

THE FLORIDA SENATE  
2016 SUMMARY OF LEGISLATION PASSED  
**Committee on Appropriations**

**CS/CS/HB 7029 — School Choice**

by Education Committee; Education Appropriations Subcommittee; Choice and Innovation Subcommittee; and Reps. B. Cortes, M. Diaz, and others (CS/SB 1166 by Appropriations Committee and Senator Gaetz)

The bill amends numerous sections of the education statutes pertaining to postsecondary education performance funding, K-12 education policy and funding, school choice, and school construction. Specifically the bill:

- Permits the proration of dues paid to membership associations, authorizes school board members to visit schools in their districts, and allows returning retirees to be rehired in the same manner as new teachers are employed.
- Enables a parent to request a different classroom teacher for his or her child, clarifies student notification requirements pertaining to the pledge of allegiance.
- Allows a parent to defer enrollment in a Voluntary Prekindergarten (VPK) Education Program for one year.
- Directs the Office of Early Learning to not adopt a kindergarten readiness rate for the 2014-2015 or the 2015-2016 VPK program years.
- Enables students, beginning in the 2017-2018 school year, to attend any public school in the state, including charter schools, subject to maximum class size requirements, capacity and other specified provisions.
- Expands options pertaining to charter school accountability and flexibility.
  - Accountability: Requires specific information in the application process; requires monthly financial statements upon execution of the charter contract; prohibits charter schools from basing admission or dismissal on a student's academic performance; creates requirements when a charter school voluntarily closes; automatically terminates double-F charter schools; requires annually a specified number of charter school meetings to be held in the school district where the charter school is located; provides that a charter school must be located in Florida to be eligible to receive Public Education capital Outlay (PECO); and revises reading requirements to shift to evidence-based reading and provide parents with information concerning reading deficiencies.
  - Flexibility: Authorizes charter schools to seek an injunction to enforce existing requirements for local governments to treat charter schools equitably as compared to public schools; authorizes charter school governing board members to attend meetings via communications media technology; revises first quarter funding methods for charter schools, with specified payment times and amounts; prohibits districts from delaying the issuance of funds, including local funds; clarifies that an existing charter school that is seeking to become a virtual charter school must amend its application or submit a new application; and expands charter school in a municipality enrollment preferences to employees of the municipality.
- Expands options pertaining to the credit acceleration program (CAP), provides options to meet online graduation requirements, and updates terminologies to reflect the current ACT test, ACT Aspire, which has replaced the Preliminary ACT (PLAN) test.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- Provides district school boards with responsibility to determine student eligibility requirements and subsequent disciplinary actions through suspension and expulsion policies; enables students to be immediately eligible to try out for athletic activities under certain conditions; specifies restrictions for same sport participation in a subsequent school; allows private schools to join the Florida High School Athletic Association (FHSAA) by sport; specifies 3 tiers of increased penalties for recruiting violations; specifies remaining duties of the FHSAA; and revises the FHSAA's burden of proof from "clear and convincing" to a "preponderance of the evidence."
- Revises minimum term school funding provisions to prorate FTE for schools that provide less than 900 hours of instruction (e.g., public schools, double-session schools, experimental calendar schools, and emergency conditions); authorizes recalculation of the Exceptional Student education (ESE) guaranteed amount for school districts; provides funds to school districts for federally connected students, authorizes performance funding for certain Career and Professional Education (CAPE) industry certifications; increases teacher bonuses for CAPE industry certifications; and requires a school district to add 4 special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.
- Authorizes charter schools to offer education competency and professional preparation for instructional personnel.
- Creates, re-enacts and amends various education and funding and scholarship programs.
  - Distinguished Florida College System (FCS) Program. Creates the program as a collaborative partnership between the State Board of Education (SBE) and the Legislature to recognize the excellence of Florida's highest-performing FCS institutions. Establishes 7 excellence standards; requires the SBE to designate each FCS institution that meets 5 of 7 standards as a distinguished college; and permits funding as provided in the General Appropriations Act.
  - FCS Performance Funding. Re-enacts performance-based incentive funding program to award FCS institutions for attaining metrics adopted by the SBE. Beginning in 2017-2018, limits the ability of an institution to submit an improvement plan to the SBE to one fiscal year.
  - State University System (SUS) Performance Funding. Extends the State University System (SUS) performance-based incentive funding program to reward SUS institutions for attainment of metrics adopted by the Board of Governors (BOG).
  - SUS Preeminence. Modifies standards that apply to Preeminent State Research Universities and creates standards and benefits for "Emerging Preeminent State Research Universities."
  - Renames the "Florida National Merit Scholar Incentive Program" as the "Benacquisto Scholarship Program", and requires all eligible state universities (and encourages all eligible Florida public or independent postsecondary educational institutions) to become college sponsors of the National Merit Scholarship Program.
  - Removes the sunset provision for the Adults with Disabilities Workforce Education Program.
- Amends the process and criteria for charter schools capital outlay funding.
  - Removes the priority preference for charter schools capital outlay funding.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- Clarifies the financial stability requirements for charter schools.
  - Establishes a weighted funding model for state charter school capital outlay funds.
- Revises school district efforts and participation requirements pertaining to projects funded through the Special Facilities Construction Account.
- Requires school district accountability on school construction costs from all funding sources with sanctions for those districts exceeding the established cost per student station. Also, the Office of Economic and Demographic Research and Office of Program Policy and Government Accountability are authorized to study the cost per student station and current State Requirements for Educational Facilities (SREF) provisions.
- Authorizes a district school board to adopt, by supermajority vote, a resolution to implement SREF exceptions.
- Requires the Department of Education (DOE) to develop a list of approved suicide awareness and prevention training materials that may be used for training; allows a school the option to incorporate 2 hours of such training for instructional personnel; creates a new designation of “Suicide Prevention Certified School” for schools that incorporate such training; and requires a school participating in the training to report its participation to the DOE.
- Clarifies existing law to provide that the written notice informing students they have the right not to participate in the pledge of allegiance may be placed in the student handbook or similar publication.
- Requires high-performing charter schools to continually meet the same requirements for initial eligibility and annual continuing eligibility.
- Requires the Division of Vocational Rehabilitation to develop and implement a performance improvement plan to achieve specified goals and elevate the state VR program to one of the top 10 in the nation, and to annually submit a performance report with specified data to the Governor and the Legislature.
- Requires each state university board of trustees to select its chair and vice chair from the appointed members, with specified term limits, and publish notification requirements regarding attendance and meeting materials.
- Creates the Seal of Biliteracy Program to recognize high school graduates who attain a high level of competency in foreign languages.

*Vote: Senate 29-10; House 82-33*