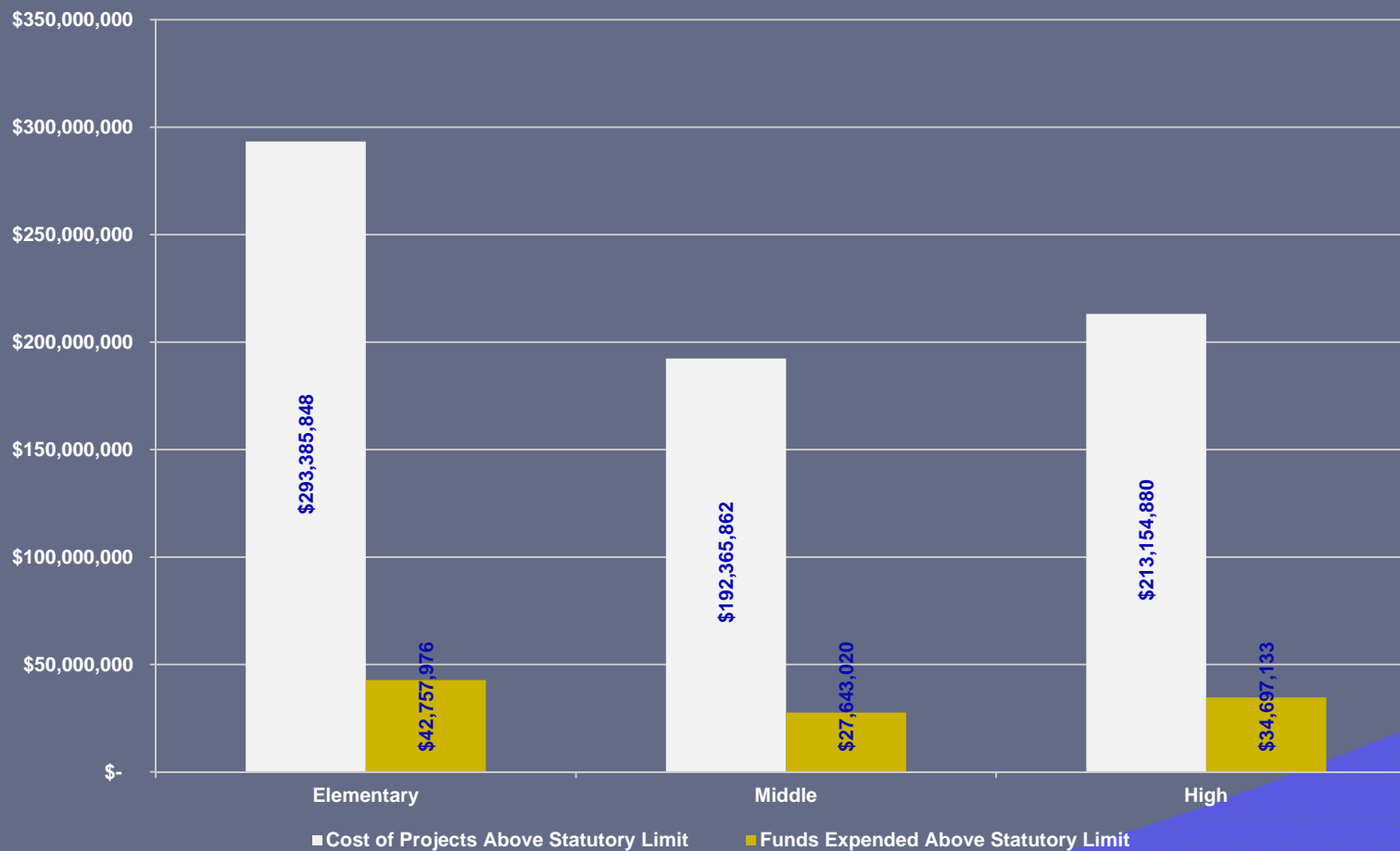
2006 Projects Above Middle School Student Station Cost of \$19,386



2006 Projects Above High School Student Station Cost of \$25,181



2006 Total Construction Costs for Schools Exceeding the Statutory Limit = \$699 million Amount in Excess of Statutory Limit = \$105 million



NEW

NEW														
District			Student	Gross	Total	Facility Cost	Facility Cost	Plant Cost	Plant Cost	Student				
Name	Facility Name	Stations	Square Feet	Facility Cost	Station	Gross Square Foot	Cost	Station	Gross Square Foot	Cost Limit	\$ Over	% Over	Project Excess	
2014	Orange	Dr. Phillips ES	660	72,617	\$11,675,161	\$17,690	\$161	\$13,884,918	\$21,038	\$191	21,194	-	0.00%	-
2014	Orange	John Young ES	832	84,111	\$11,931,500	\$14,341	\$142	\$12,348,247	\$14,842	\$147	21,194	-	0.00%	-
2014	Orange	Little River ES	500	61,780	\$11,263,093	\$22,526	\$182	\$12,808,629	\$25,617	\$207	21,194	1,332	5.91%	666,000
2014	Orange	Ocoee ES	830	88,220	\$12,466,105	\$15,019	\$141	\$12,640,772	\$15,230	\$143	21,194	-	0.00%	-
2014	Orange	Pineloch ES	830	89,420	\$12,433,709	\$14,980	\$139	\$12,478,472	\$15,034	\$140	21,194	-	0.00%	-
2014	Orange	Shingle Creek ES	832	84,111	\$11,693,867	\$14,055	\$139	\$12,750,530	\$15,325	\$152	21,194	-	0.00%	-
2014	Orange	Spring Lake ES	627	72,794	\$12,565,598	\$20,041	\$173	\$12,633,382	\$20,149	\$174	21,194	-	0.00%	-
2014	Orange	Washington Shores ES	684	80,949	\$13,020,419	\$19,036	\$161	\$13,088,842	\$19,136	\$162	21,194	-	0.00%	-
2014	Orange	Wheatley ES	560	79,521	\$11,781,921	\$21,039	\$148	\$11,856,656	\$21,173	\$149	21,194	-	0.00%	-
2014	Osceola	Celebration High School	500	35,836	\$6,166,936	\$12,334	\$172	\$6,166,936	\$12,334	\$172	29,728	-	0.00%	-
2014	Osceola	Central Avenue Elementary School	308	19,825	\$3,482,881	\$11,308	\$176	\$3,482,881	\$11,308	\$176	21,194	-	0.00%	-
2014	Osceola	Hickory Tree Elementary School	308	16,335	\$3,078,073	\$9,994	\$188	\$3,078,073	\$9,994	\$188	21,194	-	0.00%	-
2014	Palm Beach	The Conservatory School of North Palm Beach	753	117,605	\$21,833,833	\$28,996	\$186	\$22,377,152	\$29,717	\$190	21,194	7,802	26.91%	5,874,906
2014	Pasco	Schrader Elementary	498	84,983	\$13,360,800	\$26,829	\$157	\$13,725,131	\$27,561	\$162	21,194	5,635	21.00%	2,806,230
2014	Santa Rosa	Jay High	61	7,037	\$994,942	\$16,311	\$141	\$1,019,108	\$16,707	\$145	29,728	-	0.00%	-
2014	Santa Rosa	Milton High	150	12,147	\$1,987,805	\$13,252	\$164	\$2,040,607	\$13,604	\$168	29,728	-	0.00%	-
2013	Lake	Lake Minneola High	1,932	312,344	\$56,502,510	\$29,246	\$181	\$57,183,793	\$29,598	\$183	29,255	-	0.00%	-
2013	Marion	Legacy Elementary	873	121,490	\$16,886,241	\$19,343	\$139	\$18,336,340	\$21,004	\$151	20,857	-	0.00%	-
2013	Martin	Martin County High	703	70,038	\$9,854,403	\$14,018	\$141	\$9,854,403	\$14,018	\$141	29,255	-	0.00%	-
2013	Monroe	Horace O'Bryant	1,217	240,080	\$38,138,035	\$31,338	\$159	\$38,347,155	\$31,510	\$160	22,523	8,815	28.13%	10,727,855
2013	Orange	19-E-N-7 (Hackney Prairie Road Area Elementary)	856	103,818	\$13,866,787	\$16,200	\$134	\$15,675,576	\$18,313	\$151	20,857	-	0.00%	-
2013	Orange	Sun Blaze Elementary	832	86,619	\$12,550,508	\$15,085	\$145	\$15,957,954	\$19,180	\$184	20,857	-	0.00%	-
2013	Palm Beach	Galaxy Elementary	787	108,674	\$27,564,741	\$35,025	\$254	\$28,806,400	\$36,603	\$265	20,857	14,168	40.45%	11,150,216
2013	Palm Beach	Gove Elementary	924	124,543	\$31,846,420	\$34,466	\$256	\$35,622,292	\$38,552	\$286	20,857	13,609	39.49%	12,574,716
2012	Alachua	Meadowbrook Elementary	760	104,887	\$15,580,000	\$20,500	\$149	\$19,444,444	\$25,585	\$185	20,523	-	0.00%	-
2012	Collier	Bethune Education Center	182	38,924	\$7,313,097	\$40,182	\$188	\$7,813,329	\$42,930	\$201	22,162	18,020	44.85%	3,279,640
2012	Indian River	Vero Beach Elementary	796	121,037	\$21,257,621	\$26,706	\$176	\$21,533,893	\$27,053	\$178	20,523	6,183	23.15%	4,921,668
2012	Lee	Hams Marsh Middle	1,345	171,050	\$28,678,484	\$21,322	\$168	\$30,653,842	\$22,791	\$179	22,162	-	0.00%	-
2012	Lee	Tortuga Preserve Elementary	1,050	141,643	\$19,247,648	\$18,331	\$136	\$23,456,732	\$22,340	\$166	20,523	-	0.00%	-
2012	Miami-Dade	International Studies Senior High	603	37,120	\$9,164,619	\$15,198	\$247	\$21,846,054	\$36,229	\$589	28,787	-	0.00%	-
2012	Miami-Dade	Medical Academy of Science and Technology	800	83,260	\$11,378,948	\$14,224	\$137	\$18,811,197	\$23,514	\$226	28,787	-	0.00%	-
2012	Miami-Dade	North Dade Middle & North Dade Center for Modern Languages	993	100,245	\$21,216,883	\$21,366	\$212	\$21,216,883	\$21,366	\$212	22,162	-	0.00%	-
2012	Orange	Evans High	2,599	405,232	\$64,971,636	\$24,999	\$160	\$81,091,877	\$31,201	\$200	28,787	-	0.00%	-
2012	Orange	SunRidge Elementary	842	98,176	\$12,859,482	\$15,273	\$131	\$14,162,606	\$16,820	\$144	20,523	-	0.00%	-
2012	Orange	SunRidge Middle	1,352	184,436	\$27,397,821	\$20,265	\$149	\$30,375,846	\$22,467	\$165	22,162	-	0.00%	-
2012	St Johns	Palencia Elementary	738	115,811	\$15,136,201	\$20,510	\$131	\$15,290,832	\$20,719	\$132	20,523	-	0.00%	-
2012	St Lucie	Lincoln Park Academy	978	98,737	\$23,699,924	\$24,233	\$240	\$24,423,402	\$24,973	\$247	28,787	-	0.00%	-
2012	Volusia	Citrus Grove Elementary	764	106,177	\$16,923,704	\$22,151	\$159	\$19,661,608	\$25,735	\$185	20,523	1,628	7.35%	1,243,792

NEW

District	Name	Facility Name	Student Stations	Gross Square Feet	Facility Cost		Plant Cost		Plant Cost		Student Station Cost Limit	\$ Over	% Over	Project Excess
					Total Facility Cost	Per Student Station	Total Plant Cost	Per Student Station	Per Gross Square Foot	Per Gross Square Foot				
2011	Broward	Lanier James Education Center	262	60,862	\$12,187,686	\$46,518	\$200	\$12,412,686	\$47,377	\$204	27,977	18,541	39.86%	4,857,742
2011	Calhoun	Blountstown High	825	132,321	\$23,838,286	\$28,895	\$180	\$25,135,928	\$30,468	\$190	27,977	918	3.18%	757,350
2011	Charlotte	Charlotte High	1,828	415,184	\$89,919,369	\$49,190	\$217	\$92,390,747	\$50,542	\$223	27,977	21,213	43.12%	38,777,364
2011	Charlotte	Meadow Park Elementary	843	116,251	\$18,004,648	\$21,358	\$155	\$18,415,280	\$21,845	\$158	19,946	1,412	6.61%	1,190,316
2011	Duval	Waterleaf Elementary	873	106,269	\$19,771,494	\$22,648	\$186	\$24,786,442	\$28,392	\$233	19,946	2,702	11.93%	2,358,846
2011	Escambia	Global Learning Academy	856	127,600	\$21,788,501	\$25,454	\$171	\$24,108,501	\$28,164	\$189	19,946	5,508	21.64%	4,714,848
2011	Miami-Dade	International Studies SHS	603	37,120	\$9,164,619	\$15,198	\$247	\$21,846,054	\$36,229	\$589	27,977	-	0.00%	-
2011	Miami-Dade	Medical Academy or Science and Technology	800	83,260	\$11,378,948	\$14,224	\$137	\$18,811,197	\$23,514	\$226	27,977	-	0.00%	-
2011	Miami-Dade	North Dade Middle	993	100,245	\$21,216,883	\$21,366	\$212	\$21,216,883	\$21,366	\$212	21,539	-	0.00%	-
2011	Okeechobee	Okeechobee Achievement Academy	347	48,331	\$6,383,188	\$18,395	\$132	\$6,696,931	\$19,300	\$139	27,977	-	0.00%	-
2011	Orange	Lake Nona Middle	1,328	167,123	\$19,996,275	\$15,057	\$120	\$23,466,083	\$17,670	\$140	21,539	-	0.00%	-
2011	Orange	Wetherbee Elementary	817	113,073	\$13,689,339	\$16,756	\$121	\$14,419,347	\$17,649	\$128	21,539	-	0.00%	-
2011	Osceola	Highlands Elementary	1,020	102,338	\$18,145,244	\$17,789	\$177	\$18,145,244	\$17,789	\$177	19,946	-	0.00%	-
2011	Pasco	Connerton Elementary "R"	762	92,842	\$16,069,236	\$21,088	\$173	\$19,102,688	\$25,069	\$206	19,946	1,142	5.42%	870,204
2011	Polk	Aubumdale Senior	1,236	157,921	\$24,108,249	\$19,505	\$153	\$24,482,933	\$19,808	\$155	27,977	-	0.00%	-
2011	Polk	Boone Middle	305	108,633	\$20,312,468	\$66,598	\$187	\$20,312,468	\$66,598	\$187	21,539	45,059	67.66%	13,742,995
2011	Polk	Davenport School of the Arts	1,510	245,420	\$32,510,157	\$21,530	\$132	\$32,548,129	\$21,555	\$133	27,977	-	0.00%	-
2011	Polk	Kathleen Senior	800	153,829	\$27,466,006	\$34,333	\$179	\$27,493,666	\$34,367	\$179	27,977	6,356	18.51%	5,084,800
2011	Polk	Winter Haven Senior	2,039	219,148	\$29,588,106	\$14,511	\$135	\$29,588,106	\$14,511	\$135	27,977	-	0.00%	-
2011	Walton	Emerald Coast Middle	820	129,066	\$20,045,689	\$24,446	\$155	\$25,134,830	\$30,652	\$195	21,539	2,907	11.89%	2,383,740
2010	Broward	Norcrest Elementary	866	68,015	\$24,467,358	\$28,253	\$360	\$24,467,358	\$28,253	\$360	19,630	8,623	30.52%	7,467,518
2010	Clay	Oakleaf High	1,729	285,494	\$56,720,757	\$32,806	\$199	\$57,248,757	\$33,111	\$201	27,535	5,271	16.07%	9,113,559
2010	Collier	Lorenzo Walker Institute of Technology High	606	62,684	\$12,238,482	\$20,196	\$195	\$13,327,167	\$21,992	\$213	27,535	-	0.00%	-
2010	Collier	Palmetto Elementary	919	122,995	\$26,226,941	\$28,539	\$213	\$32,911,192	\$35,812	\$268	19,630	8,909	31.22%	8,187,371
2010	Duval	Atlantic Coast High	2,587	302,981	\$68,389,911	\$26,436	\$226	\$103,625,000	\$40,056	\$342	27,535	-	0.00%	-
2010	Lake	Sorrento Elementary	976	127,316	\$18,455,417	\$18,909	\$145	\$20,349,831	\$20,850	\$160	19,630	-	0.00%	-
2010	Orange	Apopka High	3,402	436,769	\$86,552,297	\$25,442	\$198	\$88,701,006	\$26,073	\$203	27,535	-	0.00%	-
2010	Orange	Old Cheney/North Forsyth Elementary	836	103,770	\$15,683,585	\$18,760	\$151	\$18,601,890	\$22,251	\$179	19,630	-	0.00%	-
2010	Osceola	East Lake Elementary	1,092	106,110	\$15,425,754	\$14,126	\$145	\$16,801,834	\$15,386	\$158	19,630	-	0.00%	-
2010	Palm Beach	Everglades Elementary	960	120,671	\$22,368,384	\$23,300	\$185	\$24,002,354	\$25,002	\$199	19,630	3,670	15.75%	3,523,200
2010	Palm Beach	Northboro Elementary	952	121,844	\$30,012,321	\$31,526	\$246	\$31,626,199	\$33,221	\$260	19,630	11,896	37.73%	11,324,992
2010	Palm Beach	Palm Beach Gardens Community High	3,002	404,363	\$97,756,423	\$32,564	\$242	\$104,085,480	\$34,672	\$257	27,535	5,029	15.44%	15,097,058
2010	Palm Beach	Plumosa Elementary	733	144,608	\$27,283,481	\$37,222	\$189	\$29,859,527	\$40,736	\$206	19,630	17,592	47.26%	12,894,936
2010	Palm Beach	Suncoast High	1,906	301,854	\$80,137,980	\$42,045	\$265	\$85,945,941	\$45,092	\$285	27,535	14,510	34.51%	27,656,060
2010	Sarasota	Riverview High	2,966	436,516	\$103,638,144	\$34,942	\$237	\$111,018,042	\$37,430	\$254	27,535	7,407	21.20%	21,969,162
2010	Seminole	New Midway Elementary	786	119,398	\$14,241,029	\$18,118	\$119	\$16,643,524	\$21,175	\$139	19,630	-	0.00%	-
2010	Volusia	University High	2,878	360,454	\$94,411,466	\$32,805	\$262	\$117,157,242	\$40,708	\$325	27,535	5,270	16.06%	15,167,060
2009	Bay	Deer Point Elementary	905	164,807	\$20,510,716	\$22,664	\$124	\$23,902,148	\$26,411	\$145	19,140	3,524	15.55%	3,189,220
2009	Brevard	Heritage High School	2,458	321,666	\$65,972,195	\$26,840	\$205	\$74,030,115	\$30,118	\$230	26,848	-	0.00%	-
2009	Brevard	Satellite High School	223	30,621	\$5,745,391	\$25,764	\$188	\$5,745,391	\$25,764	\$188	26,848	-	0.00%	-

NEW

NEW				Facility Cost			Plant Cost			Student				
District			Gross	Total	Per	Per	Total	Plant	Plant	Station				
Name	Facility Name	Stations	Square Feet	Facility Cost	Student Station	Gross Square Foot	Cost	Student Station	Gross Square Foot	Cost Limit	\$ Over	% Over	Project Excess	
2009	Broward	Discovery Elementary (K-6)	954	127,779	\$28,571,361	\$29,949	\$224	\$28,656,237	\$30,038	\$224	19,140	10,809	36.09%	10,311,786
2009	Broward	Heron Heights Elementary	1,000	126,653	\$29,369,374	\$29,369	\$232	\$29,369,374	\$29,369	\$232	19,140	10,229	34.83%	10,229,000
2009	Charlotte	East Elementary	905	112,737	\$19,893,105	\$21,981	\$176	\$20,285,976	\$22,415	\$180	19,140	2,841	12.92%	2,571,105
2009	Collier	Eden Park Elementary (K-6)	874	113,888	\$25,277,046	\$28,921	\$222	\$32,823,874	\$37,556	\$288	19,140	9,781	33.82%	8,548,594
2009	Collier	Mike Davis Elementary	979	122,995	\$23,690,996	\$24,199	\$193	\$26,990,254	\$27,569	\$219	19,140	5,059	20.91%	4,952,761
2009	Duval	Westview K-8	1,671	169,117	\$36,450,561	\$21,814	\$216	\$41,300,128	\$24,716	\$244	20,669	1,145	5.25%	1,913,295
2009	Duval	Bartram Springs Elementary	877	106,398	\$20,471,791	\$23,343	\$192	\$23,376,730	\$26,655	\$220	19,140	4,203	18.01%	3,686,031
2009	Hernando	Explorer K-8	2,095	279,170	\$47,381,581	\$22,617	\$170	\$52,868,942	\$25,236	\$189	20,669	1,948	8.61%	4,081,060
2009	Hillsborough	Bailey Elementary	928	90,382	\$10,304,335	\$11,104	\$114	\$20,299,814	\$21,875	\$225	19,140	-	0.00%	-
2009	Hillsborough	Barrington Middle School	1,635	145,175	\$21,021,738	\$12,857	\$145	\$21,422,316	\$13,102	\$148	20,669	-	0.00%	-
2009	Hillsborough	Steinbrenner High School	2,513	301,846	\$49,540,326	\$19,714	\$164	\$58,550,298	\$23,299	\$194	26,848	-	0.00%	-
2009	Hillsborough	Stowers Elementary	1,008	88,710	\$13,467,980	\$13,361	\$152	\$13,760,846	\$13,652	\$155	19,140	-	0.00%	-
2009	Hillsborough	Strawberry Crest High School	2,446	274,890	\$54,871,983	\$22,433	\$200	\$73,457,578	\$30,032	\$267	26,848	-	0.00%	-
2009	Indian River	Storm Grove Middle School	1,413	193,786	\$42,005,003	\$29,728	\$217	\$61,639,102	\$43,623	\$318	20,669	9,059	30.47%	12,800,367
2009	Lake	East Ridge Middle School	1,414	194,551	\$31,656,203	\$22,388	\$163	\$40,824,049	\$28,871	\$210	20,669	1,719	7.68%	2,430,666
2009	Lee	Heights Elementary School	1,306	158,721	\$23,395,140	\$17,914	\$147	\$27,154,573	\$20,792	\$171	19,140	-	0.00%	-
2009	Lee	Lehigh Elementary School	1,220	149,735	\$18,014,557	\$14,766	\$120	\$19,794,242	\$16,225	\$132	19,140	-	0.00%	-
2009	Manatee	G.D. Rogers Garden Elementary	602	90,248	\$15,046,982	\$24,995	\$167	\$16,880,117	\$28,040	\$187	19,140	5,855	23.42%	3,524,710
2009	Martin	Citrus Grove Elementary	642	124,838	\$24,210,165	\$37,711	\$194	\$25,433,165	\$39,616	\$204	19,140	18,571	49.25%	11,922,582
2009	Okaloosa	Riverside Elementary School	972	106,196	\$18,408,282	\$18,939	\$173	\$22,909,477	\$23,569	\$216	19,140	-	0.00%	-
2009	Okaloosa	Shoal River Middle School	946	135,311	\$19,513,820	\$20,628	\$144	\$28,987,227	\$30,642	\$214	20,669	-	0.00%	-
2009	Orange	East River High School	3,161	399,708	\$76,470,503	\$24,192	\$191	\$81,508,782	\$25,786	\$204	26,848	-	0.00%	-
2009	Orange	Keene's Crossing Elementary School	838	103,770	\$15,662,754	\$18,691	\$151	\$16,302,872	\$19,455	\$157	19,140	-	0.00%	-
2009	Orange	Lake Nona High School	2,955	385,173	\$75,633,761	\$25,595	\$196	\$81,482,896	\$27,575	\$212	26,848	-	0.00%	-
2009	Osceola	KOA Elementary School (Elem L)	950	109,576	\$16,951,209	\$17,843	\$155	\$17,981,961	\$18,928	\$164	19,140	-	0.00%	-
2009	Osceola	Narcoossee Elementary (ES M)	962	106,215	\$17,882,415	\$18,589	\$168	\$19,076,082	\$19,830	\$180	19,140	-	0.00%	-
2009	Osceola	Westside K-8 School	1,434	175,577	\$29,316,035	\$20,444	\$167	\$29,503,709	\$20,574	\$168	20,669	-	0.00%	-
2009	Palm Beach	C.O. Taylor/Kirklane Elementary	1,441	170,203	\$42,170,385	\$29,265	\$248	\$43,122,493	\$29,925	\$253	19,140	10,125	34.60%	14,590,125
2009	Palm Beach	Hope-Centennial Elementary	996	131,804	\$30,725,667	\$30,849	\$233	\$34,934,376	\$35,075	\$265	19,140	11,709	37.98%	11,662,164
2009	Polk	Spessard Holland Elementary	825	115,608	\$17,723,094	\$21,483	\$153	\$19,136,839	\$23,196	\$166	19,140	2,343	10.91%	1,932,975
2009	Sarasota	Atwater Elementary School	1,028	133,719	\$19,723,786	\$19,187	\$148	\$26,491,738	\$25,770	\$198	19,140	47	0.24%	48,316
2009	Sarasota	Woodland Middle School	1,567	181,789	\$43,403,140	\$27,698	\$239	\$45,341,677	\$28,935	\$249	20,669	7,029	25.38%	11,014,443
2009	Sarasota	Suncoast Polytechnical High School	606	76,218	\$16,385,812	\$27,039	\$215	\$17,492,900	\$28,866	\$230	26,848	191	0.71%	115,748
2009	St. Johns	Liberty Pines Academy (K-8)	1,186	163,462	\$27,449,299	\$23,144	\$168	\$33,012,607	\$27,835	\$202	20,669	2,475	10.69%	2,935,350
2009	Volusia	Champion Elementary	746	103,541	\$17,987,770	\$24,112	\$174	\$20,026,512	\$26,845	\$193	19,140	4,972	20.62%	3,709,112
2009	Wakulla	Riversink Elementary	655	101,368	\$18,451,485	\$28,170	\$182	\$20,957,489	\$31,996	\$207	19,140	9,030	32.06%	5,914,650
2009	Walton	Walton Senior High	1,149	204,508	\$38,451,342	\$33,465	\$188	\$38,588,270	\$33,584	\$189	26,848	6,617	19.77%	7,602,933
2009	Washington	Vernon Elementary School	680	52,000	\$7,469,680	\$11,318	\$144	\$7,469,680	\$11,318	\$144	19,140	-	0.00%	-
2008	Bay	Breakfast Point Academy K-8	1,406	166,000	\$32,939,262	\$23,428	\$198	\$34,615,062	\$24,620	\$209	20,701	2,727	11.64%	3,834,162
2008	Broward	Colbert Elementary	812	52,604	\$4,653,952	\$5,731	\$88	\$4,653,952	\$5,731	\$88	19,169	-	0.00%	-
2008	Broward	West Broward High	3,050	349,536	\$83,780,198	\$27,469	\$240	\$109,040,951	\$35,751	\$312	26,889	580	2.11%	1,769,000
2008	Charlotte	Peace River Elementary School	905	112,352	\$22,959,651	\$25,370	\$204	\$23,286,482	\$25,731	\$207	19,169	6,201	24.44%	5,611,905
2008	Charlotte	Punta Gorda Middle School	1,274	175,853	\$34,757,219	\$27,282	\$198	\$35,863,583	\$28,150	\$204	20,701	6,581	24.12%	8,384,194
2008	Citrus	Central Ridge Elementary	838	120,848	\$22,049,971	\$26,313	\$182	\$22,202,055	\$26,494	\$184	19,169	7,144	27.15%	5,986,672

NEW

NEW														
District			Student	Gross	Total	Per	Per	Total	Plant Cost	Plant Cost	Student	Station		
Name	Facility Name		Stations	Square	Facility	Student	Gross	Plant	Student	Per	Cost	Limit	\$	%
				Feet	Cost	Station	Square Foot	Cost	Station	Square Foot			Over	Over
														Project
														Excess
2008	Clay	OakLeaf Village Elementary	929	135,083	\$24,698,157	\$26,586	\$183	\$24,998,157	\$26,909	\$185	19,169	7,417	27.90%	6,890,393
2008	Clay	Plantation Oaks Elementary	929	135,083	\$19,539,372	\$21,033	\$145	\$19,839,372	\$21,356	\$147	19,169	1,864	8.86%	1,731,656
2008	Clay	Shadowlawn Elementary	929	135,083	\$26,302,423	\$28,313	\$195	\$28,260,479	\$30,420	\$209	19,169	9,144	32.30%	8,494,776
2008	Collier	Cypress Palm Middle	1,311	166,826	\$32,360,651	\$24,684	\$194	\$39,580,165	\$30,191	\$237	20,701	3,983	16.14%	5,221,713
2008	Collier	Marco Charter Middle	541	72,166	\$15,668,548	\$28,962	\$217	\$18,721,196	\$34,605	\$259	20,701	8,261	28.52%	4,469,201
2008	Collier	Parkside Elementary	919	123,081	\$25,046,067	\$27,254	\$203	\$36,444,004	\$39,656	\$296	19,169	8,085	29.67%	7,430,115
2008	Collier	Veterans Memorial Elementary	779	91,758	\$20,683,276	\$26,551	\$225	\$34,899,749	\$44,801	\$380	19,169	7,382	27.80%	5,750,578
2008	Duval	North Shore K-8	1,339	146,817	\$30,014,250	\$22,415	\$204	\$32,714,250	\$24,432	\$223	20,701	1,714	7.65%	2,295,046
2008	Flagler	Bunnell K-8	447	91,933	\$21,862,215	\$48,909	\$238	\$22,487,766	\$50,308	\$245	20,701	28,208	57.67%	12,608,976
2008	Franklin	Franklin County Schools	1,136	225,763	\$25,826,960	\$22,735	\$114	\$37,300,000	\$32,835	\$165	26,889	-	0.00%	-
2008	Highlands	Memorial Elementary	859	116,502	\$15,360,525	\$17,882	\$132	\$20,065,494	\$23,359	\$172	19,169	-	0.00%	-
2008	Hillsborough	Kimbell Elementary	636	92,305	\$13,044,215	\$20,510	\$141	\$15,676,542	\$24,649	\$170	19,169	1,341	6.54%	852,876
2008	Hillsborough	Reddick Elementary	948	109,120	\$16,017,900	\$16,897	\$147	\$17,737,449	\$18,710	\$163	19,169	-	0.00%	-
2008	Hillsborough	Smith Middle	1,578	160,394	\$24,386,175	\$15,454	\$152	\$29,370,270	\$18,612	\$183	20,701	-	0.00%	-
2008	Lake	Grassy Lake Elementary	940	124,245	\$18,290,202	\$19,458	\$147	\$21,196,945	\$22,550	\$171	19,169	289	1.49%	271,660
2008	Lake	Mascotte Charter Elementary	1,008	124,245	\$18,994,922	\$18,844	\$153	\$22,155,710	\$21,980	\$178	19,169	-	0.00%	-
2008	Lake	Minneola Charter Elementary	1,140	133,393	\$19,008,795	\$16,674	\$143	\$22,814,046	\$20,012	\$171	19,169	-	0.00%	-
2008	Lake	Sawgrass Bay Elementary	940	124,245	\$17,827,877	\$18,966	\$143	\$19,316,302	\$20,549	\$155	19,169	-	0.00%	-
2008	Lee	Heights Elementary School	1,306	158,721	\$23,895,010	\$18,296	\$151	\$26,709,670	\$20,452	\$168	19,169	-	0.00%	-
2008	Lee	Island Coast High School	2,112	273,231	\$52,792,146	\$24,996	\$193	\$57,644,257	\$27,294	\$211	26,889	-	0.00%	-
2008	Lee	Oak Hammock Middle School	1,390	159,980	\$27,915,850	\$20,083	\$174	\$32,597,238	\$23,451	\$204	20,701	-	0.00%	-
2008	Lee	Treeline Elementary School	1,059	128,909	\$19,397,081	\$18,316	\$150	\$20,728,195	\$19,573	\$161	19,169	-	0.00%	-
2008	Leon	Conley Elementary School	871	118,815	\$26,896,942	\$30,881	\$226	\$27,826,166	\$31,947	\$234	19,169	11,712	37.93%	10,201,152
2008	Leon	Montford Middle School	609	113,810	\$25,475,423	\$41,832	\$224	\$26,294,430	\$43,176	\$231	20,701	21,131	50.51%	12,868,779
2008	Marion	Liberty Middle	1,363	189,216	\$34,084,767	\$25,007	\$180	\$36,892,522	\$27,067	\$195	20,701	4,306	17.22%	5,869,078
2008	Orange	Conway Elementary School	627	86,334	\$12,176,998	\$19,421	\$141	\$14,176,373	\$22,610	\$164	19,169	252	1.30%	158,004
2008	Orange	Lakemont Elementary School	762	91,671	\$14,804,044	\$19,428	\$161	\$15,552,669	\$20,410	\$170	19,169	259	1.33%	197,358
2008	Orange	Timber Lakes Elementary School	849	102,022	\$15,705,885	\$18,499	\$154	\$16,389,382	\$19,304	\$161	19,169	-	0.00%	-
2008	Orange	Westbrooke Elementary School	860	97,225	\$15,882,639	\$18,468	\$163	\$19,724,943	\$22,936	\$203	19,169	-	0.00%	-
2008	Osceola	Flora Ridge Elementary	1,106	124,839	\$19,228,157	\$17,385	\$154	\$22,563,504	\$20,401	\$181	19,169	-	0.00%	-
2008	Osceola	New ES "J" (Harmony Community)	950	105,531	\$18,007,625	\$18,955	\$171	\$18,233,650	\$19,193	\$173	19,169	-	0.00%	-
2008	Palm Beach	Allamanda Elementary	834	122,497	\$27,484,028	\$32,954	\$224	\$28,375,666	\$34,024	\$232	19,169	13,785	41.83%	11,496,690
2008	Palm Beach	Forest Park Elementary	918	121,576	\$29,962,626	\$32,639	\$246	\$30,871,184	\$33,629	\$254	19,169	13,470	41.27%	12,365,460
2008	Palm Beach	Hagen Ranch Elementary	889	120,656	\$29,047,288	\$32,674	\$241	\$30,333,484	\$34,121	\$251	19,169	13,505	41.33%	12,005,945
2008	Palm Beach	Palm Beach Gardens Elementary	770	119,153	\$27,127,779	\$35,231	\$228	\$28,077,511	\$36,464	\$236	19,169	16,062	45.59%	12,367,740
2008	Palm Beach	Pine Jog Elementary	1,034	132,214	\$34,369,832	\$33,240	\$260	\$35,361,588	\$34,199	\$267	19,169	14,071	42.33%	14,549,414
2008	Palm Beach	Sunset Palms Elementary	960	122,966	\$28,003,053	\$29,170	\$228	\$29,936,967	\$31,184	\$243	19,169	10,001	34.29%	9,600,960
2008	Palm Beach	Westward Elementary	1,042	123,920	\$30,107,398	\$28,894	\$243	\$32,142,878	\$30,847	\$259	19,169	9,725	33.66%	10,133,450
2008	Pasco	New River Elementary "M"	762	107,982	\$15,283,121	\$20,057	\$142	\$17,874,945	\$23,458	\$166	19,169	888	4.43%	676,656
2008	Pasco	Wiregrass Ranch High School "CCC"	1,914	247,278	\$31,964,807	\$16,701	\$129	\$41,371,083	\$21,615	\$167	26,889	-	0.00%	-
2008	Pinellas	New Heights Elementary	864	97,731	\$28,234,866	\$32,679	\$289	\$28,587,767	\$33,088	\$293	19,169	13,510	41.34%	11,672,640
2008	Pinellas	Tarpon Springs Elementary	731	101,687	\$26,151,542	\$35,775	\$257	\$29,407,600	\$40,229	\$289	19,169	16,606	46.42%	12,138,986
2008	Polk	Horizons Elementary	825	115,608	\$21,073,979	\$25,544	\$182	\$22,845,897	\$27,692	\$198	19,169	6,375	24.96%	5,259,375
2008	Polk	Tenoroc Senior	1,927	288,357	\$65,443,902	\$33,962	\$227	\$69,447,494	\$36,039	\$241	26,889	7,073	20.83%	13,629,671
2008	Sarasota	Suncoast Polytechnical High School	606	76,218	\$16,385,812	\$27,039	\$215	\$17,492,900	\$28,866	\$230	26,889	150	0.55%	90,900
2008	Sarasota	Woodland Middle School	1,567	181,789	\$43,403,140	\$27,698	\$239	\$45,341,677	\$28,935	\$249	20,701	6,997	25.26%	10,964,299
2008	St Johns	Creekside High School ("DDD")	1,592	256,923	\$51,001,270	\$32,036	\$199	\$56,940,912	\$35,767	\$222	26,889	5,147	16.07%	8,194,024

NEW

NEW			Student Stations	Gross Square Feet	Facility Cost		Total Plant Cost	Plant Cost		Student Station				
District Name	Facility Name	Total Facility Cost			Per Student Station	Per Gross Square Foot		Per Student Station	Per Gross Square Foot	Cost Limit	\$ Over	% Over	Project Excess	
2008	St Johns	Ponte Vedra High School CCC	1,572	260,160	\$59,872,628	\$38,087	\$230	\$66,059,010	\$42,022	\$254	26,889	11,198	29.40%	17,603,256
2008	St. Lucie	Allapattah Flats K-8	1,920	223,747	\$44,806,513	\$23,337	\$200	\$45,701,252	\$23,803	\$204	20,701	2,636	11.30%	5,061,120
2008	St. Lucie	Ft. Pierce Central High School	2,646	347,478	\$75,504,390	\$28,535	\$217	\$88,089,252	\$33,291	\$254	26,889	1,646	5.77%	4,355,316
2008	St. Lucie	Palm Pointe Educational Research School at Tradition	1,710	192,910	\$35,565,641	\$20,799	\$184	\$35,569,456	\$20,801	\$184	20,701	98	0.47%	167,580
2008	Volusia	Pride Elementary ("Y")	761	106,363	\$18,545,420	\$24,370	\$174	\$21,807,146	\$28,656	\$205	19,169	5,201	21.34%	3,957,961
2008	Walton	Mossy Head School	583	90,172	\$20,459,939	\$35,094	\$227	\$20,528,654	\$35,212	\$228	19,169	15,925	45.38%	9,284,275
2007	Bay	New Horizons Learning Center	170	44,080	\$6,973,624	\$41,021	\$158	\$7,303,624	\$42,962	\$166	25,712	15,309	37.32%	2,602,530
2007	Brevard	Meadowlane Intermediate Elem	908	114,354	\$21,466,017	\$23,641	\$188	\$23,781,467	\$26,191	\$208	18,331	5,310	22.46%	4,821,480
2007	Broward	Dolphin Bay Elementary	830	117,744	\$19,328,277	\$23,287	\$164	\$20,078,277	\$24,191	\$171	18,331	4,956	21.28%	4,113,480
2007	Broward	Glades Middle	2,108	243,878	\$42,452,613	\$20,139	\$174	\$42,452,613	\$20,139	\$174	19,795	344	1.71%	725,152
2007	Broward	Orangebrook Elementary	884	110,000	\$20,327,125	\$22,994	\$185	\$20,883,269	\$23,624	\$190	18,331	4,663	20.28%	4,122,092
2007	Broward	Pines Middle	1,785	221,373	\$32,434,913	\$18,171	\$147	\$33,437,581	\$18,733	\$151	19,795	-	0.00%	-
2007	Charlotte	Neil Armstrong Elementary	905	112,857	\$22,186,138	\$24,515	\$197	\$22,454,367	\$24,811	\$199	18,331	6,184	25.23%	5,596,520
2007	Citrus	Renaissance Center	260	41,220	\$7,377,619	\$28,375	\$179	\$7,494,619	\$28,825	\$182	25,712	2,663	9.39%	692,380
2007	Clay	Coppergate Elementary School	848	98,856	\$15,538,873	\$18,324	\$157	\$17,033,948	\$20,087	\$172	18,331	-	0.00%	-
2007	Duval	Chaffee Trail Elementary	798	106,587	\$18,945,000	\$23,741	\$178	\$22,740,000	\$28,496	\$213	18,331	5,410	22.79%	4,317,180
2007	Flagler	Matanzas High School	2,464	233,723	\$50,381,093	\$20,447	\$216	\$51,981,093	\$21,096	\$222	25,712	-	0.00%	-
2007	Gadsden	West Gadsden High School	600	117,377	\$20,779,500	\$34,633	\$177	\$21,262,500	\$35,438	\$181	19,795	14,838	42.84%	8,902,800
2007	Gulf	Gulf Academy	25	1,920	\$234,947	\$9,398	\$122	\$241,872	\$9,675	\$126	25,712	-	0.00%	-
2007	Hillsborough	Deer Park Elementary	1,046	119,697	\$16,668,834	\$15,936	\$139	\$22,979,520	\$21,969	\$192	18,331	-	0.00%	-
2007	Hillsborough	Giunta Middle School	1,724	191,383	\$16,164,413	\$9,376	\$84	\$20,293,314	\$11,771	\$106	19,795	-	0.00%	-
2007	Hillsborough	Hammond Elementary	938	116,480	\$13,754,149	\$14,663	\$118	\$14,034,387	\$14,962	\$120	18,331	-	0.00%	-
2007	Hillsborough	Oak Park Elementary	753	97,252	\$12,280,946	\$16,309	\$126	\$20,459,015	\$27,170	\$210	18,331	-	0.00%	-
2007	Hillsborough	Summerfield Crossings Elem	959	108,311	\$12,216,517	\$12,739	\$113	\$13,432,628	\$14,007	\$124	18,331	-	0.00%	-
2007	Holmes	Poplar Springs School	443	93,437	\$13,047,656	\$29,453	\$140	\$13,813,605	\$31,182	\$148	25,712	3,741	12.70%	1,657,263
2007	Lee	Hector Cafferata Elementary	883	78,009	\$10,083,267	\$11,419	\$129	\$12,211,165	\$13,829	\$157	18,331	-	0.00%	-
2007	Lee	River Hall Elementary	1,046	125,524	\$18,329,506	\$17,523	\$146	\$20,473,701	\$19,573	\$163	18,331	-	0.00%	-
2007	Madison	MADISON COUNTY EXCEL	101	6,032	\$961,865	\$9,523	\$159	\$961,865	\$9,523	\$159	25,712	-	0.00%	-
2007	Manatee	Annie Lucy Williams Elementary	889	105,404	\$18,280,542	\$20,563	\$173	\$21,976,916	\$24,721	\$209	18,331	2,232	10.85%	1,984,248
2007	Manatee	BD Gullett Elementary	889	104,842	\$18,395,830	\$20,692	\$175	\$21,820,807	\$24,545	\$208	18,331	2,361	11.41%	2,098,929
2007	Manatee	Buffalo Creek Middle School	1,188	134,817	\$22,685,250	\$19,095	\$168	\$26,000,000	\$21,886	\$193	19,795	-	0.00%	-
2007	Manatee	Daughtrey Pre Sch of Arts & Sci	830	99,936	\$17,757,006	\$21,394	\$178	\$21,900,000	\$26,386	\$219	18,331	3,063	14.32%	2,542,290
2007	Manatee	Horizons Academy	456	49,501	\$10,707,410	\$23,481	\$216	\$12,175,841	\$26,701	\$246	25,712	-	0.00%	-
2007	Manatee	Jessie P. Miller Elementary	869	100,780	\$17,877,053	\$20,572	\$177	\$20,552,793	\$23,651	\$204	18,331	2,241	10.89%	1,947,429
2007	Manatee	Manatee Technical Inst. - Fire	20	10,415	\$4,789,704	\$239,485	\$460	\$4,862,204	\$243,110	\$467	25,712	213,773	89.26%	4,275,460
2007	Martin	David Anderson Middle School	1,395	157,004	\$22,501,576	\$16,130	\$143	\$29,367,774	\$21,052	\$187	19,795	-	0.00%	-
2007	Martin	Hobe Sound Elementary	769	119,508	\$10,735,747	\$13,961	\$90	\$11,997,457	\$15,601	\$100	18,331	-	0.00%	-
2007	Martin	JD Parker School	757	120,398	\$9,714,951	\$12,833	\$81	\$14,573,349	\$19,251	\$121	18,331	-	0.00%	-
2007	Martin	Jensen Beach High School	1,764	301,728	\$43,562,430	\$24,695	\$144	\$55,011,100	\$31,185	\$182	25,712	-	0.00%	-
2007	Orange	Avalon Center for Tech Excell	767	66,086	\$14,780,465	\$19,270	\$224	\$14,857,602	\$19,371	\$225	25,712	-	0.00%	-
2007	Osceola	Liberty High School (HS"EEE")	2,458	285,940	\$54,622,980	\$22,223	\$191	\$58,801,585	\$23,923	\$206	25,712	-	0.00%	-
2007	Osceola	Neptune Elementary (ES "1")	1,110	124,839	\$17,968,384	\$16,188	\$144	\$21,534,453	\$19,400	\$172	18,331	-	0.00%	-
2007	Palm Beach	Barton Elementary	1,456	147,045	\$26,668,803	\$18,316	\$181	\$28,454,394	\$19,543	\$194	18,331	-	0.00%	-
2007	Palm Beach	Congress Middle	1,490	191,669	\$26,694,702	\$17,916	\$139	\$27,768,624	\$18,637	\$145	19,795	-	0.00%	-

NEW

NEW				Facility Cost			Plant Cost			Student				
District		Student	Gross	Total	Per	Per	Total	Per	Per	Station	\$	%	Project	
Name	Facility Name	Stations	Square Feet	Facility Cost	Student Station	Gross Square Foot	Plant Cost	Student Station	Gross Square Foot	Cost Limit	Over	Over	Excess	
2007	Palm Beach	D D Eisenhower Elementary	864	148,207	\$20,301,004	\$23,497	\$137	\$21,281,436	\$24,631	\$144	18,331	5,166	21.99%	4,463,424
2007	Palm Beach	Emerald Cove Middle School	1,470	201,106	\$28,470,715	\$19,368	\$142	\$29,970,715	\$20,388	\$149	19,795	-	0.00%	-
2007	Palm Beach	Indian Ridge/CEP/Turning Points	1,333	150,559	\$20,934,681	\$15,705	\$139	\$24,609,331	\$18,462	\$163	25,712	-	0.00%	-
2007	Palm Beach	Meadow Park Elementary	878	122,926	\$15,183,703	\$17,294	\$124	\$15,907,022	\$18,117	\$129	18,331	-	0.00%	-
2007	Palm Beach	Palm Beach Gardens Area Elem	970	129,400	\$17,382,855	\$17,920	\$134	\$19,068,510	\$19,658	\$147	18,331	-	0.00%	-
2007	Palm Beach	Palm Spring Community Middle	1,537	205,359	\$30,384,914	\$19,769	\$148	\$33,430,182	\$21,750	\$163	19,795	-	0.00%	-
2007	Pasco	Double Branch Elementary "J"	762	107,745	\$14,634,926	\$19,206	\$136	\$17,480,203	\$22,940	\$162	18,331	875	4.56%	666,750
2007	Pasco	Trinity Oaks Elementary "K"	762	102,573	\$14,107,946	\$18,514	\$138	\$19,657,728	\$25,798	\$192	18,331	183	0.99%	139,446
2007	Pinellas	Dunedin Elementary	738	100,017	\$25,312,178	\$34,298	\$253	\$25,777,528	\$34,929	\$258	18,331	15,967	46.55%	11,783,646
2007	Pinellas	High Point Elementary	720	97,455	\$23,660,397	\$32,862	\$243	\$23,822,994	\$33,087	\$244	18,331	14,531	44.22%	10,462,320
2007	Polk	Palmetto Elementary	890	98,184	\$17,615,220	\$19,792	\$179	\$17,615,220	\$19,792	\$179	19,795	-	0.00%	-
2007	Polk	Sleepy Hill Elementary	825	115,073	\$18,702,758	\$22,670	\$163	\$19,106,358	\$23,159	\$166	18,331	4,339	19.14%	3,579,675
2007	Santa Rosa	Bennett C. Russell Elementary	871	132,026	\$18,122,263	\$20,806	\$137	\$20,790,452	\$23,870	\$157	18,331	2,475	11.90%	2,155,725
2007	Seminole	Hagerty High School	2,800	403,861	\$26,102,208	\$9,322	\$65	\$26,102,208	\$9,322	\$65	25,712	-	0.00%	-
2007	Seminole	Tuskawilla Middle School	1,269	185,758	\$24,769,356	\$19,519	\$133	\$24,769,356	\$19,519	\$133	19,795	-	0.00%	-
2007	St Johns	9th Grade Center	615	71,759	\$13,609,935	\$22,130	\$190	\$13,611,965	\$22,133	\$190	25,712	-	0.00%	-
2007	St Johns	Pacetti Bay Middle	1,184	175,476	\$28,985,392	\$24,481	\$185	\$31,145,192	\$26,305	\$177	19,795	4,686	19.14%	5,548,224
2007	St Johns	Wards Creek Elementary	616	95,863	\$15,717,322	\$25,515	\$164	\$16,715,074	\$27,135	\$174	18,331	7,184	28.16%	4,425,344
2007	St Lucie	Samuel S. Gaines Academy	1,830	243,645	\$40,025,656	\$21,872	\$164	\$45,784,084	\$25,019	\$188	19,795	2,077	9.50%	3,800,910
2006	Brevard	Sunrise Elementary	965	114,151	\$14,662,125	\$15,194	\$128	\$15,381,321	\$15,939	\$135	17,952	-	0.00%	-
2006	Brevard	Viera High School	2,476	278,563	\$45,466,108	\$18,363	\$163	\$47,226,388	\$19,074	\$170	25,181	-	0.00%	-
2006	Broward	Pine Ridge Educ Cntr	200	57,442	\$10,560,524	\$52,803	\$184	\$10,792,617	\$53,963	\$188	19,386	33,417	63.29%	6,683,400
2006	Duval	New Berlin Elem #150	788	101,842	\$12,809,468	\$16,256	\$126	\$13,755,894	\$17,457	\$135	17,952	-	0.00%	-
2006	Hardee	Hardee Jr Hi / Hilltop Elementary School	1,967	280,202	\$37,524,640	\$19,077	\$134	\$42,040,297	\$21,373	\$150	25,181	-	0.00%	-
2006	Hillsborough	Bartels Middle School	1,301	170,829	\$17,644,904	\$13,563	\$103	\$22,671,193	\$17,426	\$133	19,386	-	0.00%	-
2006	Hillsborough	Carver Center	208	46,188	\$6,982,505	\$33,570	\$151	\$7,283,365	\$35,016	\$158	25,181	8,389	24.99%	1,744,912
2006	Hillsborough	Collins Elementary	894	120,486	\$14,656,341	\$16,394	\$122	\$16,082,073	\$17,989	\$133	17,952	-	0.00%	-
2006	Hillsborough	Lennard High School	2,082	330,832	\$35,584,470	\$17,091	\$108	\$40,834,003	\$19,613	\$123	25,181	-	0.00%	-
2006	Hillsborough	Spoto High School	2,193	304,045	\$33,436,429	\$15,247	\$110	\$45,147,845	\$20,587	\$148	25,181	-	0.00%	-
2006	Indian River	Gifford Alternative Ctr	327	33,718	\$8,287,732	\$25,345	\$246	\$8,287,732	\$25,345	\$246	25,181	164	0.65%	53,628
2006	Indian River	Liberty Magnet sch	688	91,667	\$16,120,766	\$23,431	\$176	\$18,705,491	\$27,188	\$204	17,952	5,479	23.38%	3,769,552
2006	Jackson	Colsen Annex	131	12,619	\$2,402,999	\$18,344	\$190	\$2,402,999	\$18,344	\$190	17,952	392	2.14%	51,352
2006	Lee	Hams Marsh Elem.	930	125,524	\$13,892,849	\$14,939	\$111	\$15,397,532	\$16,556	\$123	17,952	-	0.00%	-
2006	Lee	Ida Baker High Sch.	2,137	327,209	\$41,200,153	\$19,279	\$126	\$45,626,484	\$21,351	\$139	25,181	-	0.00%	-
2006	Lee	Lexington Middle Sch	1,141	172,169	\$21,829,889	\$19,132	\$127	\$24,213,749	\$21,222	\$141	19,386	-	0.00%	-
2006	Lee	New So Ft Myers Hi	2,137	327,209	\$41,682,832	\$19,505	\$127	\$48,086,121	\$22,502	\$147	25,181	-	0.00%	-
2006	Lee	Ray V. Potsof Elem.	930	125,524	\$13,514,925	\$14,532	\$108	\$14,537,395	\$15,632	\$116	17,952	-	0.00%	-
2006	Leon	Alternative Learning	347	94,322	\$10,190,276	\$29,367	\$108	\$11,943,123	\$34,418	\$127	25,181	4,186	14.25%	1,452,542
2006	Leon	Bond Elementary	784	129,354	\$15,367,368	\$19,601	\$119	\$18,662,772	\$23,805	\$144	17,952	1,649	8.41%	1,292,816
2006	Levy	Bronson High School	713	105,841	\$16,627,195	\$23,320	\$157	\$17,128,080	\$24,023	\$162	25,181	-	0.00%	-
2006	Manatee	Anna Maria Elem.	305	55,508	\$8,997,650	\$29,500	\$162	\$9,300,524	\$30,494	\$168	17,952	11,548	39.15%	3,522,140
2006	Manatee	Braden River High	1,777	330,000	\$40,382,009	\$22,725	\$122	\$47,193,029	\$26,558	\$143	25,181	-	0.00%	-
2006	Manatee	King Middle School	1,314	167,442	\$24,543,364	\$18,678	\$147	\$26,211,864	\$19,948	\$157	19,386	-	0.00%	-
2006	Marion	Hammett L. Bowen El	805	95,203	\$17,251,435	\$21,430	\$181	\$19,297,371	\$23,972	\$203	17,952	3,478	16.23%	2,799,790

NEW

NEW														
District			Student	Gross	Total	Per	Facility Cost	Per	Plant Cost	Plant Cost	Student	Station	\$	%
Name	Facility Name	Stations	Square	Foot	Facility	Student	Cost	Gross	Cost	Station	Gross	Cost	Over	Over
					Cost	Station		Square Foot		Square Foot		Limit		Project
														Excess
2006	Martin	Hobe Sound Elem.	769	119,508	\$13,337,970	\$17,345	\$112		\$15,399,680	\$20,026	\$129	17,952	-	0.00%
2006	Martin	JD Parker Elem.	757	120,398	\$13,176,329	\$17,406	\$109		\$18,034,727	\$23,824	\$150	17,952	-	0.00%
2006	Martin	Jensen Beach High	1,839	303,095	\$51,495,976	\$28,002	\$170		\$58,186,050	\$31,640	\$192	25,181	2,821	10.07%
2006	Miami-Dade	Devon Aire Elem.	783	35,916	\$13,516,139	\$17,262	\$376		\$13,516,139	\$17,262	\$376	17,952	-	0.00%
2006	Miami-Dade	Early Childhood Ctr 1	396	37,055	\$5,877,256	\$14,842	\$159		\$8,417,080	\$21,255	\$227	17,952	-	0.00%
2006	Miami-Dade	Early Childhood Ctr 2	396	37,055	\$6,394,893	\$16,149	\$173		\$9,159,095	\$23,129	\$247	17,952	-	0.00%
2006	Miami-Dade	Early Childhood Ctr 3	396	31,112	\$5,925,953	\$14,965	\$190		\$8,112,381	\$20,486	\$261	17,952	-	0.00%
2006	Miami-Dade	Early State Sch CC-1	1,642	159,386	\$29,240,776	\$17,808	\$183		\$34,720,427	\$21,145	\$218	17,952	-	0.00%
2006	Miami-Dade	Early State Sch CC-1	1,642	159,386	\$29,867,572	\$18,190	\$187		\$37,101,161	\$22,595	\$233	19,386	-	0.00%
2006	Miami-Dade	Early State Sch JJJ	2,844	342,664	\$71,727,290	\$25,221	\$209		\$107,371,511	\$37,754	\$313	25,181	40	0.16%
2006	Miami-Dade	Early State Sch MM-1	1,666	158,142	\$32,446,269	\$19,476	\$205		\$49,942,906	\$29,978	\$316	19,386	90	0.46%
2006	Miami-Dade	Early State Sch PP-1	1,396	144,515	\$28,532,017	\$20,438	\$197		\$36,146,941	\$25,893	\$250	19,386	1,052	5.15%
2006	Miami-Dade	Early State Sch UU-1	1,666	157,979	\$31,965,385	\$19,187	\$202		\$44,229,100	\$26,548	\$280	17,952	1,235	6.44%
2006	Miami-Dade	Early State School D	1,642	159,386	\$32,390,686	\$19,726	\$203		\$50,322,112	\$30,647	\$316	17,952	1,774	8.99%
2006	Miami-Dade	Miami Carol City Sr.	850	36,627	\$13,917,703	\$16,374	\$380		\$14,507,503	\$17,068	\$396	25,181	-	0.00%
2006	Miami-Dade	North County Elem.	176	10,240	\$2,846,579	\$16,174	\$278		\$2,846,579	\$16,174	\$278	17,952	-	0.00%
2006	Miami-Dade	Palm Springs Elem.	308	15,720	\$5,435,409	\$17,647	\$346		\$5,435,409	\$17,647	\$346	17,952	-	0.00%
2006	Miami-Dade	State School A1	1,239	115,731	\$15,542,942	\$12,545	\$134		\$22,561,797	\$18,210	\$195	17,952	-	0.00%
2006	Miami-Dade	State School E1	1,723	160,691	\$33,346,390	\$19,354	\$208		\$38,485,832	\$22,337	\$240	19,386	-	0.00%
2006	Miami-Dade	State School U-1	1,239	115,732	\$22,028,894	\$17,780	\$190		\$26,880,889	\$21,696	\$232	17,952	-	0.00%
2006	Miami-Dade	State school V-1	1,239	115,731	\$22,721,538	\$18,339	\$196		\$30,021,301	\$24,230	\$259	17,952	387	2.11%
2006	Miami-Dade	Young Women's Acad	446	40,906	\$7,713,753	\$17,295	\$189		\$7,713,753	\$17,295	\$189	25,181	-	0.00%
2006	Nassau	Hi Sch BBB(Yulee Hi)	1,280	181,522	\$26,957,115	\$21,060	\$149		\$28,709,067	\$22,429	\$158	25,181	-	0.00%
2006	Orange	Avalon Middle	1,233	168,937	\$30,564,040	\$24,788	\$181		\$30,564,040	\$24,788	\$181	19,386	5,402	21.79%
2006	Orange	Castle Creek Elem	828	97,483	\$16,610,132	\$20,061	\$170		\$17,570,990	\$21,221	\$180	17,952	2,109	10.51%
2006	Orange	Millenia Elementary	828	97,225	\$16,687,254	\$20,154	\$172		\$20,448,028	\$24,696	\$210	17,952	2,202	10.93%
2006	Orange	South Creek Middle	1,250	168,844	\$27,948,594	\$22,359	\$166		\$29,187,302	\$23,350	\$173	19,386	2,973	13.30%
2006	Orange	Stone Lakes Elem	828	97,483	\$17,857,677	\$21,567	\$183		\$18,521,886	\$22,369	\$190	17,952	3,615	16.76%
2006	Orange	Vista Lakes Elem	828	97,483	\$14,506,239	\$17,520	\$149		\$14,514,703	\$17,530	\$149	17,952	-	0.00%
2006	Orange	Wolf Lake Elementary	864	97,483	\$13,514,779	\$15,642	\$139		\$14,632,843	\$16,936	\$150	17,952	-	0.00%
2006	Orange	Wolf Lake Middle	1,233	168,843	\$28,848,592	\$23,397	\$171		\$29,972,449	\$24,309	\$178	19,386	4,011	17.14%
2006	Orange	Wyndham Lakes Elm	828	97,483	\$15,197,530	\$18,355	\$156		\$15,848,800	\$19,141	\$163	17,952	403	2.20%
2006	Osceola	Chestnut Elem. "G"	1,110	124,839	\$15,127,076	\$13,628	\$121		\$16,976,723	\$15,294	\$136	17,952	-	0.00%
2006	Osceola	Saint Cloud Elem "H"	1,110	124,839	\$14,870,354	\$13,397	\$119		\$17,019,434	\$15,333	\$136	25,181	-	0.00%
2006	Palm Beach	Elbridge Gale Elem	964	122,926	\$17,305,257	\$17,952	\$141		\$19,060,744	\$19,773	\$155	17,952	-	0.00%
2006	Palm Beach	Seminole Ridge High	2,631	390,486	\$53,444,788	\$20,313	\$137		\$58,354,385	\$22,180	\$149	25,181	-	0.00%
2006	Pasco	Dr. John Long Midd C	1,273	173,070	\$26,402,183	\$20,740	\$153		\$29,447,412	\$23,132	\$170	19,386	1,354	6.53%
2006	Pasco	Gulf Highlands Elm G	762	103,061	\$15,545,724	\$20,401	\$151		\$17,075,220	\$22,408	\$166	17,952	2,449	12.00%
2006	Pasco	Oakstead Elem L	762	107,745	\$14,164,037	\$18,588	\$131		\$15,504,558	\$20,347	\$144	17,952	636	3.42%
2006	Pasco	Paul R. Smith Middle	1,273	173,070	\$24,591,875	\$19,318	\$142		\$26,778,015	\$21,035	\$155	19,386	-	0.00%
2006	Pinellas	Oak Park School	679	61,735	\$12,519,701	\$18,438	\$203		\$16,229,701	\$23,902	\$263	25,181	-	0.00%
2006	Polk	Lake Marion Creek	1,226	144,183	\$12,241,509	\$9,985	\$85		\$12,241,509	\$9,985	\$85	17,952	-	0.00%
2006	Santa Rosa	New Holley Navarre	848	124,203	\$13,441,827	\$15,851	\$108		\$13,441,827	\$15,851	\$108	17,952	-	0.00%
2006	Sarasota	Lamarque Elementary	970	164,765	\$23,452,325	\$24,178	\$142		\$28,892,316	\$29,786	\$175	17,952	6,226	25.75%
2006	Seminole	Chiles Middle	1,764	201,007	\$20,647,932	\$11,705	\$103		\$22,151,164	\$12,557	\$110	19,386	-	0.00%
2006	Seminole	Crystal Lake Elem.	1,042	113,193	\$13,906,071	\$13,346	\$123		\$14,270,262	\$13,695	\$126	17,952	-	0.00%
2006	St. Lucie	Treasure Coast Hi	2,588	352,591	\$62,684,974	\$24,221	\$178		\$64,501,574	\$24,923	\$183	25,181	-	0.00%

NEW

District	Name	Facility Name	Student Stations	Gross Square Feet	Facility Cost		Total Plant Cost	Plant Cost		Student Station Cost Limit	\$ Over	% Over	Project Excess
					Total Facility Cost	Per Student Station		Per Student Station	Per Gross Square Foot				
2006	St. Lucie	Westgate K-8 School	1,942	243,420	\$33,842,352	\$17,427	\$36,043,230	\$18,560	\$148	19,386	-	0.00%	-
2006	Suwannee	Suwannee Elementary	784	99,708	\$14,054,569	\$17,927	\$16,299,459	\$20,790	\$183	17,952	-	0.00%	-
2006	Volusia	Mainland High Sch	2,592	345,153	\$55,901,193	\$21,567	\$58,615,000	\$22,614	\$170	25,181	-	0.00%	-
2006	Volusia	Manatee Cove Elem.	750	99,674	\$12,276,613	\$16,369	\$14,324,085	\$19,099	\$144	17,952	-	0.00%	-
2006	Volusia	New Smyrna Bch Hi	2,481	317,327	\$41,332,812	\$16,660	\$46,306,749	\$18,665	\$146	25,181	-	0.00%	-
2006	Washington	Vernon High School	525	93,000	\$15,342,532	\$29,224	\$15,459,719	\$29,447	\$166	25,181	4,043	13.83%	2,122,575

ADDITIONS

ADDITIONS				Facility			Plant			Student				
District			Gross	Total	Cost Per	Cost Per	Total	Cost Per	Cost Per	Station				
Name	Facility Name	Stations	Square Feet	Facility Cost	Student Station	Gross Square Foot	Plant Cost	Student Station	Gross Square Foot	Cost Limit	\$ Over	% Over	Project Excess	
2014	Citrus	Crystal River High School	1,072	197,878	35,615,381	33,223	180	37,901,897	35,356	192	29,728	3,495	10.52%	3,746,640
2014	Gadsden	Havana PK - 08	306	29,976	5,538,492	18,100	185	5,560,714	18,172	186	21,194	-	0.00%	-
2014	Indian River	Fellsmere Elementary	274	31,092	5,630,718	20,550	181	5,663,152	20,668	182	21,194	-	0.00%	-
2014	Indian River	Treasure Coast Elementary	220	18,486	3,941,679	17,917	213	3,943,340	17,924	213	21,194	-	0.00%	-
2014	Lake	Mt. Dora MS	352	28,582	5,849,143	16,617	205	5,852,443	16,626	205	22,886	-	0.00%	-
2014	Lee	Dunbar High School	1,825	260,000	27,713,827	15,186	107	27,713,827	15,186	107	29,728	-	0.00%	-
2014	Osceola	Celebration High School	500	35,836	6,166,936	12,334	172	6,166,936	12,334	172	29,728	-	0.00%	-
2014	Osceola	Central Avenue Elementary School	308	19,825	3,482,881	11,308	176	3,482,881	11,308	176	21,194	-	0.00%	-
2014	Osceola	Hickory Tree Elementary School	308	16,335	3,078,073	9,994	188	3,078,073	9,994	188	21,194	-	0.00%	-
2014	Santa Rosa	Jay High	61	7,037	994,942	16,311	141	1,019,108	16,707	145	29,728	-	0.00%	-
2014	Santa Rosa	Milton High	150	12,147	1,987,805	13,252	164	2,040,607	13,604	168	29,728	-	0.00%	-
2014	Wakulla	Wakulla High School	20	3,600	460,530	23,027	128	465,415	23,271	129	29,728	-	0.00%	-
2013	Duval	Robert E. Lee High	73	23,334	6,346,703	86,941	272	6,346,703	86,941	272	29,255	57,686	66.35%	4,211,078
2013	Escambia	Warrington Middle	44	14,639	1,942,583	44,150	133	1,964,537	44,649	134	22,523	21,627	48.99%	951,588
2013	Lake	Sawgrass Bay Elementary	200	10,720	1,768,393	8,842	165	1,792,926	8,965	167	20,857	-	0.00%	-
2013	Leon	Gilchrist Elementary	160	9,841	4,830,873	30,193	491	5,107,363	31,921	519	20,857	9,336	30.92%	1,493,760
2013	Leon	Killearn Lakes Elementary	164	18,591	5,123,319	31,240	276	5,293,108	32,275	285	20,857	10,383	33.24%	1,702,812
2013	Leon	Sullivan Elementary	229	21,736	5,839,848	25,502	269	6,453,915	28,183	297	20,857	4,645	18.21%	1,063,705
2013	Nassau	West Nassau High	300	16,883	5,152,432	17,175	305	5,181,422	17,271	307	29,255	-	0.00%	-
2013	Pasco	Wesley Chapel High	40	8,535	1,428,955	35,724	167	1,444,756	36,119	169	29,255	6,469	18.11%	258,760
2013	Santa Rosa	Holley Navarre Intermediate	66	7,190	1,075,293	16,292	150	1,122,577	17,009	156	20,857	-	0.00%	-
2013	Sumter	South Sumter High	30	9,588	1,483,903	49,463	155	1,483,903	49,463	155	29,255	20,208	40.85%	606,240
2012	Broward	Parkway Middle	603	78,385	27,141,160	45,010	346	28,445,279	47,173	363	22,162	22,848	50.76%	13,777,344
2012	Escambia	Ferry Pass Middle	80	18,457	1,902,471	23,781	103	2,077,471	25,968	113	22,162	1,619	6.81%	129,520
2012	Escambia	Pine Forest High	53	10,544	1,509,788	28,487	143	1,529,788	28,864	145	28,787	-	0.00%	-
2012	Escambia	Ransom Middle	220	16,268	2,383,548	10,834	147	2,393,548	10,880	147	22,162	-	0.00%	-
2012	Indian River	Sebastian River High	575	52,380	7,920,222	13,774	151	7,934,177	13,799	151	28,787	-	0.00%	-
2012	Leon	Gretchen Everhart	50	7,367	1,777,461	35,549	241	2,272,534	45,451	308	20,523	15,026	42.27%	751,300
2012	Miami-Dade	Bob Graham Education Center	632	43,286	7,452,058	11,791	172	7,452,058	11,791	172	20,523	-	0.00%	-
2012	Miami-Dade	Florida City Elementary	198	16,215	3,720,692	18,791	229	3,720,692	18,791	229	20,523	-	0.00%	-
2012	Palm Beach	Whispering Pines Elementary	290	60,148	8,951,301	30,867	149	8,951,301	30,867	149	20,523	10,344	33.51%	2,999,760
2012	Pinellas	Lynch Elementary	499	108,962	10,190,540	20,422	94	18,072,988	36,218	166	20,523	-	0.00%	-
2012	Santa Rosa	Bennett C. Russell Elementary	108	10,078	1,259,461	11,662	125	1,272,904	11,788	126	20,523	-	0.00%	-
2012	Santa Rosa	Berryhill Elementary	69	6,740	899,067	13,030	133	932,491	13,514	138	20,523	-	0.00%	-
2012	Santa Rosa	Central School	110	10,945	1,627,706	14,797	149	1,787,988	16,254	163	22,162	-	0.00%	-
2012	Santa Rosa	Chumuckla Elementary	61	6,920	892,010	14,623	129	912,621	14,961	132	20,523	-	0.00%	-
2012	Santa Rosa	Gulf Breeze Elementary	132	11,154	1,408,481	10,670	126	1,440,047	10,909	129	20,523	-	0.00%	-

ADDITIONS

ADDITIONS				Facility			Plant			Student				
District			Gross	Total	Cost Per	Cost Per	Total	Cost Per	Cost Per	Station				
Name	Facility Name	Student	Square	Facility	Student	Gross	Plant	Student	Gross	Cost	\$	%	Project	
		Stations	Feet	Cost	Station	Square Foot	Cost	Station	Square Foot	Limit	Over	Over	Excess	
2012	Santa Rosa	Holley Navarre Primary	72	6,176	796,213	11,059	129	832,285	11,560	135	20,523	-	0.00%	-
2012	Santa Rosa	Jay High	645	71,547	7,948,723	12,324	111	7,988,923	12,386	112	28,787	-	0.00%	-
2012	Santa Rosa	West Navarre Intermediate	54	7,753	1,027,972	19,037	133	1,046,003	19,370	135	20,523	-	0.00%	-
2012	Santa Rosa	West Navarre Primary	72	6,358	792,817	11,011	125	852,117	11,835	134	20,523	-	0.00%	-
2012	St Johns	Osceola Elementary	144	16,609	2,801,457	19,455	169	3,012,403	20,919	181	20,523	-	0.00%	-
2012	Volusia	Southwestern Middle	242	15,770	3,359,241	13,881	213	3,559,241	14,708	226	22,162	-	0.00%	-
2012	Walton	Emerald Coast Middle	176	9,804	2,319,350	13,178	237	2,319,350	13,178	237	22,162	-	0.00%	-
2011	Broward	Colbert Elementary	1,452	53,214	20,133,666	13,866	378	20,133,666	13,866	378	19,946	-	0.00%	-
2011	Duval	Dinsmore Elementary	264	20,224	3,171,380	12,013	157	3,171,380	12,013	157	19,946	-	0.00%	-
2011	Duval	Eugene Butler Middle	70	22,394	3,639,136	51,988	163	3,872,327	55,319	173	21,539	30,449	58.57%	2,131,430
2011	Duval	Gregory Drive Elementary	264	20,287	2,810,954	10,648	139	2,835,954	10,742	140	19,946	-	0.00%	-
2011	Duval	New Berlin Elementary	440	30,924	4,006,137	9,105	130	4,166,137	9,468	135	19,946	-	0.00%	-
2011	Duval	Darnell Cookman Middle-High	200	9,567	4,622,999	23,115	483	5,394,293	26,971	564	27,977	-	0.00%	-
2011	Duval	Robert E. Lee High	425	41,520	8,122,869	19,113	196	8,246,741	19,404	199	27,977	-	0.00%	-
2011	Escambia	Bellview Elementary	222	18,485	2,772,738	12,490	150	2,872,738	12,940	155	19,946	-	0.00%	-
2011	Escambia	McArthur Elementary	108	9,375	1,668,144	15,446	178	1,724,144	15,964	184	19,946	-	0.00%	-
2011	Jackson	Sneads High	42	9,160	965,127	22,979	105	1,062,127	25,289	116	27,977	-	0.00%	-
2011	Manatee	Manatee High	747	71,987	18,962,342	25,385	263	20,782,117	27,821	289	27,977	-	0.00%	-
2011	Marion	Howard Middle	50	28,277	3,717,203	74,344	131	3,832,503	76,650	136	21,539	52,805	71.03%	2,640,250
2011	Miami-Dade	Bob Graham Educatin Center	632	43,286	7,452,058	11,791	172	7,452,058	11,791	172	19,946	-	0.00%	-
2011	Miami-Dade	Florida City Elementary	198	16,215	3,720,692	18,791	229	3,720,692	18,791	229	19,946	-	0.00%	-
2011	Miami-Dade	Southwest Miami Senior	443	47,297	7,430,321	16,773	157	7,432,280	16,777	157	27,977	-	0.00%	-
2011	Nassau	Emma Love Hardee Elementary	100	33,899	4,936,402	49,364	146	4,962,056	49,621	146	19,946	29,418	59.59%	2,941,800
2011	Nassau	Yulee Middle	132	8,772	1,507,892	11,423	172	1,507,894	11,423	172	21,539	-	0.00%	-
2011	Osceola	Gateway High	500	27,706	4,736,748	9,473	171	4,827,797	9,656	174	27,977	-	0.00%	-
2011	Palm Beach	Crestwood Middle	792	54,269	14,259,866	18,005	263	14,512,202	18,323	267	21,539	-	0.00%	-
2011	Palm Beach	Manatee Elementary	663	56,567	13,704,804	20,671	242	13,704,804	20,671	242	19,946	725	3.51%	480,675
2011	Pinellas	Boca Ciega Senior High	554	131,903	23,026,746	41,565	175	23,076,017	41,653	175	27,977	13,588	32.69%	7,527,752
2011	Santa Rosa	Dixon Intermediate	69	7,420	756,945	10,970	102	794,685	11,517	107	19,946	-	0.00%	-
2011	Santa Rosa	Holley Navarre Middle	88	8,623	960,554	10,915	111	984,008	11,182	114	21,539	-	0.00%	-
2011	Santa Rosa	Navarre High	325	22,220	2,214,163	6,813	100	2,381,991	7,329	107	27,977	-	0.00%	-
2011	Santa Rosa	Pea Ridge Elementary	226	18,399	2,231,056	9,872	121	2,231,356	9,873	121	19,946	-	0.00%	-
2011	Santa Rosa	Sims Middle	76	6,905	729,090	9,593	106	765,468	10,072	111	21,539	-	0.00%	-
2011	Santa Rosa	West Navarre Intermediate	69	6,740	961,323	13,932	143	1,036,293	15,019	154	19,946	-	0.00%	-
2011	St Johns	Hartley Elementary	216	20,203	3,094,209	14,325	153	3,094,209	14,325	153	19,946	-	0.00%	-
2011	St Johns	Hickory Creek Elementary	144	14,881	2,116,962	14,701	142	2,116,962	14,701	142	19,946	-	0.00%	-
2011	St Johns	Mill Creek Elementary	352	30,933	3,961,856	11,255	128	3,961,856	11,255	128	19,946	-	0.00%	-
2011	Volusia	Enterprise Elementary	182	12,233	2,554,125	14,034	209	2,876,152	15,803	235	19,946	-	0.00%	-
2011	Volusia	Holly Hill School	591	55,404	12,221,051	20,679	221	12,676,183	21,449	229	21,539	-	0.00%	-
2011	Volusia	Horizon Elementary	182	12,718	2,421,698	13,306	190	2,601,427	14,294	205	19,946	-	0.00%	-

ADDITIONS

	District Name	Facility Name	Student Stations	Gross Square Feet	Total Facility Cost	Facility Cost Per Student Station	Facility Cost Per Gross Square Foot	Total Plant Cost	Plant Cost Per Student Station	Plant Cost Per Gross Square Foot	Student Station Cost Limit	\$ Over	% Over	Project Excess
2010	Broward	Blanche Ely High	753	58,423	17,873,566	23,736	306	17,873,566	23,736	306	27,535	-	0.00%	-
2010	Clay	Middleburg Elementary	144	12,467	1,335,002	9,271	107	1,355,002	9,410	109	19,630	-	0.00%	-
2010	Columbia	Fort White High	440	20,656	2,995,098	6,807	145	2,995,098	6,807	145	27,535	-	0.00%	-
2010	Duval	Edward H. White High	300	22,021	3,577,390	11,925	162	4,150,862	13,836	168	27,535	-	0.00%	-
2010	Hardee	Bowling Green Elementary	268	29,286	4,510,862	16,832	154	4,511,862	16,835	154	19,630	-	0.00%	-
2010	Highlands	Lake Placid High	253	24,011	4,295,131	16,977	179	4,419,561	17,469	184	27,535	-	0.00%	-
2010	Highlands	Lake Placid Middle	136	13,708	2,837,016	20,860	207	2,910,499	21,401	212	21,198	-	0.00%	-
2010	Hillsborough	Plant High	400	28,289	3,389,489	8,474	120	3,419,477	8,549	121	27,535	-	0.00%	-
2010	Marion	Emerald Shores Elementary	176	12,428	2,551,137	14,495	205	2,599,291	14,769	209	19,630	-	0.00%	-
2010	Martin	Murray Middle	618	49,450	7,744,819	12,532	157	8,197,290	13,264	166	21,198	-	0.00%	-
2010	Martin	South Fork High	217	41,749	6,626,925	30,539	159	6,626,925	30,539	159	27,535	3,004	9.84%	651,868
2010	Martin	Stuart Middle	618	49,450	11,438,841	18,509	231	11,681,841	18,903	236	21,198	-	0.00%	-
2010	Miami-Dade	Miami Senior	2,791	263,914	41,903,641	15,014	159	42,843,225	15,350	162	27,535	-	0.00%	-
2010	Okeechobee	Seminole Elementary	288	24,004	2,704,875	9,392	113	2,840,422	9,863	118	19,630	-	0.00%	-
2010	Osceola	Thacker Avenue Elementary	304	20,249	3,436,143	11,303	170	3,436,143	11,303	170	19,630	-	0.00%	-
2010	Palm Beach	Belle Glade Elementary	176	19,583	6,271,582	35,634	320	6,703,441	38,088	342	19,630	16,004	44.91%	2,816,704
2010	Palm Beach	Pahokee Middle/Senior High	876	114,985	35,688,466	40,740	310	37,296,466	42,576	324	21,198	19,542	47.97%	17,118,792
2010	Palm Beach	Seminole Trails Elementary	532	53,061	11,605,644	21,815	219	12,581,335	23,649	237	19,630	2,185	10.02%	1,162,420
2010	Palm Beach	Village Academy	236	88,026	1,159,702	4,914	13	1,159,702	4,914	13	27,535	-	0.00%	-
2010	Pasco	Ridgewood High	200	11,928	2,983,213	14,916	250	3,066,995	15,335	257	27,535	-	0.00%	-
2010	Polk	Berkley Elementary	180	13,908	1,675,305	9,307	120	1,675,305	9,307	120	19,630	-	0.00%	-
2010	Polk	Laurel Elementary	574	41,803	4,880,859	8,503	117	4,880,859	8,503	117	19,630	-	0.00%	-
2010	Santa Rosa	Avalon Middle	198	17,087	1,615,979	8,162	95	1,630,979	8,237	95	21,198	-	0.00%	-
2010	Santa Rosa	Gulf Breeze High	30	3,107	474,254	15,808	153	474,254	15,808	153	27,535	-	0.00%	-
2010	Santa Rosa	Gulf Breeze Middle	88	5,928	923,998	10,500	156	923,998	10,500	156	21,198	-	0.00%	-
2010	Santa Rosa	Hobbs Middle	88	8,116	982,510	11,165	121	1,015,290	11,537	125	21,198	-	0.00%	-
2010	Santa Rosa	Holley Navarre Intermediate	88	6,982	1,011,446	11,494	145	1,109,568	12,609	159	21,198	-	0.00%	-
2010	Santa Rosa	Milton High	60	6,530	764,383	12,740	117	836,119	13,935	128	27,535	-	0.00%	-
2010	St Johns	Timberlin Creek Elementary	144	17,509	2,084,869	14,478	119	2,084,869	14,478	119	19,630	-	0.00%	-
2010	St Johns	Wards Creek Elementary	144	17,390	2,045,355	14,204	118	2,045,355	14,204	118	19,630	-	0.00%	-
2010	Volusia	Sunrise Elementary	182	11,730	2,684,877	14,752	229	2,684,877	14,752	229	19,630	-	0.00%	-
2009	Alachua	Santa Fe High	200	25,558	5,167,053	25,835	202	5,567,053	27,835	218	26,848	-	0.00%	-
2009	Brevard	Eau Gallie High School	75	5,594	1,752,223	23,363	313	1,814,223	24,190	324	26,848	-	0.00%	-
2009	Brevard	Melbourne High School	200	21,997	7,481,901	37,410	340	7,481,901	37,410	340	26,848	10,562	28.23%	2,112,400
2009	Brevard	Merritt Island High School	425	35,278	9,196,263	21,638	261	9,196,263	21,638	261	26,848	-	0.00%	-
2009	Broward	Harbordale Elementary	288	22,919	7,540,204	26,181	329	7,540,204	26,181	329	19,140	7,041	26.89%	2,027,808
2009	Broward	Nova Middle	425	19,419	6,484,512	15,258	334	6,484,512	15,258	334	20,669	-	0.00%	-
2009	Broward	Pompano Beach Middle	176	43,257	13,957,368	79,303	323	13,957,368	79,303	323	20,669	58,634	73.94%	10,319,584
2009	Broward	Western High	900	65,155	26,576,521	29,529	408	26,606,106	29,562	408	26,848	2,681	9.08%	2,412,900

ADDITIONS

District	Facility Name	Student Stations	Gross Square Feet	Total Facility Cost	Facility Cost Per Student Station	Facility Cost Per Gross Square Foot	Total Plant Cost	Plant Cost Per Student Station	Plant Cost Per Gross Square Foot	Student Station Cost Limit	\$ Over	% Over	Project Excess
2009 Collier	Calusa Park Elementary	198	21,800	3,418,568	17,265	157	3,590,780	18,135	165	19,140	-	0.00%	-
2009 Collier	Veterans Memorial Elementary	198	21,800	3,070,782	15,509	141	3,166,681	15,993	145	19,140	-	0.00%	-
2009 Columbia	Fort White Elementary	144	11,627	1,378,721	9,574	119	1,423,010	9,882	122	19,140	-	0.00%	-
2009 Duval	Kernan Middle School	70	13,516	2,321,638	33,166	172	2,477,491	35,393	183	20,669	12,497	37.68%	874,790
2009 Escambia	Beulah Elementary	152	10,868	1,874,084	12,330	172	1,895,084	12,468	174	19,140	-	0.00%	-
2009 Flagler	Rymfire 6-8 Additions	769	88,248	14,634,859	19,031	166	15,732,445	20,458	178	20,669	-	0.00%	-
2009 Gulf	Port St. Joe Elementary	90	13,832	763,406	8,482	55	763,406	8,482	55	19,140	-	0.00%	-
2009 Highlands	Avon Park High School	175	31,384	5,640,513	32,232	180	5,652,037	32,297	180	26,848	5,384	16.70%	942,200
2009 Highlands	Avon Park Middle School	248	26,514	5,218,843	21,044	197	5,589,510	22,538	211	20,669	375	1.78%	93,000
2009 Hillsborough	Clair Mel Elementary	180	14,064	1,817,657	10,098	129	1,955,079	10,862	139	19,140	-	0.00%	-
2009 Hillsborough	Colson Elementary	180	12,493	1,828,455	10,158	146	2,269,602	12,609	182	19,140	-	0.00%	-
2009 Hillsborough	Ippolito Elementary	180	12,335	1,758,454	9,769	143	3,089,334	17,163	250	19,140	-	0.00%	-
2009 Hillsborough	Jackson Elementary	144	11,968	1,964,217	13,640	164	1,987,688	13,803	166	19,140	-	0.00%	-
2009 Hillsborough	Lewis Elementary	180	13,197	1,920,300	10,668	146	1,982,580	11,014	150	19,140	-	0.00%	-
2009 Hillsborough	Pinecrest Elementary	216	14,506	2,140,940	9,912	148	2,144,220	9,927	148	19,140	-	0.00%	-
2009 Hillsborough	Ruskin Elementary	288	27,738	4,748,678	16,488	171	4,780,223	16,598	172	19,140	-	0.00%	-
2009 Hillsborough	Seffner Elementary	144	10,548	1,650,520	11,462	156	1,697,075	11,785	161	19,140	-	0.00%	-
2009 Hillsborough	Sessums Elementary	288	20,954	2,847,008	9,885	136	3,396,229	11,792	162	19,140	-	0.00%	-
2009 Hillsborough	Tomlin Middle School	352	19,592	3,184,777	9,048	163	3,256,947	9,253	166	20,669	-	0.00%	-
2009 Leon	Montford Middle School	308	22,787	5,752,055	18,676	252	6,631,729	21,532	291	20,669	-	0.00%	-
2009 Leon	Deerlake Middle School	164	17,557	5,783,847	35,267	329	5,784,240	35,270	329	20,669	14,598	41.39%	2,394,072
2009 Leon	Lincoln High School	300	18,955	4,141,983	13,807	219	4,141,983	13,807	219	26,848	-	0.00%	-
2009 Levy	Chiefland Elementary School	144	10,776	1,701,690	11,817	158	1,731,690	12,026	161	19,140	-	0.00%	-
2009 Levy	Joyce Bullock Elementary	144	10,776	1,756,199	12,196	163	1,786,199	12,404	166	19,140	-	0.00%	-
2009 Manatee	Samoset Elementary School	252	23,114	4,580,412	18,176	198	5,312,243	21,080	230	19,140	-	0.00%	-
2009 Manatee	William Monroe Rowlett Elementary	220	14,539	2,828,512	12,857	195	2,885,242	13,115	198	19,140	-	0.00%	-
2009 Marion	College Park Ele - Wing Addition	252	20,876	3,031,629	12,030	145	3,102,822	12,313	149	19,140	-	0.00%	-
2009 Marion	Dr NH Jones Elem - Wing Addition	144	15,948	2,510,263	17,432	157	2,577,069	17,896	162	19,140	-	0.00%	-
2009 Marion	Greenway Ele - Wing Addition	216	15,948	2,731,346	12,645	171	2,795,245	12,941	175	19,140	-	0.00%	-
2009 Marion	Harbour View Ele - Wing Additions	216	18,060	2,789,774	12,916	154	2,856,098	13,223	158	19,140	-	0.00%	-
2009 Nassau	Callahan Elementary School	72	6,511	1,310,758	18,205	201	1,417,486	19,687	218	19,140	-	0.00%	-
2009 Nassau	Callahan Intermediate School	132	10,137	2,005,437	15,193	198	2,005,787	15,195	198	19,140	-	0.00%	-
2009 Nassau	Callahan Middle School	220	36,041	7,022,446	31,920	195	7,922,896	36,013	220	20,669	11,251	35.25%	2,475,220
2009 Nassau	Hilliard Elementary School	144	13,018	2,373,303	16,481	182	2,373,653	16,484	182	19,140	-	0.00%	-
2009 Nassau	Yulee Elementary School	152	13,017	2,469,334	16,246	190	2,469,684	16,248	190	19,140	-	0.00%	-
2009 Nassau	Yulee Primary School	216	19,707	4,684,563	21,688	238	4,687,413	21,701	238	19,140	2,548	11.75%	550,368
2009 Palm Beach	Citrus Cove Elementary	489	50,054	13,689,894	27,996	274	14,018,201	28,667	280	19,140	8,856	31.63%	4,330,584
2009 Palm Beach	H.L. Johnson Elementary	405	49,095	16,158,684	39,898	329	16,601,534	40,991	338	19,140	20,758	52.03%	8,406,990
2009 Palm Beach	Roosevelt Middle School	352	35,876	10,702,438	30,405	298	10,892,896	30,946	304	20,669	9,736	32.02%	3,427,072
2009 Palm Beach	Wellington Community Elementary	530	81,635	21,832,174	41,193	267	22,205,176	41,897	272	19,140	22,053	53.54%	11,688,090
2009 Palm Beach	Whispering Pines Elementary	58	13,821	4,455,756	76,823	322	4,518,105	77,898	327	19,140	57,683	75.09%	3,345,614
2009 Pasco	San Antonio Elementary	176	11,125	1,930,142	10,967	173	1,932,605	10,981	174	19,140	-	0.00%	-
2009 Pinellas	Azalea Elementary	144	13,461	2,683,673	18,637	199	3,056,851	21,228	227	19,140	-	0.00%	-
2009 Pinellas	Bardmoor Elementary	116	10,764	1,747,187	15,062	162	2,137,433	18,426	199	19,140	-	0.00%	-

ADDITIONS

District Name	Facility Name	Student Stations	Gross Square Feet	Total Facility Cost	Facility Cost Per Student	Facility Cost Per Gross Square Foot	Total Plant Cost	Plant Cost Per Student	Plant Cost Per Gross Square Foot	Student Station Cost Limit	\$ Over	% Over	Project Excess
2009	Pinellas Bay Point Middle	132	10,689	2,173,515	16,466	203	2,246,917	17,022	210	20,669	-	0.00%	-
2009	Pinellas Bay Vista Fundamental Elementary	152	13,788	2,877,691	18,932	209	3,178,929	20,914	231	19,140	-	0.00%	-
2009	Pinellas Belcher Elementary	296	27,867	4,983,258	16,835	179	5,327,162	17,997	191	19,140	-	0.00%	-
2009	Pinellas Belleair Elementary	304	28,063	4,915,394	16,169	175	5,240,204	17,238	187	19,140	-	0.00%	-
2009	Pinellas Blanton Elementary	160	13,050	3,113,449	19,459	239	3,510,543	21,941	268	19,140	319	1.64%	51,040
2009	Pinellas Curlew Creek Elementary	152	13,402	3,297,317	21,693	246	3,615,849	23,788	270	19,140	2,553	11.77%	388,056
2009	Pinellas Curlew Creek Elementary	152	13,402	3,297,317	21,693	246	3,615,849	23,788	270	19,140	2,553	11.77%	388,056
2009	Pinellas Eisenhower Elementary	152	13,402	2,782,142	18,304	208	3,105,123	20,428	232	19,140	-	0.00%	-
2009	Pinellas Fuguitt Elementary	160	14,452	2,372,710	14,829	164	2,891,472	18,072	200	19,140	-	0.00%	-
2009	Pinellas Gulfport Elementary	152	14,220	2,265,794	14,907	159	2,780,083	18,290	196	19,140	-	0.00%	-
2009	Pinellas James B. Sanderlin Elementary	80	6,350	1,595,822	19,948	251	1,602,607	20,033	252	19,140	808	4.05%	64,640
2009	Pinellas John Hopkins Fundamental Middle	264	21,863	4,070,931	15,420	186	4,198,342	15,903	192	20,669	-	0.00%	-
2009	Pinellas Leila G. Davis Elementary	180	21,797	3,649,542	20,275	167	4,119,909	22,888	189	19,140	1,135	5.60%	204,300
2009	Pinellas Lynch Elementary	232	18,784	4,338,447	18,700	231	4,644,803	20,021	247	19,140	-	0.00%	-
2009	Pinellas McMullen Booth Elementary	116	11,196	2,217,234	19,114	198	2,691,905	23,206	240	19,140	-	0.00%	-
2009	Pinellas Mildred Helms Elementary	268	23,116	5,646,747	21,070	244	6,010,206	22,426	260	19,140	1,930	9.16%	517,240
2009	Pinellas Oakhurst Elementary	188	18,597	3,597,533	19,136	193	4,030,069	21,437	217	19,140	-	0.00%	-
2009	Pinellas Oldsmar Elementary	160	13,482	2,675,106	16,719	198	3,018,671	18,867	224	19,140	-	0.00%	-
2009	Pinellas Palm Harbor Middle	176	16,052	4,134,840	23,493	258	4,270,301	24,263	266	20,669	2,824	12.02%	497,024
2009	Pinellas Pinellas Central Elementary	116	10,764	1,782,286	15,365	166	2,222,566	19,160	206	19,140	-	0.00%	-
2009	Pinellas Ponce de Leon Elementary	180	19,680	3,781,080	21,006	192	4,223,080	23,462	215	19,140	1,866	8.88%	335,880
2009	Pinellas Ridgecrest Elementary	80	6,350	1,663,818	20,798	262	1,824,440	22,806	287	19,140	1,658	7.97%	132,640
2009	Pinellas Safety Harbor Elementary	304	27,867	4,797,355	15,781	172	5,118,371	16,837	184	19,140	-	0.00%	-
2009	Pinellas Safety Harbor Middle	176	15,849	3,240,681	18,413	204	3,441,023	19,551	217	20,669	-	0.00%	-
2009	Pinellas Seminole Middle	176	16,052	3,665,391	20,826	228	3,784,758	21,504	236	20,669	157	0.75%	27,632
2009	Pinellas Seventy-Fourth Street Elementary	80	6,350	1,545,415	19,318	243	1,713,685	21,421	270	19,140	178	0.92%	14,240
2009	Pinellas Skycrest Elementary	304	27,867	5,087,886	16,736	183	5,443,835	17,907	195	19,140	-	0.00%	-
2009	Pinellas Skyview Elementary	196	21,797	4,008,641	20,452	184	4,463,641	22,774	205	19,140	1,312	6.42%	257,152
2009	Pinellas Southern Oak Elementary	116	10,764	1,709,375	14,736	159	2,127,146	18,337	198	19,140	-	0.00%	-
2009	Pinellas Starkey Elementary	144	13,482	2,676,281	18,585	199	3,006,805	20,881	223	19,140	-	0.00%	-
2009	Polk Combee Elementary	396	35,917	4,896,543	12,365	136	4,896,543	12,365	136	19,140	-	0.00%	-
2009	Polk Eastside Elementary	342	39,143	5,623,896	16,444	144	5,623,896	16,444	144	19,140	-	0.00%	-
2009	Polk George Jenkins Senior	800	67,844	7,394,545	9,243	109	7,394,545	9,243	109	26,848	-	0.00%	-
2009	Polk Haines City Senior	800	67,954	8,191,883	10,240	121	8,191,883	10,240	121	26,848	-	0.00%	-
2009	Polk Harrison School of the Arts	435	76,192	18,652,347	42,879	245	18,652,347	42,879	245	26,848	16,031	37.39%	6,973,485
2009	Polk Lake Region Senior	800	65,835	8,010,505	10,013	122	8,010,505	10,013	122	26,848	-	0.00%	-
2009	Polk Lawton Chiles Middle	210	9,005	6,386,978	30,414	709	6,386,978	30,414	709	20,669	9,745	32.04%	2,046,450
2009	Polk Ridge Community Senior	800	66,529	8,335,621	10,420	125	8,335,621	10,420	125	26,848	-	0.00%	-
2009	Polk Wendell Watson Elementary	148	12,127	1,814,055	12,257	150	1,814,055	12,257	150	19,140	-	0.00%	-
2009	Santa Rosa Berryhill Elementary	108	10,104	1,689,690	15,645	167	1,721,006	15,935	170	19,140	-	0.00%	-
2009	Santa Rosa Navarre High School	137	9,994	1,611,257	11,761	161	1,648,758	12,035	165	26,848	-	0.00%	-
2009	Santa Rosa W.H. Rhodes Elementary	72	6,126	666,246	9,253	109	690,306	9,588	113	19,140	-	0.00%	-
2009	Santa Rosa Woodlawn Beach Middle	213	21,541	2,433,268	11,424	113	2,751,066	12,916	128	20,669	-	0.00%	-
2009	St. Johns Julington Creek Elementary School	471	55,763	9,793,667	20,793	176	9,850,393	20,914	177	19,140	1,653	7.95%	778,563

ADDITIONS

ADDITIONS					Facility			Plant			Student			
District			Student	Gross	Total	Facility	Facility	Total	Cost Per	Cost Per	Station	\$	%	Project
Name	Facility Name	Stations	Square	Cost	Cost Per	Cost Per	Square Foot	Plant	Student	Gross	Cost	Over	Over	Excess
			Feet		Station			Cost	Station	Square Foot	Limit			
2009	Sumter	Webster Elementary School (K-6)	169	14,824	1,984,851	11,745	134	2,014,604	11,921	136	19,140	-	0.00%	-
2009	Union	Lake Butler Middle School	132	9,726	1,428,703	10,824	147	1,429,375	10,829	147	20,669	-	0.00%	-
2009	Volusia	Forest Lake Elementary	182	14,523	2,173,228	11,941	150	2,254,279	12,386	155	19,140	-	0.00%	-
2009	Volusia	Indian River Elementary	226	15,411	3,078,414	13,621	200	3,078,414	13,621	200	19,140	-	0.00%	-
2008	Alachua	Alachua Elementary	208	15,249	2,651,458	12,747	174	3,026,458	14,550	198	19,169	-	0.00%	-
2008	Alachua	Loften High	400	30,313	4,779,370	11,948	158	4,779,370	11,948	158	26,889	-	0.00%	-
2008	Bay	Parker Elementary	154	16,608	2,296,428	14,912	138	2,296,428	14,912	138	19,169	-	0.00%	-
2008	Bay	West Bay Elementary	154	9,705	2,078,595	13,497	214	2,078,595	13,497	214	19,169	-	0.00%	-
2008	Bradford	Lawtey Community School	410	30,240	4,272,656	10,421	141	4,400,436	10,733	146	20,701	-	0.00%	-
2008	Brevard	Bayside High	240	13,837	2,982,218	12,426	216	2,998,018	12,492	217	26,889	-	0.00%	-
2008	Brevard	Merritt Island High School	425	35,278	9,196,263	21,638	261	9,196,263	21,638	261	26,889	-	0.00%	-
2008	Brevard	Satellite High School	798	58,348	10,163,925	12,737	174	10,313,925	12,925	177	26,889	-	0.00%	-
2008	Brevard	Titusville High School	20	4,814	1,456,421	72,821	303	1,456,421	72,821	303	26,889	45,932	63.08%	918,640
2008	Brevard	Titusville High School	50	29,641	9,010,545	180,211	304	9,063,350	181,267	306	26,889	153,322	85.08%	7,666,100
2008	Brevard	Titusville High School	421	58,851	8,500,388	20,191	144	8,580,721	20,382	146	26,889	-	0.00%	-
2008	Brevard	West Shore Jr/Sr High School	106	14,688	4,631,019	43,689	315	4,687,727	44,224	319	26,889	16,800	38.45%	1,780,800
2008	Broward	Apollo Middle	308	21,899	14,560,058	47,273	665	14,561,128	47,276	665	20,701	26,572	56.21%	8,184,176
2008	Broward	South Plantation High	275	24,132	15,032,109	54,662	623	15,075,659	54,821	625	26,889	27,773	50.81%	7,637,575
2008	Broward	Stephen Foster Elementary	240	15,943	3,648,100	15,200	229	3,648,100	15,200	229	20,701	-	0.00%	-
2008	Broward	Tropical Elementary	252	22,746	4,637,395	18,402	204	4,683,135	18,584	206	19,169	-	0.00%	-
2008	Columbia	Fort White High School	220	24,311	4,583,660	20,835	189	4,604,720	20,931	189	20,701	134	0.64%	29,480
2008	Columbia	Lake City Middle	198	13,618	2,535,905	12,808	186	2,535,905	12,808	186	20,701	-	0.00%	-
2008	Dixie	Ruth Rains Middle School	88	5,756	1,228,892	13,965	213	1,228,892	13,965	213	20,701	-	0.00%	-
2008	Flagler	Buddy Taylor Middle School	638	81,305	13,446,473	21,076	165	13,846,768	21,703	170	20,701	375	1.78%	239,250
2008	Flagler	Bunnell K-8	447	91,933	21,862,215	48,909	238	22,487,766	50,308	245	20,701	28,208	57.67%	12,608,976
2008	Flagler	Lewis E. Wadsworth Elementary	526	66,169	13,467,612	25,604	204	13,867,907	26,365	210	19,169	6,435	25.13%	3,384,810
2008	Hendry	LaBelle Middle	132	15,229	3,935,432	29,814	258	3,935,432	29,814	258	20,701	9,113	30.57%	1,202,916
2008	Highlands	Hill-Gustat Middle	286	32,517	4,405,921	15,405	135	5,064,936	17,710	156	20,701	-	0.00%	-
2008	Highlands	Sebring High School	325	34,225	4,656,964	14,329	136	5,350,139	16,462	156	26,889	-	0.00%	-
2008	Hillsborough	Amwood High	475	41,393	3,128,510	6,586	76	3,243,763	6,829	78	26,889	-	0.00%	-
2008	Hillsborough	Bartels Middle	352	20,433	3,250,587	9,235	159	3,336,510	9,479	163	20,701	-	0.00%	-
2008	Hillsborough	Benito Middle	264	14,107	2,109,463	7,990	150	2,162,920	8,193	153	20,701	-	0.00%	-
2008	Hillsborough	Bevis Elementary	216	16,989	2,543,236	11,774	150	2,584,661	11,966	152	19,169	-	0.00%	-
2008	Hillsborough	Bryant Elementary	228	25,706	3,122,979	13,697	121	3,205,444	14,059	125	19,169	-	0.00%	-
2008	Hillsborough	Buckhorn Elementary	180	14,543	1,775,755	9,865	122	1,809,485	10,053	124	19,169	-	0.00%	-
2008	Hillsborough	Burnett Middle	220	14,931	2,091,644	9,507	140	2,215,789	10,072	148	20,701	-	0.00%	-
2008	Hillsborough	Clark Elementary	216	17,428	2,432,044	11,259	140	2,485,553	11,507	143	19,169	-	0.00%	-
2008	Hillsborough	Clark Elementary	216	17,428	2,432,044	11,259	140	2,485,553	11,507	143	19,169	-	0.00%	-
2008	Hillsborough	Collins Elementary	252	23,809	2,840,975	11,274	119	2,923,376	11,601	123	19,169	-	0.00%	-
2008	Hillsborough	Corr Elementary	252	23,378	2,677,712	10,626	115	2,780,161	11,032	119	19,169	-	0.00%	-
2008	Hillsborough	Cypress Creek Elementary	288	22,200	2,924,170	10,153	132	3,033,467	10,533	137	19,169	-	0.00%	-

ADDITIONS

	District	Facility Name	Student Stations	Gross Square Feet	Total Facility Cost	Facility Cost Per Student Station	Facility Cost Per Gross Square Foot	Total Plant Cost	Plant Cost Per Student Station	Plant Cost Per Gross Square Foot	Student Station Cost Limit	\$ Over	% Over	Project Excess
2008	Hillsborough	Davidson Middle	264	18,693	2,676,763	10,139	143	2,717,503	10,294	145	20,701	-	0.00%	-
2008	Hillsborough	Davis Elementary	180	15,076	2,195,701	12,198	146	2,229,797	12,388	148	19,169	-	0.00%	-
2008	Hillsborough	Eisenhower Middle	220	14,278	1,965,168	8,933	138	2,004,725	9,112	140	20,701	-	0.00%	-
2008	Hillsborough	FishHawk Creek Elementary	180	13,708	1,931,889	10,733	141	1,955,154	10,862	143	19,169	-	0.00%	-
2008	Hillsborough	Freedom High	600	32,431	4,694,869	7,825	145	4,723,103	7,872	146	26,889	-	0.00%	-
2008	Hillsborough	Frost Elementary	288	21,891	2,705,612	9,394	124	2,785,886	9,673	127	19,169	-	0.00%	-
2008	Hillsborough	Guinta Middle	1,724	191,160	2,605,878	1,512	14	2,634,856	1,528	14	20,701	-	0.00%	-
2008	Hillsborough	Hunter's Green Elementary	288	24,740	2,985,499	10,366	121	3,024,685	10,502	122	19,169	-	0.00%	-
2008	Hillsborough	Liberty Middle	264	16,354	2,701,963	10,235	165	2,771,479	10,498	169	20,701	-	0.00%	-
2008	Hillsborough	Lutz Elementary	216	16,164	2,475,246	11,459	153	2,538,252	11,751	157	19,169	-	0.00%	-
2008	Hillsborough	Maniscalco Elementary	252	17,257	2,560,192	10,159	148	2,658,965	10,551	154	19,169	-	0.00%	-
2008	Hillsborough	Marshall Middle	264	16,184	2,339,193	8,861	145	2,428,843	9,200	150	20,701	-	0.00%	-
2008	Hillsborough	Miles Elementary	216	15,493	2,691,979	12,463	174	2,748,594	12,725	177	19,169	-	0.00%	-
2008	Hillsborough	Mintz Elementary	288	22,472	2,766,460	9,606	123	2,770,260	9,619	123	19,169	-	0.00%	-
2008	Hillsborough	Mulrennan Middle	264	14,897	2,574,620	9,752	173	2,621,469	9,930	176	20,701	-	0.00%	-
2008	Hillsborough	Nelson Elementary	288	23,381	3,144,217	10,917	134	3,194,948	11,094	137	19,169	-	0.00%	-
2008	Hillsborough	Newsome High	600	26,021	4,359,346	7,266	168	4,508,803	7,515	173	26,889	-	0.00%	-
2008	Hillsborough	Northwest Elementary	216	16,776	2,390,493	11,067	142	2,440,026	11,296	145	19,169	-	0.00%	-
2008	Hillsborough	Pride Elementary	216	16,153	2,625,346	12,154	163	2,683,527	12,424	166	19,169	-	0.00%	-
2008	Hillsborough	Randall Middle	220	13,116	2,197,076	9,987	168	2,216,016	10,073	169	20,701	-	0.00%	-
2008	Hillsborough	Riverview High	485	28,177	4,279,688	8,824	152	4,406,522	9,086	156	26,889	-	0.00%	-
2008	Hillsborough	Rodgers Middle	220	13,084	2,028,447	9,220	155	2,048,511	9,311	157	20,701	-	0.00%	-
2008	Hillsborough	Shields Middle	352	20,433	3,201,957	9,096	157	3,279,865	9,318	161	20,701	-	0.00%	-
2008	Hillsborough	Summerfield Elementary	216	20,509	2,933,276	13,580	143	3,055,761	14,147	149	19,169	-	0.00%	-
2008	Hillsborough	Valrico Elementary	288	27,448	3,539,108	12,289	129	3,658,233	12,702	133	19,169	-	0.00%	-
2008	Hillsborough	Walden Lake Elementary	288	25,213	3,168,950	11,003	126	3,255,715	11,305	129	19,169	-	0.00%	-
2008	Hillsborough	Wharton High	400	20,839	2,613,432	6,534	125	2,689,725	6,724	129	26,889	-	0.00%	-
2008	Indian River	Sebastian River High School	21	7,377	1,079,156	51,388	146	1,079,156	51,388	146	26,889	24,499	47.67%	514,479
2008	Indian River	Sebastian River Middle School	80	17,284	3,845,087	48,064	222	3,845,087	48,064	222	20,701	27,363	56.93%	2,189,040
2008	Indian River	Vero Beach Senior High School	746	113,061	23,752,906	31,840	210	23,752,906	31,840	210	26,889	4,951	15.55%	3,693,446
2008	Lafayette	Lafayette Elementary School	72	5,696	1,084,877	15,068	190	1,084,877	15,068	190	19,169	-	0.00%	-
2008	Lake	South Lake High School	495	43,990	8,373,011	16,915	190	8,758,772	17,694	199	26,889	-	0.00%	-
2008	Leon	Apalachee Elementary School	54	17,161	5,889,284	109,061	343	5,889,284	109,061	343	19,169	89,892	82.42%	4,854,168
2008	Leon	Chiles High School	300	19,802	5,083,349	16,944	257	5,379,536	17,932	272	26,889	-	0.00%	-
2008	Leon	Killeam Lakes Elementary School	224	24,440	4,687,786	20,928	192	4,687,786	20,928	192	19,169	1,759	8.41%	394,016
2008	Liberty	Liberty County High School	125	12,000	2,147,625	17,181	179	2,147,625	17,181	179	26,889	-	0.00%	-
2008	Manatee	Manatee Elementary School	176	25,841	6,459,548	36,702	250	6,719,673	38,180	260	19,169	17,533	47.77%	3,085,808
2008	Manatee	Manatee High School	300	25,341	5,674,917	18,916	224	6,286,799	20,956	248	26,889	-	0.00%	-
2008	Manatee	Palma Sola Elementary	196	12,316	2,862,422	14,604	232	3,028,672	15,452	246	19,169	-	0.00%	-
2008	Manatee	Sea Breeze Elementary	144	12,123	1,971,093	13,688	163	2,321,838	16,124	192	19,169	-	0.00%	-
2008	Marion	Dr. NH Jones Elementary	180	16,892	2,515,710	13,976	149	2,538,210	14,101	150	19,169	-	0.00%	-
2008	Miami-Dade	Coral Way K-8	610	41,770	9,827,757	16,111	235	10,354,674	16,975	248	20,701	-	0.00%	-
2008	Miami-Dade	Southside Elementary	710	113,650	13,310,343	18,747	117	14,779,589	20,816	130	20,701	-	0.00%	-
2008	Miami-Dade	Sunset Elementary	446	34,184	8,149,481	18,272	238	8,895,667	19,945	260	19,169	-	0.00%	-

ADDITIONS

ADDITIONS				Facility			Plant			Student				
District	Facility Name	Student	Gross	Total	Facility	Cost Per	Total	Cost Per	Cost Per	Station	\$	%	Project	
Name		Stations	Square	Facility	Cost	Station	Plant	Student	Gross	Cost	Over	Over	Excess	
			Feet	Cost		Square Foot	Cost	Station	Square Foot	Limit				
2008	Okaloosa	Crestview High School	200	11,945	2,323,046	11,615	194	2,333,701	11,669	195	26,889	-	0.00%	-
2008	Okaloosa	Edge Elementary School	160	9,955	2,221,376	13,884	223	2,228,817	13,930	224	19,169	-	0.00%	-
2008	Okaloosa	Plew Elementary School	80	4,959	1,327,044	16,588	268	1,337,725	16,722	270	19,169	-	0.00%	-
2008	Okaloosa	Shalimar Elementary School	160	8,906	2,221,213	13,883	249	2,233,489	13,959	251	19,169	-	0.00%	-
2008	Okaloosa	Wright Elementary School	120	7,740	1,691,427	14,095	219	1,692,175	14,101	219	19,169	-	0.00%	-
2008	Okeechobee	Osceola Middle School	308	22,250	3,235,434	10,505	145	3,598,894	11,685	162	20,701	-	0.00%	-
2008	Palm Beach	Banyan Creek Elementary	514	45,052	12,663,394	24,637	281	13,144,581	25,573	292	19,169	5,468	22.19%	2,810,552
2008	Palm Beach	Benoist Farms Elementary	108	10,005	4,079,892	37,777	408	4,291,186	39,733	429	19,169	18,608	49.26%	2,009,664
2008	Palm Beach	Boca Raton High	996	82,051	20,581,896	20,665	251	20,778,818	20,862	253	26,889	-	0.00%	-
2008	Palm Beach	Carver Middle	352	29,807	9,830,672	27,928	330	10,130,872	28,781	340	20,701	7,227	25.88%	2,543,904
2008	Palm Beach	Cholee Lakes Elementary	36	3,335	1,971,859	54,774	591	2,164,722	60,131	649	19,169	35,605	65.00%	1,281,780
2008	Palm Beach	Glade Central High	166	27,480	9,455,398	56,960	344	9,577,320	57,695	349	26,889	30,071	52.79%	4,991,786
2008	Palm Beach	Indian Pines Elementary	36	3,335	2,011,451	55,874	603	2,211,220	61,423	663	19,169	36,705	65.69%	1,321,380
2008	Palm Beach	Lake Worth Middle	352	29,807	7,995,480	22,714	268	8,693,127	24,696	292	20,701	2,013	8.86%	708,576
2008	Palm Beach	Okeehoelee Middle	454	40,332	9,189,726	20,242	228	9,529,191	20,989	236	20,701	-	0.00%	-
2008	Polk	Eagle Lake Elementary	180	14,023	2,190,217	12,168	156	2,190,217	12,168	156	19,169	-	0.00%	-
2008	Polk	Elbert Elementary	108	8,224	2,003,612	18,552	244	2,003,612	18,552	244	19,169	-	0.00%	-
2008	Polk	Gibbons Street Elementary	72	5,607	1,414,627	19,648	252	1,414,627	19,648	252	19,169	479	2.44%	34,488
2008	Polk	Highland City Elementary	180	14,012	2,446,996	13,594	175	2,446,996	13,594	175	19,169	-	0.00%	-
2008	Polk	Lake Alfred-Addair Middle	90	15,266	2,734,072	30,379	179	2,734,072	30,379	179	20,701	9,678	31.86%	871,020
2008	Polk	Laurel Avenue Elementary	280	32,653	5,047,017	18,025	155	5,047,017	18,025	155	19,169	-	0.00%	-
2008	Polk	Lawton Chiles Middle Academy	210	18,492	6,678,341	31,802	361	6,678,341	31,802	361	20,701	11,101	34.91%	2,331,210
2008	Polk	McLaughlin Middle	354	32,424	4,627,425	13,072	143	4,627,425	13,072	143	20,701	-	0.00%	-
2008	Polk	R. B. Wagner Elementary	144	12,127	1,995,849	13,860	165	1,995,849	13,860	165	19,169	-	0.00%	-
2008	Polk	Ridgeview Global Studies Academy	148	12,203	1,966,569	13,288	161	1,966,569	13,288	161	19,169	-	0.00%	-
2008	Polk	Sandhill Elementary	148	11,946	1,960,343	13,246	164	1,960,343	13,246	164	19,169	-	0.00%	-
2008	Polk	Snively Elementary	108	8,224	1,992,211	18,446	242	1,992,211	18,446	242	19,169	-	0.00%	-
2008	Polk	Socrum Elementary	148	12,749	2,121,680	14,336	166	2,121,680	14,336	166	19,169	-	0.00%	-
2008	Santa Rosa	Dixon Intermediate	81	6,939	960,586	11,859	138	1,011,466	12,487	146	19,169	-	0.00%	-
2008	Santa Rosa	East Milton Elementary	132	9,952	1,580,618	11,974	159	1,675,292	12,692	168	19,169	-	0.00%	-
2008	Santa Rosa	Rhodes Elementary	72	5,688	1,077,866	14,970	189	1,121,751	15,580	197	19,169	-	0.00%	-
2008	Santa Rosa	Sims Middle	71	7,236	1,123,913	15,830	155	1,179,033	16,606	163	20,701	-	0.00%	-
2008	Sarasota	Venice High School	20	4,200	201,078	10,054	48	240,578	12,029	57	26,889	-	0.00%	-
2008	Seminole	Forest City Elementary	784	86,837	12,418,842	15,840	143	12,418,842	15,840	143	19,169	-	0.00%	-
2008	Sumter	South Sumter Middle School	289	26,107	5,311,976	18,381	203	5,311,976	18,381	203	20,701	-	0.00%	-
2008	Suwannee	Branford Elementary School	147	17,050	2,812,695	19,134	165	2,812,695	19,134	165	19,169	-	0.00%	-
2008	Suwannee	Suwannee Middle School	196	14,438	3,220,073	16,429	223	3,220,073	16,429	223	20,701	-	0.00%	-
2007	Brevard	Cocoa Beach Jr/Sr High	110	31,294	11,218,015	101,982	358	11,789,979	107,182	377	25,712	76,270	74.79%	8,389,700
2007	Brevard	Imperial Estates Elementary	192	12,509	2,534,452	13,200	203	2,534,452	13,200	203	18,331	-	0.00%	-
2007	Brevard	Johnson, L.B. Middle	176	10,873	1,739,638	9,884	160	1,739,638	9,884	160	19,795	-	0.00%	-
2007	Brevard	Mims Elementary	193	12,500	2,472,149	12,809	198	2,472,149	12,809	198	18,331	-	0.00%	-

ADDITIONS

ADDITIONS				Facility			Plant			Student				
District		Student	Gross	Total	Cost Per	Cost Per	Total	Cost Per	Cost Per	Station	\$	%	Project	
Name	Facility Name	Stations	Square Feet	Facility Cost	Student Station	Gross Square Foot	Plant Cost	Student Station	Gross Square Foot	Cost Limit	Over	Over	Excess	
2007	Brevard	Stevenson, Robert Louis Elem	252	17,442	3,377,126	13,401	194	3,377,126	13,401	194	18,331	-	0.00%	
2007	Broward	Bethune Elementary	392	29,171	9,656,308	24,633	331	10,219,315	26,070	350	18,331	6,302	25.58%	2,470,384
2007	Broward	Cooper City High	900	45,226	8,979,085	9,977	199	8,979,085	9,977	199	25,712		0.00%	
2007	Broward	Coral Park Elementary	90	5,571	1,361,137	15,124	244	1,361,137	15,124	244	18,331		0.00%	-
2007	Broward	Eagle Point Elementary	72	4,950	982,469	13,645	198	982,469	13,645	198	18,331		0.00%	-
2007	Broward	Hawkes Bluff Elementary	132	6,260	1,309,631	9,921	209	1,309,631	9,921	209	18,331		0.00%	-
2007	Broward	Hollywood Hills Elementary	560	39,661	10,046,696	17,941	253	10,046,696	17,941	253	18,331		0.00%	-
2007	Broward	Hollywood Hills High	624	41,239	7,878,819	12,626	191	7,878,819	12,626	191	25,712		0.00%	-
2007	Broward	Meadowbrook Elementary	36	2,908	534,059	14,835	184	534,059	14,835	184	18,331		0.00%	
2007	Broward	North Andrews Gardens Elem	108	6,960	1,401,492	12,977	201	1,401,492	12,977	201	18,331		0.00%	
2007	Broward	Park Lakes Elementary	220	12,068	2,707,516	12,307	224	2,707,516	12,307	224	18,331	-	0.00%	-
2007	Broward	Park Trails Elementary	480	29,426	5,743,221	11,965	195	6,135,221	12,782	208	18,331		0.00%	-
2007	Broward	Plantation High	300	14,798	3,200,419	10,668	216	3,202,002	10,673	216	25,712	-	0.00%	-
2007	Broward	Sandpiper Elementary	312	20,842	4,237,890	13,583	203	4,237,890	13,583	203	18,331		0.00%	-
2007	Broward	Sheridan Park Elementary	144	11,983	7,709,329	53,537	643	7,710,763	53,547	643	18,331	35,206	65.76%	5,069,664
2007	Broward	Tedder Elementary	720	49,212	8,423,251	11,699	171	8,427,366	11,705	171	18,331		0.00%	-
2007	Broward	Tequesta Trace Middle	220	12,830	2,852,150	12,964	222	2,852,150	12,964	222	19,795		0.00%	-
2007	Broward	Westpine Middle	132	7,875	1,422,408	10,776	181	1,422,408	10,776	181	19,795		0.00%	-
2007	Citrus	Homosassa Elementary	18	20,060	4,493,740	249,652	224	4,493,740	249,652	224	18,331	231,321	92.66%	4,163,778
2007	Collier	Sea Gate Elementary	340	27,471	6,183,107	18,186	225	6,712,701	19,743	244	18,331	-	0.00%	-
2007	Duval	Fletcher Senior High School	25	2,100	660,992	26,440	315	660,992	26,440	315	25,712	728	2.75%	18,200
2007	Hillsborough	Brandon High School	600	28,413	4,440,769	7,401	156	4,588,900	7,648	162	19,795		0.00%	-
2007	Hillsborough	Carrollwood Elementary	172	12,641	1,446,135	8,408	114	1,451,135	8,437	115	18,331		0.00%	-
2007	Hillsborough	Chiles Elementary	288	22,564	2,948,203	10,237	131	3,050,290	10,591	135	18,331		0.00%	-
2007	Hillsborough	Durant High School	600	30,335	4,308,308	7,181	142	4,380,999	7,302	144	19,795		0.00%	-
2007	Hillsborough	Mitchell Elementary	240	18,276	2,764,892	11,520	151	2,786,712	11,611	152	18,331		0.00%	-
2007	Hillsborough	Roosevelt Elementary	144	13,318	1,871,921	12,999	141	2,187,616	15,192	164	18,331		0.00%	-
2007	Lake	Eustis Middle School	418	24,650	5,856,115	14,010	238	5,856,115	14,010	238	19,795		0.00%	-
2007	Lake	Groveland Elementary School	411	77,733	10,026,484	24,395	129	10,035,098	24,416	129	18,331	6,064	24.86%	2,492,304
2007	Lake	Tavares Elementary	458	60,598	12,068,565	26,351	199	12,071,440	26,357	199	18,331	8,020	30.44%	3,673,160
2007	Lake	Tavares Middle School	418	34,650	6,462,481	15,460	187	6,462,481	15,460	187	19,795		0.00%	-
2007	Lake	Triangle Elementary School	223	30,393	11,418,947	51,206	376	11,418,947	51,206	376	18,331	32,875	64.20%	7,331,125
2007	Lee	Bayshore Elementary	324	27,422	4,663,806	14,394	170	4,709,484	14,535	172	18,331		0.00%	-
2007	Lee	Caloosa Elementary	324	27,422	4,688,800	14,472	171	4,739,295	14,627	173	18,331		0.00%	-
2007	Lee	Cape Elementary	324	27,422	4,549,782	14,043	166	4,581,251	14,140	167	18,331		0.00%	-
2007	Lee	Diplomat	324	27,422	4,699,343	14,504	171	4,747,509	14,653	173	18,331		0.00%	-
2007	Lee	Hancock Creek Elementary	324	27,422	4,664,589	14,397	170	4,729,810	14,598	172	18,331		0.00%	-
2007	Lee	Mirror Lakes Elementary	442	34,750	5,802,618	13,128	167	5,829,656	13,189	168	18,331		0.00%	-
2007	Lee	Skyline Elementary	648	53,250	9,099,182	14,042	171	9,169,439	14,150	172	18,331	-	0.00%	-
2007	Lee	Sunshine Elementary	432	34,750	6,366,126	14,736	183	6,418,672	14,858	185	18,331		0.00%	-
2007	Lee	Tropical Isles Elementary	324	27,422	5,386,585	16,625	196	5,447,937	16,815	199	18,331	-	0.00%	-
2007	Leon	Gretchen Everhart School	80	18,101	3,788,763	47,360	209	3,896,184	48,702	215	25,712	21,648	45.71%	1,731,840
2007	Leon	Pineview Elementary School	72	4,903	1,528,964	21,236	312	1,528,964	21,236	312	18,331	2,905	13.68%	209,160
2007	Levy	Chiefland Middle School	60	15,383	2,575,321	42,922	167	2,608,821	43,480	170	18,331	24,591	57.29%	1,475,460

ADDITIONS

	District	Facility Name	Student Stations	Gross Square Feet	Total Facility Cost	Facility Cost Per Student Station	Facility Cost Per Gross Square Foot	Total Plant Cost	Plant Cost Per Student Station	Plant Cost Per Gross Square Foot	Student Station Cost Limit	\$ Over	% Over	Project Excess
2007	Manatee	Bayshore High School	500	33,088	6,225,427	12,451	188	6,236,812	12,474	188	25,712	-	0.00%	-
2007	Manatee	Blackburn Elementary School	184	13,124	3,301,065	17,941	252	3,316,305	18,023	253	18,331	-	0.00%	-
2007	Manatee	Virgil Mills Elementary School	216	13,593	2,335,435	10,812	172	2,340,327	10,835	172	18,331	-	0.00%	-
2007	Miami-Dade	William Hehman Elementary	286	14,437	3,183,284	11,130	220	3,183,284	11,130	220	18,331	-	0.00%	-
2007	Nassau	Bryceville Elementary	116	8,261	1,613,037	13,905	195	1,613,587	13,910	195	18,331	-	0.00%	-
2007	Okaloosa	Bluewater Elementary School	160	10,953	2,667,195	16,670	244	2,759,401	17,246	252	18,331	-	0.00%	-
2007	Okaloosa	Bob Sikes Elementary School	240	13,316	3,837,710	15,990	288	3,890,490	16,210	292	18,331	-	0.00%	-
2007	Okaloosa	Walker Elementary School	160	9,955	2,016,759	12,605	203	2,020,514	12,628	203	18,331	-	0.00%	-
2007	Palm Beach	Coral Sunset Elementary	374	33,951	6,815,011	18,222	201	7,596,833	20,312	224	18,331	-	0.00%	-
2007	Palm Beach	Crystal Lakes Elementary	290	18,088	3,312,396	11,422	183	3,312,396	11,422	183	18,331	-	0.00%	-
2007	Palm Beach	Indian Pines Elementary	430	54,418	7,168,050	16,670	132	7,314,300	17,010	134	18,331	-	0.00%	-
2007	Palm Beach	Jerry Thomas Elementary	574	40,903	9,173,645	15,982	224	9,203,136	16,033	225	18,331	-	0.00%	-
2007	Palm Beach	Liberty Park Elementary	432	47,141	6,719,356	15,554	143	6,885,260	15,938	146	18,331	-	0.00%	-
2007	Palm Beach	Limestone Creek Elementary	429	48,106	6,886,266	16,052	143	7,033,826	16,396	146	18,331	-	0.00%	-
2007	Palm Beach	Sandpiper Shores Elementary	506	28,812	5,168,191	10,214	179	5,168,191	10,214	179	18,331	-	0.00%	-
2007	Palm Beach	Starlight Cove Elementary	347	27,242	4,295,094	12,378	158	4,295,094	12,378	158	18,331	-	0.00%	-
2007	Palm Beach	William T. Dwyer High School	575	45,444	7,479,702	13,008	165	11,724,151	20,390	258	25,712	-	0.00%	-
2007	Pasco	Cypress Elementary	176	10,193	1,837,217	10,439	180	1,838,017	10,443	180	18,331	-	0.00%	-
2007	Pasco	Denham Oaks Elementary	176	10,193	1,846,881	10,494	181	1,847,831	10,499	181	18,331	-	0.00%	-
2007	Pasco	Fox Hollow Elementary	176	10,193	1,776,591	10,094	174	1,776,591	10,094	174	18,331	-	0.00%	-
2007	Polk	Bartow Elementary Academy	216	19,162	3,766,425	17,437	197	3,766,425	17,437	197	18,331	-	0.00%	-
2007	Polk	Carlton Palmore Elementary	144	12,514	2,018,813	14,020	161	2,018,813	14,020	161	18,331	-	0.00%	-
2007	Polk	Churchwell Elementary	198	18,869	2,847,605	14,382	151	2,847,605	14,382	151	18,331	-	0.00%	-
2007	Polk	Combee Elementary	120	11,874	2,171,851	18,099	183	2,171,851	18,099	183	18,331	-	0.00%	-
2007	Polk	Dr. N. E. Roberts Elementary	144	11,863	1,895,530	13,163	160	1,895,530	13,163	160	18,331	-	0.00%	-
2007	Polk	Highlands Grove Elementary	825	115,573	18,472,963	22,391	160	21,123,669	25,604	183	18,331	4,060	18.13%	3,349,500
2007	Polk	Hillcrest Elementary	72	6,565	1,621,533	22,521	247	1,621,533	22,521	247	18,331	4,190	18.60%	301,680
2007	Polk	Janie Howard Wilson Elementary	108	9,094	1,748,630	16,191	192	1,748,630	16,191	192	18,331	-	0.00%	-
2007	Polk	Kathleen Elementary	216	18,602	2,946,184	13,640	158	2,946,184	13,640	158	18,331	-	0.00%	-
2007	Polk	Lake Marion Creek Middle	1,216	195,416	31,765,879	26,123	163	31,765,879	26,123	163	19,795	6,328	24.22%	7,694,848
2007	Polk	Medulla Elementary	108	8,224	1,688,026	15,630	205	1,688,026	15,630	205	18,331	-	0.00%	-
2007	Polk	Southwest Elementary	144	10,943	1,899,876	13,194	174	1,899,876	13,194	174	18,331	-	0.00%	-
2007	Polk	Stephens Elementary	144	10,943	2,197,714	15,262	201	2,197,714	15,262	201	18,331	-	0.00%	-
2007	Polk	Winter Haven Senior	671	19,946	5,680,882	8,466	285	5,680,882	8,466	285	25,712	-	0.00%	-
2007	Putnam	Kelley Smith Elementary	133	12,263	2,315,150	17,407	189	2,743,794	20,630	224	18,331	-	0.00%	-
2007	Santa Rosa	Dixon Primary School	72	8,505	1,280,955	17,791	151	1,378,558	19,147	162	18,331	-	0.00%	-
2007	Santa Rosa	West Navarre Primary School	144	13,955	2,028,184	14,085	145	2,126,496	14,767	152	18,331	-	0.00%	-
2007	Sarasota	Oak Park School	40	5,301	1,485,101	37,128	280	1,485,101	37,128	280	25,712	11,416	30.75%	456,640
2007	Sarasota	Southside Elementary	496	59,759	14,030,019	28,286	235	14,413,019	29,059	241	18,331	9,955	35.19%	4,937,680
2007	Seminole	Hagerty High School	2,800	403,861	26,102,208	9,322	65	26,102,208	9,322	65	25,712	-	0.00%	-
2007	Seminole	Tuskawilla Middle School	1,269	185,758	24,769,356	19,519	133	24,769,356	19,519	133	19,795	-	0.00%	-
2007	St Lucie	Manatee Academy K-8	811	62,733	13,308,375	16,410	212	13,386,290	16,506	213	19,795	-	0.00%	-
2007	Sumter	Wildwood Elementary	436	38,692	5,669,977	13,005	147	5,672,156	13,010	147	18,331	-	0.00%	-
2007	Volusia	Chisholm Elementary	182	13,172	3,109,745	17,087	236	3,109,745	17,087	236	18,331	-	0.00%	-

ADDITIONS

ADDITIONS				Facility			Plant			Student				
District			Gross	Total	Cost Per	Cost Per	Total	Cost Per	Cost Per	Station				
Name	Facility Name	Stations	Square Feet	Facility Cost	Student Station	Gross Square Foot	Plant Cost	Student Station	Gross Square Foot	Cost Limit	\$ Over	% Over	Project Excess	
2007	Volusia	Cypress Creek Elementary	742	94,348	18,482,759	24,909	196	19,307,500	26,021	205	18,331	6,578	26.41%	4,880,876
2007	Volusia	Discovery Elementary	182	13,172	2,730,671	15,004	207	2,757,471	15,151	209	18,331	-	0.00%	-
2007	Volusia	Freedom Elementary	182	12,443	2,159,477	11,865	174	2,159,477	11,865	174	18,331	-	0.00%	-
2007	Volusia	Pathways Elementary	182	12,618	2,974,148	16,341	236	2,974,148	16,341	236	18,331	-	0.00%	-
2007	Volusia	Pine Trail Elementary	182	13,172	2,892,036	15,890	220	2,930,536	16,102	222	18,331	-	0.00%	-
2007	Volusia	Spruce Creek Elementary	182	12,618	3,003,007	16,500	238	3,042,507	16,717	241	18,331	-	0.00%	-
2007	Walton	Paxton School	80	25,795	4,633,784	57,922	180	4,633,784	57,922	180	18,331	39,591	68.35%	3,167,280
2006	Alachua	Chiles Elementary	176	12,160	1,687,257	9,587	139	1,687,257	9,587	139	17,952	-	0.00%	-
2006	Alachua	Hidden oak Elem	264	17,812	2,347,880	8,893	132	2,347,880	8,893	132	17,952	-	0.00%	-
2006	Alachua	Horizon Center	294	18,347	3,146,158	10,701	171	3,146,158	10,701	171	19,386	-	0.00%	-
2006	Alachua	Kanapaha Middle	66	6,593	1,335,445	20,234	203	1,335,445	20,234	203	19,386	848	4.19%	55,968
2006	Alachua	Norton Elementary	88	6,099	1,003,466	11,403	165	1,003,466	11,403	165	17,952	-	0.00%	-
2006	Alachua	Spring Hill Commun	176	11,241	1,669,064	9,483	148	1,669,064	9,483	148	19,386	-	0.00%	-
2006	Alachua	Talbot Elementary	264	16,942	2,258,976	8,557	133	2,258,976	8,557	133	17,952	-	0.00%	-
2006	Alachua	Wiles Elementary	264	17,578	2,433,501	9,218	138	2,433,501	9,218	138	17,952	-	0.00%	-
2006	Bay	Southport	66	17,160	2,721,316	41,232	159	3,650,216	55,306	213	17,952	23,280	56.46%	1,536,480
2006	Brevard	Edgewood Jr/Sr Hi	197	16,686	4,591,107	23,305	275	4,739,520	24,058	284	25,181	-	0.00%	-
2006	Brevard	Lonleaf Elementary	160	10,210	1,650,000	10,313	162	1,650,000	10,313	162	17,952	-	0.00%	-
2006	Brevard	Rockledge High Sch	537	33,196	5,039,858	9,385	152	5,040,658	9,387	152	25,181	-	0.00%	-
2006	Brevard	Space Coast Jr/Sr	148	48,008	8,399,647	56,754	175	8,659,430	58,510	180	19,386	37,368	65.84%	5,530,464
2006	Broward	Annabel C. Perry El	240	16,346	3,447,101	14,363	211	3,447,101	14,363	211	17,952	-	0.00%	-
2006	Broward	Broadview Elem.	160	29,157	5,865,485	36,659	201	5,879,093	36,744	202	17,952	18,707	51.03%	2,993,120
2006	Broward	Coral Springs Elem	216	14,150	2,695,034	12,477	190	2,695,034	12,477	190	17,952	-	0.00%	-
2006	Broward	Coral Springs High	600	33,575	11,283,295	18,805	336	11,283,295	18,805	336	25,181	-	0.00%	-
2006	Broward	Everglades Elem	240	13,713	3,163,567	13,182	231	3,215,967	13,400	235	17,952	-	0.00%	-
2006	Broward	Gator Run Elem	320	19,766	5,672,266	17,726	287	5,672,266	17,726	287	17,952	-	0.00%	-
2006	Broward	Lyons Creek Middle	528	25,350	5,659,984	10,720	223	5,659,984	10,720	223	19,386	-	0.00%	-
2006	Broward	Margate Elementary	432	31,468	4,895,938	11,333	156	4,895,938	11,333	156	17,952	-	0.00%	-
2006	Broward	Millennium Middle	528	31,468	4,863,327	9,211	155	4,863,327	9,211	155	19,386	-	0.00%	-
2006	Broward	Miramar High	700	33,200	6,804,614	9,721	205	6,804,614	9,721	205	25,181	-	0.00%	-
2006	Broward	Monarch High	900	47,202	5,659,127	6,288	120	5,659,127	6,288	120	25,181	-	0.00%	-
2006	Broward	Plantation Middle	528	28,400	4,754,862	9,005	167	4,754,862	9,005	167	19,386	-	0.00%	-
2006	Broward	Tamarac Elem.	432	28,400	5,097,176	11,799	179	5,097,176	11,799	179	17,952	-	0.00%	-
2006	Broward	Taravelia High	900	47,202	6,455,602	7,173	137	6,455,602	7,173	137	25,181	-	0.00%	-
2006	Broward	Walker Elementary	216	14,150	2,893,229	13,395	204	2,893,229	13,395	204	17,952	-	0.00%	-
2006	Calhoun	Carr	88	3,456	198,057	2,251	57	205,262	2,333	59	19,386	-	0.00%	-
2006	Charlotte	Health Sciences bld	627	92,346	22,567,468	35,993	244	23,513,573	37,502	255	25,181	10,812	30.04%	6,779,124
2006	Charlotte	Port Charlotte High	160	15,543	2,704,004	16,900	174	2,704,004	16,900	174	25,181	-	0.00%	-
2006	Clay	Fleming Island Elem	126	13,080	1,501,199	11,914	115	1,501,199	11,914	115	17,952	-	0.00%	-
2006	Columbia	Columbia City Elem	144	12,435	1,092,511	7,587	88	1,201,526	8,344	97	17,952	-	0.00%	-
2006	Columbia	Columbia High Sch	25	19,838	4,309,109	172,364	217	4,309,109	172,364	217	25,181	147,183	85.39%	3,679,575

ADDITIONS

District	Facility Name	Student Stations	Gross Square Feet	Total Facility Cost	Facility Cost Per Student Station	Facility Cost Per Gross Square Foot	Total Plant Cost	Plant Cost Per Student Station	Plant Cost Per Gross Square Foot	Student Station Cost Limit	\$ Over	% Over	Project Excess
2006	Columbia	Westside Elem	72	841,348	11,685	131	841,348	11,685	131	17,952	-	0.00%	-
2006	Duval	First Coast High	400	4,948,019	12,370	233	4,948,019	12,370	233	25,181	-	0.00%	-
2006	Glades	West Gales School	198	2,708,442	13,679	141	2,708,442	13,679	141	17,952	-	0.00%	-
2006	Gulf	Wewahitchka Midd	132	12,396	6,913	74	912,529	6,913	74	19,386	-	0.00%	-
2006	Highlands	Lake Placid Elem.	216	17,220	3,791,716	17,554	3,803,457	17,609	221	17,952	-	0.00%	-
2006	Hillsborough	Bellamy Elem	288	23,410	2,339,259	8,122	2,387,548	8,290	102	17,952	-	0.00%	-
2006	Hillsborough	Booker Elementary	180	14,481	2,379,292	13,218	2,734,154	15,190	189	17,952	-	0.00%	-
2006	Hillsborough	Boyette Springs	288	24,020	2,271,796	7,888	2,427,821	8,430	101	17,952	-	0.00%	-
2006	Hillsborough	Burns Middle	264	14,485	1,426,747	5,404	1,655,796	6,272	114	19,386	-	0.00%	-
2006	Hillsborough	Cannella Elem	252	20,422	2,069,586	8,213	2,169,691	8,610	106	17,952	-	0.00%	-
2006	Hillsborough	Cimino Elementary	288	22,398	2,580,194	8,959	3,589,887	12,465	160	17,952	-	0.00%	-
2006	Hillsborough	Citrus Park Elem	288	24,885	1,481,662	5,145	1,532,212	5,320	62	17,952	-	0.00%	-
2006	Hillsborough	Cork Elementary	288	20,694	2,519,757	8,749	2,860,074	9,236	129	17,952	-	0.00%	-
2006	Hillsborough	Crestwood Elem.	360	27,211	3,447,778	9,577	3,584,176	9,956	132	17,952	-	0.00%	-
2006	Hillsborough	Egypt Lake Elem.	216	15,528	1,997,101	9,246	2,109,967	9,768	136	17,952	-	0.00%	-
2006	Hillsborough	Forest Hills Elem.	324	26,025	2,891,631	8,925	3,041,394	9,387	117	17,952	-	0.00%	-
2006	Hillsborough	Kingswood Elem.	180	14,731	1,605,583	8,920	1,688,071	9,378	115	17,952	-	0.00%	-
2006	Hillsborough	Knights Elementary	288	20,694	2,517,481	8,741	2,699,954	9,375	130	17,952	-	0.00%	-
2006	Hillsborough	Lake Magdalena El	288	23,894	2,940,101	10,209	3,142,024	10,910	131	17,952	-	0.00%	-
2006	Hillsborough	Lowry Elementary	324	24,835	2,476,167	7,642	2,506,420	7,736	101	17,952	-	0.00%	-
2006	Hillsborough	Mabry Elementary	216	24,761	3,662,014	16,954	3,896,093	18,037	157	17,952	-	0.00%	-
2006	Hillsborough	McKittrick Elem	324	27,516	3,054,314	9,427	3,910,085	12,068	142	17,952	-	0.00%	-
2006	Hillsborough	Mendenhall Elem.	252	18,351	2,184,442	8,668	2,262,963	8,980	123	17,952	-	0.00%	-
2006	Hillsborough	Morgan Woods Elm	180	14,827	1,588,119	8,823	1,618,423	8,991	109	17,952	-	0.00%	-
2006	Hillsborough	Mort Elementary	216	17,805	2,107,622	9,758	2,358,710	10,920	132	17,952	-	0.00%	-
2006	Hillsborough	Riverview Elem.	180	15,378	1,628,457	9,047	1,719,362	9,552	112	17,952	-	0.00%	-
2006	Hillsborough	Ruskin Elementary	288	22,879	2,552,244	8,862	2,656,272	9,223	116	17,952	-	0.00%	-
2006	Hillsborough	SouthCounty Career	259	19,970	2,096,040	8,093	3,111,905	12,015	156	25,181	-	0.00%	-
2006	Hillsborough	Springhead Elem.	288	20,425	2,239,169	7,775	2,391,662	8,304	117	17,952	-	0.00%	-
2006	Hillsborough	Tampa Bay Blvd El	288	20,935	2,351,033	8,163	2,611,238	9,067	125	17,952	-	0.00%	-
2006	Hillsborough	Tampa Palms Elem	216	18,518	1,657,190	7,672	1,905,140	8,820	103	17,952	-	0.00%	-
2006	Hillsborough	Temple Terrace Elm	252	19,283	1,936,170	7,683	2,243,298	8,902	116	17,952	-	0.00%	-
2006	Hillsborough	Town & Country El	180	13,964	1,599,912	8,888	1,624,865	9,027	116	17,952	-	0.00%	-
2006	Hillsborough	Woodbridge Elem.	180	13,750	1,618,811	8,993	1,673,101	9,295	122	17,952	-	0.00%	-
2006	Hillsborough	Yates Elementary	216	16,892	1,711,793	7,925	1,882,426	8,715	111	17,952	-	0.00%	-
2006	Indian River	Gifford Middle	160	19,589	5,183,274	32,395	5,183,274	32,395	265	19,386	13,009	40.16%	2,081,440
2006	Jackson	Grand Ridge School	110	8,478	1,457,691	13,252	1,457,691	13,252	172	19,386	-	0.00%	-
2006	Jackson	Sneads Elementary	72	7,998	1,440,353	20,005	1,440,353	20,005	180	17,952	2,053	10.26%	147,816
2006	Lake	Eustis High School	1,074	166,334	21,220,707	19,759	21,246,261	19,782	128	25,181	-	0.00%	-
2006	Lake	Leesburg High Sch	2,191	302,393	36,435,867	16,630	36,499,223	16,659	121	25,181	-	0.00%	-
2006	Lake	Tavares High	1,697	189,349	19,479,051	11,479	19,581,987	11,539	103	25,181	-	0.00%	-
2006	Lee	Allen Park Elem.	324	25,325	4,711,193	14,541	4,820,793	14,879	190	17,952	-	0.00%	-
2006	Lee	Clonial Elementary	216	18,724	3,452,219	15,982	3,527,339	16,330	188	17,952	-	0.00%	-
2006	Lee	Cypress Lake High	160	20,673	3,394,252	21,214	3,394,792	21,217	164	25,181	-	0.00%	-

ADDITIONS

ADDITIONS				Facility			Plant			Student				
District			Gross	Total	Cost Per	Cost Per	Total	Cost Per	Cost Per	Student	\$	%	Project	
Name	Facility Name	Stations	Square Feet	Facility Cost	Student Station	Gross Square Foot	Plant Cost	Student Station	Gross Square Foot	Cost Limit	Over	Over	Excess	
2006	Lee	Orange River Elem	216	18,724	3,567,208	16,515	191	3,642,328	16,863	195	17,952	-	0.00%	-
2006	Lee	Pinewoods Elem.	324	25,325	4,692,693	14,484	185	4,802,293	14,822	190	17,952	-	0.00%	-
2006	Lee	San Carlos Park El	324	25,325	4,742,193	14,636	187	4,851,793	14,975	192	17,952	-	0.00%	-
2006	Lee	Tanglewood Elem.	216	18,724	3,513,289	16,265	188	3,588,409	16,613	192	17,952	-	0.00%	-
2006	Lee	Trafalgar Elem.	452	20,856	4,390,575	9,714	211	4,456,934	9,860	214	17,952	-	0.00%	-
2006	Lee	Villas Elementary	216	18,724	3,410,479	15,789	182	3,485,599	16,137	186	17,952	-	0.00%	-
2006	Leon	Adult & Comm Educ	250	17,508	2,263,530	9,054	129	2,364,855	9,459	135	25,181	-	0.00%	-
2006	Leon	Lincoln High	25	28,061	5,209,423	208,377	186	6,065,160	242,606	216	25,181	183,196	87.92%	4,579,900
2006	Levy	Joyce Bullock Elem	126	10,157	1,610,743	12,784	159	1,610,743	12,784	159	17,952	-	0.00%	-
2006	Liberty	W.R.Tolar K-8	20	6,500	544,924	27,246	84	544,924	27,246	84	17,952	9,294	34.11%	185,880
2006	Madison	Pinetta Elementary	18	864	63,320	3,518	73	63,320	3,518	73	17,952	-	0.00%	-
2006	Manatee	Robert H. Pine Elem	88	5,250	913,704	10,383	174	913,704	10,383	174	17,952	-	0.00%	-
2006	Marion	Oakcrest Elem.	333	44,535	9,498,601	28,524	213	9,498,601	28,524	213	17,952	10,572	37.06%	3,520,476
2006	Marion	Ward-Highlands Elm	330	39,908	9,848,903	29,845	247	9,848,903	29,845	247	17,952	11,893	39.85%	3,924,690
2006	Miami-Dade	Hibiscus Elem.	176	10,240	2,522,184	14,331	246	2,522,184	14,331	246	17,952	-	0.00%	-
2006	Miami-Dade	Miami Lakes Elem	738	33,705	11,423,248	15,479	339	12,030,131	16,301	357	19,386	-	0.00%	-
2006	Miami-Dade	Scott Lake Elem.	204	11,484	3,108,611	15,238	271	3,108,611	15,238	271	17,952	-	0.00%	-
2006	Miami-Dade	Winston Park Elem.	617	44,518	9,979,061	16,174	224	9,979,061	16,174	224	19,386	-	0.00%	-
2006	Okaloosa	Antioch Elementary	220	15,411	2,310,763	10,503	150	2,310,763	10,503	150	17,952	-	0.00%	-
2006	Palm Beach	Bear Lakes Middle	474	42,076	7,684,745	16,213	183	7,684,745	16,213	183	19,386	-	0.00%	-
2006	Palm Beach	Coral Reef Elem	384	27,250	5,802,226	15,110	213	5,802,226	15,110	213	17,952	-	0.00%	-
2006	Polk	Alta Vista Elem.	144	12,800	1,867,451	12,968	146	1,867,451	12,968	146	17,952	-	0.00%	-
2006	Polk	Bethune Academy	108	9,973	1,668,822	15,452	167	1,668,822	15,452	167	17,952	-	0.00%	-
2006	Polk	Brigham Academy	132	9,294	1,687,998	12,788	182	1,687,998	12,788	182	17,952	-	0.00%	-
2006	Polk	Frostproof Midd/Sr	106	36,314	5,921,606	55,864	163	5,921,606	55,864	163	25,181	30,683	54.92%	3,252,398
2006	Polk	Haines City Senior	972	88,004	2,304,551	2,371	26	2,304,551	2,371	26	25,181	-	0.00%	-
2006	Polk	Jewett Sch of Arts	144	12,634	2,098,238	14,571	166	2,098,238	14,571	166	17,952	-	0.00%	-
2006	Polk	Lake Alfred Elem.	180	17,525	2,382,080	13,234	136	2,382,080	13,234	136	17,952	-	0.00%	-
2006	Polk	Lake Gibson Sr.	370	27,016	3,574,180	9,660	132	3,574,180	9,660	132	25,181	-	0.00%	-
2006	Polk	Lakeland Highlands	236	16,725	2,146,720	9,096	128	2,146,720	9,096	128	19,386	-	0.00%	-
2006	Polk	Lime Street Elem.	324	31,253	4,008,649	12,372	128	4,008,649	12,372	128	17,952	-	0.00%	-
2006	Polk	Lincoln Ave Acad	220	13,911	1,978,044	8,991	142	1,978,044	8,991	142	17,952	-	0.00%	-
2006	Polk	Loughman Oaks	144	12,126	1,795,231	12,467	148	1,795,231	12,467	148	17,952	-	0.00%	-
2006	Polk	Padgett Elementary	216	18,773	2,429,358	11,247	129	2,429,358	11,247	129	17,952	-	0.00%	-
2006	Polk	Pinewood Elem.	166	14,994	2,159,640	13,010	144	2,159,640	13,010	144	17,952	-	0.00%	-
2006	Polk	Purcell Elementary	180	15,518	2,236,727	12,426	144	2,236,727	12,426	144	17,952	-	0.00%	-
2006	Polk	Rochelle Sch of Arts	362	30,122	4,469,600	12,347	148	4,469,600	12,347	148	19,386	-	0.00%	-
2006	Polk	Scott Lake Elem.	176	17,266	2,301,849	13,079	133	2,301,849	13,079	133	17,952	-	0.00%	-
2006	Polk	Spook Hill Elem.	144	14,234	2,491,059	17,299	175	2,491,059	17,299	175	17,952	-	0.00%	-
2006	Santa Rosa	Gulf Breeze Elem.	144	14,799	2,301,450	15,982	156	2,301,450	15,982	156	17,952	-	0.00%	-
2006	Santa Rosa	Woodlawn Bch Midd	132	11,123	1,411,695	10,695	127	1,411,695	10,695	127	19,386	-	0.00%	-
2006	Walton	Bay Elementary	196	14,518	2,476,815	12,637	171	2,488,815	12,698	171	17,952	-	0.00%	-
2006	Washington	Roulhac Middle	220	15,020	2,226,728	10,121	148	2,226,728	10,121	148	17,952	-	0.00%	-



Pasco County Schools

Kurt S. Browning, Superintendent of Schools

7227 Land O' Lakes Boulevard • Land O' Lakes, Florida 34638

February 2, 2016

The Honorable Richard Corcoran
Chairman, House Appropriations Committee
221 The Capitol
402 S. Monroe St.
Tallahassee, FL 32399-1300

Dear Rep. Corcoran:

The following response is intended to address serious allegations directed at public education K-12 school districts contained in a report released on January 21, 2016, by the House Appropriations Committee titled, SCHOOL DISTRICT FIXED CAPITAL OUTLAY FUNDING. The Legislative report stated that between 2006 and 2014, Florida K-12 public schools expended \$1,266,244,950 in wasteful capital project spending. Subsequent newspaper articles quote a legislator saying that public school districts are "robbing" taxpayers. We show below that his accusation could not be further from the truth.

Educators involved in the management and expenditure of public funds welcome being held fiscally accountable for every dollar of public revenue. This is a solemn responsibility accepted by school board members, superintendents and educational staff throughout the State of Florida who are entrusted with vigilant management of these resources.

Upon investigation, there are a number of invalid assumptions contained in the report, which do not accurately represent the complete set of facts surrounding fixed capital outlay funding or expenditures. Furthermore, if excessive spending has been rampant since the 2006-2007 school year, why now after nearly a decade of dormancy is this concern being brought to the public's attention? We also must ask why the House Appropriations Committee did not consult with public school district staff to ascertain whether the information they intended to present in the report accurately reflected the full picture of the cost of building schools.

The report accurately references Florida Statutes 1013.64, part of the Florida Education Code, the source from which this report was based. The report correctly interprets 2.a.6, "Upon construction, the total cost per student station, including change orders, must not exceed the cost per student station as provided in subsection (6)." Additionally, the statute states that the spending caps apply exclusively to projects funded with state funds, while exempting, "Projects funded entirely from proceeds received by district through provisions of ss. 212.055 and 1011.73 and s.9, Art. VII of the State Constitution, if the school board approves the project by majority vote."

Consumer Price Index vs. Construction Price Index

However, with the vast prevalence of spending over the statutory limit throughout the state's K-12 public school districts, there must be common factors contributing to the committee's concern. One factor that merits scrutiny is the dollar figure established as the benchmark for the per student station cost formula. Does the Student Station Cost Factors established in 2006 accurately reflect actual school construction costs? Is the Consumer Price Index the accurate inflationary factor to use to project construction price increases? The answer in both cases is frequently, no.

Historically, the student station cost benchmarks were established in 1997 as part of the SMART Schools Act. This acronym stood for: Soundly-Made, Accountable, Reasonable and Thrifty. The original student station cost factors were established as benchmarks for the School Infrastructure Thrift (SIT) financial incentive program, which was being offered to school districts for building schools below the per student station cost cap. The monthly increases, readjusted in 2006, were based upon the Consumer Price Index (CPI) instead of appropriately using a **Construction Cost Index**, such as one monitored by the highly reputable **Engineering News and Record**. According to the U.S. Bureau of Labor Statics, the CPI program, "Produces monthly data on changes in the prices paid by urban consumers for a representative basket of goods and services," and does not serve as an accurate indicator of current or future market trends found in the construction industry. Since 2006, the CPI has not kept pace with actual construction costs as identified in the CCI for the Atlanta region, representing cost trends in the southeastern region of the United States. **During the past nine years, the CPI has increased at a rate of 19.65% while the actual EN&R Construction Cost Index has risen by 29.13%, far outpacing the CPI.** Another reliable Construction Cost Index, **the Turner Building Cost Index, has identified that construction costs have increased at a rate of 28.55%** during that same time period. The extreme discrepancies between the CPI index and the actual cost for public education construction results in an inaccurate assumption that the Student Station Cost Factors used by the Department of Education reflect real costs. In reality, *they do not.*

Calculating Construction Costs

The second factor that must be addressed is the inconsistency in the reporting data entered on DOE form FCO 564PS, Cost of Construction Report - Public Schools. This annual report served as the basis from which the House Appropriations Committee's School District Fixed Capital Outlay Funding report was solely based. A review of the various Cost of Construction reports submitted by all public school districts during the identified reporting period demonstrates wide discrepancies in the level of costs reported for expenditures associated with: site improvement costs, hurricane hardening, costs to correct site drainage, costs to make public utilities available, costs to make public roads accessible, as well as costs to make site free from environmental problems. These costs are not factored into the total cost per student station and often vary widely from site to site, school district to school district. As an example, it is extremely difficult to identify exactly what percentage of the total site construction package was attributed directly to costs to correct site drainage. If the amount entered onto the Cost of Construction Report mistakenly did not deduct sufficient costs for this exempted construction cost, the per student station cost calculation could report that the project

exceeded the statutory limit on expenditures, when in reality it has no bearing on the total construction cost of the project.

Two specific examples of inconsistencies in Pasco County Schools reporting are found with Schrader Elementary School and the Auto Academy at Wesley Chapel High School. Both schools were reported as exceeding the per student station cap. In reality, **neither exceeded the cost per student station**. The report for **Schrader Elementary School** listed the student station capacity at 498, when in reality the construction project reflected additions and improvements for a total of 770 students. Instead of a reported per station cost of \$27,561, the **actual per student station cost was \$17,825, well below the \$21,194 maximum student station cost**. In actuality, this facility generated savings in the amount of \$2,594,130 when compared to the Student Station Cost Factors.

The 8,535 square foot **Wesley Chapel High School Auto Mechanics Academy** building was designed for students to work on vehicles, not to sit in basic education classrooms. The entire building, by DOE rules, was calculated as basic education space and assessed with an exorbitant per student station cost of \$36,119. There is one classroom designed to accommodate 25 students, but **the entire building should not be subject to the assignment of student stations in active areas intended to graduate students prepared for high wage, high skilled careers in automotive technology**. These two cases represent an example of the invalid assumptions contained in the House Appropriations Report.

In the report, there were nine Pasco County Schools identified from 2006 through 2014 that exceeded the statutory limits per student station. The total sum of the calculations used to determine school construction expenditures was approximately \$9.25M over the State Student Station Factor. By deducting both Schrader Elementary and Wesley Chapel calculations from this sum, this number is reduced to approximately \$6M according to the Cost of Construction Report.

Cost Per Square Foot Savings

However, the factual evaluative measure for prudent public school construction is the cost expended per square foot. This is a real value that when compared with other school districts, demonstrates the efforts by a district to build economically driven facilities. **Of the nine Pasco schools that exceed the per student station cost benchmark, seven of these schools identified as representing wasteful spending were actually constructed well below the state average cost per square foot**. The savings generated for **Oakstead Elementary School** reached as high as **\$44.10 per gross square foot below the state average** and across the **seven other schools, averaged nearly \$22.00 per gross square foot below the state average**. This factual information is also contained in the Department of Education's Cost of Construction Report, but was omitted from the House Appropriations Committee Report. Based upon the cumulative gross square feet represented in these seven schools (693,121GSF), **watchful management of public funds saved the taxpayers' of Pasco County over \$15,000,000 in construction costs based upon the average cost of construction reported throughout the state**. The two schools that exceeded the state average gross square foot average were Connerton Elementary School and

Trinity Oaks Elementary School, schools that had excessive site development costs associated with sink-hole remediation, which amplified the overall cost of construction.

Contributing Factors to Public School Construction Costs

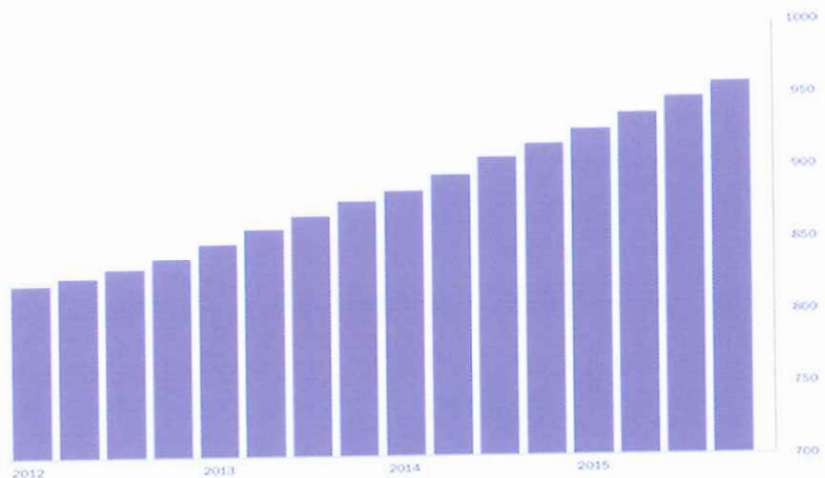
There are other major contributing factors that have driven school construction costs upward. Again, based upon the Turner Building Cost Index, prices have continued to rise during the 2015 calendar year and are predicted to follow this trend into the foreseeable future.

Increasing Construction Activity Leads to Cost Increases

Fourth Quarter 2015 Turner Building Cost Index, which measures costs in the non-residential building construction market in the United States, has increased to a value of 959. This reflects a 1.05% increase from the Third Quarter 2015 and a 4.58% yearly increase from the Fourth Quarter 2014.

"The high volume of work underway continues to put upward pressure on skilled labor. As a result, we are seeing subcontractors and vendors being more selective in their pursuits, which has driven selective trade cost increases. We are also seeing continued increases in material delivery lead times in response to market demands and limited availability of production and fabrication facilities. As market demands continue to grow, the lead time for material will also continue to grow."

Attilio Rivetti
Vice President



In addition to rapidly escalating construction costs throughout Florida, school districts are required to fund **Enhanced Hurricane Protected Areas** (Hurricane Shelters) exclusively from school district capital project funding. While this well-intentioned civic endeavor provides safe shelter for the citizens, this requirement represents an unfunded state mandate to expend funds that drives up public school construction costs.

Security has become a major priority in public school design and construction. Alarm systems, designs that further promote Crime Prevention Through Environmental Design (CPTED), additional security cameras, entry lock-down mechanisms and additional security fencing have provided a safer environment for the children of Pasco County, but again, has increased the cost of public school construction.

Electronic and computer technology has added a huge cost burden to public education. State accountability assessments and end of course exams require expensive data infrastructures necessitating wide bandwidths to accommodate the large number of students simultaneously taking exams on computer network systems.

State Energy Codes, mandated for all K-12 public education facilities, have also significantly increased construction costs by requiring educational facilities to achieve higher energy savings standards. These codes are based upon ASHRAE 90.1 and have major impact on the design of roofing systems, the building envelope, the size of

glazing and natural light, wall insulation, heating and air conditioning systems, as well as school-wide lighting systems. While generating future maintenance and energy savings for a school district, these state mandates force the first time cost of a new school to exceed previous cost thresholds.

Green Building Design is tied closely to **Energy Design Standards**, but extends well beyond energy considerations including sustainability and substantial environmental considerations. As mandated in the State Requirements for Educational Facilities (Section 3.2), "All school district, Florida college and university buildings shall be constructed to meet a nationally recognized high-performance green building rating system as approved by the Department of Management Services. While this requirement will provide life cycle operating savings and generate savings for the taxpayers, it too adds to the original cost of construction.

Life Safety Codes have become more rigorous during the nine year reporting period identified in the House Appropriations Committee Report, and as with all unfunded state mandates, has increased costs by requiring the inclusion of expensive fire sprinkler systems to new school construction as governed by the Florida Fire Prevention Code and NFPA 101.

Traditional School Building Codes vs. Charter School Building Codes

Yet another factor that differentiates public school construction costs from charter school construction costs is the differences between the construction code requirements mandated for charter schools and for K-12 public schools. According to F.S. 1002.33(19), "*A startup charter school shall utilize facilities which comply with the Florida Building Code pursuant to Chapter 553 except for the State Requirements for Educational Facilities.*" Charter schools, with the exception of conversion charter schools, by statute are not required to comply, but may choose to comply, with the State Requirements for Educational Facilities of the Florida Building Code adopted pursuant to Section 1013.37. The cost comparison between the state uniform building code for public educational facilities construction, as required for K-12 public education and Chapter 553, non-educational Building Construction Standards is significant. **The statutory requirement for K-12 public education to construct to much higher standards for safety, energy savings, standards for construction materials and life cycle criteria, places public education facilities at a huge financial disadvantage.**

Initial Construction Costs vs. Long-term Maintenance Costs

Each of the aforementioned components required in public school design and construction represents value to the taxpayers of public school districts. The most important consideration when designing and building new schools with public funds is to demand the return of exceptional value from the facility, not to focus on a low first time cost of construction, which inaccurately represents the total cost of building construction, ownership and maintenance. Low-priced, first-time construction costs do not represent a return of value to the taxpayers. A systemic approach to school construction is not only warranted, but also returns the greatest cost savings to any school district.

Pasco County schools are constructed with long term, life cycle considerations and are low maintenance, energy efficient facilities. From 2007 through 2014, savings have

consistently averaged well below the state average for energy consumption. **During this seven-year period, the Pasco County School average cost per square foot of energy usage was \$1.02 compared to a statewide average of \$1.26 per square foot.** Prorated over the 11,398,342 gross square feet of school facilities, the District generated **\$2,817,018 in savings** for the taxpayers of Pasco County. Due to the construction of economic, high quality and low maintenance facilities, the **Pasco average for maintenance costs per gross square foot was \$4.97 compared to a state average of \$5.28.** Prorating these savings over the 11,398,342 GSF of facilities, **\$3,484,636 was generated in savings** for the taxpayers of Pasco County. While all of these savings certainly cannot be attributed to the nine schools highlighted in the Appropriations Committee Report, a portion of these savings are a direct result of conscientious construction planning and design. Of greater importance is the demonstration of the consistent determination and effort that Pasco County Schools devotes to effective public funds management.

Pasco County Schools has a long-standing reputation for building cost effective schools that are safe, healthy, sustainable and provide an enriched learning environment. School expenditures are managed by qualified staff and are monitored by a Citizen's Oversight Committee, then scrutinized by a public accounting firm to ensure that the district has not overpaid for any aspect of the project. These costs and public procurement procedures are also inspected annually by professional auditing firms, as well as undergoing the intensive State Auditor General's review every three years. Pasco County Schools is dedicated not only to professional fiscal management, but strives to serve as an exemplary example of public fund stewardship. Rest assured that taxpayers' money is not being "robbed" in Pasco County; rather, as demonstrated in this lengthy response, it is diligently managed to serve the greater needs of Pasco's students, parents, citizens, essentially, the taxpayers.

I also have provided a summary of the salient points contained within this document. Any questions regarding the content can be addressed either to Ray Gadd, Deputy Superintendent, at 813-794-2860, or John Petrashek, Director of Construction Services, at 813-794-7950.

Sincerely,



Kurt S. Browning
Superintendent of Schools

Attachment

cc: Pasco County Legislative Delegation
House Appropriations Committee Members
Pasco County School Board
Superintendent's Staff



Pasco County Schools

Providing a world-class education for all students

Kurt S. Browning, Superintendent of Schools

Response to:

SCHOOL DISTRICT FIXED CAPITAL OUTLAY FUNDING HOUSE APPROPRIATIONS COMMITTEE REPORT JANUARY 21, 2016

Summary

- Prior to the release of the House Appropriations Report, Legislative staff did not consult public school districts to gain a better understanding of the Cost of Construction Report.
- The Department of Education's Student Station Cost Factors do not accurately represent the actual cost of construction in today's market and need to be revised.
- The Consumer Price Index is applied to the Student Station Cost Factors and is not intended to serve as a predictive indicator for construction market trends and actual costs.
- The Construction Cost Index, such as monitored by Engineering News and Report, is an accurate indicator of construction inflationary factors.
- The manner in which data is entered into the report greatly affects the per student station calculations, but does not have any bearing on the total project cost. If data do not fully represent the work done, it will skew the student station costs.
- Per square feet cost factors (not per student station cost factors) accurately represent the true cost of construction and are included in the same Cost of Construction report as the Student Station Cost Factor.
- When based upon the square feet cost factors, there were 7 schools that were constructed well below the average cost per square feet and represented a savings of over \$15,000,000 for Pasco taxpayers.
- The data recorded for career and technology labs do not take into account active workspace. Student stations are assigned across the entire lab space, grossly and inaccurately assigning an inaccurate cost per student station. Automotive Technology, for example, requires a large space for hands-on learning using automobiles, but few actual student seats.
- Construction cost increases are somewhat proportional to the quantity of work ongoing in any geographic area. Following the economic recession from 2008 - 2012 (+ -) nearly 50% of the experienced construction tradesmen were forced to leave the profession or to move elsewhere to look for work. There is a critical manpower shortage in the skilled trade's arena. Sub-contractors are selectively submitting bids only on the

projects that best align with their capabilities and which will return the greatest profit margin. Often, it is difficult to get subcontractors to submit competitive bids for the work.

- K-12 public education (non-charter) must abide by F.S. 1013.37 (SREF), the state uniform building code for public education, a far more rigorous, demanding and expensive building code than that with which charter schools must comply, F.S. 533, a scaled down code for business occupancy.
- Pasco builds schools with a long-term life cycle cost approach. It is far better to build quality schools at economical prices than to construct cheap schools that will greatly increase maintenance and energy costs throughout the life of the building.
- School districts must fund hurricane shelters (EHPA) out of public education funds.
- Enhanced security considerations have increased construction costs.
- Computer technology and the data infrastructure required to support on-line testing has significantly increased technological costs, as well as increased the capital funds needed for the computer hardware included in furniture and equipment costs.
- State energy codes have increased building costs by proscribing building envelope changes, requiring high efficiency HVAC systems, increased insulation and LED lighting systems.
- Green building design is required and has increased construction costs.
- Florida Fire Protection Code has increased requirements for fire sprinkler systems, increasing costs.
- Costs of abatement and demolition of existing facilities are not deducted and artificially inflate per student stations costs.
- According to several regional contractors and architects, the Tampa Bay vicinity has experienced a 12% - 20% increase in costs over the past 1 1/2 years. This does not have any relationship to schools built 10 years ago, but will continue to present challenges in meeting the State's Student Station Cost Factor in the foreseeable future.

Carlene H. Anderson
Superintendent of Schools

Walton



COUNTY SCHOOL DISTRICT

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February 2, 2016

The Honorable Don Gaetz
State Senator, District 1
420 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Dear Senator Gaetz:

I would like to take this opportunity to address information presented to the House Appropriations Committee regarding School District Fixed Capital Outlay Funding and the school projects that exceed student station costs as applicable to Walton County School District.

As a small and sparse district with a constant and increasing student enrollment, Walton County cannot base construction decisions on our current population because the distance between each geographical area requires the provision of full services at each individual school site. Therefore, we have to replicate services in every school, even though the student enrollment at a facility may be as low as 340 or as great as 1000. So, the utilization of an average cost per student station does not take into consideration the wide variety of special circumstances that impact the project costs. In two recent projects we “overbuilt” our core facilities purposefully to accommodate future growth to ensure the core facilities would adequately handle the impact of additional student stations. A primary example of “overbuilding” applies to Emerald Coast Middle School (ECMS) and to Mossy Head School (MHS). We constructed ECMS based on its population at that time, plus an estimated increase based on historical growth patterns. When the school opened in August, the student enrollment had increased so exponentially that by October we had to begin construction on eight additional classrooms to handle the growth. Had the core facilities not been “overbuilt”, the unexpected spike in student enrollment would have resulted in overcrowding in the cafeteria, library media and gymnasium – and we would not be able to meet the requirements of class size reduction. Although we did not have to immediately construct additional classrooms at Mossy Head School, the school is filled to capacity.

Walton County has four individual school projects that exceeded the student station cost when constructed. It is crucial to note all of the projects referenced in the presentation were funded by local tax dollars, and not state funds. The specific reasons for the increase in costs are addressed below:

- **Emerald Coast Middle School**
 - Extra fill had to be installed to offset the high water table
 - Extension of water, sewer, electrical and telecom lines
 - High acquisition cost for property in the south end of Walton County
 - More stringent wind load requirements for construction in south end of county
 - Construction of over-sized core facilities to handle future enrollment projections
- **Mossy Head School**
 - Extension of water, sewer, electrical and telecommunication lines
 - Construction of a waste water treatment plant and absorption field
 - Construction of a roadway, including a bridge
 - Construction as an emergency evacuation center
 - Construction of over-sized core facilities to handle future enrollment projections

“Making All Decisions in the Best Interest of Students”

Gail Smith
District 1

Kim Kirby
District 2

Bill Eddins, Jr.
District 3

Mark D. Davis
District 4

Jason Catalano
District 5

- Paxton School Gymnasium

Paxton serves PreK through 12th grade. The school does not have a football program, so the gymnasium serves in lieu of a stadium.

The facility was constructed as non-classroom space with student stations assigned to it

- Walton High School

Unforeseen site work requiring removal of daisy chain septic tanks
Constructed as an emergency evacuation shelter

We strive with each individual school project to keep our construction costs within the guidelines. We utilize the same architectural design, which results in a significant decrease in costs for future projects. We also utilize a construction management service, which ensures each project remains within the projected cost. Utilizing the construction management team often results in a reduction in costs due to their diligence in managing the entire construction process from the initial phase through completion.

Walton County School District is designated a district of choice. Students may attend any school in the district, public or charter; there is no residential zoning. For this reason, schools cannot be "evened-out" to accommodate the student stations at individual facilities. Were we to consider implementing residential zoning, students would have to be transported beyond their geographical region, requiring them to spend several hours daily getting to and from school. This would also place an undue burden on parents who live in one geographical area, but work in another.

Currently, Walton County is experiencing a significant and continued population growth in south Walton. Therefore, we are in the process of designing an additional elementary school to address the current overcrowding. If this bill passes as designed, we would be forced to ask the School Board to raise the local millage (currently set at 1.393), remove the choice option for the regular public schools and implement residential zoning in order to continue with the elementary construction project. If the project is delayed because of lack of funding, our south Walton elementary schools will not be able to meet class size reduction because the current facilities cannot handle the increased student load.

In closing, it is very crucial to note that Walton County School District has been a very good steward of our public tax dollars. We have consistently constructed new facilities without placing a tax burden on our citizens by increasing the local millage rate. Although our total project costs for the four mentioned facilities may have exceeded the cost/student station metric, the cost factor calculation does not include any consideration for specialized facilities with low student stations, the cost of land in south Walton, or the costs associated with building roads and bridges to access these facilities.

Respectfully,



Carlene H. Anderson
Superintendent of Schools

CHA/lw

cc: Mark Gardner
Director

HILLSBOROUGH COUNTY PUBLIC SCHOOLS 1999-2015 NEW SCHOOL COST HISTORICAL BACKGROUND

During the January 21, 2016 meeting of the House Appropriations Committee, Education Appropriations Subcommittee Chair Eric Fresen discussed a series of slides intended to represent school district expenditures for new school construction. As Representative Fresen noted, Section 1013.64 (6) (c) imposed a maximum cost per student station for new school construction initiated by a district school board after June 30, 1997. The presentation identified two, but not all 178, of the new construction projects completed by Hillsborough County Public Schools since the implementation of the student station cost requirement. The attached spreadsheet reports all such projects.

Originally those limits were applied to new schools, not to additions or renovations, and were intended to contain the cost of core facilities and non-student station costs. School Infrastructure Thrift Awards were granted to districts constructing below the state ceiling, but were awarded only for complete new schools.

The student station cost limits were not applied to funds raised from taxes levied by referendum. However Hillsborough County Public Schools applied the same budgeting constraints to all projects without regard to revenue source. The funds raised by the local discretionary capital outlay millage levied by the school board are considered state funds for the purpose of these restrictions. They are considered state funds because the Legislature grants the taxing authority for this revenue source. The current rate is limited to 1.5 mills. The use of the funds derived from these 1.5 mills are restricted by statutes enacted by the Florida Legislature and by rules adopted by the state Board of Education. Key restrictions include.

1. These funds can only be used to address specific needs identified in the state required school plant survey and district long-range capital outlay plans.
2. These funds can't be used to build schools as a result of parent requests for schools or the school district's desire to expand choice programs, unless the facility also is identified as a need in the school plant survey (needs are defined as student growth or schools in need of major maintenance or renovation).
3. School districts must build schools for a fifty-year useful life, and meet the classroom sizes, core facilities, and other requirements included in State Board Rule. (State Requirements for Educational Facilities)

Florida Statute does not contain a provision to impose a student station cost limit on specialized facilities such as Exceptional Student Education facilities. Instructions from the Department of Education designates these facilities are to be reported as "other" facilities and not as elementary, middle or high schools.

The student station cost limit is not applied to renovation or remodeling projects because those projects do not include new student stations. The current Department of Education instructions for completing the required cost of construction report states, "All forms are to reflect new construction projects only (new schools, replacement schools, or addition to an existing school). Renovation and remodeling projects are not to be reported".

Representative Fresen indicated that he would propose changes in the calculation of the project costs to include the land costs in the construction cost. Land costs were initially excluded from this calculation because of the wide variations in land costs across the state. Suitable land costs in Dade or Pinellas Counties are far greater than in Jefferson or Santa Rosa Counties. Under Speaker Webster's leadership, it was decided that including land costs would undermine the validity and comparability of the measure of student stations.

At the House Education Appropriations meeting, there was an assumption that there is a statewide pervasive problem of wasteful spending in every school district. Therefore, school districts did not need more revenue for capital outlay purposes because those needs could be addressed by reducing spending.

HILLSBOROUGH COUNTY PUBLIC SCHOOLS NEW CONSTRUCTION COSTS VS. STUDENT STATION LIMITS 1999-2015

The slides identified two Hillsborough County Public Schools projects that exceeded the student station cost standard. They are:

2006: Carver Center: Carver Center is a 208-student station Exceptional Student Education (ESE) Center constructed to replace an unsatisfactory facility used to serve students with unique abilities. We made major changes in the specifications for the building, such as eliminating the kitchen and including only a dining space for food service to help contain costs.

There are no statutory standards for student station cost factors for ESE centers. Because Carver is so small, even the most modest of restrooms, a simple dining space to serve meals delivered from other sites, an office, parking, drainage, therapy rooms, and other limited core facilities inflate the student station cost. The total over the student station cost cap was \$1,744,857.

2008: Kimbell Elementary School: Kimbell Elementary School is a traditional elementary school built with 636 student stations. Hillsborough County Public Schools made a decision to expend funds to accelerate the construction of Kimbell Elementary in order to quickly alleviate an existing overcrowded facility and eliminate the cost of renting portables at that overcrowded facility. It would have cost more to continue renting portables than to accelerate the project. The decision was made to save the most amount of money even though reporting would show we were over the cost per student station. Kimbell Elementary School was built in seven months, a herculean feat. The total over the student station cost cap was \$588,155.

The slides did not report the rest of the new construction in Hillsborough County that fell under the requirements of section 1013.64 (6) (c). The attached chart shows the entire list of schools built since the cost per student station caps were instituted in law. There are nearly 200 projects on Hillsborough County Public Schools list, including the two included in the slide presentation in the House Education Appropriations committee.

In order to be completely transparent, you will see on the provided spreadsheets that we have included three additions to elementary schools made in 1999 that exceeded the per student station cost maximums. These projects that added student stations also added media centers that serve all students in that school. However, the cost per student station was allocated to only the student stations in the addition and doing so caused the cost per student station to appear to be above the cap.

Another example in 1999 is an elementary school addition that included a kitchen and office serving the whole school along with the classroom addition. Again, the cost per student station was allocated to only the student stations in the addition and doing so caused the cost per student station to appear to be above the cap. In 2004, again there were two classroom additions for which the student station cost maximums were exceeded.

Including all projects where the student station cost maximums were exceeded, the entire body of work of nearly 200 projects resulted in a total net savings under the student station cost cap of \$635,257,887. We think this record shows Hillsborough County Public Schools commitment to our community by using their tax dollars wisely as well as our commitment to meeting the requirements in law.

In addition, the district has a commitment to maximizing the use of the assets paid for and owned by the taxpayers. The district continues to operate nearly 50 schools opened from 1903 through 1930. We think this type of commitment and the data on the spreadsheet show Hillsborough County Public Schools acts responsibly.

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT**

Total variance from required student station cost maximum since schools began being constructed under that requirement:
\$635,257,447 below the statutory student station cost.

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
1999					
Davidson M.S. (new)	1,511	\$13,875	\$11,125	\$2,750	\$56,412,080
Randall M.S. (new)	1,550	\$13,875	\$10,093	\$3,782	\$4,154,590
Bevis E.S. (new)	980	\$12,102	\$9,213	\$2,889	\$5,862,618
Pride E.S. (new)	946	\$12,102	\$9,942	\$2,160	\$2,831,620
Cleveland E.S. (addition)	100	\$12,102	\$13,417	(\$1,315)	\$2,043,365
Edison E.S. (addition)	200	\$12,102	\$12,621	(\$519)	(\$131,500)
Robles E.S. (addition)	200	\$12,102	\$8,723	\$3,379	(\$103,800)
Tampa Bay Blvd E.S. (addition)	200	\$12,102	\$10,058	\$2,044	\$675,800
Wilson E.S. (addition)	260	\$12,102	\$11,651	\$451	\$408,800
Springhead E.S. (addition)	200	\$12,102	\$9,845	\$2,257	\$117,260
Wharton H.S. (addition)	381	\$18,786	\$7,197	\$11,589	\$451,400
Riverview H.S. (addition)	591	\$18,786	\$4,768	\$14,018	\$4,415,409
Plant City H.S. (addition)	531	\$18,786	\$5,314	\$13,472	\$8,284,638
Franklin M.S. (addition)	82	\$13,875	\$12,528	\$1,347	\$7,153,632
King H.S. (addition)	294	\$18,786	\$12,605	\$6,181	\$110,454
Sligh M.S. (addition)	308	\$13,875	\$5,208	\$8,667	\$1,817,214
Woodbridge E.S. (addition)	215	\$12,102	\$8,701	\$3,401	\$2,669,436
Adams M.S. (addition)	168	\$13,875	\$6,532	\$7,343	\$731,215
Mort E.S. (addition)	200	\$12,102	\$6,799	\$5,303	\$1,233,624
Limona E.S. (addition)	100	\$12,102	\$6,734	\$5,368	\$1,060,600
Bay Crest E.S. (addition)	215	\$12,102	\$6,668	\$5,434	\$536,800
Crestwood E.S. (addition)	347	\$12,102	\$6,565	\$5,537	\$1,168,310
Mitchell E.S. (addition)	300	\$12,102	\$4,347	\$7,755	\$1,921,339
Mendenhall E.S. (addition)	300	\$12,102	\$3,526	\$8,576	\$2,326,500
Egypt Lake E.S. (addition)	300	\$12,102	\$3,526	\$8,576	\$2,572,800
Alexander E.S. (addition)	300	\$12,102	\$5,816	\$6,286	\$2,572,800
Robinson E.S. (addition)	228	\$12,102	\$13,675	(\$1,573)	\$1,885,800
2000					(\$358,644)
McKlrick E.S. (new)	941	\$12,382	\$10,384	\$1,998	\$29,623,851
					\$1,880,428

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT**

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
Symmes E.S. (new)	961	\$12,382	\$9,622	\$2,760	\$2,652,524
Chiles E.S. (new)	901	\$12,382	\$10,204	\$2,178	\$1,962,285
Martinez M.S. (new)	1,537	\$14,197	\$9,899	\$4,298	\$6,606,474
Alonso H.S. (new)	2,509	\$18,786	\$12,826	\$5,960	\$14,953,340
Lake Magdalene E.S. (addition)	220	\$12,382	\$5,970	\$6,412	\$1,410,640
Carrollwood E.S. (addition)	60	\$12,382	\$9,746	\$2,636	\$158,160
2001					
None					
2002		???			
Cimino E.S. (new)	941	\$12,755	\$10,002	\$2,753	\$2,590,246
Ippolito E.S. (new)	901	\$12,755	\$9,805	\$2,950	\$2,658,240
Freedom H.S. (new)	2,094	\$19,352	\$17,020	\$2,332	\$4,882,731
None (additions)					
2003					
Heritage E.S. (new)	987	\$13,114	\$9,811	\$3,303	\$50,858,827
Muller E.S. (new)	593	\$13,114	\$13,069	\$45	\$3,259,775
Nelson E.S. (new)	866	\$13,114	\$9,561	\$3,553	\$26,745
Schmidt E.S. (new)	855	\$13,114	\$11,025	\$2,089	\$3,076,770
Sessums E.S. (new)	855	\$13,114	\$9,964	\$3,150	\$1,786,051
Mulrennan M.S. (new)	1,411	\$15,036	\$10,797	\$4,239	\$2,693,413
Jennings M.S. (new)	1,414	\$15,036	\$10,265	\$4,771	\$5,981,187
Middleton H.S. (new)	2,102	\$19,897	\$16,453	\$3,444	\$6,746,770
Newsome H.S. (new)	2,331	\$19,897	\$13,149	\$6,748	\$7,239,390
Ferrell M.S. (addition)	296	\$15,036	\$13,396	\$1,640	\$15,729,018
Essrig E.S. (addition)	250	\$13,114	\$6,391	\$6,723	\$485,330
Lewis E.S. (addition)	150	\$13,114	\$7,709	\$5,405	\$1,680,649
Lomax E.S. (addition)	258	\$13,114	\$7,909	\$5,205	\$810,726
					\$1,343,003

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT**

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
2004					
Liberty M.S. (new)	1,537	\$15,307	\$10,059	\$5,248	\$41,424,288
Davis E.S. (new)	1,106	\$13,351	\$9,371	\$3,980	\$8,065,497
Corr E.S. (new)	885	\$13,351	\$10,308	\$3,043	\$4,402,428
Fishhawk E.S. (new)	876	\$13,351	\$11,620	\$1,731	\$2,693,416
Sheehy E.S. (new)	472	\$13,351	\$17,842	(\$4,491)	\$1,516,412
Shields M.S. (new)	1,377	\$15,307	\$11,604	\$3,703	(\$2,119,976)
Chiles E.S. (new)	845	\$13,351	\$9,758	\$3,593	\$5,099,031
Farnell M.S. (new)	1,550	\$15,307	\$9,832	\$5,475	\$3,036,483
Bryant E.S. (new)	946	\$13,351	\$9,173	\$4,178	\$8,486,493
Hillsborough H.S. (addition)	444	\$20,256	\$5,249	\$15,007	\$3,952,467
Marshall M.S. (addition)	20	\$15,307	\$20,715	(\$5,408)	\$6,663,108
Westshore E.S. (addition)	79	\$13,351	\$16,679	(\$3,328)	(\$108,160)
2005					
Frost E.S. (new)	706	\$13,739	\$12,910	\$829	(\$262,912)
Turner E.S. (new)	860	\$13,739	\$12,998	\$741	\$20,685,688
Rampello K-8 (new)	985	\$15,752	\$14,052	\$1,700	\$585,496
Guinta M.S. (new)	1,291	\$15,752	\$13,244	\$2,508	\$637,317
Adams M.S. (addition)	264	\$15,752	\$5,680	\$10,072	\$1,640,735
Carrollwood E.S. (addition)	180	\$13,739	\$7,727	\$6,012	\$3,237,825
Jefferson H.S. (addition)	500	\$20,845	\$4,963	\$15,882	\$2,658,883
Kenly E.S. (addition)	180	\$13,739	\$7,487	\$6,252	\$1,082,206
Potter E.S. (addition)	108	\$13,739	\$7,497	\$6,242	\$7,941,231
Westchase E.S. (addition)	252	\$13,739	\$9,364	\$4,375	\$1,125,385
2006					
Lennard H.S. (new)	2,082	\$25,181	\$17,091	\$8,090	\$674,086
Spoto H.S. (new)	2,193	\$25,181	\$15,247	\$9,934	\$1,102,524
Carver Center (new)	208	\$25,181	\$33,570	(\$8,389)	\$122,920,789
Doby E.S. (new)	958	\$17,952	\$13,361	\$4,591	\$16,842,372
Collins E.S. (new)	894	\$17,952	\$16,394	\$1,558	\$21,785,504
Bartels M.S. (new)	1,301	\$19,386	\$13,563	\$5,823	(\$1,744,857)
South County Career	259	\$25,181	\$8,093	\$17,088	\$4,398,478
					\$1,392,747
					\$7,576,282
					\$4,425,839

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT**

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
Bellamy E.S. (addition)	288	\$17,952	\$8,122	\$9,830	\$2,830,917
Boyette Springs E.S. (addition)	288	\$17,952	\$7,888	\$10,064	\$2,898,380
Booker E.S. (addition)	180	\$17,952	\$13,218	\$4,734	\$852,068
Burns M.S. (addition)	264	\$19,386	\$5,404	\$13,982	\$3,691,157
Cannella E.S. (addition)	252	\$17,952	\$8,213	\$9,739	\$2,454,318
Citrus Park E.S. (addition)	288	\$17,952	\$5,145	\$12,807	\$3,688,514
Cork E.S. (addition)	288	\$17,952	\$8,749	\$9,203	\$2,650,419
Forest Hills E.S. (addition)	324	\$17,952	\$8,925	\$9,027	\$2,924,817
Knights E.S. (addition)	288	\$17,952	\$8,741	\$9,211	\$2,652,695
Lake Magdalena E.S. (addition)	288	\$17,952	\$10,209	\$7,743	\$2,230,075
Lowry E.S. (addition)	324	\$17,952	\$7,642	\$10,310	\$3,340,281
Mabry E.S. (addition)	216	\$17,952	\$16,954	\$998	\$215,618
McKittrick E.S. (addition)	324	\$17,952	\$9,427	\$8,525	\$2,762,134
Morgan Woods E.S. (addition)	180	\$17,952	\$8,823	\$9,129	\$1,643,241
Mort E.S. (addition)	216	\$17,952	\$9,758	\$8,194	\$1,770,010
Riverview E.S. (addition)	180	\$17,952	\$9,047	\$8,905	\$1,602,903
Ruskin E.S. (addition)	288	\$17,952	\$8,862	\$9,090	\$2,617,932
Springhead E.S. (addition)	288	\$17,952	\$7,775	\$10,177	\$2,931,007
Temple Terrace E.S. (addition)	252	\$17,952	\$7,683	\$10,269	\$2,587,734
Town & Country E.S. (addition)	180	\$17,952	\$8,888	\$9,064	\$1,631,448
Woodbridge E.S. (addition)	180	\$17,952	\$8,993	\$8,959	\$1,612,549
Yates E.S. (addition)	216	\$17,952	\$7,925	\$10,027	\$2,165,839
Cimino E.S. (addition)	288	\$17,952	\$8,959	\$8,993	\$2,589,982
Kingswood E.S. (addition)	180	\$17,952	\$8,920	\$9,032	\$1,625,777
Tampa Palms E.S. (addition)	216	\$17,952	\$7,672	\$10,280	\$2,220,442
Crestwood E.S. (addition)	360	\$17,952	\$9,577	\$8,375	\$3,014,942
Egypt Lake E.S. (addition)	216	\$17,952	\$9,246	\$8,706	\$1,880,531
Mendenhall E.S. (addition)	252	\$17,952	\$8,668	\$9,284	\$2,339,462
Tampa Bay Blvd E.S. (addition)	288	\$17,952	\$8,163	\$9,789	\$2,819,232
2007					\$41,376,466
Deer Park E.S. (new)	1,046	\$18,331	\$15,936	\$2,395	\$2,505,392
Hammond E.S. (new)	938	\$18,331	\$14,663	\$3,668	\$3,440,329

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT**

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
Oak Park E.S. (new)	753	\$18,331	\$16,309	\$2,022	\$1,522,297
Summerfield Crossings E.S. (new)	959	\$18,331	\$12,739	\$5,592	\$5,362,912
Brandon H.S. (addition)	600	\$25,712	\$7,401	\$18,311	\$10,986,431
Carrollwood E.S. (addition)	172	\$18,331	\$8,408	\$9,923	\$1,706,797
Chiles E.S. (addition)	288	\$18,331	\$10,237	\$8,094	\$2,331,125
Durant H.S. (addition)	600	\$25,712	\$7,181	\$18,531	\$11,118,892
Mitchell E.S. (addition)	240	\$18,331	\$11,520	\$6,811	\$1,634,548
Roosevelt E.S. (addition)	144	\$18,331	\$12,999	\$5,332	\$767,743
2008					\$174,643,097
Kimbell E.S. (new)	636	\$19,585	\$20,510	(\$925)	(\$588,155)
Reddick E.S. (new)	948	\$19,585	\$16,897	\$2,688	\$2,548,680
Smith M.S. (new)	1,578	\$21,149	\$15,454	\$5,695	\$8,986,947
Clark E.S. (addition)	216	\$19,585	\$11,259	\$8,326	\$1,798,316
Armwood H.S. (addition)	475	\$27,471	\$6,586	\$20,885	\$9,920,215
Bartels M.S. (addition)	352	\$21,149	\$9,235	\$11,914	\$4,193,861
Benito M.S. (addition)	264	\$21,149	\$7,990	\$13,159	\$3,473,873
Bevis E.S. (addition)	216	\$19,585	\$11,774	\$7,811	\$1,687,124
Bryant E.S. (addition)	228	\$19,585	\$13,697	\$5,888	\$1,342,401
Buckhorn E.S. (addition)	180	\$19,585	\$9,865	\$9,720	\$1,749,545
Burnett M.S. (addition)	220	\$21,149	\$9,507	\$11,642	\$2,561,136
Collins E.S. (addition)	252	\$19,585	\$11,274	\$8,311	\$2,094,445
Clark E.S. (addition)	216	\$19,585	\$11,259	\$8,326	\$1,798,316
Corr E.S. (addition)	252	\$19,585	\$10,626	\$8,959	\$2,257,708
Cypress Creek E.S. (addition)	288	\$19,585	\$10,153	\$9,432	\$2,716,310
Davidson M.S. (addition)	264	\$21,149	\$10,139	\$11,010	\$2,906,573
Davis E.S. (addition)	180	\$19,585	\$12,198	\$7,387	\$1,329,599
Eisenhower M.S. (addition)	220	\$21,149	\$8,933	\$12,216	\$2,687,612
FishHawk Creek E.S. (addition)	180	\$19,585	\$10,733	\$8,852	\$1,593,411
Freedom H.S. (addition)	600	\$27,471	\$7,825	\$19,646	\$11,787,731
Frost E.S. (addition)	288	\$19,585	\$9,394	\$10,191	\$2,934,868

HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
Guinta M.S. (addition)	1,724	\$21,149	\$1,512	\$19,637	\$33,854,998
Hunter's Green E.S. (addition)	288	\$19,585	\$10,366	\$9,219	\$2,654,981
Liberty M.S. (addition)	264	\$21,149	\$10,235	\$10,914	\$2,881,373
Lutz E.S. (addition)	216	\$19,585	\$11,459	\$8,126	\$1,755,114
Maniscalco E.S. (addition)	252	\$19,585	\$10,159	\$9,426	\$2,375,228
Marshall M.S. (addition)	264	\$21,149	\$8,861	\$12,288	\$3,244,143
Miles E.S. (addition)	216	\$19,585	\$12,463	\$7,122	\$1,538,381
Mintz E.S. (addition)	288	\$19,585	\$9,606	\$9,979	\$2,874,020
Mulrennan M.S. (addition)	264	\$21,149	\$9,752	\$11,397	\$3,008,716
Nelson E.S. (addition)	288	\$19,585	\$10,917	\$8,668	\$2,496,263
Newsome H.S. (addition)	600	\$27,471	\$7,266	\$20,205	\$12,123,254
Northwest E.S. (addition)	216	\$19,585	\$11,067	\$8,518	\$1,839,867
Pride E.S. (addition)	216	\$19,585	\$12,154	\$7,431	\$1,605,014
Randall M.S. (addition)	220	\$21,149	\$9,987	\$11,162	\$2,455,704
Riverview H.S. (addition)	485	\$27,471	\$8,824	\$18,647	\$9,043,747
Rodgers M.S. (addition)	220	\$21,149	\$9,220	\$11,929	\$2,624,333
Shields M.S. (addition)	352	\$21,149	\$9,096	\$12,053	\$4,242,491
Summerfield E.S. (addition)	216	\$19,585	\$13,580	\$6,005	\$1,297,084
Valrico E.S. (addition)	288	\$19,585	\$12,289	\$7,296	\$2,101,372
Walden Lake E.S. (addition)	288	\$19,585	\$11,003	\$8,582	\$2,471,530
Wharton H.S. (addition)	400	\$27,471	\$6,534	\$20,937	\$8,374,968
2009					\$72,648,207
Bailey E.S. (new)	928	\$19,140	\$11,104	\$8,036	\$7,457,585
Stowers E.S. (new)	1,008	\$19,140	\$13,361	\$5,779	\$5,825,140
Barrington M.S. (new)	1,635	\$20,669	\$12,857	\$7,812	\$12,772,077
Steinbrenner H.S. (new)	2,513	\$26,848	\$19,714	\$7,134	\$17,928,698
Strawberry Crest H.S. (new)	2,446	\$26,848	\$22,433	\$4,415	\$10,798,225
Clair Mel E.S. (addition)	180	\$19,140	\$10,098	\$9,042	\$1,627,543
Colson E.S. (addition)	180	\$19,140	\$10,158	\$8,982	\$1,616,745
Ippolito E.S. (addition)	180	\$19,140	\$9,769	\$9,371	\$1,686,746

**HILLSBOROUGH COUNTY PUBLIC SCHOOLS
CONSTRUCTION COST REPORT**

Year/Project	Student Stations	\$/Student Station Standard	\$/Student Station Project	Savings/(Overage)/ Student Station	Savings/(Overage)/ Project
Jackson E.S. (addition)	144	\$19,140	\$13,640	\$5,500	\$791,943
Lewis E.S. (addition)	180	\$19,140	\$10,668	\$8,472	\$1,524,900
Pinecrest E.S. (addition)	216	\$19,140	\$9,912	\$9,228	\$1,993,300
Ruskin E.S. (addition)	288	\$19,140	\$16,488	\$2,652	\$763,642
Seffner E.S. (addition)	144	\$19,140	\$11,462	\$7,678	\$1,105,640
Sessums E.S. (addition)	288	\$19,140	\$9,885	\$9,255	\$2,665,312
Tomlin M.S. (addition)	352	\$20,669	\$9,048	\$11,621	\$4,090,711
2010					
Plant H.S. (addition)	400	\$27,535	\$8,474	\$19,061	\$7,624,511
None (new)					
2011					
None					
2012					
None					
2013					
None					
2014					
None					
Projected Cost of Construction					
2015					\$6,908,426
Thompson E.S. (new)	950	\$21,170	\$17,169	\$4,001	\$3,800,539
2016					
Lamb E.S. (new)	948	\$21,407	\$18,129	\$3,278	\$3,107,887

Grand Total Cost Savings Below Cost Limits
Edit: 2/1/2016

\$635,257,447

Tampa Bay Times



WINNER OF 10 PULITZER PRIZES

Florida school superintendents fight back against charges they misspent on construction



Jeffrey S. Solochek, Times Staff Writer

Tuesday, February 2, 2016 3:36pm

Florida school superintendents are irate over lawmaker allegations that their districts have misspent millions of dollars on construction projects over the past decade.

The district leaders contend state House leaders misrepresented their spending by "cherry picking" data to make the school systems look bad to taxpayers.

A Jan. 21 House presentation that indicated districts far exceeded state spending caps, was "not accurate, and the methodology used in the report to calculate ... costs is flawed, thereby the resulting conclusions are not sound," Orange County superintendent Barbara Jenkins wrote to lawmakers on behalf of the state superintendents association.

Some officials suggested the House members might have created a misleading document as a prelude to shifting local tax collections for school construction projects from districts to charter schools. Lawmakers have fruitlessly floated that idea for several years.

PREVIOUS COVERAGE: *Florida House Republicans take aim at public school construction dollars*

LETTER FROM SUPERINTENDENTS: *'Report is flawed'*

BACKGROUND: *Reporting from The Gradebook*

"It causes one to question if the Florida House Education Appropriations Subcommittee is now trying to manufacture figures to justify more defunding of public schools in order to fund charter schools," Citrus County School Board chairman Thomas Kennedy wrote in a blog post to constituents.

He and others noted that House Education Appropriations chairman Erik Fresen, who made the report, and Appropriations chairman Richard Corcoran, whose committee heard it, both have family ties to charter schools.

Fresen complained at the hearing of a "very disturbing pattern" of construction overspending by districts. Corcoran said districts had practiced "absolutely horrible stewardship of the taxpayers dollars" and alleged they had "robbed" public coffers of money that could have been better spent elsewhere.

Districts started fighting back Tuesday.

Hillsborough County officials pulled together a spreadsheet detailing their district's major construction projects since 1999. They showed that over the years the district has come in under the state cap for each "student station" by an accumulated \$635 million.

"I think it's best to be honest and fair and complete in disclosure," said Jim Hamilton, a former Hillsborough top administrator who consults for the district.

If the state wants to shift tax money, he said, "Let that play out. It ought to stand on its own merits."

School districts shouldn't be denigrated to make the argument, Hamilton said.

Pasco County school superintendent Kurt Browning, meanwhile, sent a lengthy letter to Corcoran, declaring "taxpayers' money is not being 'robbed' in Pasco County."

He told his School Board on Tuesday that the House presentation was "erroneous," and urged members to take his explanatory letter to any lawmakers they meet to help set the record straight.

One example he mentioned was the recent construction of an 8,535-square-foot auto mechanics shop at Wesley Chapel High School. The project, he said, included work bays and high-tech equipment, along with one classroom.

"The entire building, by (state) rules, was calculated as basic education space and assessed with an exorbitant per student station cost of \$36,119," Browning wrote in his letter.

But the whole project shouldn't be judged that way, he said, noting it has one 25-student classroom, but also large work stations filled with high-tech equipment all aimed at preparing students for well paying jobs

Other districts offered similar examples of how they saw their projects "twisted" to make a false point.

Senate Education Appropriations chairman Don Gaetz, a former Okaloosa County superintendent, said he is listening to these complaints.

"To every superintendent who has said, 'This is unfair, this is inaccurate,' my response has been, 'Provide me with the facts,'" Gaetz said.

Cutting infrastructure costs is an important goal, he said, so long as quality remains. He expected the Senate to ask "hard questions" about that effort, as well as the idea of having capital dollars "follow the student," whether it's to a regular public school or a charter school.

"We don't provide funds for empty chairs," Gaetz said.

At the same time, he said, the zeal to push this concept is not coming from his side of the Capitol.

Senators are paying close attention to the House discussion, Gaetz said. But he hasn't heard any of them "suggest any legislation or any major budget alterations as a consequence of the presentation in the House."

Fresen indicated he would respond to the superintendents' criticisms later Tuesday.

Contact Jeffrey S. Solochek at jsolochek@tampabay.com. Follow @jeffsolochek.

Florida school superintendents fight back against charges they misspent on construction 02/02/16
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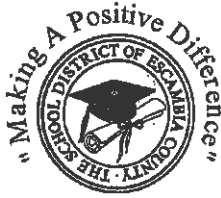


Commenting Guidelines



Abuse Policy

Tim



THE SCHOOL DISTRICT OF ESCAMBIA COUNTY

75 NORTH PACE BOULEVARD, PENSACOLA, FL 32505
PHONE 850/432-6121, FAX 850/469-6379
www.escambia.k12.fl.us
MALCOLM THOMAS, SUPERINTENDENT

February 1, 2016

Senator Don Gaetz
420 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Dear Senator Gaetz:

After careful review and analysis of the issues outlined in the Capital Construction presentation, the following information is provided.

Asserting that Districts routinely exceed statewide averages for certain capital projects without looking at the specific considerations of those projects is a questionable practice at best. The use of an average cost/student station metric fails to consider a host of valid and completely appropriate circumstances that occasionally increase project costs.

Cost per student station for specialized construction projects (gyms, media centers, etc., which all have student stations assigned to them under SREF) will always be higher than that of traditional classroom buildings. It may appear that the law of averages would offset the occasional unconventional project, however, if a district constructed only a few projects, all of which were specialized, this averaging would not overcome the cost differential of specialized construction facilities.

The Escambia County School District appears on three slides (2011 Elementary, 2012 Middle and 2013 Middle) showing Escambia County "above average cost/student station." All three projects referenced were funded by *local option sales tax* and not state funds. Regarding these slides:

2011 Elementary- this slide solely represents the newly constructed Global Learning Academy. There were significant costs related to the project completion time line. Premiums were paid to offset regulatory delays (FLDEP and FLDOT) and abnormal weather conditions during construction to ensure the facility was completed in time for occupancy in the coming school year. These costs, and certain FF&E costs, unique to the scope and intent of the facility, were atypical. Ironically, even with these atypical circumstances, this project was completed almost \$1 million below the project budget, which was developed from current regional construction cost estimates.

2012 Middle - this slide represents only the Ferry Pass Middle School Gymnasium which carries 80 student stations for an 18,500 GSF facility. Even at an unachievable \$110/sq-ft., this would equate to over \$2 million in construction costs. Specialized construction carrying low student stations yields a higher than average cost/student station. In this case, even if the project construction cost/sq-ft was a fraction of current construction costs, the cost/student station would be \$25,000 and exceed the "average" benchmark.

STATE APPROPRIATIONS
RECEIVED
16 FEB - 8 PM 12:02
OFFICE OF THE SUPERINTENDENT
STAFF DIR. _____
STAFF _____

2013 Middle - this slide represents the Warrington Middle Administration/Media Renovation + New Technology Suite + New Elevator Addition (all reported as one project). There were only 44 student stations reported for this project, all associated with the Technology Suite, therefore the cost/student station in this example is also not an accurate representation.

Unilateral application of a cost performance metric such as cost/student station is incorrect while making fiscal performance statements, unless the individual project nuisances and subtleties are considered.

Additionally, the cost/student station averages used in this analysis are also problematic. Furthermore, the required green building design costs, which include higher efficiency HVAC equipment that add considerable cost are reflected in the benchmark averages used in this analysis.

As an example, using the middle school student station cost factor of \$22,886/student and applying it to the construction of a new 1206 student station middle school (like the one currently under construction in Escambia County) and applying all pertinent SREF requirements making the school approximately 200,000 gross sq-ft:

$\$22,886/ss \times 1206 ss = \$27,600,516 / 200,000 GSF = \$138/GSF \text{ construction cost.}$
Current school construction costs in Northwest Florida are ranging from \$170/sq-ft to \$180/sq-ft.

We compound the grossly low average cost/sq-ft with deficient cost escalation figures, which fail to keep pace with local construction cost escalation rates:

The DOE escalation factors for student station costs are less than 1% per year. Local construction cost escalation in Escambia County is now over 2% per year.

In summary, using the cost/student station metric without considering specialized construction facility projects with low student stations, coupled with grossly low average cost/student station benchmark values that do not accurately reflect typical regional construction costs will make certain projects or combinations of projects in districts, in certain years, exceed an "average."

Sincerely,



Malcolm Thomas



Florida Association of District School Superintendents

SENATE APPROPRIATIONS
RECEIVED

15 FEB -2 AM 8:18

SENT TO: CLERKMAN
STAFF Dir

February 1, 2016

*to: Tim E. Hall
from: Gaetz*

FADSS

Florida Association of
District School Superintendents

SUPERINTENDENT
DEVELOPMENT

GOVERNMENTAL
RELATIONS

ORGANIZATIONAL &
LEADERSHIP DEVELOPMENT

MEMORANDUM

TO: The Honorable Don Gaetz
Florida Senate

FROM: Dr. Barbara Jenkins, President
Florida Association of District School Superintendents

SUBJECT: Response to Capital Outlay Report

The House Education Appropriations Subcommittee released a report during their January 21, 2016 meeting that was critical of school districts and their capital outlay expenditures based on cost per student stations. Primarily, the report used the cost per student station as a measure to infer that school districts had not been good stewards of taxpayers' dollars.

This simply is not accurate, and the methodology used in the report to calculate the per student station costs is flawed thereby the resulting conclusions are not sound.

1. The per student station calculation in the report *includes* the costs of additions and renovations to existing structures, rather than calculated on new construction. It is important to note that many school construction projects took a fiscally conservative approach to wisely incorporate the addition of a single classroom – such as a health room/training facility or a music room – into a contract for major repair or renovation of an entire school. However, the report incorporated the total cost of the entire project into the per student station cost calculation, which inflated the cost per student station as provided in the report.
2. The report did not include any projects that were less than the student station costs prescribed by law, therefore presenting only a portion of the entire picture.
3. Many districts across the state have levied local referenda to meet the facilities needs of their communities, because of limited capital funding from the state. These locally generated funds are meant to benefit the local community from which the funds were raised.

Additionally, one of the issues discussed during the committee meeting was to include the cost of land – regardless of location – as part of the student station cost limits, thereby ignoring the significant discrepancies that occur when managing the costs of a new school which varies widely by location. For example, the cost of land in the Florida Keys, Pinellas County or Orange County will be markedly different from Santa Rosa County, Polk County or Alachua County.

MR. WILLIAM J. MONTFORD, III
Chief Executive Officer

Ms. Joy Frank
General Counsel

Mrs. Angela Freeland
Executive Secretary to CEO/
Office Manager

Ms. Diann Morell
Director of Training and
Development

Mrs. Diana Oropallo
Director of Communications

Ms. Tara Vafadari
Chief Financial Officer

Ms. Renae Wallace
Staff Assistant

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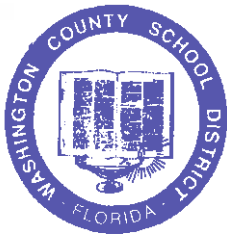
208 South Monroe Street
Tallahassee, FL 32301-1824

Phone: 850-577-5784
Fax: 850-577-5781

The Honorable Don Gaetz
February 1, 2016
Page Two

The reality is that Florida school districts have struggled to pay for capital costs for years, especially through the Great Recession. School buildings are a critical public asset – Florida school districts comprise over 425 million square feet of facilities. Schools represent a public asset of \$85 billion based on an average cost of construction of \$200 per square foot. As of June 30, 2013, the average age of Florida's schools was 28 years old. Preventative maintenance, repairs, and the upkeep or replacement of building systems (i.e. HVAC, lighting, school safety) is critical to ensure these public schools are quality places for students to learn. Failure to do so will eventually lead to the premature replacement of failed buildings at an increased cost to taxpayers.

Florida superintendents have been good stewards of public tax dollars. Any information shared with the public should be complete and accurate.



Joseph Taylor
Superintendent of Schools
(850) 638-6222
Fax (850) 638-6226

Washington County
District School Board
"An Equal Opportunity Agency"
652 Third Street
Chipley, Florida 32428

to: Tim E.

District 1
Vann Brock
1160 Whittington Road, Chipley
District 2
Wayne C. Saunders
847 Candy Lane, Chipley
District 3
Milton Brown
3399 Mallory Road, Vernon
District 4
Terry Ellis
1306 Pinebluff Court, Chipley
District 5
Susan G. Roberts
1456 State Park Road, Chipley

January 29, 2016

Senator Don Gaetz
Senator Bill Montford
Capitol Building
402 South Monroe Street
Tallahassee, FL 32399

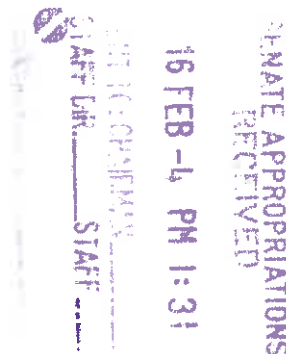
Senator Gaetz and Senator Montford:

At a presentation to the full House Appropriations Committee on Thursday afternoon, January 21, 2016, a PowerPoint presentation was made that dealt with student station costs by School Districts over the last nine years. The information came from forms filed by District that reflected costs associated with school construction.

The Washington County School District was shown in 2006 as exceeding the statutory limits in place in 2006. I would like to offer the background as to what led to these costs. Washington County School District was approved in the 2003-2004 fiscal year for participation in the Special Facilities program. The State program approved the amount of \$13,721,942.00 for participation amount based upon student station costs at the time. The final construction cost totaled \$15,513,526.00 for the completed project in July 2006.

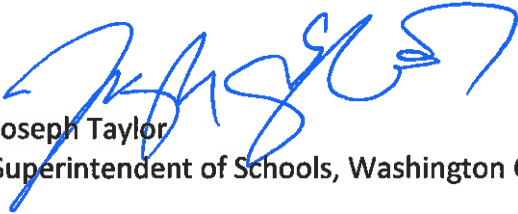
The costs were driven by three events. The first was the length of time the project was active in that the project extended over three years with funding split into two years by the State program. The second was massive material cost escalation during this time period due to a series of storms hitting the State during those years and then Hurricane Katrina hitting New Orleans in 2005 which also dried up available labor. The third event was that the District made the decision to build an auditorium, paid from its reserves, as there was not a facility such as this in the Vernon school system. The funding allowed under the Special Facility program did not allow for this construction and these costs were totally paid by District reserves.

I can provide any backup or supporting documentation that you would like to see and would be available to meet with you or anyone that you may find helpful to explain this in more detail.



My office number is (850) 638-6222, and my cell number is (850) 260-4061 and my home number is (850) 535-4770 if you need to reach me. My email is joseph.taylor@wcsdschools.com

Sincerely,



Joseph Taylor
Superintendent of Schools, Washington County School District

JT:ca

Copy: Representative Brad Drake
Representative Matt Gaetz
Representative Jay Trumbull, Jr



Joseph G. Joyner, Ed.D.
Superintendent of Schools

40 Orange Street
St. Augustine, Florida 32084
(904) 547-7500
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February 10, 2016

SCHOOL BOARD

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District 3

Kelly Barrera
District 4

Patrick Canan
District 5

The Honorable Don Gaetz
The Florida Senate
420 Senate Office Building
404 S Monroe Street
Tallahassee, FL 32301

Dear President Gaetz,

Over the past several years, how to adequately fund traditional public schools' growing capital outlay needs and the capital needs of charter schools throughout the state has been a major focus of the state legislature and a concern for school districts as well. We all recognize that capital funding has not been immune to the same factors that reduced most major revenue sources in the state. School districts have been forced to delay new construction projects and defer maintenance of existing buildings in order to make ends meet, while striving to provide a 21st century learning environment for all students.

To make matters worse the presentation made by Representative Fresen in the House Appropriations Committee brought forward accusations of wasteful spending by school districts relating to school construction. The complexity of capital funding and major construction programs is not easily explained, but as we try, we would be remiss in not stating from the start that the stewardship of public tax dollars is paramount and as a School Board and District we strive each and every day to ensure our local community's dollars are being spent efficiently and prudently.

In St. Johns County, the stress of reduced capital outlay revenue has caused the school district to add relocatables at an increasing rate and compromise the level of service our families have come to expect. St. Johns County is committed locally to investing in public education as demonstrated by the use of impact fees to support new growth and mostly recently by the approval of a half-cent sales surtax. This is a testament to the trust our community has in our management of their tax dollars and the quality of the educational facilities we are providing for our students. We take great pride in our

schools, ensuring that our students have the most innovative work spaces, the cleanest, and the safest facilities in which to learn.

The ability to maintain our existing facility standards is becoming increasingly difficult and could become unmanageable should changes occur that punish school districts for surpassing a designated per student station cost of construction. This is especially concerning when the cost per student station may vary widely due to local conditions at a particular time. For example, in 2005 St. Johns County built Hickory Creek Elementary School at a per student station cost of \$20,570. Two years later, we built the identical prototype, Wards Creek Elementary School, at a per student station cost of \$25,515. The construction methodology and materials used for each project were the same but local conditions had changed and the second project reflected a 24% increase in cost in just two years. It should also be noted that this prototype design had a capacity of 698 student stations prior to the class size amendment, but includes only 616 student stations after recalculation of the design when class size limitations went into effect, resulting in a significant increase in the cost per student station. If there are changes in statute that penalize a district for exceeding a student station cost limit, the results may significantly diminish school district resources.

It is puzzling to us that schools designed using the Florida Department of Education (FLDOE) facilities guidelines and limitations may be targeted as "high cost schools." Facility lists and specifications are developed and approved by the local school board as well as FLDOE. As a school district, we are very conservative in the selection of facility space options that are available from the FLDOE school facilities list. We work very hard to eliminate non-essential square footage, and design using high quality and economic materials. Our construction plans are reviewed and approved by FLDOE, yet despite this approval, under the House's proposal the construction of the approved school may result in a penalty in future state funding.

It is also concerning for us to hear the faulty logic being used to defend this proposal. Despite what some may think, as our economy continues to recover and we see an increase in the demand for construction services costs are NOT being driven down. In reality, higher demand is placing a strain on the limited workforce capable of undertaking a project as large as a school and is instead driving the cost of labor and materials higher. There is not an overwhelming interest in undertaking the large scale construction of a school. This is evidenced by the low number of firms who bid on our facility projects. In fact, we have had to rebid new school projects in the past due to only receiving one bid, which was outside our budget.

We believe full and deliberate attention and discussion should be given to this issue. Perhaps changes should be made to the method school facility costs should be calculated in the future to provide the public a clear picture of the cost of our educational facilities.

There are too many factors at play, such as, variations in land acquisition costs, levels of site work needed, ancillary facilities, including gymnasiums and cafeterias, required "green" building standards, and the increased demand for non-traditional classroom space needed for learning today that are not accurately reflected when a per student station cost is calculated in its current method. The expansion of career academies and magnet programs at our schools districtwide, which require unique facility improvements and specific equipment, can be very costly are not factored into the equation. Recognition that the traditional classroom space has changed significantly since 2006 MUST be included in this discussion.

We also understand the Florida House has proposed language in HB 873 to require school districts to fund charter school capital outlay out of their locally levied 1.5 fixed capital outlay millage.

The language being proposed by the House, would require school districts to make up the difference needed to fund 1/40th the cost of a student station or the amount of per student funding generated by the school districts 1.5 mills, whichever is less, if the state funds allocated for charter school capital outlay do not provide dollars adequate to fully fund the student station cost. Shifting this burden away from the state and to local school districts is a mistake for a number of reasons.

Additionally, school districts across the state are already struggling to meet their own capital outlay needs, whether it be new construction, or growing maintenance needs for aging facilities. Districts must do a great deal of planning for their future capital needs and how they will allocate their resources. Districts must complete a number of long-range planning reports, including a five-year facility work plan. There is a level of unpredictability engrained in the language in HB 873, based on potential fluctuations in the amount of funding the legislature chooses to fund charter school capital outlay from year to year, which will make it difficult for districts to allocate dollars with confidence in their long-range plans.

Districts have committed large portions of their local 1.5 mills to paying debt service issued to pay for past projects. We are concerned this change in policy could negatively impact our school district's bond rating and also could cause school districts across the state to default on their bond payments.

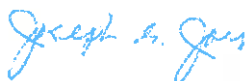
Finally, we cannot support a recommendation which allows charter school student stations to be built across the street from a school that has seats available, consequently constructing duplicative space. Nor can we support a proposal which allows a significant amount of public dollars to go toward leased school facilities, which do not meet the School Requirements for Educational Facilities (SREF). Should the charter school fail, the public receives no return on its investment for facilities leased by charter schools. Additionally, if the charter school fails, owns their facility, and the property reverts to the district, but is not built to SREF standards, the taxpayer once again loses as the district would be unable to use the building without a significant

investment to retrofit the school to meet the higher standards. This is in NO way a responsible use of taxpayer dollars.

Every day the taxpayers of St. Johns County entrust us, as their school board to use their taxpayer dollars prudently and efficiently. We do not believe this proposal allows for this and respectfully ask for your committee to explore all available and potential revenue sources in order to identify a stable and reliable state funding source to adequately fund capital requirements for both charter schools and traditional public schools.

Thank you for your service to the state of Florida and your commitment to improving public education for all students. Please do not hesitate to contact any of us should you have questions or need any additional information.

Sincerely,



Joseph G. Joyner, Ed.D.
Superintendent of Schools



Patrick Canan
School Board Chair



Tommy Allen
School Board Vice Chair



Bill Mignon
School Board Member



Kelly Barrera
School Board Member



Beverly Slough
School Board Member



FADSS

Florida Association of
District School Superintendents

SUPERINTENDENT
DEVELOPMENT

GOVERNMENTAL
RELATIONS

ORGANIZATIONAL &
LEADERSHIP DEVELOPMENT

MR. WILLIAM J. MONTFORD, III
Chief Executive Officer

Ms. Joy Frank
General Counsel

Mrs. Angela Freeland
Executive Secretary to CEO/
Office Manager

Ms. Diann Morell
Director of Training and
Development

Mrs. Diana Oropallo
Director of Communications

Ms. Tara Vafadari
Chief Financial Officer

Ms. Renae Wallace
Staff Assistant

MAILING ADDRESS:

208 South Monroe Street
Tallahassee, FL 32301-1824

Phone: 850-577-5784
Fax: 850-577-5781

Florida Association of District School Superintendents

February 1, 2016

MEMORANDUM

TO: The Florida House of Representatives
The Florida Senate

FROM: Dr. Barbara Jenkins, President
Florida Association of District School Superintendents

SUBJECT: Response to Capital Outlay Report

The House Education Appropriations Subcommittee released a report during their January 21, 2016 meeting that was critical of school districts and their capital outlay expenditures based on cost per student stations. Primarily, the report used the cost per student station as a measure to infer that school districts had not been good stewards of taxpayers' dollars.

This simply is not accurate, and the methodology used in the report to calculate the per student station costs is flawed thereby the resulting conclusions are not sound.

1. The per student station calculation in the report *includes* the costs of additions and renovations to existing structures, rather than calculated on new construction. It is important to note that many school construction projects took a fiscally conservative approach to wisely incorporate the addition of a single classroom – such as a health room/training facility or a music room – into a contract for major repair or renovation of an entire school. However, the report incorporated the total cost of the entire project into the per student station cost calculation, which inflated the cost per student station as provided in the report.
2. The report did not include any projects that were less than the student station costs prescribed by law, therefore presenting only a portion of the entire picture.
3. Many districts across the state have levied local referenda to meet the facilities needs of their communities, because of limited capital funding from the state. These locally generated funds are meant to benefit the local community from which the funds were raised.

Additionally, one of the issues discussed during the committee meeting was to include the cost of land – regardless of location – as part of the student station cost limits, thereby ignoring the significant discrepancies that occur when managing the costs of a new school which varies widely by location. For example, the cost of land in the Florida Keys, Pinellas County or Orange County will be markedly different from Santa Rosa County, Polk County or Alachua County.

The Florida House of Representatives
The Florida Senate
February 1, 2016
Page Two

The reality is that Florida school districts have struggled to pay for capital costs for years, especially through the Great Recession. School buildings are a critical public asset – Florida school districts comprise over 425 million square feet of facilities. Schools represent a public asset of \$85 billion based on an average cost of construction of \$200 per square foot. As of June 30, 2013, the average age of Florida's schools was 28 years old. Preventative maintenance, repairs, and the upkeep or replacement of building systems (i.e. HVAC, lighting, school safety) is critical to ensure these public schools are quality places for students to learn. Failure to do so will eventually lead to the premature replacement of failed buildings at an increased cost to taxpayers.

Florida superintendents have been good stewards of public tax dollars. Any information shared with the public should be complete and accurate.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Reapportionment, *Chair*
Agriculture
Appropriations
Appropriations Subcommittee on Education
Education Pre-K - 12
Health Policy
Rules

JOINT COMMITTEE:
Joint Legislative Budget Commission

SENATOR BILL GALVANO

Majority Leader
26th District

February 11, 2016

Senator Don Gaetz
President Florida Senate
409 Capitol
404 South Monroe Street
Tallahassee, FL 32399

Dear President Gaetz:

I am writing to request approval to be excused from the Committee on Education Appropriations meeting held today, Thursday February 11, 2016. I apologize for the delay in sending this request.

I appreciate your consideration in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill", is written over a horizontal line.

Bill Galvano

Cc: Tim Elwell
Joanne Bennett

REPLY TO:

- ☐ 1023 Manatee Avenue West, Suite 201, Bradenton, Florida 34205 (941) 741-3401
- ☐ 330 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5026

Senate's Website: www.flsenate.gov

ANDY GARDINER
President of the Senate

GARRETT RICHTER
President Pro Tempore

CourtSmart Tag Report

Room: KN 412
Caption: Senate Subcommittee on Education Appropriations

Type:
Judge:

Started: 2/11/2016 10:11:43 AM
Ends: 2/11/2016 11:54:37 AM **Length:** 01:42:55

10:11:44 AM Sen. Gaetz (Chair)
10:12:38 AM S 800
10:12:40 AM Trent Phillips, Legislative Assistant to Sen. Brandes
10:13:17 AM Am. 711168
10:13:26 AM T. Phillips
10:13:50 AM Am. 402016
10:14:20 AM T. Phillips
10:14:32 AM Am. 711168 (cont.)
10:14:43 AM S 800 (cont.)
10:15:04 AM Bob Boyd, General Counsel, Independent Colleges and Universities of FL
10:15:31 AM Bob Harris, DeVry University and City College (waives in support)
10:15:36 AM Curtis Austin, FL Assn. of Postsecondary Schools and Colleges (waives in support)
10:15:41 AM Tanya Cooper, Director of Governmental Relations, Dept. of Education (waives in support)
10:15:42 AM Sandra Mortham, Rasmussen College (waives in support)
10:15:47 AM S 800 (cont.)
10:16:40 AM Sen. Bullard
10:17:52 AM S 1638
10:17:57 AM Doug Roberts, Legislative Assistant to Sen. Lee
10:18:43 AM Am. 752062
10:18:52 AM D. Roberts
10:19:10 AM Am. 106726
10:19:13 AM D. Roberts
10:19:31 AM S 1638 (cont.)
10:20:13 AM S 268
10:20:18 AM Sen. Ring
10:22:01 AM S 836
10:22:07 AM Sen. Gaetz
10:23:02 AM Am. 462
10:23:08 AM Sen. Gaetz
10:23:37 AM S 836 (cont.)
10:23:54 AM Carol Brown, Deputy Chief Lobbyist, Associated Builders and Contractors (waives in support)
10:23:54 AM Brittney Hunt, Policy Director, FL Chamber of Commerce (waives in support)
10:24:43 AM S 1360
10:24:47 AM Sen. Gaetz
10:30:16 AM Am. 643240
10:30:23 AM Sen. Bullard
10:30:51 AM Sen. Gaetz
10:31:43 AM Sen. Bullard
10:32:37 AM Am. 447302
10:32:40 AM Sen. Bullard
10:33:28 AM Sen. Gaetz
10:34:33 AM Sen. Bullard
10:35:53 AM Am. 838228
10:35:57 AM Sen. Bullard
10:37:07 AM Sen. Gaetz
10:38:03 AM Sen. Bullard
10:39:47 AM Am. 681604
10:40:03 AM Sen. Bullard
10:41:34 AM Vern Pickup-Crawford, Legislative Liaison, Counties: Charlotte, Collier, Palm Beach, Martin, St. Lucie, Okeechobee, Indian River (waives in support)
10:41:42 AM Sen. Gaetz
10:42:17 AM Sen. Bullard

10:44:19 AM Am. 578096
 10:44:31 AM Sen. Bullard
 10:45:21 AM Sen. Gaetz
 10:45:37 AM Sen. Bullard
 10:46:12 AM S 1360 (cont.)
 10:46:30 AM V. Pickup-Crawford (waives in support)
 10:46:41 AM Beth Overholt, Parent (waives in opposition)
 10:46:51 AM Catherine Baer (waives in opposition)
 10:47:12 AM Sen. Gaetz
 10:47:56 AM S 894
 10:48:15 AM Sen. Detert
 10:49:48 AM Tanya Cooper, Director of Governmental Relations, Dept. of Education (waives in support)
 10:50:38 AM S 834
 10:50:42 AM Sen. Detert
 10:52:03 AM Sen. Stargel
 10:52:17 AM Sen. Detert
 10:52:51 AM Tanya Cooper, Director of Governmental Relations, Dept. of Education (waives in support)
 10:53:02 AM Sen. Stargel
 10:53:40 AM Sen. Detert
 10:54:34 AM S 1026
 10:54:43 AM Sen. Simmons
 10:56:48 AM Sen. Stargel
 10:57:31 AM Sen. Simmons
 10:58:41 AM Sen. Montford
 10:59:07 AM Sen. Simmons
 11:00:00 AM S 1026 (cont.)
 11:00:10 AM Natalie King, Vice President, Sunshine State Athletics Conference (waives in support)
 11:00:26 AM Dean Cannon, President of Capitol Insight LLC, representing The Villages
 11:02:31 AM Ron Book, representing Florida High School Athletic Association
 11:07:08 AM Sen. Stargel
 11:07:13 AM R. Book
 11:07:28 AM Sen. Stargel
 11:08:00 AM R. Book
 11:08:11 AM Sen. Stargel
 11:09:40 AM TAB 10 - Consideration of Recommendation of Proposed Legislation on FEFP Local Funds
 11:09:47 AM Sen. Gaetz
 11:11:48 AM Tim Elwell, Staff Director, Senate Subcommittee on Education Appropriations
 11:16:04 AM Sen. Gaetz
 11:18:51 AM Sen. Legg
 11:20:00 AM Sen. Gaetz
 11:22:25 AM Sen. Simmons
 11:27:39 AM Sen. Gaetz
 11:28:51 AM Sen. Montford
 11:30:28 AM Sen. Gaetz
 11:30:51 AM Tim Elwell, Staff Director, Senate Subcommittee on Education Appropriations
 11:32:00 AM Sen. Montford Motion
 11:33:03 AM TAB 11 - Consideration of Recommendation of Proposed Legislation on Charter Schools Capital Outlay
 Funding
 11:34:15 AM Tim Elwell, Staff Director, Senate Subcommittee on Education Appropriations
 11:39:28 AM Sen. Gaetz
 11:40:08 AM Sen. Legg
 11:41:09 AM Sen. Gaetz
 11:41:26 AM Sen. Montford
 11:42:03 AM Tim Elwell
 11:44:03 AM Sen. Gaetz
 11:45:11 AM Tim Elwell
 11:49:42 AM Sen. Montford
 11:52:31 AM Sen. Gaetz
 11:53:11 AM Sen. Stargel Motion to Recommend
 11:53:59 AM Sen. Gaetz
 11:54:07 AM Meeting Adjourned