

Tab 1	SB 194 by Stargel; (Compare to CS/H 00839) Higher Education						
Tab 2	CS/SB 292 by MS, Lee; (Similar to CS/H 00225) Education						
Tab 3	CS/SB 318 by CF, Montford; Child Abuse, Abandonment, and Neglect						
637096	D	S	RCS	ED, Montford	Delete everything after	03/20	09:05 AM
Tab 4	SB 464 by Flores; (Similar to CS/H 00547) Prepaid College Plans						
256780	A	S	RCS	ED, Flores	Delete L.48 - 86:	03/20	09:05 AM
Tab 5	SB 770 by Hutson (CO-INTRODUCERS) Perry; (Identical to H 00661) Alternative High School Graduation Requirements						
865050	D	S	RCS	ED, Hutson	Delete everything after	03/20	09:05 AM
511646	AA	S	RCS	ED, Diaz	btw L.381 - 382:	03/20	09:05 AM
228510	AA	S	RCS	ED, Diaz	btw L.381 - 382:	03/20	09:05 AM
Tab 6	SB 934 by Diaz; High-performing Charter Schools						
289614	A	S	RCS	ED, Diaz	Delete L.24:	03/20	09:05 AM
Tab 7	SB 1224 by Farmer; (Similar to H 01163) Charter School Employees						
Tab 8	SB 1308 by Perry; (Similar to H 01407) Pathways to College and Career Success						
514048	A	S	RCS	ED, Perry	Delete L.31:	03/20	09:05 AM
Tab 9	SB 1316 by Brandes; (Identical to H 01037) Civic Education						
687766	A	S	RCS	ED, Brandes	Delete L.174 - 304:	03/20	09:05 AM
Tab 10	SB 1366 by Baxley; (Compare to H 07055) Education						
Tab 11	SB 1444 by Diaz; (Similar to H 01127) Education						

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Diaz, Chair
Senator Montford, Vice Chair

MEETING DATE: Tuesday, March 19, 2019

TIME: 4:00—6:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Diaz, Chair; Senator Montford, Vice Chair; Senators Baxley, Berman, Cruz, Perry, Simmons, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 194 Stargel (Compare CS/H 839, S 1296)	Higher Education; Requiring the Office of the Inspector General of the Board of Governors to verify certain information for accuracy; requiring, by a specified academic year, Florida College System institutions and state universities to execute agreements to establish "2+2" targeted pathway programs; requiring district school boards to notify students about credit-by-examination and dual enrollment equivalency lists, etc. ED 03/19/2019 Favorable AED AP	Favorable Yeas 8 Nays 0
2	CS/SB 292 Military and Veterans Affairs and Space / Lee (Similar H 225)	Education; Prohibiting a district school board from prohibiting a student from lawfully wearing the uniform of any of the Armed Forces of the United States or of the state at his or her graduation ceremony, etc. MS 03/06/2019 Fav/CS ED 03/19/2019 Favorable RC	Favorable Yeas 8 Nays 0
3	CS/SB 318 Children, Families, and Elder Affairs / Montford	Child Abuse, Abandonment, and Neglect; Prohibiting the Department of Children and Families from releasing the names of school personnel who have provided information during a protective investigation except under certain circumstances; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. CF 02/11/2019 Temporarily Postponed CF 02/19/2019 Fav/CS ED 03/19/2019 Fav/CS RC	Fav/CS Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, March 19, 2019, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 464 Flores (Similar CS/H 547)	Prepaid College Plans; Authorizing each state university to specify the qualified nonprofit organizations that may receive prepaid dormitory residence plan fees; authorizing a qualified beneficiary to transfer or cause to have transferred the fees associated with dormitory residence to certain Florida College System institutions, Florida College System institution direct-support organizations, or qualified nonprofit organizations, etc. ED 03/19/2019 Fav/CS AED AP	Fav/CS Yeas 8 Nays 0
5	SB 770 Hutson (Identical H 661)	Alternative High School Graduation Requirements; Providing that, as of a specified school year, certain students are eligible for an alternative pathway to a standard high school diploma through the Career and Technical Education (CTE) pathway option; providing requirements for the CTE pathway option; requiring that each principal or his or her designee, who must be an academic advisor, inform parents and students of the CTE pathway option and establish certain processes relating to the pathway, etc. ED 03/19/2019 Fav/CS IT AP	Fav/CS Yeas 8 Nays 0
6	SB 934 Diaz	High-performing Charter Schools; Revising requirements for a high-performing charter school; revising the facility capacity measurement used when a high-performing charter school increases its student enrollment; revising the number of charter schools that a high-performing charter school may establish in any year from two to one, etc. ED 03/19/2019 Fav/CS AED AP	Fav/CS Yeas 6 Nays 2
7	SB 1224 Farmer (Similar H 1163)	Charter School Employees; Requiring each charter school principal, governing board member, chief financial officer, or their equivalent, to meet certain certification requirements, etc. ED 03/19/2019 Temporarily Postponed GO RC	Temporarily Postponed

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, March 19, 2019, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SB 1308 Perry (Similar H 1407, Compare CS/H 839, H 7071, S 1296)	Pathways to College and Career Success; Requiring the Commissioner of Education to conduct an annual review of career and technical education offerings in the K-12 education system and the Florida College System; requiring the statewide articulation agreement to provide for a reverse transfer agreement; authorizing state universities or Florida College System institutions to waive tuition and fees for students who meet specified requirements, etc. ED 03/19/2019 Fav/CS AED AP	Fav/CS Yeas 8 Nays 0
9	SB 1316 Brandes (Identical H 1037)	Civic Education; Revising the requirements for a standard high school diploma to include a specified course; establishing the Florida Seal of Civic Engagement Program; providing that a nonpartisan civic literacy project may be included in service-learning programs, activities, or policies; authorizing certain students to complete a nonpartisan civic literacy project; providing that earning the Seal of Civic Engagement demonstrates competency in civic literacy for specified purposes, etc. ED 03/19/2019 Fav/CS AED AP	Fav/CS Yeas 8 Nays 0
10	SB 1366 Baxley (Compare H 7055)	Education; Revising science credits required for a standard high school diploma; authorizing school districts and consortiums of school districts to apply to the Department of Education for funding for professional development for classroom teachers to provide instruction in computer science courses and content; expanding the number of CAPE Digital Tool certificates relating to certain areas which the department must annually identify and the Commissioner of Education may recommend, etc. ED 03/19/2019 Favorable AED AP	Favorable Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, March 19, 2019, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
11	SB 1444 Diaz (Similar H 1127)	Education; Requiring the Department of Education to maintain a disqualification list; prohibiting individuals who are on the disqualification list from being employed or contracted by a charter school or serving as a member of a charter school governing board; revising requirements for private schools relating to employment; prohibiting individuals on the disqualification list from serving or applying to serve as an employee or contract personnel at any public school or private school, etc. ED 03/19/2019 Favorable AED AP	Favorable Yeas 8 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 194

INTRODUCER: Senator Stargel

SUBJECT: Higher Education

DATE: March 19, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Bouck	Sikes	ED	Favorable
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 194 modifies higher education programs to improve state university data, provide greater opportunities for transfer students, and to inform students of college credit opportunities through examinations or dual enrollment. Specifically, the bill:

- Requires the Office of the Inspector General of the Board of Governors of the State University System (BOG) to annually verify data used in the State University System Performance-Based Incentive and the preeminent state research universities program.
- Requires the BOG to enter into an agreement with the Department of Economic Opportunity for access to individual reemployment assistance wage reports for auditing and evaluation purposes.
- Establishes the “2+2” targeted pathway program to provide students guaranteed access to baccalaureate degree programs at state universities.
- Requires each district school board to notify students in acceleration mechanisms of opportunities guaranteeing college credit for specified examinations for completion of dual enrollment courses.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Board of Governors Powers and Duties Relating to Accountability

The State University System of Florida (SUS) is established to achieve excellence through teaching students, advancing research, and providing public service for the benefit of Florida's citizens, their communities and economies.¹

For each state university, the Board of Governors of the SUS (BOG), or the board's designee, is responsible for cost-effective policy decisions appropriate to the university's mission, the implementation and maintenance of high-quality education programs within law, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.²

Generally, BOG duties relating to accountability align the missions of each state university to specified criteria. Such criteria include the academic success of its students, the national reputation of faculty and research programs, and strategic plans and accountability plans that address institutional and system goals and objectives.³ Specifically, the BOG is required to maintain an effective information system to provide accurate, timely, and cost-effective information about each university.⁴

The Office of Inspector General

The BOG Office of Inspector General⁵ (OIGC) is organized to promote accountability, efficiency, and effectiveness and to detect fraud and abuse within state universities. The OIGC has three functional responsibilities: audit, investigations, and compliance.⁶ The OIGC has access to all information and personnel necessary to perform its duties and has all of the current powers, duties, and responsibilities of agency inspectors general as specified in law.⁷ Such duties include, but are not limited to:⁸

- Advising in the development of performance measures, standards, and procedures for the evaluation of state agency programs.
- Assessing the reliability and validity of the information provided by the state agency on performance measures and standards, and making recommendations for improvement, if necessary.

¹ Art. IX, Sec. 7(a), Fla. Const.

² Section 1001.706(1), F.S.

³ Section 1001.706(5), F.S.

⁴ Id. at (5)(e).

⁵ The office is chartered as the Office of Inspector General and Director of Compliance (OIGC). Board of Governors, *Charter: Office of Inspector General and Director of Compliance* (June 18, 2009), available at https://www.flbog.edu/board/office/ig/_doc/OIGC_Charter_FINAL.pdf

⁶ https://www.flbog.edu/board/office/ig/_doc/OIGC_Charter_FINAL.pdf, at 4.

⁷ Section 20.155(5), F.S.

⁸ Section 20.055(2)(a) and (b), F.S.

State University System Performance-Based Incentive

The SUS Performance-Based Incentive is awarded to state universities using performance-based metrics⁹ adopted by the BOG.¹⁰ The metrics include 4-year graduation rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access rate, based on the percentage of undergraduate students enrolled during the fall term who received a Pell Grant during the fall term; and other metrics approved by the BOG.¹¹

The integrity of data provided to the BOG is critical to the performance-based funding decision-making process. To provide assurance that the data submitted for this process is reliable, accurate, and complete, the BOG developed a Data Integrity Certification process in June 2014. University presidents and boards of trustees were directed to task their chief audit executives to perform an audit of the university's processes to ensure the completeness, accuracy, and timeliness of data submissions to the BOG. Audits are to be conducted in accordance with professional auditing standards and are to be submitted to the BOG for their annual meeting each March. Based on such audits, university presidents and boards of trustees are required to execute a Data Integrity Certification.¹²

Preeminent State Research Universities Program

The preeminent state research universities program is a collaborative partnership between the BOG and the Legislature to raise the academic and research preeminence of the highest performing state research universities in Florida.¹³ A state university that meets 11 of the 12 academic and research excellent standards specified in law¹⁴ is designated a “preeminent state research university.”¹⁵ Currently, the University of Florida, Florida State University, and the University of South Florida are designated as preeminent state research universities.¹⁶

2+2 Articulation

The State Board of Education (SBE) and the BOG are required to enter into a statewide articulation agreement to preserve Florida’s “2+2” system of articulation, facilitate the seamless

⁹ Board of Governors, *Performance Funding Model Overview*, available at https://www.flbog.edu/board/office/budget/doc/performance_funding/Overview-Doc-Performance-Funding-10-Metric-Model-Condensed-Version.pdf.

¹⁰ Section 1001.92(1), F.S.

¹¹ *Id.*

¹² Board of Governors, *Performance Based Funding Model—Data and Methodology*, https://www.flbog.edu/board/office/budget/performance_funding.php (last visited Mar. 9, 2019).

¹³ Section 1001.7065(1), F.S.

¹⁴ Section 1001.7065(2), F.S. The standards include: incoming freshman academic characteristics (average weighted GPA and average SAT score); institutional ranking nationally; freshman retention rate; 6-year graduation rate; national academy membership of institution faculty; research expenditures and patents awarded annually; doctoral degrees awarded annually; postdoctoral appointees annually; and institutional endowment.

¹⁵ Section 1001.7065(3)(a), F.S.

¹⁶ Board of Governors, *2018 System Accountability Plan* (June 28, 2018), available at https://www.flbog.edu/board/doc/accountabilityplan/ap_2018/2018_System_Accountability_Plan_FINAL_2018-06-28.pdf, at 9.

articulation of student credit across and among Florida's education entities, and reinforce the articulation and access provisions¹⁷ specified in law.¹⁸

The articulation agreement must require each student who is seeking an associate in arts (AA) degree to indicate a baccalaureate degree program offered by an institution of interest by the time the student earns 30 semester hours.¹⁹ Additionally, the articulation agreement must provide that every AA graduate of a Florida College System (FCS) institution has met all general education requirements and must be granted admission to the upper division, with certain exceptions,²⁰ of a state university or an FCS institution that offers a baccalaureate degree.²¹ However, eligibility for admission to a state university does not guarantee a transfer student admission to the specific university or degree program that the student chooses.²²

Of the 57,864 FCS students who graduated with an AA degree in 2016-2017, 35,441 (61 percent) applied as a transfer student to the SUS. Of those that applied as a transfer student to the SUS, 30,491 (86 percent) students were admitted, and 25,181 (71 percent) students enrolled at a state university.²³

Notification of Acceleration College Credit

Articulated acceleration mechanisms include, but are not limited, to Advanced Placement (AP), Advanced International Certificate of Education (AICE), International Baccalaureate (IB), credit by examination, and dual enrollment.²⁴ The Department of Education is required to annually identify and publish the minimum scores, maximum credit, and course or courses for which credit must be awarded for specified examinations.²⁵ The Articulation Coordinating Committee (ACC)²⁶ has established passing scores and course and credit equivalents for examinations specified in law.²⁷ The credit-by-exam equivalencies have been adopted in rule by the SBE.²⁸ Each FCS institution and state university must award credit for specific courses for which competency has been demonstrated by successful passage of one of the examinations associated with the identified acceleration mechanisms.²⁹

¹⁷ See Chapter 1007, F.S.

¹⁸ Section 1007.23(1), F.S.

¹⁹ Section 1007.23(3), F.S.

²⁰ Section 1007.23(2)(a), F.S., exceptions include limited access programs, teacher certification programs, and those requiring an audition.

²¹ *Id.*

²² Board of Governors Regulation 6.004(2)(b).

²³ Board of Governors, *Overview of 2+2 Transfer Students in the State University System* (June 28, 2018), available at https://www.flbog.edu/documents_meetings/0272_1142_8634_12.6.2%20TWO%20+2_06b_Transfer%20Student%20Data_narrative.pdf

²⁴ Section 1007.27(1), F.S.

²⁵ Section 1007.27(2), F.S.

²⁶ The Articulation Coordinating Committee (ACC) is established by the Commissioner of Education in consultation with the Chancellor of the SUS, 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 SBE, and BOG.

²⁷ Section 1007.27(2), F.S.

²⁸ Rule 6A-10.024, F.A.C. Florida Department of Education, *Articulation Coordinating Committee Credit by Exam Equivalencies* (Initially adopted Nov. 14, 2001, updated June 2018), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

²⁹ *Id.*

The law also requires the Commissioner of Education (commissioner) to appoint faculty committees representing secondary and public postsecondary education institutions to identify postsecondary courses that meet high school graduation requirements and equivalent high school credits earned through dual enrollment.³⁰ Additionally, the commissioner must recommend such courses to the SBE.³¹ The dual enrollment course-to-high school subject area equivalency list specifies postsecondary courses that earn both high school and college credit when completed.³² All high schools must accept these dual enrollment courses toward meeting the standard high school diploma requirements.³³

III. Effect of Proposed Changes:

Board of Governors Powers and Duties Relating to Accountability

The bill amends s. 1001.706, F.S., to require the Office of the Inspector General of the Board of Governors (BOG) to annually verify the accuracy of the data used to implement the State University System Performance-Based Incentive and the preeminent state research universities program. This may help to ensure that data collected for use in performance funding programs is timely and accurate.

The bill also requires the BOG to match individual student information with information from state and federal agencies that maintain educational and employment records and to enter into an agreement with the Department of Economic Opportunity (DEO) that allows access to individual reemployment assistance wage reports maintained by the DEO. The agreement must protect individual privacy and provide that student information obtained through the agreement may be used only for the purposes of auditing and evaluating higher education programs offered by state universities. This access may improve the BOG's ability to evaluate higher education programs and decrease response time for legislative and other data requests.

2+2 Articulation

The bill amends s. 1007.23, F.S., to establish the "2+2" targeted pathway program to strengthen Florida's "2+2" system of articulation and improve student retention and on-time graduation. Specifically, the bill requires that by the 2019-2020 academic year:

- Each college must execute at least one "2+2" targeted pathway articulation agreement with one or more state universities.
- Each state university must execute at least one "2+2" targeted pathway articulation agreement with one or more colleges.

The bill requires the "2+2" targeted pathway articulation agreement to provide students who graduate with an associate in arts (AA) degree and who meet specified requirements guaranteed access to the state university and a baccalaureate degree program at that university, in accordance with the terms of the agreement.

³⁰ Section 1007.271(9), F.S.

³¹ *Id.*

³² Florida Department of Education, *2018-2019 Dual Enrollment Course—High School Subject Area Equivalency List*, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078394-delist.pdf>.

³³ Section 1007.271(9), F.S.

The bill also specifies requirements for students, state universities, and the governing boards for colleges and state universities. Specifically, the bill:

- Establishes student eligibility criteria to participate in a “2+2” targeted pathway program to require that a student:
 - Enroll in the program before completing 30 credit hours;
 - Complete an AA degree; and
 - Meet the state university’s transfer requirements.
- Establishes requirements for state universities that execute “2+2” targeted pathway articulation agreements with their partner college to require a state university to:
 - Establish a 4-year on-time graduation plan for a baccalaureate degree program, including a plan for students to complete AA degree programs, general education courses, common prerequisite courses, and elective courses;
 - Advise students enrolled in the program about the university’s transfer and degree program requirements; and
 - Provide students access to academic advisors and campus events, and guarantee admittance to the state university and degree program of the state university, in accordance with the terms of the agreement.
- Requires the SBE and the BOG to collaborate to eliminate barriers in executing “2+2” targeted pathway articulation agreements.

The “2+2” targeted pathway program is consistent with recent efforts by state universities to strengthen regional articulation. The statewide “2+2” articulation agreement established in law³⁴ does not require a 4-year graduation plan and does not guarantee access to a specific university or degree program. To provide students a path to on-time graduation in 4 years with a baccalaureate degree, all Florida College System institutions have partnered with at least one state university to provide an articulation pathway program.³⁵

For instance, the University of South Florida (USF) “FUSE” program offers students guaranteed admission to a USF System institution and specified degree program.³⁶ The FUSE program creates an academic pathway that provides a map for taking required courses, advising at USF and the partner institution regarding university requirements, a specially-designed orientation session for 2+2 students at the beginning of the program, and access to USF facilities and events.³⁷ The “DirectConnect to UCF” program guarantees admission to the University of Central Florida (UCF) with an associate degree from a partner institution, offers university advising to develop an academic plan, and provides access to UCF campuses for services and events.³⁸

³⁴ Section 1007.23(2), F.S.

³⁵ Board of Governors, *Florida Statewide 2+2 Articulation Enhancement Programs & Partnerships at State Universities* (March 1, 2018), available at https://www.flbog.edu/documents_meetings/0270_1121_8484_6.4.2%20TWO%20+2_04b_Enhancement%20Programs_March%202018_2_27_18_CE_JMI.pdf.

³⁶ University of South Florida, *Office of Admissions*, <http://www.usf.edu/admissions/transfer/fuse/index.aspx>, (last visited Mar. 9, 2019).

³⁷ *Id.*

³⁸ University of Central Florida, *Direct Connect to UCF*, <http://directconnecttoucf.com/>, (last visited Mar. 9, 2019).

Notification of Acceleration College Credit

The bill amends s. 1007.27, F.S., to require district school boards to notify students who enroll in acceleration mechanism courses or take exams about the *credit-by-examination equivalency list* and *dual enrollment course and high school subject area equivalency list*. The notification requirement promotes targeted student advising at the secondary school level to inform students about generating college credits through certain acceleration mechanism courses and exams, and applying such credits purposefully to a postsecondary certificate or degree program, to ensure students receive credit for such courses and exams taken during high school. The notification may assist students with higher education planning and affordability considerations.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

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 revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.706, 1007.23, and 1007.27.

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 Stargel

22-01521A-19

2019194__

A bill to be entitled

An act relating to higher education; amending s. 1001.706, F.S.; requiring the Office of the Inspector General of the Board of Governors to verify certain information for accuracy; requiring the Board of Governors to match specified information; requiring the board to enter into a data-sharing agreement with the Department of Economic Opportunity; providing requirements for such agreement; amending s. 1007.23, F.S.; requiring, by a specified academic year, Florida College System institutions and state universities to execute agreements to establish "2+2" targeted pathway programs; providing requirements for such agreements; specifying requirements for student participation; requiring the State Board of Education and the Board of Governors to collaborate to eliminate barriers in executing pathway articulation agreements; amending s. 1007.27, F.S.; requiring district school boards to notify students about credit-by-examination and dual enrollment equivalency lists; providing an effective date.

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

Section 1. Paragraph (e) of subsection (5) of section 1001.706, Florida Statutes, is amended, and paragraph (i) is added to that subsection, to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

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

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(e) The Board of Governors shall maintain an effective information system to provide accurate, timely, and cost-effective information about each university. The board shall continue to collect and maintain, at a minimum, management information as such information existed on June 30, 2002. The Office of the Inspector General of the board shall annually verify the accuracy of the data used to implement ss. 1001.7065 and 1001.92.

(i) The Board of Governors shall match individual student information with information in the files of state and federal agencies that maintain educational and employment records. The board must enter into an agreement with the Department of Economic Opportunity which allows access to the individual reemployment assistance wage records maintained by the department. The agreement must protect individual privacy and require that student information be used only for the purposes of auditing or evaluating higher education programs offered by state universities.

Section 2. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(7) By the 2019-2020 academic year, to strengthen Florida's "2+2" system of articulation and improve student retention and on-time graduation, each Florida College System institution shall execute at least one "2+2" targeted pathway articulation agreement with one or more state universities, and each state university shall execute at least one such agreement with one or more Florida College System institutions to establish "2+2" targeted pathway programs. The agreement must provide students

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

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59 who graduate with an associate in arts degree and who meet
 60 specified requirements guaranteed access to the state university
 61 and a degree program at that university, in accordance with the
 62 terms of the "2+2" targeted pathway articulation agreement.

63 (a) To participate in a "2+2" targeted pathway program, a
 64 student must:

65 1. Enroll in the program before completing 30 credit hours,
 66 including, but not limited to, college credits earned through
 67 articulated acceleration mechanisms pursuant to s. 1007.27;

68 2. Complete an associate in arts degree; and

69 3. Meet the university's transfer requirements.

70 (b) A state university that executes a "2+2" targeted
 71 pathway articulation agreement must meet the following
 72 requirements in order to implement a "2+2" targeted pathway
 73 program in collaboration with its partner Florida College System
 74 institution:

75 1. Establish a 4-year, on-time graduation plan for a
 76 baccalaureate degree program, including, but not limited to, a
 77 plan for students to complete associate in arts degree programs,
 78 general education courses, common prerequisite courses, and
 79 elective courses;

80 2. Advise students enrolled in the program about the
 81 university's transfer and degree program requirements; and

82 3. Provide students who meet the requirements under this
 83 paragraph with access to academic advisors and campus events and
 84 with guaranteed admittance to the state university and a degree
 85 program of the state university, in accordance with the terms of
 86 the agreement.

87 (c) To assist the state universities and Florida College

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88 System institutions with implementing the "2+2" targeted pathway
 89 programs effectively, the State Board of Education and the Board
 90 of Governors shall collaborate to eliminate barriers in
 91 executing "2+2" targeted pathway articulation agreements.

92 Section 3. Subsection (2) of section 1007.27, Florida
 93 Statutes, is amended to read:

94 1007.27 Articulated acceleration mechanisms.—

95 (2)(a) The Department of Education shall annually identify
 96 and publish the minimum scores, maximum credit, and course or
 97 courses for which credit is to be awarded for each College Level
 98 Examination Program (CLEP) subject examination, College Board
 99 Advanced Placement Program examination, Advanced International
 100 Certificate of Education examination, International
 101 Baccalaureate examination, Excelsior College subject
 102 examination, Defense Activity for Non-Traditional Education
 103 Support (DANTES) subject standardized test, and Defense Language
 104 Proficiency Test (DLPT). The department shall use student
 105 performance data in subsequent postsecondary courses to
 106 determine the appropriate examination scores and courses for
 107 which credit is to be granted. Minimum scores may vary by
 108 subject area based on available performance data. In addition,
 109 the department shall identify such courses in the general
 110 education core curriculum of each state university and Florida
 111 College System institution.

112 (b) Each district school board shall notify students who
 113 enroll in articulated acceleration mechanism courses or who take
 114 examinations pursuant to this section of the credit-by-
 115 examination equivalency list adopted by rule by the State Board
 116 of Education and the dual enrollment course and high school

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117 subject area equivalencies approved by the state board pursuant
118 to s. 1007.271.

119 Section 4. This act shall take effect July 1, 2019.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs and Space

BILL: CS/SB 292

INTRODUCER: Committee on Military and Veterans Affairs and Space and Senator Lee

SUBJECT: Education

DATE: March 19, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Caldwell</u>	<u>MS</u>	Fav/CS
2.	<u>Olenick</u>	<u>Sikes</u>	<u>ED</u>	Favorable
3.	<u> </u>	<u> </u>	<u>RC</u>	<u> </u>

I. Summary:

CS/SB 292 protects the ability of a public school student to wear a military uniform to his or her graduation ceremony. Specifically, the bill prohibits a district school board from barring a student from lawfully wearing to his or her graduation ceremony a uniform of any of the Armed Forces of the state or of the United States.

The bill has no impact on state revenues or expenditures.

The bill takes effect upon becoming law.

II. Present Situation:

Supplemental Powers and Duties of District School Board

Florida law grants supplemental powers to district school boards, including supplemental powers related to student assessment and affairs. A district school board may adopt policies and procedures governing:

- Attendance monitoring and checks;
- Truancy
- Graduation requirements and graduation exercises
- Fees, fines, and charges imposed on students;
- Evaluation of student records and transcripts;
- Transfer of student records;
- Grading and academic evaluation of students;
- Test and examinations;
- Guidance and counseling;
- Student participation in competitions;
- Student performances and exhibitions;

- Contests for students and social events.

Consequently, a school district may require a student to wear a cap and gown to his or her graduation ceremony. In 2018, Hillsborough County School District personnel required a graduating student to wear a cap and gown rather than allowing her to wear her military uniform to her graduation ceremony. The student had been enrolled in the Army Reserves since her junior year. The school did not prohibit the student from wearing her uniform under the cap and gown, but an Army regulation does prohibit wearing a combination of civilian and military clothing.¹

Of the other branches of the military, only the Navy permits the wearing of a uniform with academic regalia at an academic ceremony.²

III. Effect of Proposed Changes:

This bill protects the ability of a public school student to wear a military uniform to his or her graduation ceremony.

Specifically, the bill prohibits a district school board from barring a student from lawfully wearing to his or her graduation ceremony a uniform of any of the Armed Forces of the United States or of the state.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, Section 18 of the Florida Constitution.

¹ Army Uniform Regulation 670-1. (3-7.e.), provides: “Wearing a combination of civilian and military clothing is prohibited, unless prescribed in this regulation or directed by the Secretary of the Army.” Available at: <https://www.army.mil/e2/c/downloads/337951.pdf> (last visited Feb. 27, 2019).

² Navy Uniform Regulation Section 2. 7204, provides, in part: “Naval personnel may wear academic regalia with the naval uniform on occasions of academic ceremony.” Available at: <https://www.public.navy.mil/BUPERS-NPC/SUPPORT/UNIFORMS/UNIFORMREGULATIONS/Pages/default.aspx> (last visited Feb. 27, 2019). Marine Uniform Regulation 1020.34H, provides, “No part of a prescribed uniform, except those items not exclusively military in character, will be worn with civilian clothing.” Available at: <https://www.marines.mil/Portals/59/Publications/MCO%201020.34H%20v2.pdf?ver=2018-06-26-094038-137> (last visited Feb. 27, 2019). Air Force Uniform Regulation AFI 36-2903 (1.4), generally prohibits the combination of uniform and civilian attire except in very limited circumstances, such as when authorizing personnel to wear military tie tacks and lapel pins with business attire. Available at: https://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2903/afi36-2903.pdf (last visited Feb. 27, 2019).

Available at: https://static.e-publishing.af.mil/production/1/af_a1/publication/afi36-2903/afi36-2903.pdf (last visited Feb. 27, 2019).

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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 revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1001.43, Florida Statutes.

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

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

CS by Military and Veterans Affairs and Space on March 6, 2019:

The CS clarifies that the uniform that the student may lawfully wear to his or her graduation ceremony may be of any of the Armed Forces.

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 the Committee on Military and Veterans Affairs and Space; and
Senator Lee

583-02738-19

2019292c1

1 A bill to be entitled
2 An act relating to education; amending s. 1001.43,
3 F.S.; making a technical change; prohibiting a
4 district school board from prohibiting a student from
5 lawfully wearing the uniform of any of the Armed
6 Forces of the United States or of the state at his or
7 her graduation ceremony; providing an effective date.
8
9 Be It Enacted by the Legislature of the State of Florida:
10
11 Section 1. Subsection (8) of section 1001.43, Florida
12 Statutes, is amended to read:
13 1001.43 Supplemental powers and duties of district school
14 board.—The district school board may exercise the following
15 supplemental powers and duties as authorized by this code or
16 State Board of Education rule.
17 (8) STUDENT ASSESSMENT AND AFFAIRS.—The district school
18 board may adopt policies and procedures governing attendance
19 monitoring and checks; truancy; ~~graduation requirements and~~
20 ~~graduation exercises~~; fees, fines, and charges imposed on
21 students; evaluation of student records and transcripts;
22 transfer of student records; grading and academic evaluation of
23 students; tests and examinations, including early examinations;
24 guidance and counseling; ~~and~~ student participation in
25 competitions, student performances and exhibitions, contests for
26 students, and social events; and graduation requirements and
27 graduation exercises. A district school board may not prohibit a
28 student from lawfully wearing the uniform of any of the Armed
29 Forces of the United States or of the state at his or her

Page 1 of 2

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

583-02738-19

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30 graduation ceremony.
31 Section 2. This act shall take effect upon becoming a law.

Page 2 of 2

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/19/19
Meeting Date

CS/SB 292
Bill Number (if applicable)

Topic Students allowed to wear Military Uniform Amendment Barcode (if applicable)

Name Sue Sommer

Job Title _____

Address 505 SW Aviation Dr
Street
Lake City FL
City State Zip

Phone 386-628-2890

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Citizens Alliance

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 Committee on Education

BILL: CS/CS/SB 318

INTRODUCER: Education Committee, Children, Families, and Elder Affairs Committee, and Senator Montford

SUBJECT: Child Abuse, Abandonment, and Neglect

DATE: March 20, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Preston	Hendon	CF	Fav/CS
2.	Bouck	Sikes	ED	Fav/CS
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 318 expands the public records exemption that protects the name of a reporter of child abuse, abandonment, or neglect to also include other identifying information. Such information would be confidential and exempt, and would only be released to specified persons, officials, and agencies specified in law.

The bill has no fiscal impact.

The bill takes effect July 1, 2019.

II. Present Situation:

Public Records Law

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ This applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

¹ FLA. CONST., art. I, s. 24(a).

² *Id.*

Chapter 119, F.S., known as the Public Records Act, constitutes the main body of public records laws.³ The Public Records Act states that

[i]t is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.⁴

The Public Records Act typically contains general exemptions that apply across agencies. Agency- or program-specific exemptions often are placed in the substantive statutes relating to that particular agency or program.

The Public Records Act does not apply to legislative or judicial records.⁵ Legislative records are public pursuant to s. 11.0431, F.S. Public records exemptions for the Legislature are codified primarily in s. 11.0431(2)-(3), F.S., and adopted in the rules of each house of the Legislature.

A public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.⁶ The Florida Supreme Court has interpreted public records as being “any material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type.”⁷

The Florida Statutes specify conditions under which public access to governmental records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any state or local government public record at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record.⁸ A violation of the Public Records Act may result in civil or criminal liability.⁹

Only the Legislature may create an exemption to public records requirements.¹⁰ An exemption must be created by general law and must specifically state the public necessity justifying the exemption.¹¹ Further, the exemption must be no broader than necessary to accomplish the stated purpose of the law. A bill enacting an exemption may not contain other substantive provisions¹²

³ Public records laws are found throughout the Florida Statutes.

⁴ Section 119.01(1), F.S.

⁵ *Locke v. Hawkes*, 595 So. 2d 32 (Fla. 1992). Also see *Times Pub. Co. v. Ake*, 660 So. 2d 255 (Fla. 1995).

⁶ Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

⁷ *Shevin v. Byron, Harless, Schaffer, Reid and Assoc. Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁸ Section 119.07(1)(a), F.S.

⁹ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

¹⁰ FLA. CONST., art. I, s. 24(c).

¹¹ *Id.*

¹² The bill may, however, contain multiple exemptions that relate to one subject.

and must pass by a two-thirds vote of the members present and voting in each house of the Legislature.¹³

When creating or expanding a public records exemption, the Legislature may provide that a record is ‘confidential and exempt’ or ‘exempt.’¹⁴ Records designated as ‘confidential and exempt’ may be released by the records custodian only under the circumstances defined by the Legislature or pursuant to a court order. Records designated as ‘exempt’ may be released at the discretion of the records custodian under certain circumstances.¹⁵

The Open Government Sunset Review Act (the Act) prescribes a legislative review process for newly created or substantially amended public records or open meetings exemptions,¹⁶ with specified exceptions.¹⁷ The Act requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.¹⁸ The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary to meet such public purpose.¹⁹

Reporting of Child Abuse, Abandonment and Neglect

Current law requires that any individual who knows, or who has reasonable cause to suspect, that a child is being abused, abandoned or neglected by a caregiver to report that knowledge to the Department of Children and Families’ (department’s) central abuse hotline.²⁰ Any known or suspected child abuse by a non-caregiver and sexual abuse of a child is also required to be reported. Reporters in a number of occupational categories are required to provide their names to the hotline, including a:

- Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;
- Health or mental health professional other than one listed above;
- Practitioner who relies solely on spiritual means for healing;
- School teacher or other school official or personnel;
- Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker;

¹³ FLA. CONST., art. I, s. 24(c)

¹⁴ If the Legislature designates a record as confidential, such record may not be released to anyone other than the persons or entities specifically designated in the statutory exemption. *WFTV, Inc. v. The Sch. Bd. of Seminole*, 874 So. 2d 48, 53 (Fla. 5th DCA 2004).

¹⁵ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

¹⁶ Section 119.15, F.S. An exemption is substantially amended if the amendment expands the scope of the exemption to include more records or information or to include meetings as well as records (s. 119.15(4)(b), F.S.). The requirements of the Act do not apply to an exemption that is required by federal law or that applies solely to the Legislature or the State Court System (s. 119.15(2), F.S.).

¹⁷ Section 119.15(2)(a) and (b), F.S., provide that exemptions that are required by federal law or are applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

¹⁸ Section 119.15(3), F.S.

¹⁹ Section 119.15(6)(b), F.S.

²⁰ In the past six months, the central abuse hotline has received a monthly average of 28,372 initial or follow-up calls. Of these reports, 20,414 (72 percent) were accepted for investigation. Department of Children and Families, *Child Intakes Received – Data Table*, available at <http://www.dcf.state.fl.us/programs/childwelfare/dashboard/intakes-received.shtml?Landing%20Page%20InvRec=2>.

- Law enforcement officer; or
- Judge.

Confidentiality of Records

Section 39.202, F.S., currently provides that the names of reporters of known or suspected child abuse, abandonment or neglect to the central abuse hotline shall be entered into the record of the report, but shall be held confidential and exempt from disclosure, except as authorized in law. The name of any person reporting child abuse, abandonment, or neglect may not be released to any person other than employees of the department responsible for child protective services, the central abuse hotline, law enforcement, the child protection team, or the appropriate state attorney, without the written consent of the person reporting. This does not prohibit the subpoenaing of a person reporting child abuse, abandonment, or neglect when deemed necessary by the court, the state attorney, or the department, provided the fact that such person who made the report is not disclosed.²¹ There are currently no provisions for protecting the confidentiality of any information that might identify an individual.²²

The central abuse hotline records the number from which a call or fax is placed or the Internet protocol (IP) address from which the report is received. This information is entered into the report of abuse, abandonment, or neglect and become a part of the record of the report, but is also confidential and exempt, subject to release specified in law.²³

The department's operating procedures contain additional protections for ensuring confidentiality. In addition to redaction of the reporter's name from released records, any summary information released from the record shall be in narrative form and shall "not include the name or other identifying information with respect to any person identified in any investigation." To further prevent inadvertent disclosure of confidential information, the procedure also prohibits the department from attaching "any investigation record documents" to the narrative summary.²⁴

III. Effect of Proposed Changes:

Section 1 amends s. 39.202, F.S., to expand the public records exemption protecting the name of a reporter of child abuse, neglect and abandonment to also include other identifying information. Such information would be confidential and exempt, and would only be released to specified persons, officials, and agencies that are involved in the investigation as specified in law. This exemption from the public records law will expire on October 2, 2024, unless reenacted by the Legislature.

²¹ Section 39.202(5), F.S.

²² Department of Children and Families, *DCF 2019 Agency Analysis of SB 318* (Jan. 30, 2019).

²³ Section 39.201(2)(h), F.S.

²⁴ Department of Children and Families Operating Procedure, CFOP 15-12, *Procedures For Releasing Selected Information Pertaining To A Report Of Abuse, Neglect, Exploitation Or Abandonment Of A Child Or Adult* (Dec. 15, 2006), available at: <http://www.dcf.state.fl.us/admin/publications/cfops/CFOP%20015-xx%20Documentation%20Management/CFOP%2015-12,%20Procedures%20for%20Releasing%20Selected%20Information%20Pertaining%20to%20a%20Report%20of%20Abuse,%20Neglect,%20Exploitation%20or%20Abandonment%20of%20a%20Child%20or%20Adult.pdf> (last visited Feb. 13, 2019).

The bill also removes from the authorized access to confidential and exempt records the designee of a licensed residential group home.²⁵

Section 2 provides legislative intent that the exemption to the public records law is a public necessity. The bill explains that protecting only the name of a reporter of child abuse, abandonment, or neglect may allow the identity of the reporter to be discerned by some other identifying information, rendering the protection ineffective. The expanded exemption is necessary to ensure all instances of suspected child abuse, abandonment, or neglect are reported to the Department of Children and Families.

Section 3 provides an effective date of July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill expands the information exempted to other identifying information, rather than just the name of a reporter of child abuse, abandonment, or neglect. Thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law. The purpose of the law is to protect all information of a reporter of child abuse, abandonment, or neglect. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

²⁵ Such residential group homes are described in s. 39.523, F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill amends section 39.202 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/CS by Education on March 19, 2019:

The committee substitute:

- Expands the public records exemption that currently protects the name of a reporter of child abuse, abandonment, and neglect to include other identifying information, and provides a public necessity statement.
- Removes the provisions including in the public records exemption specified school personnel who provide information as a part of a child abuse investigation.
- Removes the authorization for access to a confidential and exempt report by a designee of a licensed residential group home described in s. 39.523, F.S.

CS by Children, Families, and Elder Affairs on February 19, 2019:

The committee substitute:

- Removes language that would define school personnel providing information to a child abuse investigation as a reporter.
- Removes language that would protect the identify of all reporters of child abuse.
- Exempts the identity of school personnel who provide information to a child abuse investigation from the public records law.
- Repeals the new exemption from the public records law on October 2, 2024 unless reenacted by the Legislature.
- Provides a statement of public necessity for the exemption.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
	.	
	.	
	.	

The Committee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (2) and (5) of section 39.202,
Florida Statutes, are amended 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, or other identifying information
with respect to, the reporter which shall be released only as



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provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(a) Employees, authorized agents, or contract providers of the department, the Department of Health, the Agency for Persons with Disabilities, the Office of Early Learning, or county agencies responsible for carrying out:

1. Child or adult protective investigations;
2. Ongoing child or adult protective services;
3. Early intervention and prevention services;
4. Healthy Start services;
5. Licensure or approval of adoptive homes, foster homes, child care facilities, facilities licensed under chapter 393, family day care homes, providers who receive school readiness funding under part VI of chapter 1002, or other homes used to provide for the care and welfare of children;
6. Employment screening for caregivers in residential group homes; or
7. Services for victims of domestic violence when provided by certified domestic violence centers working at the department's request as case consultants or with shared clients.

Also, employees or agents of the Department of Juvenile Justice responsible for the provision of services to children, pursuant to chapters 984 and 985.

(b) Criminal justice agencies of appropriate jurisdiction.

(c) The state attorney of the judicial circuit in which the child resides or in which the alleged abuse or neglect occurred.

(d) The parent or legal custodian of any child who is alleged to have been abused, abandoned, or neglected, and the



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41 child, and their attorneys, including any attorney representing
42 a child in civil or criminal proceedings. This access shall be
43 made available no later than 60 days after the department
44 receives the initial report of abuse, neglect, or abandonment.
45 However, any information otherwise made confidential or exempt
46 by law shall not be released pursuant to this paragraph.

47 (e) Any person alleged in the report as having caused the
48 abuse, abandonment, or neglect of a child. This access shall be
49 made available no later than 60 days after the department
50 receives the initial report of abuse, abandonment, or neglect
51 and, when the alleged perpetrator is not a parent, shall be
52 limited to information involving the protective investigation
53 only and shall not include any information relating to
54 subsequent dependency proceedings. However, any information
55 otherwise made confidential or exempt by law shall not be
56 released pursuant to this paragraph.

57 (f) A court upon its finding that access to such records
58 may be necessary for the determination of an issue before the
59 court; however, such access shall be limited to inspection in
60 camera, unless the court determines that public disclosure of
61 the information contained therein is necessary for the
62 resolution of an issue then pending before it.

63 (g) A grand jury, by subpoena, upon its determination that
64 access to such records is necessary in the conduct of its
65 official business.

66 (h) Any appropriate official of the department or the
67 Agency for Persons with Disabilities who is responsible for:

68 1. Administration or supervision of the department's
69 program for the prevention, investigation, or treatment of child



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abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult, when carrying out his or her official function;

2. Taking appropriate administrative action concerning an employee of the department or the agency who is alleged to have perpetrated child abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult; or

3. Employing and continuing employment of personnel of the department or the agency.

(i) Any person authorized by the department who is engaged in the use of such records or information for bona fide research, statistical, or audit purposes. Such individual or entity shall enter into a privacy and security agreement with the department and shall comply with all laws and rules governing the use of such records and information for research and statistical purposes. Information identifying the subjects of such records or information shall be treated as confidential by the researcher and shall not be released in any form.

(j) The Division of Administrative Hearings for purposes of any administrative challenge.

(k) Any appropriate official of a Florida advocacy council investigating a report of known or suspected child abuse, abandonment, or neglect; the Auditor General or the Office of Program Policy Analysis and Government Accountability for the purpose of conducting audits or examinations pursuant to law; or the guardian ad litem for the child.

(l) Employees or agents of an agency of another state that has comparable jurisdiction to the jurisdiction described in paragraph (a).



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(m) The Public Employees Relations Commission for the sole purpose of obtaining evidence for appeals filed pursuant to s. 447.207. Records may be released only after deletion of all information which specifically identifies persons other than the employee.

(n) Employees or agents of the Department of Revenue responsible for child support enforcement activities.

(o) Any person in the event of the death of a child determined to be a result of abuse, abandonment, or neglect. Information identifying the person reporting abuse, abandonment, or neglect shall not be released. Any information otherwise made confidential or exempt by law shall not be released pursuant to this paragraph.

(p) An employee of the local school district who is designated as a liaison between the school district and the department pursuant to an interagency agreement required under s. 39.0016 and the principal of a public school, private school, or charter school where the child is a student. Information contained in the records which the liaison or the principal determines are necessary for a school employee to effectively provide a student with educational services may be released to that employee.

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

(r) Staff of a children's advocacy center that is established and operated under s. 39.3035.

(s) A physician licensed under chapter 458 or chapter 459, a psychologist licensed under chapter 490, or a mental health



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professional licensed under chapter 491 engaged in the care or treatment of the child.

(t) Persons with whom the department is seeking to place the child or to whom placement has been granted, including foster parents for whom an approved home study has been conducted, ~~the designee of a licensed residential group home described in s. 39.523,~~ an approved relative or nonrelative with whom a child is placed pursuant to s. 39.402, preadoptive parents for whom a favorable preliminary adoptive home study has been conducted, adoptive parents, or an adoption entity acting on behalf of preadoptive or adoptive parents.

(5) The department may not release the name of, or other identifying information with respect to, any person reporting child abuse, abandonment, or neglect ~~may not be released~~ to any person other than employees of the department responsible for child protective services, the central abuse hotline, law enforcement, the child protection team, or the appropriate state attorney, without the written consent of the person reporting. This does not prohibit the subpoenaing of a person reporting child abuse, abandonment, or neglect when deemed necessary by the court, the state attorney, or the department, provided the fact that such person made the report is not disclosed. Any person who reports a case of child abuse or neglect may, at the time he or she makes the report, request that the department notify him or her that a child protective investigation occurred as a result of the report. Any person specifically listed in s. 39.201(1) who makes a report in his or her official capacity may also request a written summary of the outcome of the investigation. The department shall mail such a notice to the



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reporter within 10 days after completing the child protective investigation.

Section 2. The Legislature finds that it is a public necessity to strengthen reporter-status protection by making all reporter identifying information exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. The current statutory scheme only protects the name of the reporter who calls into the abuse hotline. By protecting only the name of the reporter of child abuse, abandonment, or neglect, the identity of the individual may be discerned by other identifying information, thus rendering the protection ineffective. Providing robust protections to reporters of child abuse, abandonment, or neglect improves the mandatory reporting scheme by ensuring that all instances of suspected child abuse, abandonment, or neglect are reported to the Department of Children and Families. Therefore, it is necessary that individuals who are considered reporters under the current statutory scheme have their identifying information protected.

Section 3. This act shall take effect July 1, 2019.

===== 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 public records; amending s. 39.202,
F.S.; prohibiting the release of any identifying
information with respect to any person reporting child



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186 abuse, abandonment, or neglect, except under certain
187 circumstances; making conforming changes; providing a
188 statement of public necessity; providing an effective
189 date.

By the Committee on Children, Families, and Elder Affairs; and
Senator Montford

586-02486-19

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1 A bill to be entitled
2 An act relating to child abuse, abandonment, and
3 neglect; amending s. 39.202, F.S.; prohibiting the
4 Department of Children and Families from releasing the
5 names of school personnel who have provided
6 information during a protective investigation except
7 under certain circumstances; providing for future
8 legislative review and repeal of the exemption;
9 conforming provisions to changes made by the act;
10 providing a statement of public necessity; providing
11 an effective date.
12
13 Be It Enacted by the Legislature of the State of Florida:
14
15 Section 1. Subsections (2) and (5) of section 39.202,
16 Florida Statutes, are amended to read:
17 39.202 Confidentiality of reports and records in cases of
18 child abuse or neglect.—
19 (2) Except as provided in subsection (4), access to such
20 records, excluding the name of the reporter and the names of
21 instructional personnel as defined in s. 1012.01(2), school
22 administrators as defined in s. 1012.01(3)(c), and educational
23 support employees as described in s. 1012.01(6)(a) who have
24 provided information during a protective investigation which
25 shall be released only as provided in subsection (5), shall be
26 granted only to the following persons, officials, and agencies:
27 (a) Employees, authorized agents, or contract providers of
28 the department, the Department of Health, the Agency for Persons
29 with Disabilities, the Office of Early Learning, or county

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30 agencies responsible for carrying out:
31 1. Child or adult protective investigations;
32 2. Ongoing child or adult protective services;
33 3. Early intervention and prevention services;
34 4. Healthy Start services;
35 5. Licensure or approval of adoptive homes, foster homes,
36 child care facilities, facilities licensed under chapter 393,
37 family day care homes, providers who receive school readiness
38 funding under part VI of chapter 1002, or other homes used to
39 provide for the care and welfare of children;
40 6. Employment screening for caregivers in residential group
41 homes; or
42 7. Services for victims of domestic violence when provided
43 by certified domestic violence centers working at the
44 department's request as case consultants or with shared clients.
45
46 Also, employees or agents of the Department of Juvenile Justice
47 responsible for the provision of services to children, pursuant
48 to chapters 984 and 985.
49 (b) Criminal justice agencies of appropriate jurisdiction.
50 (c) The state attorney of the judicial circuit in which the
51 child resides or in which the alleged abuse or neglect occurred.
52 (d) The parent or legal custodian of any child who is
53 alleged to have been abused, abandoned, or neglected, and the
54 child, and their attorneys, including any attorney representing
55 a child in civil or criminal proceedings. This access must ~~shall~~
56 be made available no later than 60 days after the department
57 receives the initial report of abuse, neglect, or abandonment.
58 However, any information otherwise made confidential or exempt

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by law ~~may shall~~ not be released pursuant to this paragraph.

(e) Any person alleged in the report as having caused the abuse, abandonment, or neglect of a child. This access must ~~shall~~ be made available no later than 60 days after the department receives the initial report of abuse, abandonment, or neglect and, when the alleged perpetrator is not a parent, must ~~shall~~ be limited to information involving the protective investigation only and may shall not include any information relating to subsequent dependency proceedings. However, any information otherwise made confidential or exempt by law may ~~shall~~ not be released pursuant to this paragraph.

(f) A court upon its finding that access to such records may be necessary for the determination of an issue before the court; however, such access must shall be limited to inspection in camera, unless the court determines that public disclosure of the information contained therein is necessary for the resolution of an issue then pending before it.

(g) A grand jury, by subpoena, upon its determination that access to such records is necessary in the conduct of its official business.

(h) Any appropriate official of the department or the Agency for Persons with Disabilities who is responsible for:

1. Administration or supervision of the department's program for the prevention, investigation, or treatment of child abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult, when carrying out his or her official function;

2. Taking appropriate administrative action concerning an employee of the department or the agency who is alleged to have

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perpetrated child abuse, abandonment, or neglect, or abuse, neglect, or exploitation of a vulnerable adult; or

3. Employing and continuing employment of personnel of the department or the agency.

(i) Any person authorized by the department who is engaged in the use of such records or information for bona fide research, statistical, or audit purposes. Such individual or entity shall enter into a privacy and security agreement with the department and shall comply with all laws and rules governing the use of such records and information for research and statistical purposes. Information identifying the subjects of such records or information shall be treated as confidential by the researcher and may shall not be released in any form.

(j) The Division of Administrative Hearings for purposes of any administrative challenge.

(k) Any appropriate official of ~~an a-Florida~~ in this state advocacy council investigating a report of known or suspected child abuse, abandonment, or neglect; the Auditor General or the Office of Program Policy Analysis and Government Accountability for the purpose of conducting audits or examinations pursuant to law; or the guardian ad litem for the child.

(l) Employees or agents of an agency of another state that has comparable jurisdiction to the jurisdiction described in paragraph (a).

(m) The Public Employees Relations Commission for the sole purpose of obtaining evidence for appeals filed pursuant to s. 447.207. Records may be released only after deletion of all information which specifically identifies persons other than the

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117 employee.

118 (n) Employees or agents of the Department of Revenue
119 responsible for child support enforcement activities.

120 (o) Any person in the event of the death of a child
121 determined to be a result of abuse, abandonment, or neglect.
122 Information identifying the person reporting abuse, abandonment,
123 or neglect ~~may shall~~ not be released. Any information otherwise
124 made confidential or exempt by law ~~may shall~~ not be released
125 pursuant to this paragraph.

126 (p) An employee of the local school district who is
127 designated as a liaison between the school district and the
128 department pursuant to an interagency agreement required under
129 s. 39.0016 and the principal of a public school, private school,
130 or charter school where the child is a student. Information
131 contained in the records which the liaison or the principal
132 determines are necessary for a school employee to effectively
133 provide a student with educational services may be released to
134 that employee.

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

138 (r) Staff of a children's advocacy center that is
139 established and operated under s. 39.3035.

140 (s) A physician licensed under chapter 458 or chapter 459,
141 a psychologist licensed under chapter 490, or a mental health
142 professional licensed under chapter 491 engaged in the care or
143 treatment of the child.

144 (t) Persons with whom the department is seeking to place
145 the child or to whom placement has been granted, including

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146 foster parents for whom an approved home study has been
147 conducted, the designee of a licensed residential group home
148 described in s. 39.523, an approved relative or nonrelative with
149 whom a child is placed pursuant to s. 39.402, preadoptive
150 parents for whom a favorable preliminary adoptive home study has
151 been conducted, adoptive parents, or an adoption entity acting
152 on behalf of preadoptive or adoptive parents.

153 (5) (a) The name of any person reporting child abuse,
154 abandonment, or neglect may not be released to any person other
155 than employees of the department responsible for child
156 protective services, the central abuse hotline, law enforcement,
157 the child protection team, or the appropriate state attorney,
158 without the written consent of the person reporting. This does
159 not prohibit the subpoenaing of a person reporting child abuse,
160 abandonment, or neglect when deemed necessary by the court, the
161 state attorney, or the department, provided the fact that such
162 person made the report is not disclosed. Any person who reports
163 a case of child abuse or neglect may, at the time he or she
164 makes the report, request that the department notify him or her
165 that a child protective investigation occurred as a result of
166 the report. Any person specifically listed in s. 39.201(1) who
167 makes a report in his or her official capacity may also request
168 a written summary of the outcome of the investigation. The
169 department ~~must shall~~ mail such a notice to the reporter within
170 10 days after completing the child protective investigation.

171 (b) The names of instructional personnel as defined in s.
172 1012.01(2), school administrators as defined in s.
173 1012.01(3)(c), and educational support employees as described in
174 s. 1012.01(6)(a) who provide information during a protective

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175 investigation may not be released to any person other than
 176 employees of the department responsible for child protective
 177 services, the central abuse hotline, law enforcement, the child
 178 protection team, or the appropriate state attorney without the
 179 written consent of such personnel. This does not prohibit the
 180 subpoenaing of a person contributing information to an
 181 investigation of child abuse, abandonment, or neglect when
 182 deemed necessary by the court, the state attorney, or the
 183 department. This paragraph is subject to the Open Government
 184 Sunset Review Act in accordance with s. 119.15 and shall stand
 185 repealed on October 2, 2024, unless reviewed and saved from
 186 repeal through reenactment by the Legislature.

187 Section 2. The Legislature finds that it is a public
 188 necessity that information that is exempt or confidential and
 189 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),
 190 Article I of the State Constitution remain exempt or
 191 confidential for instructional personnel as defined in s.
 192 1012.01(2), Florida Statutes, school administrators as defined
 193 in s. 1012.01(3)(c), Florida Statutes, and educational support
 194 employees as described in s. 1012.01(6)(a), Florida Statutes,
 195 who have provided information during a protective investigation.
 196 Otherwise, sensitive personal information concerning school
 197 employees would be disclosed, and such employees may experience
 198 harassment or harm from family, fictive kin, or friends of the
 199 alleged victim of child abuse. Such harassment may inhibit such
 200 employees from providing important information to a child abuse
 201 investigation. The harm that would result from the release of
 202 such information substantially outweighs any public benefit that
 203 would be achieved by disclosure.

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204 Section 3. This act shall take effect July 1, 2019.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/19

Meeting Date

318

Bill Number (if applicable)

637096

Amendment Barcode (if applicable)

Topic Child Abuse, Abandonment & Neglect

Name Stephen Winn

Job Title Executive Director

Address 2544 Blainstone Pines Dr.

Street

Tallahassee FL 32301

City

State

Zip

Phone 878-7364

Email winnsr@earthlink.net

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Osteopathic Medical Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

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)

3/25/19

Meeting Date

318

Bill Number (if applicable)

637096

Amendment Barcode (if applicable)

Topic Child Abuse, Abandonment and Neglect

Name Alan Abramowitz

Job Title Executive Director

Address 600 S. Calhoun St.

Street

Tallahassee

City

Florida

State

32399

Zip

Phone 850.241.3232

Email alan.abramowitz@gal.fl.gov

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Guardian ad Litem Program

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)

4pm - 412 K

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/19
Meeting Date

318
Bill Number (if applicable)

Topic Child Abuse, Abandonment, & Neglect

Amendment Barcode (if applicable)

Name Stephen Winn

Job Title Executive Director

Address 2544 Blairstone Pines Dr
Street
Tallahassee FL 32301
City State Zip

Phone 878-7364

Email winns@earthlink.net

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Osteopathic Medical Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

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 Committee on Education

BILL: CS/SB 464

INTRODUCER: Education Committee and Senator Flores

SUBJECT: Prepaid College Plans

DATE: March 20, 2019

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 464 modifies the Stanley G. Tate Florida Prepaid College Program to authorize that students at a state university or Florida College System (FCS) institution may use the fees associated with a dormitory residence plan to cover the cost of housing provided by a qualified nonprofit organization that is approved by the state university or FCS institution. The bill defines a “qualified nonprofit organization” as a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code that provides housing to full-time students at an FCS institution or state university, primarily supports students that lack financial resources, and has been approved by the Florida Prepaid Board.

The bill also specifies that dormitory fees paid to a qualified nonprofit organization may not exceed the average fees charged for state university dormitories, or for fees charged for dormitories or residency opportunities provided by FCS institution or FCS institution direct-support organizations, whichever is less.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Stanley G. Tate Florida Prepaid College Program

The Legislature created the Stanley G. Tate Florida Prepaid College Program (Prepaid Program) in 1987¹ to provide Florida's families a mechanism through which the cost of registration and dormitory residence may be paid in advance of enrollment in a state postsecondary institution at a rate lower than the projected corresponding cost at the time of actual enrollment.² Since its inception, more than 1.9 million Prepaid Program plans have been purchased, and more than 464,000 students have attended college using Prepaid Program plans.³

The Prepaid Program is administered by the Florida Prepaid College Board (Prepaid Board).⁴ The Prepaid Board is required to make advance payment contracts available for two independent plans called the Florida College System (FCS) institution plan and the university plan.⁵ The advance payment contracts are financially guaranteed by the State of Florida⁶ and lock-in many of the costs associated with enrollment in state universities and FCS institutions (e.g., registration fees, tuition differential fees, local fees, and dormitory fees) at the time such contracts are purchased.⁷ Families may choose from the following Prepaid Program options:⁸

- 2-Year Florida College Plan (10.9 percent of 2016-2017 Prepaid Plans sold).
- 4-Year Florida College Plan (6.7 percent of 2016-2017 Prepaid Plans sold).
- 2+2 Florida Plan (12.9 percent of 2016-2017 Prepaid Plans sold).
- 1-Year Florida University Plan (18.4 percent of 2016-2017 Prepaid Plans sold).
- 4-Year Florida University Plan (51.1 percent of 2016-2017 Prepaid Plans sold).⁹

Dormitory Residence Plan

Dormitory plans may be added to the 2+2 Florida Plan, the 1-Year Florida University Plan, and the 4-Year Florida University Plan.¹⁰

¹ Section 1, ch. 1987-132, L.O.F.; see also Florida Prepaid College Board, *Our History*, <https://www.myfloridaprepaid.com/about-us/our-history/> (last visited Mar. 12, 2019).

² Section 1009.98(1), F.S.

³ Florida Prepaid College Board, *2017 Annual Report*, available at https://www.myfloridaprepaid.com/wp-content/uploads/fpcb_2017_annual_report.pdf, at 2.

⁴ Section 1009.971(1), F.S. The Florida Prepaid College Board consists of seven members to be composed of the Attorney General, the Chief Financial Officer, the Chancellor of the State University System, the Chancellor of the Division of Florida Colleges, and three members appointed by the Governor and subject to confirmation by the Senate for a term of three years. Each member appointed by the Governor must possess knowledge, skill, and experience in the areas of accounting, actuary, risk management, or investment management. Section 1009.971(2), F.S.

⁵ Section 1009.98(2), F.S. In Fall, 2016, 34,018 students attended 28 Florida College System institutions, and 56,661 students attended 12 state universities using a Prepaid Plan. Florida Prepaid College Board, *2017 Annual Report*, available at https://www.myfloridaprepaid.com/wp-content/uploads/fpcb_2017_annual_report.pdf, at 10-11.

⁶ Section 1009.98(7), F.S.

⁷ Section 1009.98(2), F.S.

⁸ Florida Prepaid College Board, *Plans & Pricing*, <https://www.myfloridaprepaid.com/prepaid-plans/plans-and-pricing/> (last visited Mar. 12, 2019).

⁹ Florida Prepaid College Board, *2017 Annual Report*, available at https://www.myfloridaprepaid.com/wp-content/uploads/fpcb_2017_annual_report.pdf, at 7.

¹⁰ Florida Prepaid College Plan, *Plans and Pricing*, <https://www.myfloridaprepaid.com/prepaid-plans/plans-and-pricing/> (last visited Mar. 12, 2019).

State University Dormitory Plan

Through the dormitory residence plan, the advance payment contract may provide prepaid housing fees for a maximum of 10 semesters of full-time undergraduate enrollment in a state university.¹¹ The dormitory plan is designed to pay for a double-occupancy, air-conditioned dormitory room at a state university in Florida. Qualified beneficiaries have the highest priority in the assignment of housing within university residence halls. Each state university may specify the residence halls or other university-held residences eligible for inclusion in the plan.¹² The value of the dormitory plan may be used to cover other university-held housing, as approved by the Prepaid Board.¹³ The Prepaid Board will provide a specified refund if the university does not have available units, or if the student lives off-campus or in privately held housing.¹⁴

Florida College System Dormitory Plan

A qualified beneficiary who does not attend a state university may use the fees associated with a dormitory residence plan for dormitory or residency opportunities operated by an FCS institution or FCS institution direct-support organization (DSO).¹⁵ Such dormitory fees may not exceed the maximum fees charged for state university dormitories, or the fees charged for an FCS institution or FCS institution DSO, whichever is less.¹⁶

An FCS institution or DSO has limited authority to plan and construct facilities and acquire additional property.¹⁷ Residency opportunities within the FCS are predominately off campus and provided through a third party, often for specific student populations such as international students, student athletes, or specific scholarship recipients.¹⁸ However, Florida law authorizes that an FCS institution campus within a municipality designated as an area of critical state concern,¹⁹ which meets planning and development requirements, may construct dormitories for up to 300 beds for FCS institution students.²⁰

¹¹ Section 1009.98(2)(d), F.S. A maximum of two semesters of dormitory fees may be prepaid for each year of state university coverage. *Id.*

¹² Section 1009.98(2)(d), F.S.

¹³ Florida Prepaid, *Prepaid Plans FAQs, Dormitory Specific Questions*, <https://www.myfloridaprepaid.com/prepaid-plans/faqs/#what-residence-halls-are-covered> (last visited Mar. 12, 2019).

¹⁴ If there are no available units, the refund will equal the statewide average for eligible double-occupancy, air-conditioned dormitory rooms payable by the Prepaid Plan in the State of Florida. If the student lives off-campus or in privately held housing, then the refund is equal to payments made, less any fees, usage and other refunds. *Id.*

¹⁵ Section 1009.98(2)(d), F.S.

¹⁶ *Id.*

¹⁷ Section 1013.40, F.S.

¹⁸ Florida College System, *Student Housing in the Florida College System*, available at <http://www.fldoe.org/core/fileparse.php/7480/urlt/0082726-faqhousing.pdf>.

¹⁹ Section 380.05, F.S. The Areas of Critical State Concern Program was created by the "Florida Environmental Land and Water Management Act of 1972." The program is intended to protect resources and public facilities of major statewide significance, within designated geographic areas, from uncontrolled development that would cause substantial deterioration of such resources. The designated Areas of Critical State Concern are the Apalachicola Bay Area, the Green Swamp Area, the Big Cypress Area, the Florida Keys Area, and the City of Key West Area.

²⁰ Section 1013.40(4), F.S. Currently, only Florida Keys Community College meets this requirement and is able to construct such dormitory facilities.

III. Effect of Proposed Changes:

CS/SB 464 amends s. 1009.98, F.S., to authorize a beneficiary at a state university to use the fees associated with a dormitory residence plan to cover the costs of housing provided by a qualified nonprofit organization that is approved by the state university. In addition, the bill authorizes that a beneficiary at a Florida College System (FCS) institution may use the fees associated with a dormitory residence plan to cover the costs of housing provided by a qualified nonprofit organization that is approved by the FCS institution.

The bill defines a “qualified nonprofit organization” as a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code²¹ that provides dormitories or residency opportunities to full-time students at a FCS institution or state university, primarily supports students that lack financial resources, and has been approved by the Florida Prepaid Board for inclusion in the dormitory residence plan.

The bill also specifies that the fees from a dormitory residence plan paid to a qualified nonprofit organization may not exceed the average fees charged for state university dormitory residences, or for fees charged for FCS institution or FCS institution direct-support organization dormitories or residency opportunities, whichever is less.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

²¹ To be tax-exempt under section 501(c)(3) of the Internal Revenue Code, an organization must be organized and operated exclusively for exempt purposes set forth in section 501(c)(3), and none of its earnings may inure to any private shareholder or individual. Organizations described in section 501(c)(3) are commonly referred to as charitable organizations. Internal Revenue Service, *Exemption Requirements - 501(c)(3) Organizations*, <https://www.irs.gov/charities-non-profits/charitable-organizations/exemption-requirements-section-501c3-organizations> (last visited Mar. 12, 2019).

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:

This bill substantially amends section 1009.98 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 on March 19, 2019:

The committee substitute:

- Maintains the provision in the bill that a state university may approve a qualified nonprofit organization that provides housing, but provides a technical process change to specify that a state university may transfer or cause to have transferred dormitory residence fees to such nonprofit organization.
- Specifies that a Florida College System (FCS) institution may approve a qualified nonprofit organization that provides housing, and that the FCS institution may transfer or cause to have transferred dormitory residence fees to such nonprofit organization.
- Maintains in the definition of a qualified nonprofit organization the requirement relating to the Internal Revenue Code, but modifies the definition by:
 - Removing the requirement that student living housing provided by a qualified nonprofit organization must be on or near the state university or FCS institution campus; and
 - Adding to the definition that the nonprofit organization must primarily support students that lack financial resources, and that the nonprofit organization must be

approved by the Florida Prepaid Board for inclusion in the dormitory residence plan.

- Changes the restriction on fees paid to a qualified nonprofit organization to specify that the fees may not exceed the average fees, rather than maximum fees, charged for dormitories or residences at state universities, FCS institutions, or FCS institution direct-support organizations.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
	.	
	.	
	.	

The Committee on Education (Flores) recommended the following:

Senate Amendment (with title amendment)

Delete lines 48 - 86
and insert:
for inclusion in the plan. In addition, any state university may
request immediate termination of a dormitory residence contract
based on a violation or multiple violations of rules of the
residence hall or other university-held residences. In the event
that sufficient housing is not available for all qualified
beneficiaries, the board shall refund the purchaser or qualified
beneficiary an amount equal to the fees charged for dormitory



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residence during that semester. If a qualified beneficiary is admitted to the state university and finds housing with a qualified nonprofit organization, as defined in subparagraph 2., that is approved by the state university, the state university may transfer or cause to have transferred to the qualified nonprofit organization the fees associated with dormitory residence. If a qualified beneficiary fails to be admitted to a state university or chooses to attend a Florida College System institution that operates one or more dormitories or residency opportunities, or has one or more dormitories or residency opportunities operated by the Florida College System institution direct-support organization, the qualified beneficiary may transfer or cause to have transferred to the Florida College System institution, or Florida College System institution direct-support organization, the fees associated with dormitory residence. If a qualified beneficiary attends a Florida College System institution and finds housing with a qualified nonprofit organization, as defined in subparagraph 2., that is approved by the Florida College System institution, the Florida College System institution may transfer or cause to have transferred to the qualified nonprofit organization the fees associated with dormitory residence. Dormitory fees transferred to a ~~the~~ Florida College System institution, ~~or~~ Florida College System institution direct-support organization, or qualified nonprofit organization may not exceed the average ~~maximum~~ fees charged for state university dormitory residence for the purposes of this section, or the fees charged for Florida College System institution or Florida College System institution direct-support organization dormitories or residency opportunities, whichever



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is less.

2. For purposes of this paragraph, the term "qualified nonprofit organization" means a nonprofit organization under s. 501(c)(3) of the United States Internal Revenue Code which provides one or more dormitories or residency opportunities to students enrolled full-time in a state university or Florida College System institution, primarily supports students that lack financial resources, and has been approved by the board for inclusion in the plan.

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

And the title is amended as follows:

Delete lines 3 - 15

and insert:

1009.98, F.S.; authorizing the transfer of fees associated with dormitory residency to approved qualified nonprofit organizations under certain circumstances; prohibiting transferred fees from exceeding a specified amount; defining the term "qualified nonprofit organization"; providing an effective date.

By Senator Flores

39-00814-19

2019464__

A bill to be entitled

An act relating to prepaid college plans; amending s. 1009.98, F.S.; authorizing each state university to specify the qualified nonprofit organizations that may receive prepaid dormitory residence plan fees; authorizing a qualified beneficiary to transfer or cause to have transferred the fees associated with dormitory residence to certain Florida College System institutions, Florida College System institution direct-support organizations, or qualified nonprofit organizations; defining the term "qualified nonprofit organization"; specifying that dormitory fees transferred to a qualified nonprofit organization may not exceed a certain limitation; making technical changes; providing an effective date.

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

Section 1. Paragraph (d) of subsection (2) of section 1009.98, Florida Statutes, is amended to read:

1009.98 Stanley G. Tate Florida Prepaid College Program.—

(2) PREPAID COLLEGE PLANS.—At a minimum, the board shall make advance payment contracts available for two independent plans to be known as the Florida College System institution plan and the university plan. The board may also make advance payment contracts available for a dormitory residence plan. The board may restrict the number of participants in the Florida College System institution plan, university plan, and dormitory residence plan, respectively. However, any person denied

Page 1 of 3

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participation solely on the basis of such restriction shall be granted priority for participation during the succeeding year.

(d) 1. Through the dormitory residence plan, the advance payment contract may provide prepaid housing fees for a maximum of 10 semesters of full-time undergraduate enrollment in a state university. Dormitory residence plans must ~~shall~~ be purchased in increments of 2 semesters. The cost of participation in the dormitory residence plan shall be based primarily on the average current and projected housing fees within the State University System and the number of years expected to elapse between the purchase of the plan on behalf of a qualified beneficiary and the exercise of the benefits provided in the plan by such beneficiary. Qualified beneficiaries shall have the highest priority in the assignment of housing within university residence halls. Qualified beneficiaries shall bear the cost of any additional elective charges such as laundry service or long-distance telephone service. Each state university may specify the residence halls or other university-held residences eligible for inclusion in the plan. Each state university may specify qualified nonprofit organizations as defined in sub-sub- subparagraph 2.a.(III) which may receive prepaid dormitory residence plan fees. In addition, any state university may request immediate termination of a dormitory residence contract based on a violation or multiple violations of rules of the residence hall or other university-held residences. In the event that sufficient housing is not available for all qualified beneficiaries, the board shall refund the purchaser or qualified beneficiary an amount equal to the fees charged for dormitory residence during that semester.

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

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59 2.a. If a qualified beneficiary fails to be admitted to a
60 state university or chooses to attend a Florida College System
61 institution that operates one or more dormitories or residency
62 opportunities, or has one or more dormitories or residency
63 opportunities operated by the Florida College System institution
64 direct-support organization, the qualified beneficiary may
65 transfer or cause to have transferred the fees associated with
66 dormitory residence to:

67 (I) A the Florida College System institution that operates
68 one or more dormitories or residency opportunities; ~~or~~

69 (II) A Florida College System institution direct-support
70 organization that operates one or more dormitories or residency
71 opportunities; or

72 (III) A qualified nonprofit organization the fees
73 associated with dormitory residence. For the purposes of this
74 paragraph, the term "qualified nonprofit organization" means a
75 nonprofit organization under s. 501(c)(3) of the Internal
76 Revenue Code which provides student living housing on or near
77 the campus of a Florida College System institution or state
78 university to full-time students of that institution.

79 b. Dormitory fees transferred to the Florida College System
80 institution, ~~or~~ Florida College System institution direct-
81 support organization, or qualified nonprofit organization may
82 not exceed the maximum fees charged for state university
83 dormitory residence for the purposes of this section, or the
84 fees charged for Florida College System institution or Florida
85 College System institution direct-support organization
86 dormitories or residency opportunities, whichever is less.

87 Section 2. This act shall take effect July 1, 2019.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 770

INTRODUCER: Education Committee and Senators Hutson and Perry

SUBJECT: Education

DATE: March 20, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Graf	Sikes	ED	Fav/CS
2. _____	_____	IT	_____
3. _____	_____	AP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 770 promotes career education and readiness opportunities for students in public schools. The bill creates an alternative pathway, namely the career and technical education (CTE) graduation pathway option, for students to earn a standard high school diploma, and specifies related requirements. Additionally, the bill provides responsibilities for district school boards and the Department of Education (DOE) regarding career education opportunities, specifies options for students to substitute computer science credit for certain credits required for high school graduation, and revises requirements related to CAPE Digital Tool Certificates and adjunct educator certification.

Specifically, the bill:

- Requires students to successfully complete at least 18 credits to receive a standard high school diploma under the CTE graduation pathway option, and exempts a charter school that exclusively offers the CTE pathway option from application requirements related to district school boards but specifies that such charter schools must comply with the application requirements relating to the DOE.
- Modifies the 24-credit pathway for earning a standard high school diploma by revising computer science credit substitution for mathematics or science credits, and creates a mechanism for the review of the sufficiency of career education course standards to meet the Algebra I credit requirement.

- Revises the acceleration mechanism component for the school grade calculation for high schools by specifying that dual enrollment courses include career clock-hour dual enrollment courses.
- Creates the Florida Pathways to Career Opportunities Grant Program to enable high school and Florida College System institutions to offer applied learning opportunities for students in high-demand career pathways linked to occupations that will provide students with middle-level and high-level wages.
- Increases from 15 to 30, the limit on the number of CAPE Digital Tool Certificates that must be identified annually.
- Restores middle grades career education and planning course requirements which were eliminated in 2017, with some modifications.
- Requires district school boards to also declare a “College and Career Decision Day” to recognize high school seniors and encourage them to prepare for college and pursue advanced career pathways.
- Requires the DOE to provide assistance to specified entities in notifying students, parents, and members of the community about apprenticeship and preapprenticeship opportunities.
- Authorizes school districts to issue an adjunct teaching certificate for a full-time teaching position, but specifies that such certificates are valid for a period of three years and are not renewable. The bill also specifies reporting requirements for school districts.

The bill takes effect July 1, 2019.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

The Legislature has made policy and funding investments to provide students access to career education and readiness opportunities in public schools.

Standard High School Diploma Requirements

To graduate from high school with a standard high school diploma, a student must successfully complete 24 credits or 18 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.¹

Present Situation

24-Credit Requirement

A student must successfully complete 24 credits in the following subject areas:²

- Four credits in English Language Arts (ELA) I, II, III, and IV. A student must pass the

¹ Sections 1002.3105(5) and 1003.4282(1)(a), F.S.

² Section 1003.4282(3), F.S.

statewide, standardized grade 10 ELA assessment, or earn a concordant score, in order to earn a standard high school diploma.

- Four credits in mathematics, including one each in Algebra I and Geometry. A student's performance on the statewide, standardized Algebra I end-of-course (EOC) assessment and Geometry EOC assessment each constitute 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, to earn a standard high school diploma. A student who earns an industry certification³ for which there is a statewide college credit articulation agreement approved by the State Board of Education (state board or SBE) may substitute the certification for one mathematics credit. Substitution may occur 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.⁴ The Biology I EOC assessment constitutes 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the state board 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; 0.5 credit in economics, which must include financial literacy; and 0.5 credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade.
- One credit in fine or performing arts, speech and debate, or practical arts that incorporates artistic content and techniques of creativity, interpretation, and imagination.
- One credit in physical education that must include the integration of health.
- Eight credits in electives. School districts are required to develop and offer coordinated electives to enable a student to develop knowledge and skills in his or her area of interest and 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.

Florida law specifies that at least 1 of the 24 credits required for earning a standard high school diploma must be completed through online learning.⁵ Finally, to earn a standard high school diploma, students must also earn a cumulative grade point average (GPA) of 2.0 on a 4.0 scale.⁶

18-Credit Requirement

Students may also earn a standard high school diploma after completing 18 credits under the Academically Challenging Curriculum to Enhance Learning (ACCEL) option.⁷ ACCEL options

³ Industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of a credential that is nationally recognized and must be at least one of the following: within an industry that addresses a critical local or statewide economic need; linked to an occupation that is included in the workforce system's targeted occupation list; or linked to an occupation that is identified as emerging. Section 1003.492(2), F.S.

⁴ Two of the three required science credits must have a laboratory component. Section 1003.4282(3)(c), F.S.

⁵ Section 1003.4282(4), F.S.

⁶ *Id.*, (6)(a).

⁷ Section 1002.3105(5), F.S.

are educational options that provide academically challenging curriculum or accelerated instruction to eligible public school students in kindergarten through grade 12.⁸

At a minimum, each school must offer the following ACCEL options: whole-grade and midyear promotion; subject-matter acceleration; virtual instruction in higher grade level subjects; and the Credit Acceleration Program.⁹ Additional ACCEL options may include, but are not limited to, enriched science, technology, engineering, and mathematics coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; rigorous industry certifications that are articulated to college credit and approved in accordance with the law;¹⁰ work-related internships or apprenticeships; curriculum compacting; advanced-content instruction; and telescoping curriculum.¹¹

Under the ACCEL option, students need to earn fewer elective credits (i.e., 3 credits in electives instead of the required 8 credits under the 24-credit standard high school diploma pathway) and students are not required to earn one credit in physical education.¹² Additionally, similar to the requirements specified in law for the 24-credit pathway for earning a standard high school diploma, under the ACCEL option, students must earn a cumulative GPA of 2.0 on a 4.0 scale.¹³

Exceptions to the Credit Requirements to Earn a Standard High School Diploma

An adult student in an adult general education program¹⁴ must be awarded a standard high school diploma if the student meets the specified requirements for the 24-credit pathway or the 18-credit ACCEL option, except that:¹⁵

- One elective credit may be substituted for the 1 credit requirement in fine or performing arts, speech and debate, or practical arts.
- The requirement that two of the science credits include a laboratory component may be waived by the district school board.
- The one credit in physical education may be substituted with an elective credit.

Effect of Proposed Changes

24-Credit Requirement

The bill modifies the 24-credit pathway for earning a standard high school diploma by modifying the mathematics and science credit requirements in the following ways:

- A student who earns a computer science credit may substitute the credit for up to one credit of the mathematics requirement, with the exception of Algebra I and Geometry, if the

⁸ Section 1002.3105(1)(a), F.S.

⁹ *Id.*, at (1)(b). The Credit Acceleration Program is created to allow a student to earn high school credit in courses required for high school graduation through passage of a statewide, standardized end-of-course (EOC) assessment, an Advanced Placement (AP) Examination, or a College Level Examination Program (CLEP). A school district must 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 EOC assessment, AP Examination, or CLEP. Section 1003.4295(3), F.S.

¹⁰ Sections 1003.492 and 1008.44, F.S.

¹¹ Section 1002.3105(1)(b), F.S.

¹² *Id.*, at (5).

¹³ Sections 1002.3105(5) and 1003.4282(6)(a), F.S.

¹⁴ Section 1004.93, F.S.

¹⁵ Section 1003.4282(6)(b), F.S.

commissioner identifies the computer science credit as being equivalent in rigor to the mathematics credit. A student who earns an industry certification in 3D rapid prototype printing may satisfy up to two credits of the mathematics requirement, with the exception of Algebra I, if the commissioner identifies the certification as being equivalent in rigor to the mathematics credit or credits.

- A student who earns a computer science credit may substitute the credit for up to one credit of the science requirement, with the exception of Biology I, if the commissioner identifies the computer science credit as being equivalent in rigor to the science credit.
- An identified computer science credit may not be used to substitute for both a mathematics credit and a science credit.

The bill provisions are similar to computer science and computer technology credit substitutions that are authorized in law.¹⁶ However, current law authorizes mathematics or science credit substitutions for students who earn at least one credit in computer science and also earn a related industry certification.¹⁷ The bill does not require the earning of an industry certification for the computer science credit substitution for mathematics credit or science credit.

In contrast to the Algebra I credit exception specified for computer science credit substitution for one mathematics credit, the bill creates a mechanism for the review of the sufficiency of career education course standards to meet the Algebra I credit requirement. Specifically, the bill modifies the state board's responsibilities regarding the determination of academic standards for career education courses that warrant the award of academic credit by requiring the state board to make such determination at least biennially and include credit for Algebra I in the determination. The bill specifies that a student who earns a credit for a course through a career education course based on the state board's determination regarding the award of academic credit, must still take and pass the Algebra I EOC assessment and grade 10 ELA assessment to fulfill the requirements to earn a standard high school diploma.

At least 18 Credit-Career and Technical Education Graduation Pathway Option

The bill also creates an alternative pathway, as an option, for students to earn a standard high school diploma. The bill specifies that, beginning with the 2019-2020 school year, a student is eligible to complete an alternative pathway to earning a standard high school diploma through the Career and Technical Education (CTE) pathway option.

Receipt of a standard high school diploma awarded through the CTE pathway option requires the student's successful completion of at least 18 credits. The bill specifies that a student completing the CTE pathway option must earn at least a cumulative GPA of 2.0 on a 4.0 scale. This GPA requirement is consistent with the existing 24-credit and 18-credit requirements for earning a standard high school diploma.¹⁸

Under the CTE pathway option, the bill establishes high school credit requirements that are different from the 24-credit and 18-credit options but maintains the assessment requirements which are specified in law. The bill also allows for industry certification substitution for

¹⁶ Section 1007.2616(6)(a), F.S.

¹⁷ *Id.*

¹⁸ Section 1002.3105(5) and 1002.4282(6)(a), F.S.

mathematics or science credits if a student earns the industry certifications for which there is a statewide college credit articulation agreement approved by the state board. In 2017-2018, students earned 63,520 certifications for which there are statewide articulation agreements.¹⁹

The bill specifies that a student must be awarded a standard high school diploma if the student:

- Completes four credits in ELA I, II, III, and IV, consistent with the existing 24-credit and 18-credit requirements for earning a standard high school diploma. The bill:
 - Specifies that a student may substitute up to four credits in ELA honors, AP, AICE, IB, or dual enrollment courses for the required ELA credits.
 - Authorizes a student to complete the ELA courses online and complete two or more ELA credits in a single year.

The bill maintains the existing ELA assessment requirement by specifying that a student must pass the statewide, standardized grade 10 ELA assessment, or earn a concordant score, to earn a standard high school diploma.

- Completes four credits in mathematics, consistent with the existing 24-credit and 18-credit requirements for earning a standard high school diploma. Additionally, consistent with the existing 24-credit and 18-credit requirements, the bill specifies the following:
 - A student must earn one credit each in Algebra I and Geometry.
 - A student's performance on the statewide, standardized Algebra I EOC assessment and Geometry EOC assessment, each constitute 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, to earn a standard high school diploma.
 - A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the state board may substitute the certification for one mathematics credit, except for Algebra I and Geometry.
- Completes three credits in science, which is consistent with the existing 24-credit and 18-credit requirements for earning a standard high school diploma. Additionally, consistent with the existing 24-credit and 18-credit requirements, the bill specifies that:
 - Two of the three required science credits must have a laboratory component.
 - A student must earn one credit in Biology I and two credits in equally rigorous courses.
 - The Biology I EOC assessment constitutes 30 percent of the student's final course grade.

However, in contrast to the existing 24-credit and 18-credit requirements, a student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the state board may substitute the certification for two science credits, except for Biology I. The existing 24-credit and 18-credit requirements authorize industry certification substitution for one science credit that is not Biology I.²⁰
- Completes three credits in social studies, which is similar to the existing 24-credit and 18-credit requirements for earning a standard high school diploma. Specifically, the bill requires that:
 - A student earn one credit each in United States History and World History, 0.5 credit in United States Government, and 0.5 credit in economics.
 - The United States History EOC assessment constitutes 30 percent of the student's final course grade.

¹⁹ Florida Department of Education, *2019 Agency Legislative Bill Analysis for HB 661* (March 14, 2019), at 5.

²⁰ Sections 1002.3105(5) and 1003.4282(3)(c), F.S.

The bill does not specify the financial literacy credit requirement under the social studies credit requirements. Currently, financial literacy is a component of the 0.5 credit in economics, under the social studies credit requirements.²¹

- Completes 0.5 credit in financial literacy. Accordingly, in contrast to the existing 24-credit and 18-credit requirements for earning a standard high school diploma, the bill creates a separate 0.5 credit in financial literacy under the CTE graduation pathway option.
- Completes two credits in CTE, which is not a specified requirement under the existing 24-credit and 18-credit requirements for earning a standard high school diploma. The bill specifies that the courses must result in a program completion and an industry certification.
 - The bill does not specify the number of CTE courses that students must take to complete a program and earn an industry certification. Current law requires the state board to adopt rules to implement the requirements associated with the award of a standard high school diploma.²² Accordingly, the state board has the authority to specify the courses that students may take to complete relevant programs and earn the three credits in CTE.
- Completes 1.5 credits in work-based learning programs, which is not a specified requirement under the existing 24-credit and 18-credit requirements for earning a standard high school diploma. The bill specifies that a student must earn 1.5 credits through work-based learning program courses. A student may substitute up to 1.5 credits of electives for work-based learning program courses to fulfill this requirement. The state board may need to modify existing rules to identify work-based learning programs that students may participate in to generate the 1.5 credits toward earning a standard high school diploma.
 - According to the DOE, the CTE frameworks include a variety of courses (contained in the course code directory) that could qualify as work-based learning.²³ In addition to the CTE courses, section 3 of the course code directory²⁴ includes four Executive Internship courses that could be classified as work-based learning.²⁵
- Sits for the statewide, standardized Geometry EOC assessment, Biology EOC assessment, and United States History EOC assessment.

In contrast to the existing 24-credit requirement for earning a standard high school diploma,²⁶ the CTE graduation pathway option does not require students to:

- Earn:
 - One credit in fine or performing arts, speech and debate, or practical arts that incorporates artistic content and techniques of creativity, interpretation, and imagination.
 - One credit in physical education that must include the integration of health.²⁷

²¹ Section 1003.4282(3)(d), F.S.

²² *Id.*, at (11).

²³ Florida Department of Education, *2019 Agency Legislative Bill Analysis for HB 661* (March 14, 2019), at 4.

²⁴ The Course Code Directory (CCD) lists all public preK-12 and postsecondary career and technical education courses that are available for use by school districts. Programs and courses that 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 course information to schools, districts, and the state. Rule 6A-1.09441, F.A.C.

²⁵ Florida Department of Education, *2019 Agency Legislative Bill Analysis for HB 661* (March 14, 2019), at 4.

²⁶ Section 1003.4282(3), F.S.

²⁷ The Academically Challenging Curriculum to Enhance Learning (ACCEL) option does not require students to earn 1 credit in physical education. Section 1002.3105(5), F.S.

- Eight credits in electives.²⁸ However, the bill authorizes a student to substitute up to 1.5 credits of electives to fulfill the work-based learning program requirement.
- Complete 1 of the 24 credits through online learning.

The bill also provides requirements for principals and district school boards. Specifically, the bill requires:

- Each principal or the principal's faculty designee, who must be designated as an academic advisor, to:
 - Inform parents and students about the CTE graduation pathway option available at the school and the related requirements;
 - Establish a process by which a parent may request student participation in the CTE graduation pathway option. The student must be provided the opportunity to participate in the CTE graduation pathway option;
 - Establish a process to verify a student's progress and completion of the CTE graduation pathway option; and
 - Meet with any student who has a cumulative GPA that falls below 2.0 during the first semester in which his or her GPA falls below 2.0, and any subsequent semester in which his or her GPA remains below 2.0, to discuss CTE pathway options.
- Each district school board to incorporate the CTE graduation pathway option in the district's student progression plan.

The bill promotes career and technical education and training opportunities for high school students, which may prepare students with the knowledge, skills, and credentials to enter the workforce. The CTE graduation pathway option does not specify any credits in electives which could potentially include 2 credits in foreign language that are required for admission into an undergraduate degree program at a state university in Florida.²⁹

The bill also specifies that adjunct educators, who are certified in accordance with the law,³⁰ may administer courses in the CTE pathway option. Additionally, the bill indicates an alternative application process for charter schools that exclusively offer the CTE pathway option.

Charter School Application Process

Present Situation

Under current law, a district school board may sponsor a charter school in the county over which the district school board has jurisdiction.³¹ Additionally, a state university may grant a charter to

²⁸ The ACCEL option requires students to earn 3 credits in electives. Section 1002.3105(5), F.S.

²⁹ Board of Governors, Regulation 6.002(2)(a).

³⁰ Florida law requires district school boards to adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10), F.S., and who has expertise in the subject area to be taught. An applicant must be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test. The adjunct teaching certificate must be used for part-time teaching positions. Section 1012.57, F.S. The requirements specified in law for adjunct teacher certification does not include the requirement to demonstrate mastery of general knowledge. *Id.*

³¹ Section 1002.33(5)(a)1., F.S.

a developmental research (laboratory) school³² and must be considered to be the school's sponsor.³³ Such school must be considered a charter lab school.³⁴

A sponsor receives and reviews all charter school applications³⁵ and, within 90 calendar days of receipt, must approve or deny the application.³⁶ All charter applicants must prepare and submit an application on a standard application form prepared by the Department of Education (DOE or department), which:³⁷

- Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
- Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.
- Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.
- Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor must deny an application if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.
- Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.
- Discloses the name of each applicant, governing board member, and all proposed education services providers; the name and sponsor of any charter school operated by each applicant, each governing board member, and each proposed education services provider that has closed and the reasons for the closure; and the academic and financial history of such charter schools, which the sponsor must consider in deciding whether to approve or deny the application.
- Contains additional information a sponsor may require, which must be attached as an addendum to the charter school application described in this paragraph.
- For the establishment of a virtual charter school, documents that the applicant has contracted with a provider of virtual instruction services in accordance with the law.³⁸

If a sponsor denies an application submitted by a high-performing charter school or a high-performing charter school system, the sponsor must provide specific written reasons for the denial within 10 calendar days after such denial.³⁹ An applicant may appeal any denial of that applicant's application or failure to act on an application to the SBE no later than 30 calendar

³² Section 1002.32, F.S.

³³ Section 1002.33(5)(a)2., F.S.

³⁴ *Id.*

³⁵ Section 1002.33(6)(b), F.S.

³⁶ *Id.* at 3.a.

³⁷ Section 1002.33(6)(a), F.S.

³⁸ Section 1002.45(1)(d), F.S.

³⁹ Section 1002.33(6)(b)3.c., F.S.

days after receipt of the sponsor's decision or failure to act and must notify the sponsor of its appeal.⁴⁰ Any response of the sponsor must be submitted to the state board within 30 calendar days after notification of the appeal.⁴¹

Upon receipt of notification from the state board that a charter school applicant is filing an appeal, the Commissioner of Education (commissioner) must convene a meeting of the Charter School Appeal Commission (commission) to study and make recommendations to the SBE regarding its pending decision about the appeal.⁴² The commission must forward its recommendation to the state board at least 7 calendar days before the date on which the appeal is to be heard.⁴³ The state board's decision is a final action subject to judicial review in the district court of appeal.⁴⁴

Effect of Proposed Changes

The bill exempts a charter school that exclusively offers the CTE pathway option from application requirements related to district school boards but specifies that such charter schools must comply with the application requirements relating to the department. Current law does not provide for an alternative to the charter school application process that is specified in law.

School Grading System

Present Situation

Florida law specifies the components of the school grading system, with each component worth 100 points.⁴⁵ For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade must also be based on the following components, each worth 100 points:⁴⁶

- The 4-year high school graduation rate of the school as defined by state board rule.
- The percentage of students who were eligible to earn college and career credit through College Board Advanced Placement examinations, International Baccalaureate examinations, dual enrollment courses, or Advanced International Certificate of Education examinations; or who, at any time during high school, earned national industry certification identified in the CAPE Industry Certification Funding List, pursuant to rules adopted by the state board.

Effect of Proposed Changes

The bill elevates the importance of career education by revising a school grade component for high schools to specify that dual enrollment courses include career clock-hour dual enrollment courses, beginning with the 2019-2020 school year.

⁴⁰ Section 1002.33(6)(c)1, F.S.

⁴¹ *Id.*

⁴² Section 1002.33(6)(c)1., F.S.

⁴³ *Id.*

⁴⁴ *Id.* at (d).

⁴⁵ Section 1008.34(3)(b)1., F.S.

⁴⁶ *Id.* at 2.

Career Education Opportunities

Present Situation

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.⁴⁷ The state board must adopt, by rule, standards of basic skill mastery for completion of certificate career education programs.⁴⁸ Each school district and Florida College System (FCS) institution that conducts programs that confer career and technical certificates must provide applied academics instruction through which students receive the basic skills instruction.⁴⁹

The CTE Programs section within the Division of Career and Adult Education, DOE, is responsible for developing and maintaining educational programs that prepare individuals for occupations important to Florida's economic development.⁵⁰ Each CTE program is aligned to a career cluster and is detailed in curriculum frameworks adopted by the state board.⁵¹ The programs and courses adopted range from middle grades through associate in science degree level. With the help of educators, business and industry representatives, and trade associations, CTE programs are aligned with the skill requirements needed in today's workforce. For 2018-19, the following total K-12 programs are approved:⁵²

- 88 Middle School Programs.
- 194 High School Programs.
- 81 Practical Arts/single course offerings.

The Legislature enacted the Florida Career and Professional Education (CAPE) Act to provide a statewide planning partnership between the business and education communities to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.⁵³ The primary purpose of the CAPE Act is to:⁵⁴

- Improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities;
- Provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and lead to industry certification;
- Support local and regional economic development;
- Respond to Florida's critical workforce needs; and
- Provide state residents with access to high-wage and high-demand careers.

Florida's job market is growing, but 1.7 million more jobs will be needed by 2030.⁵⁵ Sixty-four percent of Florida jobs in 2025 will require a postsecondary degree or certificate (postsecondary

⁴⁷ Section 1004.92(1), F.S.

⁴⁸ Section 1004.91(1), F.S.

⁴⁹ *Id.*

⁵⁰ Florida Department of Education, *2019 Agency Legislative Bill Analysis for HB 661* (March 14, 2019), at 4.

⁵¹ *Id.*

⁵² *Id.*

⁵³ Section 1003.491, F.S.

⁵⁴ *Id.* at (1).

⁵⁵ Florida Department of Education, *Presentation to Florida House of Representatives Education Committee* (Feb. 5, 2019), available at

vocational, associate, bachelor's, master's or higher).⁵⁶ Currently, 48 percent of working age Floridians have a high quality credential or degree.⁵⁷ Florida ranks 21st in the nation for percentage of adults with education and high-quality workforce credentials.⁵⁸

Effect of Proposed Changes

The bill creates the Florida Pathways to Career Opportunities Grant (grant) Program to enable high school and FCS institutions to offer applied learning opportunities for students in high-demand career pathways linked to occupations that will provide students with middle-level and high-level wages.

The bill specifies that the Legislature intends for the grant program fund to provide individual grants statewide to serve students in grades 9-12 and students within the first 60 hours of college coursework who enter a career pathway that enables them to master the skills they need to graduate with a career certificate or a 2-year technical degree to secure an entry-level position in an industry. Additionally, the bill:

- Authorizes school districts, charter schools, and FCS institutions to apply for grant funding, and requires the applicants to agree to provide information specified in the bill to the commissioner timely.
- Requires selected institutions to provide students with opportunities to earn industry certifications, 60 hours of college credit, or an associate of arts degree by the time they graduate from high school, and the opportunity to gain valuable work experience through internships, externships, apprenticeships, or other job training programs.
- Requires each grant application to include the expertise of public institutions and the participation of one secondary partner and one or more postsecondary and industry partners.
- Requires the commissioner to establish an application process for allocated grants under the grant program.
- Specifies that priority for grants must be given to grant proposals that increase opportunities for underrepresented students such as minority, low-income, or rural students, or girls in computer science courses.
- Requires the commissioner to annually report, by December 1, to the Governor, President of the Senate, and Speaker of the House of Representatives, information specified in the bill about participating students and their outcomes, student demographics, identification of high-demand career pathways linked to occupations that provide students with middle-level and high-level wages, as reflected by labor market demand.
- Requires the state board to adopt rules to implement the grant program.

In addition, the bill specifies the following information that grant proposals must address:

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2996&Session=2019&DocumentType=Meeting%20Packets&FileName=edc%202-5-19.pdf>, at 27 of 77.

⁵⁶ Florida Department of Economic Opportunity, *Florida Strategic Plan for Economic Development*, available at <http://www.floridajobs.org/docs/default-source/division-of-strategic-business-development/fl5yrplan/fl-strategic-plan-booklet-2.pdf?sfvrsn=6>, at 13.

⁵⁷ Lumina Foundation, *Presentation to Florida House of Representatives Higher Education & Career Readiness Subcommittee* (Feb. 7, 2019), available at

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3016&Session=2019&DocumentType=Meeting%20Packets&FileName=hec%202-7-19.pdf%20>, at 8 of 58.

⁵⁸ *Id.*

- Give students opportunities to earn the following:
 - Industry certifications, associate degrees, postsecondary certificates, or college credit aligned to high-demand workforce needs of the state, region, or local area and linked to occupations that provide a middle wage or high wage within 6 years; and
 - Applied learning experiences through internships, externships, apprenticeships, or other job training programs;
- Provide students with mentorship or career counseling informed by labor market demand;
- Provide industry and employer partner memoranda of understanding to ensure the program is aligned to in-demand skills and which show the nature of the industry and employer partnership;
- Identify how the proposal will address opportunities for underrepresented students such as minority, low-income, or rural students, or girls in computer science courses;
- Identify how the school district, charter school, or FCS institution will use the grant funding and leverage other available funds to provide continued support for the program;
- Provide the training and academic preparation at no cost to students; and
- Identify the postsecondary partners to ensure appropriate articulation and dual enrollment opportunities and provide memoranda of understanding that show the nature of the postsecondary partnership.

In effect, the bill provides incentives to school districts, charter schools, and FCS institutions to expand student access to career education opportunities.

CAPE Digital Tool Certificates

Present Situation

The DOE must identify, by June 15 of each year, CAPE Digital Tool certificates that indicate a student's digital skills.⁵⁹ The department must notify each school district when the certificates are available.⁶⁰ The certificates must be made available to all public elementary and middle grades students.⁶¹ It is the intent of the Legislature that by July 1, 2018, on an annual basis, at least 75 percent of public middle grades students earn at least one CAPE Digital Tool certificate.⁶² During the 2017-2018 school year, students earned 40,953 CAPE Digital Tool certificates.⁶³

Current law limits CAPE Digital Tool certificates to no more than 15 annually, limited to the areas of word processing; spreadsheets; sound, motion, and color presentations; digital arts; cybersecurity; and coding that do not articulate for college credit.⁶⁴ Such certificates must be annually identified on the CAPE Industry Certification Funding List and updated solely by the Chancellor of Career and Adult Education.⁶⁵ The certificates must be made available to students

⁵⁹ Section 1003.4203(3), F.S.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*, at (c).

⁶³ Florida Department of Education, *Industry Certifications Earned by Certification – 2013-14 to 2017-18*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/ic-earned1314-1718.xls>.

⁶⁴ Section 1008.44(1)(b), F.S.

⁶⁵ *Id.*

in elementary school and middle school grades and, if earned by a student, must be eligible for additional 0.025 full-time equivalent membership in accordance with the law.⁶⁶

Effect of Proposed Changes

The bill promotes career education opportunities for students in elementary and middle schools by increasing from 15 to 30, the limit on the number of CAPE Digital Tool Certificates that must be identified annually. As a result, the bill increases the number of certificates that may be available to students, which may result in the school districts receiving additional bonus funds for each of such certificates earned by students.

Career and Education Planning Course

Present Situation

Florida law specifies the general requirements for middle grades promotion.⁶⁷ Accordingly, students must successfully complete the specified courses to be promoted to high school.⁶⁸ In 2006, the Legislature created the requirements for middle grades promotion, which included one course in career and education planning.⁶⁹ In 2017, the requirement for students to complete the career and education planning course was eliminated.⁷⁰

Effect of Proposed Changes

The bill restores successful completion of the career education and planning course, with some modifications, as a requirement for students to be promoted to high school. The bill reinstates the career education and planning course requirements that were eliminated in 2017, except that the bill:

- Clarifies that the required academic and career plan must include information about the requirements for each type⁷¹ of Florida Bright Futures Scholarship.
- Requires the course to emphasize employability skills.
- Requires that upon completion of the career and education planning course, a student's personalized academic and career plan must be sent to the student's academic advisor who must inform the student about the CTE graduation pathway option.
- Does not require the course to emphasize technology or the application of technology in career fields.
- Does not specify the requirements for:
 - Schools to inform parents about the course curriculum and activities;
 - Each student to complete a personal education plan that must be signed by the student and the student's parent;
 - The DOE to develop course frameworks and professional development materials for the course; and

⁶⁶ Sections 1008.44(1)(b) and 1011.62(1)(o)1., F.S.

⁶⁷ Section 1003.4156(1), F.S.

⁶⁸ *Id.*

⁶⁹ Section 21, ch. 2006-74, L.O.F.

⁷⁰ Section 60, ch. 2017-116, L.O.F.

⁷¹ The Florida Bright Futures Scholarship Program consists of the following types of awards: Florida Academic Scholarship, Florida Medallion Scholarship, Florida Gold Seal Vocational Scholarship, and Florida Gold Seal CAPE Scholarship. Section 1009.53(2) and 1009.536, F.S.

- The commissioner to collect longitudinal high school course enrollment data by student ethnicity to analyze course-taking patterns.

Recognition of Academic and Workforce Achievement

Present Situation

District school boards are authorized to exercise powers and duties in accordance with the law or SBE rule.⁷² For instance, a district school board is encouraged to adopt policies and procedures to provide for a student “Academic Scholarship Signing Day” by declaring the third Tuesday in April each year as “Academic Scholarship Signing Day.” The “Academic Scholarship Signing Day” must recognize the outstanding academic achievement of high school seniors who sign a letter of intent to accept an academic scholarship offered to the student by a postsecondary educational institution.⁷³

District school board policies and procedures may include events in which students offered academic scholarships assemble and sign actual or ceremonial documents accepting those scholarships.⁷⁴

Effect of Proposed Changes

The bill maintains district school boards’ authority to recognize students’ academic achievement, but specifies that a district school board must adopt policies and procedures to declare a “College and Career Decision Day” to recognize high school seniors for their postsecondary education plans and to encourage:

- Early preparation for college, and
- Students to pursue advanced career pathways through the attainment of industry certifications for which there are statewide college credit articulation agreements.

Accordingly, the bill provides a mechanism for acknowledging workforce education and readiness of students.

Apprenticeship and Preapprenticeship Programs

The Florida Legislature has established educational opportunities for young people in the state to be trained for trades, occupations, and professions suited to their abilities.⁷⁵

Present Situation

The National Apprenticeship Act (Act) of 1937 authorized the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging their inclusion in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, and to cooperate with state agencies engaged in the formulation and promotion of

⁷² Section 1001.43, F.S.

⁷³ *Id.* at (14)(b).

⁷⁴ *Id.*

⁷⁵ Chapter 446, F.S.

standards of apprenticeship.⁷⁶

Nationally, registered apprenticeship programs increased by 56 percent between 2013 and 2018.⁷⁷ There are over 585,000 apprentices currently obtaining the skills they need to succeed while earning the wages they need to build financial security.⁷⁸ Over 71,000 participants graduated from apprenticeship programs in fiscal year 2018, and over 47,000 veterans nationwide are participating in an apprenticeship program.⁷⁹

Apprenticeship Programs

An apprenticeship program is an organized course of instruction, registered and approved by the DOE,⁸⁰ which contains all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices⁸¹ including such matters as the requirements for a written apprenticeship agreement.⁸² The DOE is responsible for administering, facilitating, and supervising registered apprenticeship programs.⁸³ Florida law specifies general duties of the DOE for apprenticeship training.⁸⁴ Presently, there are 223 registered apprenticeship programs and 11,879 active registered apprentices located statewide.⁸⁵

Preapprenticeship Programs

A preapprenticeship program is an organized course of instruction in the public school system or elsewhere, which is designed to prepare a person 16 years of age or older to become an apprentice⁸⁶ and is approved by and registered with the DOE and sponsored by a registered apprenticeship program.⁸⁷ The DOE, under regulations established by the state board, may

⁷⁶ United States Department of Labor, *Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations*, Federal Register, Vol. 73, No. 210, amending 29 CFR Part 29, available at <https://doleta.gov/OA/pdf/FinalRule29CFRPart29.pdf>. See also 29 U.S.C. s. 50 (1937), as amended.

⁷⁷ United States Department of Labor, *Apprenticeship: Data and Statistics*, https://www.doleta.gov/oa/data_statistics.cfm (last visited March 14, 2019).

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ Registration of an apprenticeship program means acceptance and recording of such program by the Department as meeting the basic standards and requirements of the Department for approval of such program. Approval is evidenced by a certificate or other written indicia. Rule 6A-23.002(18), F.A.C. Eligibility and requirements for registration are established in State Board of Education rule. Rule 6A-23.003, F.A.C.

⁸¹ An “apprentice” means “a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journeyman craftsmen, which training should be combined with properly coordinated studies of technical and supplementary subjects, and who has entered into a written agreement, which may be cited as an apprentice agreement, with a registered apprenticeship sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee.” Section 446.021(2), F.S. A “journeyman means” “a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.” Section 446.021(4), F.S.

⁸² Section 446.021(6), F.S. An apprenticeship agreement may not operate to invalidate any apprenticeship provision in a collective agreement between employers and employees which establishes higher apprenticeship standards. Section 446.081(1), F.S.

⁸³ Section 446.041, F.S.

⁸⁴ Section 446.032, F.S.

⁸⁵ Email, Florida Department of Education (March 15, 2019).

⁸⁶ A “preapprentice” means any person 16 years of age or over engaged in any course of instruction in the public school system or elsewhere, which course is registered as a preapprenticeship program with the department. Section 446.021(1), F.S.

⁸⁷ Section 446.021(5), F.S.

administer the provisions in law⁸⁸ which relate to preapprenticeship programs in cooperation with district school boards and community college district boards of trustees.⁸⁹ Additionally, Florida law requires cooperation between district school boards, community college district boards of trustees, and registered program sponsors, and specifies responsibilities for such entities regarding apprenticeship and preapprenticeship programs.⁹⁰ Presently, there are 29 preapprenticeship programs and 647 preapprentices located statewide.⁹¹

Effect of Proposed Changes

The bill promotes apprenticeship and preapprenticeship programs through notification about such programs to students, parents, and members of the community. Specifically, the bill:

- Adds to the DOE's general duties regarding apprenticeship training to require the department to provide assistance to district school boards, FCS institution boards of trustees, program sponsors, and local workforce development boards in notifying students, parents, and members of the community of the availability of apprenticeship and preapprenticeship opportunities, including data provided in the economic security report.⁹²
- Updates terms to replace community colleges' responsibilities regarding apprenticeship and preapprenticeship programs with FCS institutions' responsibilities.

Adjunct Educator Certification

Present Situation

It is the intent of the Legislature to allow school districts to tap the wealth of talent and expertise represented in Florida's citizens who may wish to teach part-time in a Florida public school by permitting school districts to issue adjunct certificates to qualified applicants.⁹³

District school boards are required to adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements specified in law⁹⁴ and who has expertise in the subject area to be taught.⁹⁵ An applicant must be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test.⁹⁶ The adjunct teaching certificate must be used for part-time teaching positions.⁹⁷

⁸⁸ Sections 446.011-446.092, F.S.

⁸⁹ Section 446.052(2), F.S.

⁹⁰ Section 446.052, F.S.

⁹¹ Email, Florida Department of Education (March 19, 2019).

⁹² Beginning December 31, 2013, and annually thereafter, the Department of Economic Opportunity, in consultation with the Department of Education, is required to prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions. Section 445.07, F.S.

⁹³ Section 1012.57(2), F.S.

⁹⁴ An applicant must fulfill the requirements of s. 1012.56(2)(a)-(f) and (10), F.S. The requirements specified in law for adjunct teacher certification does not include the requirement to demonstrate mastery of general knowledge. Section 1012.57(1), F.S.

⁹⁵ Section 1012.57(1), F.S.

⁹⁶ *Id.*

⁹⁷ *Id.*

Effect of Proposed Changes

The bill provides flexibilities to district school boards by expanding the boards' authority regarding the issuance of adjunct educator certificates to permit the issuance of such certificates for full-time teaching positions. However, consistent with the terms of the temporary educator certificate,⁹⁸ the bill specifies that an adjunct teaching certificate issued for a full-time teaching position is valid for no more than three years and is nonrenewable. Additionally, the bill requires each school district to:

- Post on the district's website requirements for issuance of an adjunct teaching certificates, which must specify the subject area test by which an applicant demonstrates subject area mastery.
- Annually report to the DOE the number of adjunct teaching certificates issued for full-time and part-time teaching positions.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

⁹⁸ Section 1012.56(7), F.S.

C. Government Sector Impact:

Increasing the number of CAPE Digital Tool certificates may allow some school districts to generate additional bonus funding through the Florida Education Finance Program. School districts receive bonus funding of approximately \$105 for each CAPE Digital Tool certificate awarded in the 2018-2019 academic year.

VI. Technical Deficiencies:

Although the bill requires a student completing the Career and Technical Education (CTE) pathway option to earn a cumulative GPA of 2.0 on a 4.0 scale, the criteria for awarding a standard high school diploma under the CTE pathway option does not include the GPA requirement.

Additionally, the bill does not require the earning of an industry certification for the computer science credit substitution for mathematics credit or science credit. However, current law authorizes mathematics or science credit substitutions for students who earn at least one credit in computer science and also earn a related industry certification.⁹⁹

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 446.011, 446.032, 446.052, 1001.43, 1003.4156, 1003.4282, 1008.34, 1008.44, and 1012.57.

The bill creates section 1009.551 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.)

CS by Education on March 19, 2019:

The committee substitute:

- Modifies the bill provisions regarding the Career and Technical Education (CTE) graduation pathway option in the following ways:
 - Revises the number of English Language Arts (ELA) credits that a student must complete to earn a standard high school diploma from 3 to 4, consistent with the existing 24-credit and 18-credit ACCEL option requirements specified in law.
 - Authorizes a student to complete ELA courses online and complete 2 or more ELA credits in a single year.
 - Revises the number of mathematics credits that a student must complete to earn a standard high school diploma from 3 to 4, consistent with the existing 24-credit and 18-credit ACCEL option requirements specified in law.

⁹⁹ Section 1007.2616(6)(a), F.S.

- Changes the credit requirement for social studies from 3.5 to 3, similar to the existing 24-credit and 18-credit ACCEL option requirements specified in law, with the exception of the financial literacy requirement.
- Specifies a 0.5 credit requirement each in economics and financial literacy under the CTE graduation pathway option to earn a standard high school diploma.
- Revises the number of CTE credits that a student must complete to earn a standard high school diploma from 3 to 2.
- Changes the credit requirements for work-based learning programs from 2.5 to 1.5.
- Adds provisions related to the CTE pathway option that:
 - Exempt a charter school that exclusively offers the CTE pathway option from application requirements related to district school boards but specify that such charter schools must comply with the application requirements relating to the department.
 - Specify that adjunct educators, who are certified in accordance with the law, may administer courses in the CTE pathway option.
- Adds provisions related to career education that:
 - Modify the 24-credit pathway for earning a standard high school diploma by revising computer science credit substitution for mathematics or science credits, and creates a mechanism for the review of the sufficiency of career education course standards to meet the Algebra I credit requirement.
 - Revise the acceleration mechanism component for the school grade calculation for high schools by specifying that dual enrollment courses include career clock-hour dual enrollment courses, and applies the revision to the 2019-2020 school year and thereafter.
 - Create the Florida Pathways to Career Opportunities Grant Program to enable high school and Florida College System (FCS) institutions to offer applied learning opportunities for students in high-demand career pathways linked to occupations that will provide students with middle-level and high-level wages.
 - Increase from 15 to 30, the limit on the number of CAPE Digital Tool Certificates that must be identified annually.
 - Restore middle grades career education and planning course requirements which were eliminated in 2017, with some modifications.
 - Require district school boards to also declare a “College and Career Decision Day” to recognize high school seniors for their postsecondary education plans and to encourage them to pursue college and career pathways.
 - Require the Department of Education to provide assistance to district school boards, FCS institution boards of trustees, program sponsors, and local workforce development boards in notifying students, parents, and members of the community about apprenticeship and preapprenticeship opportunities.
- Adds a provision regarding adjunct educator certification that extends the issuance of the adjunct teaching certificates to full-time teaching positions, and specifies that such certificates are valid for a period of three years and are not renewable. The committee substitute also specifies reporting requirements for school districts.

B. Amendments:

None.

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



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LEGISLATIVE ACTION

Senate	.	House
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03/20/2019	.	
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The Committee on Education (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (2) of section 446.011, Florida
Statutes, is amended to read:

446.011 Legislative intent regarding apprenticeship
training.—

(2) It is the intent of the Legislature that the Department
of Education have responsibility for the development of the
apprenticeship and preapprenticeship uniform minimum standards



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for the apprenticeable trades and that the department have responsibility for assisting district school boards and Florida College System institution ~~community college district~~ boards of trustees in developing preapprenticeship programs.

Section 2. Subsection (3) is added to section 446.032, Florida Statutes, to read:

446.032 General duties of the department for apprenticeship training.—The department shall:

(3) Provide assistance to district school boards, Florida College System institution boards of trustees, program sponsors, and local workforce development boards in notifying students, parents, and members of the community of the availability of apprenticeship and preapprenticeship opportunities, including data provided in the economic security report pursuant to s. 445.07.

Section 3. Subsections (2) and (3) of section 446.052, Florida Statutes, are amended to read:

446.052 Preapprenticeship program.—

(2) The department, under regulations established by the State Board of Education, may administer the provisions of ss. 446.011-446.092 which relate to preapprenticeship programs in cooperation with district school boards and Florida College System institution ~~community college district~~ boards of trustees. District school boards, Florida College System institution ~~community college district~~ boards of trustees, and registered program sponsors shall cooperate in developing and establishing programs that include career instruction and general education courses required to obtain a high school diploma.



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(3) The department, the district school boards, and the Florida College System institution ~~community college district~~ boards of trustees shall work together with existing registered apprenticeship programs in order that individuals completing the preapprenticeship programs may be able to receive credit toward ~~towards~~ completing a registered apprenticeship program.

Section 4. Paragraph (b) of subsection (14) of section 1001.43, Florida Statutes, is amended to read:

1001.43 Supplemental powers and duties of district school board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(14) RECOGNITION OF ACADEMIC ACHIEVEMENT.—

(b) The district school board is encouraged to adopt policies and procedures to provide for a student "Academic Scholarship Signing Day" by declaring the third Tuesday in April each year as "Academic Scholarship Signing Day." The "Academic Scholarship Signing Day" shall recognize the outstanding academic achievement of high school seniors who sign a letter of intent to accept an academic scholarship offered to the student by a postsecondary educational institution. The district school board shall adopt policies and procedures to declare an annual "College and Career Decision Day" to recognize high school seniors for their postsecondary education plans, to encourage early preparation for college, and to encourage students to pursue advanced career pathways through the attainment of industry certifications for which there are statewide college credit articulation agreements.



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District school board policies and procedures may include, but need not be limited to, conducting assemblies or other appropriate public events in which students offered academic scholarships assemble and sign actual or ceremonial documents accepting those scholarships. The district school board may encourage holding such events in an assembly or gathering of the entire student body as a means of making academic success and recognition visible to all students.

Section 5. Paragraph (e) is added to subsection (1) of section 1003.4156, Florida Statutes, to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

(e) One course in career and education planning to be completed in grades 6, 7, or 8 and which may be taught by any member of the instructional staff. The course must be Internet-based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. In addition, the course must result in a completed personalized academic and career plan for the student which may be revised as the student progresses through middle school and high school; must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under s. 445.07. Upon completion of the course, a student's resulting personalized academic and career plan must be sent to his or her academic advisor pursuant to s.



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1003.4282(11)(c). The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the requirements for earning a high school diploma designation under s. 1003.4285; requirements for each scholarship in the Florida Bright Futures Scholarship Program; state university and Florida College System institution admission requirements; available opportunities to earn college credit in high school, including Advanced Placement courses; the International Baccalaureate Program; the Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; and career education courses, including career-themed courses, preapprenticeship and apprenticeship programs, and course sequences that lead to industry certification pursuant to s. 1003.492 or s. 1008.44. The course may be implemented as a stand-alone course or integrated into another course or courses.

Section 6. Present subsection (11) of section 1003.4282, Florida Statutes, is redesignated as subsection (12), a new subsection (11) is added to that section, and paragraphs (b) and (c) of subsection (3) and paragraph (a) of subsection (8) of that section are amended, to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(b) *Four credits in mathematics.*—

1. A student must earn one credit in Algebra I and one credit in Geometry. A student's performance on the statewide, standardized Algebra I end-of-course (EOC) assessment constitutes 30 percent of the student's final course grade. A



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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 30 percent of the student's final course grade.

2. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry.

3. A student who earns a computer science credit may substitute the credit for up to one credit of the mathematics requirement, with the exception of Algebra I and Geometry, if the commissioner identifies the computer science credit as being equivalent in rigor to the mathematics credit. An identified computer science credit may not be used to substitute for both a mathematics and a science credit. A student who earns an industry certification in 3D rapid prototype printing may satisfy up to two credits of the mathematics requirement, with the exception of Algebra I, if the commissioner identifies the certification as being equivalent in rigor to the mathematics credit or credits.

(c) Three credits in science.—

1. 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 30 percent of the student's final course grade.



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157 2. A student who earns an industry certification for which
158 there is a statewide college credit articulation agreement
159 approved by the State Board of Education may substitute the
160 certification for one science credit, except for Biology I.

161 3. A student who earns a computer science credit may
162 substitute the credit for up to one credit of the science
163 requirement, with the exception of Biology I, if the
164 commissioner identifies the computer science credit as being
165 equivalent in rigor to the science credit. An identified
166 computer science credit may not be used to substitute for both a
167 mathematics and a science credit.

168 (8) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
169 CREDIT REQUIREMENTS.—

170 (a) Participation in career education courses engages
171 students in their high school education, increases academic
172 achievement, enhances employability, and increases postsecondary
173 success. ~~By July 1, 2014,~~ The department shall develop, for
174 approval by the State Board of Education, multiple, additional
175 career education courses or a series of courses that meet the
176 requirements set forth in s. 1003.493(2), (4), and (5) and this
177 subsection and allow students to earn credit in both the career
178 education course and courses required for high school graduation
179 under this section and s. 1003.4281.

180 1. The state board must determine at least biennially if
181 sufficient academic standards are covered to warrant the award
182 of academic credit, including credit for Algebra I. A student
183 who earns a credit for a course identified pursuant to this
184 subparagraph must still take the statewide, standardized EOC
185 assessment or grade-level assessment associated with the



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required course and pass the statewide, standardized Algebra I
EOC assessment and statewide, standardized grade 10 ELA
assessment in accordance with subsection (3).

2. Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships. The department shall negotiate state licenses for material and testing for industry certifications. The instructional methodology used in these courses must be comprised of authentic projects, problems, and activities for contextually learning the academics.

3. A student who earns credit upon completion of an apprenticeship or preapprenticeship program registered with the Department of Education under chapter 446 may use such credit to satisfy the high school graduation credit requirements in paragraph (3)(e) or paragraph (3)(g). The state board shall approve and identify in the Course Code Directory the apprenticeship and preapprenticeship programs from which earned credit may be used pursuant to this subparagraph.

(11) CAREER AND TECHNICAL EDUCATION GRADUATION PATHWAY
OPTION.—Beginning with the 2019-2020 school year, a student is
eligible to complete an alternative pathway to earning a
standard high school diploma through the Career and Technical
Education (CTE) pathway option. Receipt of a standard high
school diploma awarded through the CTE pathway option requires



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the student's successful completion of at least 18 credits. A student completing the CTE pathway option must earn at least a cumulative grade point average (GPA) of 2.0 on a 4.0 scale.

(a) In order for a student to satisfy the requirements of the CTE pathway option, he or she must:

1. Complete four credits in English Language Arts. The four credits must be in ELA I, II, III, and IV; however, a student may substitute up to four credits in ELA honors, AP, AICE, IB, or dual enrollment courses for the required ELA credits. A student may complete ELA courses online and may complete two or more ELA credits in a single year. A student also must pass the statewide, standardized grade 10 Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score, in order to earn a standard high school diploma;

2. Complete four credits in mathematics. A student must earn one credit in Algebra I and one credit in Geometry. A student's performance on the statewide, standardized Algebra I EOC assessment constitutes 30 percent of the student's final course grade. A student also 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 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to two mathematics credits, except for Algebra I and Geometry;



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3. Complete 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 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for two science credits, except for Biology I;

4. Complete three credits in social studies. A student must earn one credit in United States History; one credit in World History; one-half credit in United States Government; and one-half credit in economics. The United States History EOC assessment constitutes 30 percent of the student's final course grade;

5. Complete two credits in career and technical education. The courses must result in a program completion and an industry certification;

6. Complete one and one-half credits in work-based learning programs. A student must earn one and one-half credits through work-based learning program courses. A student may substitute up to one and one-half credits of electives for work-based learning program courses to fulfill this requirement;

7. Complete one-half credit in financial literacy; and

8. Sit for the statewide, standardized Geometry EOC assessment, Biology I EOC assessment, and United States History EOC assessment.

(b) Upon completion of the requirements specified in paragraph (a), a student shall be awarded a standard high school



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diploma in a form prescribed by the State Board of Education.

(c) Each principal or his or her faculty designee, who must be designated as an academic advisor, shall:

1. Inform parents and students of the CTE pathway option available at the school and the graduation requirements for the CTE pathway option established pursuant to paragraph (a);

2. Establish a process by which a parent may request student participation in the CTE pathway option. The student must be provided the opportunity to participate in the CTE pathway option;

3. Establish a process to verify a student's progress and completion of the CTE pathway option; and

4. Meet with any student who has a cumulative grade point average that falls below 2.0 during the first semester in which his or her grade point average falls below 2.0, and any subsequent semester in which his or her grade point average remains below 2.0, to discuss CTE pathway options.

(d) Each district school board shall incorporate the CTE pathway option to graduation in the student progression plan required under s. 1008.25.

(e) A charter school that exclusively offers the CTE pathway option is exempt from application requirements relating to district school boards pursuant to s. 1002.33, but the charter school must comply with application requirements relating to the department.

(f) Adjunct educators certified pursuant to s. 1012.57 may administer courses in the CTE pathway option.

Section 7. Paragraph (b) of subsection (3) of section 1008.34, Florida Statutes, is amended to read:



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

(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. Beginning with the 2019-2020 ~~2014-2015~~ school year, a
school's grade shall be based on the following components, each
worth 100 points:

a. The percentage of eligible students passing statewide,
standardized assessments in English Language Arts under s.
1008.22(3).

b. The percentage of eligible students passing statewide,
standardized assessments in mathematics under s. 1008.22(3).

c. The percentage of eligible students passing statewide,
standardized assessments in science under s. 1008.22(3).

d. The percentage of eligible students passing statewide,
standardized assessments in social studies under s. 1008.22(3).

e. The percentage of eligible students who make Learning
Gains in English Language Arts as measured by statewide,
standardized assessments administered under s. 1008.22(3).

f. The percentage of eligible students who make Learning
Gains in mathematics as measured by statewide, standardized
assessments administered under s. 1008.22(3).

g. The percentage of eligible students in the lowest 25
percent in English Language Arts, as identified by prior year
performance on statewide, standardized assessments, who make
Learning Gains as measured by statewide, standardized English
Language Arts assessments administered under s. 1008.22(3).

h. The percentage of eligible students in the lowest 25
percent in mathematics, as identified by prior year performance
on statewide, standardized assessments, who make Learning Gains



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as measured by statewide, standardized Mathematics assessments administered under s. 1008.22(3).

i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

In calculating Learning Gains for the components listed in sub-subparagraphs e.-h., the State Board of Education shall require that learning growth toward achievement levels 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year. In calculating the components in sub-subparagraphs a.-d., the state board shall include the performance of English language learners only if they have been enrolled in a school in the United States for more than 2 years.

2. For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade shall also be based on the following components, each worth 100 points:

a. The 4-year high school graduation rate of the school as defined by state board rule.

b. The percentage of students who were eligible to earn college and career credit through College Board Advanced Placement examinations; International Baccalaureate examinations; dual enrollment courses, including career clock-hour dual enrollment courses; or Advanced International Certificate of Education examinations; or who, at any time during high school, earned national industry certification



865050

identified in the CAPE Industry Certification Funding List,
pursuant to rules adopted by the state board.

Section 8. Paragraph (b) of subsection (1) of section
1008.44, Florida Statutes, is amended to read:

1008.44 CAPE Industry Certification Funding List and CAPE
Postsecondary Industry Certification Funding List.—

(1) Pursuant to ss. 1003.4203 and 1003.492, the Department
of Education shall, at least annually, identify, under rules
adopted by the State Board of Education, and the Commissioner of
Education may at any time recommend adding the following
certificates, certifications, and courses:

(b) No more than 30 ~~15~~ CAPE Digital Tool certificates
limited to the areas of word processing; spreadsheets; sound,
motion, and color presentations; digital arts; cybersecurity;
and coding pursuant to s. 1003.4203(3) that do not articulate
for college credit. Such certificates shall be annually
identified on the CAPE Industry Certification Funding List and
updated solely by the Chancellor of Career and Adult Education.
The certificates shall be made available to students in
elementary school and middle school grades and, if earned by a
student, shall be eligible for additional full-time equivalent
membership pursuant to s. 1011.62(1)(o)1.

Section 9. This act shall take effect July 1, 2019.

===== 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



865050

An act relating to education; amending s. 446.011, F.S.; updating terminology; amending s. 446.032, F.S.; requiring the Department of Education to provide assistance to certain entities in notifying specified persons of apprenticeship and preapprenticeship opportunities; amending s. 446.052, F.S.; updating terminology; amending s. 1001.43, F.S.; requiring district school boards to declare an annual "College and Career Decision Day" for specified purposes; amending s. 1003.4156, F.S.; requiring students to take a career and education planning course for promotion to high school; providing requirements for such course; requiring each student who takes the course to receive an academic and career plan; providing requirements for such plan; amending s. 1003.4282, F.S.; authorizing a credit in computer science to meet specified graduation requirements under certain circumstances; requiring a student who earns a credit through a career education course to pass specified assessments; providing that, as of a specified school year, certain students are eligible for an alternative pathway to a standard high school diploma through the Career and Technical Education (CTE) pathway option; providing requirements for the CTE pathway option; requiring that each principal or his or her designee, who must be designated as an academic advisor, inform parents and students of the CTE pathway option and establish certain processes relating to the pathway; requiring district school



865050

boards to incorporate certain information in the
student progression plan; providing that charter
schools that exclusively offer the CTE pathway option
are exempt from specified application requirements;
authorizing adjunct educators to administer courses in
the CTE pathway option; amending s. 1008.34, F.S.;
revising school grade components to specify that dual
enrollment courses include career clock-hour dual
enrollment courses; amending s. 1008.44, F.S.;
increasing the number of CAPE Digital Tool
certificates relating to specified subjects which may
be included on the CAPE Industry Certification Funding
List; providing an effective date.



511646

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
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	.	
	.	

The Committee on Education (Diaz) recommended the following:

Senate Amendment to Amendment (865050) (with title amendment)

Between lines 381 and 382
insert:

Section 9. Section 1009.551, Florida Statutes, is created
to read:

1009.551 The Florida Pathways to Career Opportunities Grant
Program.—

(1) The Florida Pathways to Career Opportunities Grant
Program is created within the Department of Education. The



511646

purpose of the program is to enable high schools and Florida College System institutions to offer applied learning opportunities for students in high-demand career pathways linked to occupations that will provide students with middle-level and high-level wages.

(2) The Legislature intends that the program provide individual grants statewide to serve students in grades 9-12 and students within the first 60 hours of college coursework who enter a career pathway that enables them to master the skills they need to graduate with a career certificate or a 2-year technical degree to secure an entry-level position in an industry.

(3) Selected institutions must provide students with an opportunity to earn industry certifications, 60 hours of college credit, or an associate of arts degree by the time they graduate from high school, and the opportunity to gain valuable work experience through internships, externships, apprenticeships, or other job training programs. Grants issued under the program must be used to enroll students in work-based education programs that lead to career opportunities in high-demand fields.

(4) Each grant application must include the expertise of public institutions and the participation of one secondary partner and one or more postsecondary and industry partners.

(5) The commissioner shall establish an application process for allocated grants under the program.

(a) Proposals for the grant must be funded competitively.

(b) School districts, charter schools, and Florida College System institutions may apply for grant funding under this section. As a condition of the grant, applicants must agree to



511646

timely provide the information described in subsection (8) to the commissioner.

(6) To be eligible for a grant under the program, proposals must:

(a) Give students opportunities to earn the following:

1. Industry certifications, associate degrees, postsecondary certificates, or college credit aligned to high-demand workforce needs of the state, region, or local area and linked to occupations that provide a middle wage or high wage within 6 years; and

2. Applied learning experiences through internships, externships, apprenticeships, or other job training programs;

(b) Provide students with mentorship or career counseling informed by labor market demand;

(c) Provide industry and employer partner memoranda of understanding to ensure the program is aligned to in-demand skills and which show the nature of the industry and employer partnership;

(d) Identify how the proposal will address opportunities for underrepresented students, such as minority, low-income, or rural students, or for girls in computer science courses;

(e) Identify how the school district, charter school, or Florida College System institution will use the grant funding and leverage other available funds to provide continued support for the program;

(f) Provide the training and academic preparation at no cost to students; and

(g) Identify the postsecondary partners to ensure appropriate articulation and dual enrollment opportunities and



511646

70 provide memoranda of understanding which show the nature of the
71 postsecondary partnership.

72 (7) Priority for grants must be given to proposals that
73 increase opportunities for underrepresented students, such as
74 minority, low-income, or rural students, or for girls in
75 computer science courses.

76 (8) By December 1 of each year, the commissioner shall
77 report to the Governor, the President of the Senate, and the
78 Speaker of the House of Representatives all of the following:

79 (a) The number of participating students and their
80 outcomes, including the following:

81 1. Academic achievement;

82 2. Attainment of industry certifications, associate
83 degrees, or college credit;

84 3. Applied learning experiences of the participating
85 students;

86 4. Postsecondary enrollment, or continued enrollment at a
87 postsecondary institution, following completion of the program,
88 if applicable;

89 5. Employment outcomes and wages, as applicable; and

90 6. Noncompletion rate.

91 (b) The demographics of participating students and their
92 outcomes as described in paragraph (a).

93 (c) Identification of high-demand career pathways linked to
94 occupations that provide students with middle-level and high-
95 level wages as reflected by labor market demand.

96 (9) The State Board of Education shall adopt rules to
97 implement this section.



511646

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

And the title is amended as follows:

Delete line 430

and insert:

List; creating s. 1009.551, F.S.; creating the Florida Pathways to Career Opportunities Grant Program within the department; providing the purpose of the program; providing legislative intent; providing requirements for the program; providing requirements for grant applications for the program; requiring the Commissioner of Education to establish an application process for the program; providing that proposals for grants be funded competitively; authorizing school districts, charter schools, and Florida College System institutions to apply for grants under the program; providing for eligibility requirements; providing that priority for grants be given to proposals that meet specified criteria; requiring the commissioner to annually report certain information to the Governor and the Legislature by a specified date; requiring the State Board of Education to adopt rules; providing an effective date.



228510

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
	.	
	.	
	.	

The Committee on Education (Diaz) recommended the following:

Senate Amendment to Amendment (865050) (with title amendment)

Between lines 381 and 382
insert:

Section 9. Subsections (1) through (4) of section 1012.57, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1012.57 Certification of adjunct educators.—

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the



228510

contrary, district school boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10) and who has expertise in the subject area to be taught. An applicant shall be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test. ~~The adjunct teaching certificate shall be used for part-time teaching positions.~~

(2) The Legislature intends that this section allow school districts to tap the wealth of talent and expertise represented in Florida's citizens who may wish to teach ~~part-time~~ in a Florida public school by permitting school districts to issue adjunct certificates to qualified applicants.

(3) Adjunct certificateholders should be used primarily as a strategy to enhance the diversity of course offerings offered to all students. School districts may use the expertise of individuals in the state who wish to provide online instruction to students by issuing adjunct certificates to qualified applicants.

(4) Each adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district. An additional annual certification and an additional annual contract may be awarded by the district at the district's discretion but only if the applicant is rated effective or highly effective under s. 1012.34 during each year of teaching under adjunct teaching certification. A school district may issue an adjunct teaching certificate for a part-time or full-time teaching position; however, an adjunct teaching certificate



228510

issued for a full-time teaching position is valid for no more than 3 years and is nonrenewable.

(6) Each school district shall:

(a) Post requirements on its website for the issuance of an adjunct teaching certificate, which must specify the subject area test through which an applicant demonstrates subject area mastery.

(b) Annually report to the department the number of adjunct teaching certificates issued for part-time teaching positions and full-time teaching positions pursuant to this section.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete line 430
and insert:

List; amending s. 1012.57, F.S.; deleting a requirement that the adjunct teaching certificate be used only for part-time teaching positions; authorizing school districts to issue adjunct teaching certificates for part-time and full-time teaching positions; providing limitations on adjunct teaching certificates for full-time positions; requiring school districts to post certification criteria on their websites; requiring school districts to annually report issued certificates to the Department of Education; providing an effective date.

By Senator Hutson

7-00876A-19

2019770

A bill to be entitled

An act relating to alternative high school graduation requirements; amending s. 1003.4282, F.S.; providing that, as of a specified school year, certain students are eligible for an alternative pathway to a standard high school diploma through the Career and Technical Education (CTE) pathway option; providing requirements for the CTE pathway option; requiring that each principal or his or her designee, who must be an academic advisor, inform parents and students of the CTE pathway option and establish certain processes relating to the pathway; requiring district school boards to incorporate certain information in the student progression plan; providing an effective date.

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

Section 1. Present subsection (11) of section 1003.4282, Florida Statutes, is redesignated as subsection (12), and a new subsection (11) is added to that section, to read:

1003.4282 Requirements for a standard high school diploma.—

(11) CAREER AND TECHNICAL EDUCATION GRADUATION PATHWAY OPTION.—Beginning with the 2019-2020 school year, a student is eligible to complete an alternative pathway to earning a standard high school diploma through the Career and Technical Education (CTE) pathway option. Receipt of a standard high school diploma awarded through the CTE pathway option requires the student's successful completion of at least 18 credits. A student completing the CTE pathway option must earn at least a

Page 1 of 4

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

7-00876A-19

2019770

cumulative grade point average (GPA) of 2.0 on a 4.0 scale.

(a) In order for a student to satisfy the requirements of the CTE pathway option, a student must:

1. Complete three credits in English Language Arts. The three credits must be in ELA I, II, and III; however, a student may substitute up to three credits in ELA honors, AP, AICE, IB, or dual enrollment courses for the required ELA credits. A student also must pass the statewide, standardized grade 10 Reading assessment or, when implemented, the grade 10 ELA assessment, or earn a concordant score, in order to earn a standard high school diploma;

2. Complete three credits in mathematics. A student must earn one credit in Algebra I and one credit in Geometry. A student's performance on the statewide, standardized Algebra I end-of-course (EOC) assessment constitutes 30 percent of the student's final course grade. A student also 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 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for one mathematics credit. Substitution may occur for up to one mathematics credit, except for Algebra I and Geometry;

3. Complete 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

Page 2 of 4

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

7-00876A-19

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rigorous courses. The statewide, standardized Biology I EOC assessment constitutes 30 percent of the student's final course grade. A student who earns an industry certification for which there is a statewide college credit articulation agreement approved by the State Board of Education may substitute the certification for two science credits, except for Biology I;

4. Complete three and one-half credits in social studies. A student must earn one credit in United States History; one credit in World History; one-half credit in economics; one-half credit in financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade;

5. Complete three credits in career and technical education. The courses must result in a program completion and an industry certification;

6. Complete two and one-half credits in work-based learning programs. A student must earn two and one-half credits through work-based learning program courses. A student may substitute up to two and one-half credits of electives for work-based learning program courses to fulfill this requirement; and

7. Sit for the statewide, standardized Geometry EOC assessment, Biology I EOC assessment, and United States History EOC assessment.

(b) Upon completion of the requirements specified in paragraph (a), a student shall be awarded a standard high school diploma in a form prescribed by the State Board of Education.

(c) Each principal or his or her faculty designee, who must be designated as an academic advisor, shall:

1. Inform parents and students of the CTE pathway option

7-00876A-19

2019770

available at the school and the graduation requirements for the CTE pathway option established pursuant to paragraph (a);

2. Establish a process by which a parent may request student participation in the CTE pathway option. The student must be provided the opportunity to participate in the CTE pathway option;

3. Establish a process to verify a student's progress and completion of the CTE pathway option; and

4. Meet with any student who has a cumulative grade point average that falls below 2.0 during the first semester in which his or her grade point average falls below 2.0, and any subsequent semester in which his or her grade point average remains below 2.0, to discuss CTE pathway options.

(d) Each district school board shall incorporate the CTE pathway option to graduation in the student progression plan required under s. 1008.25.

Section 2. This act shall take effect July 1, 2019.

SB 770 Proposed CTE Graduation Pathway

	24 Credit Traditional	18-Credit ACCEL	18-Credit CTE
English	4 credits <ul style="list-style-type: none"> ELA I – IV ELA honors, AP, AICE, IB, and dual enrollment courses may substitute 	4 credits <ul style="list-style-type: none"> ELA I – IV ELA honors, AP, AICE, IB, and dual enrollment courses may substitute 	4 credits <ul style="list-style-type: none"> ELA I – IV ELA honors, AP, AICE, IB, and dual enrollment courses may substitute
Social Studies	3 credits <ul style="list-style-type: none"> 1 World History 1 US History .5 US Government 	3 credits <ul style="list-style-type: none"> 1 World History 1 US History .5 US Government 	3 credits <ul style="list-style-type: none"> 1 World History 1 US History .5 US Government
	.5 Economics w/ Financial Literacy	.5 Economics w/ Financial Literacy	.5 Economics
Math	4 credits <ul style="list-style-type: none"> 1 Algebra I 1 Geometry 2 additional May substitute for Industry Certifications 	4 credits <ul style="list-style-type: none"> 1 Algebra I 1 Geometry 2 additional May substitute for Industry Certifications 	4 credits <ul style="list-style-type: none"> 1 Algebra I 1 Geometry 2 additional May substitute for Industry Certifications
Science	3 credits <ul style="list-style-type: none"> 1 Biology 1 2 equally rigorous courses 2 of 3 courses with Lab Component Industry Certification and/or Computer Science can substitute for 1 Science course each 	3 credits <ul style="list-style-type: none"> 1 Biology 1 2 equally rigorous courses 2 of 3 courses with Lab Component Industry Certification and/or Computer Science can substitute for 1 Science course each 	3 credits <ul style="list-style-type: none"> 1 Biology 1 2 equally rigorous courses 2 of 3 courses with Lab Component Industry Certification and/or Computer Science can substitute for 1 Science course each
Arts	1 Credit <ul style="list-style-type: none"> Fine & Performing Arts, Speech & Debate, or Practical Arts 	1 Credit <ul style="list-style-type: none"> Fine & Performing Arts, Speech & Debate, or Practical Arts 	Not Required
Physical Education	1 Credit	Not Required	Not Required
Electives	8 Credits	3 Credits	Not Required
Career & Technical Education	Not Required	Not Required	2 Credits <ul style="list-style-type: none"> Must Result in program completion and Industry Certification
Work-Based Programs	Not Required	Not Required	1.5 Credits
Financial Literacy	Not Required	Not Required	.5 Credit
End of Course Exams	<ul style="list-style-type: none"> Must pass Algebra I Sit for: Algebra I, Geometry, Biology I, US History 	<ul style="list-style-type: none"> Must pass Algebra I Sit for: Algebra I, Geometry, Biology I, US History 	<ul style="list-style-type: none"> Must pass Algebra I Sit for: Algebra I, Geometry, Biology I, US History

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/19

Meeting Date

SB-770

Bill Number (if applicable)

865050

Amendment Barcode (if applicable)

Topic HIGH SCHOOL GRADUATION

Name J.B. CLARK

Job Title LOBBYIST

Address 2071 CYNTHIA DRIVE

Street

Phone 850-556-8143

TALLAHASSEE, FL 32303

City

State

Zip

Email JBCCLARK@EARTHINK.NET

Speaking: ☒ For ☐ Against ☐ Information

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

Representing FLORIDA ELECTRICAL WORKERS ASSN.

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)

3/19/17
Meeting Date

770
Bill Number (if applicable)

✓ 865050
Amendment Barcode (if applicable)

Topic Education

Name Mark Anderson

Job Title Lobbyist

Address 110 Monroe, St I, Tallahassee Phone 813-205-0658
Street

City State Zip Email

Speaking: ☒ For ☐ Against ☐ Information

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

Representing FL Council on Economic 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)

3/19/19
Meeting Date

770
Bill Number (if applicable)

228510
Amendment Barcode (if applicable)

Topic Adjunct Instructor

Name Vern Pickup-Crawford

Job Title Legislative Liaison

Address 571 Kingsbury Terrace
Street

Phone 561-644-2478

Wellington FL 33414
City State Zip

Email vcrawford@msx.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Treasure Coast Workgroup - Martin, St. Lucie, Okeechobee School Districts

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)

3/19

Meeting Date

770

Bill Number (if applicable)

Topic Alternative Graduation

Amendment Barcode (if applicable)

Name Rusty Payton

Job Title CEO

Address 2600 Centennial Place
Street

Phone 567-1073

Tallahassee FL 32310
City State Zip

Email rp@paytonethkg.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Home Builders Association

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

3/19/19
Meeting Date

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

0770
Bill Number (if applicable)

Topic Alt. High School Graduation

Amendment Barcode (if applicable)

Name Shawn Frost

Job Title Director of Advocacy

Address 1103 Hays St
Street

Phone 850 462-5155

Tallahassee FL 32301
City State Zip

Email admin@SchoolChoice
movement.org

Speaking: ☒ For ☐ Against ☐ Information

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

Representing School Choice Movement

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)

Meeting Date _____

SB 770
Bill Number (if applicable)

Topic Alternate High School Grad. Reg.

Amendment Barcode (if applicable) _____

Name Brian Thiele

Job Title _____

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Americans for Prosperity

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.

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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)

3/19/19
Meeting Date

770
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Angie Gallo

Job Title V.P. of Education

Address _____
Street

Phone _____

City _____ State _____ Zip _____

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

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)

3/19/19

Meeting Date

770

Bill Number (if applicable)

Topic Alternative High School Graduation Requirements Amendment Barcode (if applicable)

Name Valerie Brant-Wilson

Job Title Retired Educator

Address 64 Woodland Dr #205

Street

Vero Beach, FL

City

State

32962

Zip

Phone 321-797-8431

Email brantisibon5@aol.com

Speaking: ☐ For ☒ Against ☐ Information

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

Representing Democratic Women Club 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.

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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)

3/19/19

Meeting Date

770

Bill Number (if applicable)

Topic Alternative High School Grad Requirements

Amendment Barcode (if applicable)

Name Carol Bowen

Job Title Chief Lobbyist

Address 3730 Coconut Creek Pkwy, Ste 200

Street

Phone 954-465-7681

Coconut Creek

City

FL

State

33406

Zip

Email cbowen@cbwestflorida.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)

3/19/19

Meeting Date

SB 770

Bill Number (if applicable)

Topic Alternate High School Graduation Requirements

Amendment Barcode (if applicable)

Name Matthew Choy

Job Title Director

Address 136 S' Brimough St
Street

Phone 561-386-3451

Tallahassee, FL
City State

32301
Zip

Email Mchoy@flchamber.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

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)

3/19/19

Meeting Date

770

Bill Number (if applicable)

Topic Alternative High School Grad Requirements Amendment Barcode (if applicable)

Name Theresa King

Job Title President

Address 200 E College Ave Suite B

Street

Phone 850-228-8940

Tallahassee 32301

City

State

Zip

Email fbt.tking@gmail.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida State Building & Construction Trades

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.

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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)

3-19-19
Meeting Date

770
Bill Number (if applicable)

Topic Career Pathway

Amendment Barcode (if applicable)

Name Holly Saguos

Job Title Exec Dir Gov Affairs

Address MetroCenter Blvd

Phone 321-695-1073

Street

Orlando

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Virtual School

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 Committee on Education

BILL: CS/SB 934

INTRODUCER: Education Committee and Senator Diaz

SUBJECT: High-performing Charter Schools

DATE: March 20, 2019

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 934 modifies the high-performing charter school eligibility criteria, and related authorities regarding increasing student enrollment and replicating charter schools. Specifically, the bill:

- Provides a mechanism for an alternative charter school to become a high-performing charter school if such school received, instead of specified school grades, at least two school improvement ratings of “commendable” and no school improvement rating below “maintaining,” during each of the previous 3 school years, and:
 - Applies the existing financial audit-related eligibility criteria to an alternative charter school that received the specified school improvement rating.
 - Eliminates the eligibility criteria for a charter school to become a high-performing charter school based on the school receiving 2 consecutive school grades of “A” in the most recent 2 school years.
- Modifies a high-performing charter school’s existing authority to increase its student enrollment once per school year to specify that the student enrollment may not exceed the current facility capacity.
- Reduces the number of charter schools that a high-performing charter school may establish within the state in any year from no more than 2 schools to no more than 1 school. The bill maintains current law that authorizes a high-performing charter school to establish more than one charter school within the state in any year if the high-performing charter school operates in the area of a persistently low-performing school and serves students from that school.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

All charter schools in Florida are public schools and are part of the state's program of public education.¹ A charter school may be formed by creating a new school or converting an existing public school to charter status.² During the 2017-18 school year, over 295,000 students were enrolled in 655 charter schools in 47 Florida districts.³

High-Performing Charter Schools

According to the Florida Department of Education (DOE), 197 high-performing charter schools currently operate in Florida.⁴

Eligibility Criteria

A charter school is a high-performing charter school if the school:⁵

- Received at least two school grades of “A” and no school grade below “B,” during each of the previous 3 school years or received at least two consecutive school grades of “A” in the most recent 2 school years.
- Received an unqualified opinion on each annual financial audit required under law⁶ in the most recent 3 fiscal years for which such audits are available.
- Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in law⁷ in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to law.⁸

For purposes of determining initial eligibility, the financial audit requirements only apply for the most recent 2 fiscal years if the charter school earns two consecutive grades of “A.” A virtual charter school established in accordance with the law⁹ is not eligible for designation as a high-performing charter school.

¹ Section 1002.33(1), F.S.

² *Id.*

³ Florida Department of Education, *Fact Sheet: Florida's Charter Schools* (Sep. 2018), available at <http://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2018.pdf>.

⁴ Florida Department of Education, 2019 Agency Legislative Bill Analysis of SB 934 (March 13, 2019), at 2.

⁵ Section 1002.331(1), F.S.

⁶ Section 218.39, F.S.

⁷ *Id.*, at (1).

⁸ Section 1002.345(1)(a)3., F.S.

⁹ Section 1002.33, F.S.

Statutory Authority

A high-performing charter school is authorized to:¹⁰

- Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the capacity of the facility¹¹ at the time the enrollment increase will take effect.
- Expand grade levels within kindergarten through grade 12 to add grade levels not already served if any annual enrollment increase resulting from grade level expansion is within the limit established in law.¹²
- Submit a quarterly, rather than a monthly, financial statement to the sponsor.
- Consolidate under a single charter the charters of multiple high-performing charter schools operated in the same school district by the charter schools' governing board regardless of the renewal cycle.
- Receive a modification of its charter to a term of 15 years or a 15-year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school.

Replication

Florida law authorizes a high-performing charter school to submit an application in any school district in the state to establish and operate a new charter school that will substantially replicate its educational program.¹³

A high-performing charter school may not establish more than two charter schools within the state in any year.¹⁴ However, a high-performing charter school is authorized to establish more than one charter school within the state in any year if the high-performing charter school operates in the area of a persistently low-performing school¹⁵ and serves students from that school.¹⁶ During the 2017-2018 school year, there were 48 persistently low-performing schools in Florida.¹⁷

School Grade

Schools are graded using one of the following grades, defined according to rules of the State Board of Education (SBE or state board):¹⁸

- “A,” schools making excellent progress.
- “B,” schools making above average progress.

¹⁰ Section 1002.331(2), F.S.

¹¹ Facility capacity for purposes of grade level expansion must include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll. *Id.*, at (a).

¹² *Id.*

¹³ Section 1002.331(3)(a)1., F.S.

¹⁴ *Id.*, at (b).

¹⁵ A “persistently low-performing school” means a school that has earned three consecutive grades lower than a “C,” pursuant to s. 1008.34, and a school that was closed pursuant to s.1008.33(4) within 2 years after the submission of a notice of intent. Section 1002.333(1)(b), F.S.

¹⁶ Section 1002.331(3)(b), F.S.

¹⁷ Florida Department of Education, *2017-18 Persistently Low-Performing Schools*, available at <http://www.fldoe.org/core/fileparse.php/18534/urlt/PLPSchools18.xls>.

¹⁸ Section 1008.34(2), F.S.

- “C,” schools making satisfactory progress.
- “D,” schools making less than satisfactory progress.
- “F,” schools failing to make adequate progress.

An alternative school¹⁹ may choose to receive a school grade under this section or a school improvement rating.²⁰ For charter schools that meet the definition of an alternative school pursuant to state board rule, the decision to receive a school grade is the decision of the charter school governing board.²¹

School Improvement Rating

The school improvement rating must identify an alternative school as having one of the following ratings defined according to SBE rules:²²

- “Commendable” means a significant percentage of the students attending the school are making Learning Gains.
- “Maintaining” means a sufficient percentage of the students attending the school are making Learning Gains.
- “Unsatisfactory” means an insufficient percentage of the students attending the school are making Learning Gains.

III. Effect of Proposed Changes:

CS/SB 934 modifies the high-performing charter school eligibility criteria, and related authorities regarding increasing student enrollment and replicating charter schools. Specifically, the bill:

- Provides a mechanism for an alternative charter school to become a high-performing charter school if such school received, instead of specified school grades, at least two school improvement ratings of “commendable” and no school improvement rating below “maintaining,” during each of the previous 3 school years, and:
 - Applies the existing financial audit-related eligibility criteria to an alternative charter school that received the specified school improvement rating.
 - Eliminates the eligibility criteria for a charter school to become a high-performing charter school based on the school receiving 2 consecutive school grades of “A” in the most recent 2 school years.
- Modifies a high-performing charter school’s existing authority to increase its student enrollment once per school year to specify that the student enrollment may not exceed the current facility capacity.
- Reduces the number of charter schools that a high-performing charter school may establish within the state in any year from no more than 2 schools to no more than 1 school. The bill maintains current law that authorizes a high-performing charter school to establish more than

¹⁹ An alternative school is a school that provides dropout prevention and academic intervention services pursuant to s. 1003.53, F.S. Section 1008.341(2), F.S. An alternative school must receive a school improvement rating unless the school earns a school grade pursuant to s. 1008.34. *Id.*

²⁰ Section 1008.34(3)(a)1., F.S.

²¹ *Id.*

²² Section 1008.341(2), F.S.

one charter school within the state in any year if the high-performing charter school operates in the area of a persistently low-performing school and serves students from that school.

High-Performing Charter Schools

Eligibility Criteria

Currently, only a charter school that receives a school grade can qualify as a high-performing charter school if the school meets the specified school grade and financial audit requirements specified in law. The bill provides an alternative to the school grade eligibility criteria by creating a mechanism for an alternative charter school to also become a high-performing charter school if the alternative charter school received at least two school improvement ratings of “commendable” and no school improvement rating below “maintaining,” during each of the previous 3 school years. During 2017-2018 school year, there were 74 alternative charter schools.²³ The bill maintains the existing financial audit-related eligibility criteria to also apply to an alternative charter school that received the specified school improvement rating.

According to the DOE, there were nine alternative charter schools that received at least two school improvement ratings of “commendable” and no school improvement rating below “maintaining” for the three most recent years.”²⁴

The bill also eliminates the following:

- The eligibility criterion that allows a charter school to meet the school grade-related component of the eligibility criteria based on such school receiving 2 consecutive grades of “A” in the most recent 2 school years. According to the DOE, of the 26 charter schools that earned high-performing status since the release of the 2017-2018 Florida school grades, 10 charter schools received high-performing status after showing two consecutive “A” grades.²⁵
- The initial eligibility criterion that allows a charter school to meet the financial audit-related components of the eligibility criteria for the most recent 2 fiscal years if such school earns 2 consecutive grades of “A.”

By eliminating the eligibility criteria based on 2 consecutive school grades of “A,” the bill provides flexibility to charter schools regarding meeting the school grade requirement of two school grades of “A” and no school grade of “B” during the previous 3 school years. Additionally, the bill applies the financial audit requirements, based on a 3-year period, uniformly to charter schools that seek to become high-performing charter schools by eliminating the exception which allowed certain charter schools to fulfill the financial audit requirement for the most recent 2 years. Accordingly, the bill applies to any charter school that seeks to become a high-performing charter school, the existing 3-year timeframe associated with the school grade and financial audit-related components of the eligibility criteria for high-performing charter schools.

²³ Email, Florida Department of Education (March 15, 2019).

²⁴ Florida Department of Education, 2019 Agency Legislative Bill Analysis of SB 934 (March 13, 2019), at 3.

²⁵ *Id.*

Statutory Authority

The bill modifies a high-performing charter school's existing authority to increase its student enrollment once per school year to specify that the student enrollment may not exceed the current facility capacity. In comparison, current law specifies that the student enrollment may not exceed the capacity of the facility at the time the enrollment increase will take effect.²⁶

Replication

The bill reduces the number of charter schools that a high-performing charter school may establish within the state in any year from no more than 2 schools to no more than 1 school. The bill maintains current law that authorizes a high-performing charter school to establish more than one charter school within the state in any year if the high-performing charter school operates in the area of a persistently low-performing school and serves students from that school.²⁷

The bill takes effect July 1, 2019.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

²⁶ Section 1002.331(2)(a), F.S.

²⁷ Section 1002.331(3)(b), F.S.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures. However, the bill may impact the administrative fees that district school board sponsors may withhold.²⁸ Pursuant to current law, a sponsor of a charter school may withhold an administrative fee up to 5 percent for charter schools and up to 2 percent for high-performing charter schools.²⁹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.331 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 Committee on March 19, 2019:

The committee substitute aligns the school improvement rating eligibility criterion with the existing school grade criterion for high-performing charter schools to specify that the school improvement ratings established in the bill apply to each of the previous 3 school years.

B. Amendments:

None.

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

²⁸ Florida Department of Education, 2019 Agency Legislative Bill Analysis of SB 934 (March 13, 2019), at 4.

²⁹ Section 1002.33(20)(a)2., F.S.



289614

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
	.	
	.	
	.	

The Committee on Education (Diaz) recommended the following:

Senate Amendment

Delete line 24
and insert:
improvement rating below "maintaining" during each of the
previous 3 school years ~~or received at least two~~

By Senator Diaz

36-01751-19

2019934__

A bill to be entitled

An act relating to high-performing charter schools; amending s. 1002.331, F.S.; revising requirements for a high-performing charter school; revising the facility capacity measurement used when a high-performing charter school increases its student enrollment; revising the number of charter schools that a high-performing charter school may establish in any year from two to one; providing an effective date.

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

Section 1. Subsection (1), paragraph (a) of subsection (2), and paragraph (b) of subsection (3) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

(1) A charter school is a high-performing charter school if it:

(a) Received at least two school grades of "A" and no school grade below "B," pursuant to s. 1008.34, during each of the previous 3 school years or, for charter schools that receive a school improvement rating under s. 1008.341, at least two school improvement ratings of "commendable" and no school improvement rating below "maintaining" or received at least two consecutive school grades of "A" in the most recent 2 school years.

(b) Received an unqualified opinion on each annual financial audit required under s. 218.39 in the most recent 3 fiscal years for which such audits are available.

Page 1 of 3

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

36-01751-19

2019934__

(c) Did not receive a financial audit that revealed one or more of the financial emergency conditions set forth in s. 218.503(1) in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition pursuant to s. 1002.345(1) (a)3.

~~For purposes of determining initial eligibility, the requirements of paragraphs (b) and (c) only apply for the most recent 2 fiscal years if the charter school earns two consecutive grades of "A."~~ A virtual charter school established under s. 1002.33 is not eligible for designation as a high-performing charter school.

(2) A high-performing charter school is authorized to:

(a) Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the current facility capacity ~~of the facility at the time the enrollment increase will take effect.~~ Facility capacity for purposes of grade level expansion shall include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll.

A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written

Page 2 of 3

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

36-01751-19

2019934

notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable. If a charter school notifies the sponsor of its intent to expand, the sponsor shall modify the charter within 90 days to include the new enrollment maximum and may not make any other changes. The sponsor may deny a request to increase the enrollment of a high-performing charter school if the commissioner has declassified the charter school as high-performing. If a high-performing charter school requests to consolidate multiple charters, the sponsor shall have 40 days after receipt of that request to provide an initial draft charter to the charter school. The sponsor and charter school shall have 50 days thereafter to negotiate and notice the charter contract for final approval by the sponsor.

(3)

(b) A high-performing charter school may not establish more than one charter school ~~two charter schools~~ within the state under paragraph (a) in any year. A subsequent application to establish a charter school under paragraph (a) may not be submitted unless each charter school established in this manner achieves high-performing charter school status. However, a high-performing charter school may establish more than one charter school within the state under paragraph (a) in any year if it operates in the area of a persistently low-performing school and serves students from that school.

Section 2. This act shall take effect July 1, 2019.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/19

Meeting Date

934

Bill Number (if applicable)

289614

Amendment Barcode (if applicable)

Topic High Performing Charter Schools

Name Edward Briggs

Job Title Consultant

Address 113 E. College Ave.

Street

Tallahassee

City

FL

State

32301

Zip

Phone 850-955-5994

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Pepin Academics

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

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

3/19/19

Meeting Date

934

Bill Number (if applicable)

Topic High Performing Charter Schools

Name Edward Briggs

Job Title Consultant

Address 113. E. College Ave.

Phone _____

Street

Tallalaree FL 32301

FL

32301

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Repin Academics

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.

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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)

3/19/19

Meeting Date

SB 934

Bill Number (if applicable)

Topic High Performing Charter Schools

Amendment Barcode (if applicable)

Name Sue Sommer

Job Title _____

Address 505 SW Aviation Dr

Street

Lake City

City

FL

State

32025

Zip

Phone 386-628-2890

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Citizens Alliance

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 Committee on Education

BILL: SB 1224

INTRODUCER: Senator Farmer

SUBJECT: Charter School Employees

DATE: March 18, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Sikes	ED	Pre-meeting
2.			GO	
3.			RC	

I. Summary:

SB 1224 establishes a credentialing requirement for charter school principals, governing board members, chief financial officers, and other employees in equivalent positions. The bill requires specified charter school personnel to hold a credential that certifies the individual's core competence in the administration of a charter school, including, but not limited to:

- Developing and adjusting business plans;
- Accurate financial planning and good business practices;
- State and federal grant and student performance accountability;
- State and federal funding sources; and
- Government in the sunshine, conflicts of interest, ethics, and financial responsibility.

The bill takes effect July 1, 2019.

II. Present Situation:

Charter School Formation

Charter schools are public schools that operate under a performance contract with a sponsor.¹ A district school board or a state university may sponsor a charter school.² An entity seeking to open a charter school must apply to the sponsor, who must review or deny the application.³ To ensure financial accountability, the standard charter school application requires:⁴

- A list of each proposed member of the charter school's governing board and his or her background and qualifications;

¹ Section 1002.33(7), F.S.

² Section 1002.33(5), F.S.

³ Section 1002.33(6)(b), F.S.

⁴ Section 1002.33 (6)(a), F.S.

- A financial plan containing anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends; and
- A full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

Approved charter schools and sponsors execute a written contract called a “charter.” The charter governs the operating terms of the charter school. The charter must ensure financial accountability by including:⁵

- A reasonable demonstration of the professional experience or competence of the individuals hired to perform the financial and administrative management of the school;
- A description of internal audit procedures and controls; and
- Asset and liability projections.

In the 2017-2018 school year, 655 charter schools served 295,814 students across 47 school districts in Florida.⁶

Charter School Financial Accountability Requirements

Charter schools must meet financial accountability requirements, including:⁷

- Maintaining all financial records in a manner comparable to other Florida public schools;⁸
- Providing annual financial report performed by a certified public accountant or auditor;⁹
- Providing monthly financial statement summary sheet with a balance sheet;¹⁰
- Adopting and maintaining an annual operating budget;¹¹ and
- Publishing the school’s annual budget and its annual independent fiscal audit on its website.¹²

Charter School Governing Board Requirements

All charter school personnel, including members of a charter school governing board, must undergo the same background screening required of public school personnel by filing their fingerprints with the district school board.¹³ Each governing board member must complete training approved by the Department of Education, including instruction focusing on government in the sunshine, conflicts of interest, ethics, and financial responsibility.¹⁴

⁵ Section 1002.33(7)(a), F.S.

⁶ Florida Department of Education, Office of Independent Education and Parental Choice, *Fact Sheet: Florida’s Charter Schools* (2018), available at <http://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2018.pdf>.

⁷ Section 1002.33(9), F.S.

⁸ *Id.* at (g)1.a.

⁹ *Id.* at (g)2.

¹⁰ *Id.* at (g)3.

¹¹ *Id.* at (h)

¹² Section 1002.33(9)(p)1.

¹³ Section 1012.32(2)(b)

¹⁴ Section 1002.33 (9)(j)4., F.S.

Every public school supervisor, principal, and administrator must hold the required certificate through state-approved training.¹⁵ Charter school principals and equivalent personnel are not required to possess the state-approved certifications required of their public school counterparts.

Third-Party Credentialing Entities

A “third-party credentialing entity” is a nonprofit organization that has been approved by the Department of Children and Families (DCF) to certify child care providers, which have met nationally recognized standards for developing and administering professional certification programs.¹⁶ In order to obtain approval from DCF, the third-party credentialing entity must:¹⁷

- Establish professional requirements and standards that applicants must achieve in order to obtain a child welfare certification and to maintain such certification.
- Develop and apply core competencies and examination instruments according to nationally recognized certification and psychometric standards.
- Maintain a professional code of ethics and a disciplinary process that apply to all persons holding child welfare certification.
- Maintain a database, accessible to the public, of all persons holding child welfare certification, including any history of ethical violations.
- Require annual continuing education for persons holding child welfare certification.
- Administer a continuing education provider program to ensure that only qualified providers offer continuing education opportunities for certificateholders.
- Maintain an advisory committee, including representatives from each region of the department, each sheriff’s office providing child protective services, and each community-based care lead agency, who shall be appointed by the organization they represent. The third-party credentialing entity may appoint additional members to the advisory committee.

The certification approved by DCF focuses on child growth and development, social and emotional development, screening and assessments, and maintaining health and safe environments for children in child care settings.¹⁸

III. Effect of Proposed Changes:

SB 1224 establishes a credentialing requirement for charter school principals, governing board members, chief financial officers, and other employees in equivalent positions. The bill requires specified charter school personnel to hold a credential that certifies the individual’s core competence in the administration of a charter school, including, but not limited to:

- Developing and adjusting business plans;
- Accurate financial planning and good business practices;
- State and federal grant and student performance accountability;
- State and federal funding sources; and
- Government in the sunshine, conflicts of interest, ethics, and financial responsibility.

¹⁵ Section 1012.55(1)(b), F.S.

¹⁶ Section 402.40(2)(g), F.S.

¹⁷ *Id.* at (3).

¹⁸ Email, Florida Department of Children and Families (Mar. 14, 2019); Rule 65C-22.001(7)(g), F.A.C.; and *see s.* 402.305(3)(b), F.S.

The bill requires specified charter school personnel to be certified at least 30 days before the school opens or within 30 days of the first date of employment, whichever comes first. The bill does not specify the timeline in which existing charter school personnel must earn the required certification.

According to the Department of Children and Families (DCF), the approved third-party credentialing entities specified in the bill are not currently approved to provide training or certification in developing and adjusting business plans, financial planning, or state and federal grant and student performance accountability.¹⁹ Therefore, it is unclear whether the approved third-party credentialing entities will be able to provide the required certification for core competence in the administration of a charter school.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

¹⁹ Email, Florida Department of Children and Families (Mar. 14, 2019).

C. **Government Sector Impact:**

The bill may result in increased costs for charter schools associated with credentialing for principals, governing board members, and chief financial officers.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.33 and 1012.32.

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 Farmer

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A bill to be entitled

An act relating to charter school employees; amending s. 1002.33, F.S.; requiring each charter school principal, governing board member, chief financial officer, or their equivalent, to meet certain certification requirements; amending s. 1012.32, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Present paragraphs (g), (h), and (i) of subsection (12) of section 1002.33, Florida Statutes, are redesignated as paragraphs (h), (i), and (j), respectively, a new paragraph (g) is added to subsection (12), and paragraph (a) of subsection (7) of that section is amended, to read:

1002.33 Charter schools.—

(7) CHARTER.—The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter. The sponsor and the governing board of the charter school shall use the standard charter contract pursuant to subsection (21), which shall incorporate the approved application and any addenda approved with the application. Any term or condition of a proposed charter contract that differs from the standard charter contract adopted by rule of the State Board of Education shall be presumed a limitation on charter school flexibility. The sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility

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to meet educational goals. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which

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combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as

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rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. Admission or dismissal must not be based on a student's academic performance.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the

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117 policies and practices needed to effectively manage the charter
 118 school. A description of internal audit procedures and
 119 establishment of controls to ensure that financial resources are
 120 properly managed must be included. Both public sector and
 121 private sector professional experience shall be equally valid in
 122 such a consideration.

123 10. The asset and liability projections required in the
 124 application which are incorporated into the charter and shall be
 125 compared with information provided in the annual report of the
 126 charter school.

127 11. A description of procedures that identify various risks
 128 and provide for a comprehensive approach to reduce the impact of
 129 losses; plans to ensure the safety and security of students and
 130 staff; plans to identify, minimize, and protect others from
 131 violent or disruptive student behavior; and the manner in which
 132 the school will be insured, including whether or not the school
 133 will be required to have liability insurance, and, if so, the
 134 terms and conditions thereof and the amounts of coverage.

135 12. The term of the charter which shall provide for
 136 cancellation of the charter if insufficient progress has been
 137 made in attaining the student achievement objectives of the
 138 charter and if it is not likely that such objectives can be
 139 achieved before expiration of the charter. The initial term of a
 140 charter shall be for 5 years, excluding 2 planning years. In
 141 order to facilitate access to long-term financial resources for
 142 charter school construction, charter schools that are operated
 143 by a municipality or other public entity as provided by law are
 144 eligible for up to a 15-year charter, subject to approval by the
 145 district school board. A charter lab school is eligible for a

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146 charter for a term of up to 15 years. In addition, to facilitate
 147 access to long-term financial resources for charter school
 148 construction, charter schools that are operated by a private,
 149 not-for-profit, s. 501(c)(3) status corporation are eligible for
 150 up to a 15-year charter, subject to approval by the district
 151 school board. Such long-term charters remain subject to annual
 152 review and may be terminated during the term of the charter, but
 153 only according to the provisions set forth in subsection (8).

154 13. The facilities to be used and their location. The
 155 sponsor may not require a charter school to have a certificate
 156 of occupancy or a temporary certificate of occupancy for such a
 157 facility earlier than 15 calendar days before the first day of
 158 school.

159 14. The qualifications to be required of the teachers and
 160 the potential strategies used to recruit, hire, train, and
 161 retain qualified staff to achieve best value.

162 15. The governance structure of the school, including the
 163 status of the charter school as a public or private employer as
 164 required in paragraph (12) (j) ~~(12) (i)~~.

165 16. A timetable for implementing the charter which
 166 addresses the implementation of each element thereof and the
 167 date by which the charter shall be awarded in order to meet this
 168 timetable.

169 17. In the case of an existing public school that is being
 170 converted to charter status, alternative arrangements for
 171 current students who choose not to attend the charter school and
 172 for current teachers who choose not to teach in the charter
 173 school after conversion in accordance with the existing
 174 collective bargaining agreement or district school board rule in

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the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g) Each charter school principal, governing board member, chief financial officer, or equivalent position must hold a valid certification issued by a third-party credentialing

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organization that is recognized under s. 402.40, at least 30 days before the school opens or within 30 days of the first date of employment, whichever comes first. The credentialing organization must certify the individual's core competence in the administration of a charter school, including, but not limited to, developing and adjusting business plans; accurate financial planning and good business practices, including accounting for costs and income; state and federal grant and student performance accountability requirements; identification of, and application for, state and federal funding sources; governance, including government in the sunshine, conflicts of interest, ethics, and financial responsibility. An individual certified under this paragraph meets the training requirements under subparagraph (h)3., paragraph (6)(f), and subparagraph (9)(j)4.

Section 2. Paragraph (b) of subsection (2) of section 1012.32, Florida Statutes, is amended to read:

1012.32 Qualifications of personnel.—

(2)

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(h) ~~s. 1002.33(12)(g)~~, must, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school

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233 district who is trained to take fingerprints.

234
235 Fingerprints shall be submitted to the Department of Law
236 Enforcement for statewide criminal and juvenile records checks
237 and to the Federal Bureau of Investigation for federal criminal
238 records checks. A person subject to this subsection who is found
239 ineligible for employment under s. 1012.315, or otherwise found
240 through background screening to have been convicted of any crime
241 involving moral turpitude as defined by rule of the State Board
242 of Education, shall not be employed, engaged to provide
243 services, or serve in any position that requires direct contact
244 with students. Probationary persons subject to this subsection
245 terminated because of their criminal record have the right to
246 appeal such decisions. The cost of the background screening may
247 be borne by the district school board, the charter school, the
248 employee, the contractor, or a person subject to this
249 subsection. A district school board shall reimburse a charter
250 school the cost of background screening if it does not notify
251 the charter school of the eligibility of a governing board
252 member or instructional or noninstructional personnel within the
253 earlier of 14 days after receipt of the background screening
254 results from the Florida Department of Law Enforcement or 30
255 days of submission of fingerprints by the governing board member
256 or instructional or noninstructional personnel.

257 Section 3. This act shall take effect July 1, 2019.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/19

Meeting Date

1224

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Angie Gail D

Job Title V.P. of Education

Address

Street

Phone

City

State

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

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)

3/19/19
Meeting Date

1224
Bill Number (if applicable)

Topic Charter School Employees

Amendment Barcode (if applicable)

Name ~~S~~ SEAN NGYING

Job Title TEACHER

Address 1992 CANAL RD

Phone 386 748 8708

Street

DELTONA

FL

32738

City

State

Zip

Email sean-is-barack@yahoo.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

3/19/19
Meeting Date

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

SB 1224
Bill Number (if applicable)

Topic Charter School Employees

Amendment Barcode (if applicable)

Name JUDY WYING

Job Title TEACHER

Address 1992 CANAL RD
Street

Phone 386-717-8067

DELTONA FL 32738
City State Zip

Email _____

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
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 1308

INTRODUCER: Education Committee and Senator Perry

SUBJECT: Pathways to College and Career Success

DATE: March 20, 2019

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1308 provides for greater access to meaningful credentials that prepare students for additional postsecondary education or a career. Specifically, the bill:

- Requires the Commissioner of Education (commissioner) to conduct an annual review of career and technical education offerings in the K-12 education system, career centers, and the Florida College System (FCS) to determine their alignment with employer demand, postsecondary degree or certificate programs, and industry certifications. As a result of the review, the commissioner must:
 - Phase out programs not aligned to the needs of employers or do not provide completers with middle- or higher-wage jobs.
 - Encourage school districts and FCS institutions to offer new programs that are in demand by employers.
 - Provide an annual report to the Governor and the Legislature summarizing findings and recommendations.
- Expands access to associate in arts (AA) degrees by requiring:
 - The statewide articulation agreement to provide for a reverse transfer agreement to award AA degrees to students who transferred to a state university from an FCS institution before earning the AA degree, but have since completed requirements for the degree.
 - State universities to annually notify students of the option in law to request an AA certificate if they have successfully completed the requirements of the degree.

- Authorizes a state university or FCS institution to waive tuition and fees for a student who was enrolled between 5 and 10 years ago, and who successfully completed all but the equivalent of 10 percent of the required coursework for an associate or bachelor's degree.

The bill may result in a loss of revenue for postsecondary institutions granting tuition and fee waivers.

The bill takes effect July 1, 2019.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Career and Technical Education

Present Situation

Sixty-seven percent of the jobs created in Florida between 2018 and 2025 are expected to require a postsecondary degree or certificate (postsecondary vocational, associate, bachelor's, master's or higher).¹ However, only 49 percent of Floridians have a credential beyond high school.² The ability to train and retain skilled Floridians and attract college graduates and other trained workers as a talent pipeline to Florida businesses remains vitally important.³

The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency.⁴ Career education may be offered at the secondary and postsecondary level by school districts or at the postsecondary level by Florida College System (FCS) institutions.⁵

Career Training and Credentials

Students in middle school, high school, district technical schools, and FCS institutions may participate in career education and earn a variety of career credentials that are designed to prepare students for a career.

¹ Department of Economic Opportunity, *Florida Strategic Plan for Economic Development* (2018-2023), available at <http://www.floridajobs.org/docs/default-source/division-of-strategic-business-development/fl5yrplan/fl-strategic-plan-booklet-2.pdf?sfvrsn=6>, at 18.

² Lumina Foundation, A Stronger Nation, *Florida's progress toward the goal*, <http://strongernation.luminafoundation.org/report/2019/#state/FL> (last visited Mar. 13, 2019).

³ Department of Economic Opportunity, *Florida Strategic Plan for Economic Development* (2018-2023), available at <http://www.floridajobs.org/docs/default-source/division-of-strategic-business-development/fl5yrplan/fl-strategic-plan-booklet-2.pdf?sfvrsn=6>, at 18.

⁴ Section 1004.92(1), F.S.

⁵ In 2016-2017, secondary career and technical education (CTE) student enrollment was 341,648, and postsecondary CTE enrollment was 105,937. U.S. Department of Education, *Perkins Data Explorer*, <https://perkins.ed.gov/pims/DataExplorer> (last visited Mar. 13, 2019).

Career and Professional Education

Enacted in 2007,⁶ the Florida Career and Professional Education (CAPE) Act is intended to provide career education that will articulate to the postsecondary level and lead to industry certifications, support local and regional economic development, respond to critical workforce needs, and provide residents with access to high-wage and high-demand careers.⁷ The CAPE Act creates statewide partnerships between the Florida Department of Education (DOE), Florida Department of Economic Opportunity (DEO) and CareerSource Florida, Inc. Additionally, the CAPE Act requires strategic planning between district school boards, local workforce development boards, economic development agencies, and postsecondary institutions to address and meet local and workforce demands.⁸

CAPE Digital Tool Certificates

CAPE Digital Tool certificates for elementary and middle grades students include digital skills necessary for a student's academic work and future employment. Skills include word processing, spreadsheets, presentations, digital arts, cybersecurity, and coding.⁹ In 2017-2018, students earned 40,947 CAPE Digital Tool certificates.¹⁰

Industry Certification

Industry certification is a voluntary process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills, and competencies. Successful completion results in the award of a credential that is nationally recognized and is either within an industry that addresses a critical local or statewide economic need, linked to an occupation that is included in the workforce system's targeted occupation list; or linked to an occupation that is identified as emerging.¹¹

The State Board of Education (SBE) must work with CareerSource Florida, Inc., and the Department of Agriculture and Consumer Services to implement the industry certification process.¹² The SBE is required to annually approve a CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List.¹³ In 2017-2018, students earned 123,839 industry certifications,¹⁴ with 63,520 earned certifications associated with a statewide articulation agreement.¹⁵

⁶ Section 1, ch. 2007-216, L.O.F.

⁷ Section 1003.491, F.S.

⁸ Section 1003.491(2), F.S.

⁹ Section 1003.4203(3), F.S. CAPE Digital Tool certificates earned by students in elementary and middle school grades generates 0.025 FTE bonus funding. Section 1011.62(1)(o)1.a., F.S.

¹⁰ Florida Department of Education, *Career and Professional Education Act Enrollment and Performance Report, 2017-18* (Dec. 2018), available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1718capepr.pdf>, at 1.

¹¹ Section 1003.492(2), F.S.

¹² Section 1003.492(3), F.S.

¹³ Section 1008.44(1) and (2), F.S. CAPE industry certifications generate 0.1 or 0.2 FTE bonus funding based on whether or not the industry certification is associated with an articulation agreement for college credit.

¹⁴ Florida Department of Education, *2017-18 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/1718quickfacts.pdf>.

¹⁵ Florida Department of Education, *2019 Agency Analysis for HB 661* (Feb. 28, 2019), at 5.

CAPE Acceleration

CAPE Acceleration industry certifications articulate for 15 or more college credit hours and are eligible for FTE bonus funding.¹⁶ In 2017-2018, students earned 105 CAPE Acceleration industry certifications.¹⁷

Preapprenticeship and Apprenticeship Programs

An apprenticeship program prepares a student for a skilled trade through supervised work experience and properly coordinated classroom training. Registered apprenticeship programs are sponsored by employer, an association of employers, or a local joint apprenticeship committee.¹⁸ For the 2017-2018 school year, a total of 2,826 students in apprenticeship programs were enrolled in state colleges and 9,105 were enrolled in school districts.¹⁹

Preapprenticeship is an organized course of instruction registered with the DOE and designed to prepare a person 16 years of age or older to become an apprentice and is sponsored by a registered apprenticeship program.²⁰

Applied Technology Diploma

An applied technology diploma (ATD) program is either a clock hour or college credit program that is part of a career certificate or an associate in science (AS) degree that leads to employment in a specific occupation.²¹ In 2017-2018, 1,080 students in district technical centers were enrolled in ATD programs,²² and 1,221 FCS students completed an ATD.²³

Career Certificate

Postsecondary Adult Vocational (PSAV) certificate programs consist of clock hour courses to prepare for entry into employment. The PSAV certificate is awarded upon satisfactory completion of a planned program of instruction and after the demonstration of the attainment of predetermined and specified performance requirements.²⁴ In 2017-2018, 14,482 school district and 8,268 FCS students completed a PSAV program.²⁵

¹⁶ Section 1003.4203(5)(b), F.S. CAPE Acceleration Industry Certifications that articulate for 15 to 29 college credit hours generate 0.5 FTE in bonus funding, and certifications that articulate for 30 or more hours generate an additional 1.0 FTE bonus funding. Section 1011.62(1)(o)1.d., F.S.

¹⁷ Florida Department of Education, *Career and Professional Education Act Enrollment and Performance Report, 2017-18* (Dec. 2018), available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1718capepr.pdf>, at 26.

¹⁸ Section 446.021(2), F.S. Of the 226 registered apprenticeship programs in Florida, 16 school districts and 9 FCS institutions partner with a sponsor. The remaining 222 registered apprenticeship programs are sponsored by local union organizations, employer groups, professional associations, single employers, local workforce boards, and community organization. Email, Department of Education, Feb. 26, 2019.

¹⁹ *Id.*

²⁰ Section 446.021(5), F.S.

²¹ Rule 6A-14.030(7), F.A.C.

²² Florida Department of Education, *2017-18 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/1718quickfacts.pdf>.

²³ Email, Florida Department of Education (Mar. 15, 2019).

²⁴ Rule 6A-14.030(10), F.A.C.

²⁵ Email, Florida Department of Education (Mar. 15, 2019).

College Credit Certificate

Each FCS institution is authorized to provide programs of career and technical instruction consisting of less than 60 college credits that are part of an AS or an associate in applied science degree (AAS) program and prepare students for entry into employment. In 2017-2018, 21,191 FCS students completed a college credit certificate.²⁶

Advanced Technical Certificate

An advanced technical certificate (ATC) is a program of instruction of 9 to 45 credit hours of college-level courses, which may be awarded to students who have already received an AS or AAS degree and are seeking an advanced specialized planning program of study to supplement their associate degree. In 2017-2018, 367 FCS students completed at ATC.²⁷

Associate in Science

Each FCS institution may offer an AS degree programs of career and technical instruction consisting of lower division college credit courses to prepare for entry into employment. The AS degree also is a transfer degree and a basis for admission to a related bachelor's degree. In 2017-2018, 14,517 FCS students completed as AS degree.²⁸

Workforce Bachelor's Degrees

Each FCS institution may seek SBE approval to provide programs of instruction consisting of upper division college credit courses to prepare for entry into employment. The bachelor's degree must demonstrate workforce demand and unmet need for graduates of the program.²⁹ There are currently 187 bachelor's degree programs.³⁰ In 2017-2018, 8,501 students completed a bachelor's degree at an FCS institution.³¹

Accountability for Career and Technical Education

School districts and FCS institutions are accountable for postsecondary career education programs outcomes, including, but not limited to:

- Student demonstration of the academic skills necessary to enter an occupation.
- Student preparation to enter an occupation in an entry-level position or continue postsecondary study.
- Career program articulation with other corresponding postsecondary programs and job training experiences.
- Employer satisfaction with the performance of students who complete career education or reach occupational completion points.

²⁶ *Id.*

²⁷ Email, Florida Department of Education (Mar. 15, 2019).

²⁸ *Id.* In addition, 136 FCS students completed as Associate in Applied Science (AAS) degree. *Id.*

²⁹ Section 1007.33(5)(a), F.S.

³⁰ Florida College System, *Bachelor's Degrees*, available at <https://www.floridacollegesystem.com/sites/www/Uploads/files/Downloads/10DigitCIPs.xls>.

³¹ Email, Florida Department of Education (Mar. 15, 2019).

- Student completion, placement, and retention rates using data from the Florida Education and Training Placement Information Program.³²

DOE accountability requirements are specified in law, which include development of program standards and review of educational outcomes of graduates.³³ The DOE is also required to distribute career program reports required in law.³⁴ Reports must include placement rates and average quarterly earnings for students who complete each type of career certificate program and career degree program. School districts and FCS institutions are also required to publish the most recently available placement rate for each career program.³⁵

Effect of Proposed Changes

The bill creates s. 1004.991, F.S., to require the Commissioner of Education (commissioner) to conduct an annual review of career and technical education (CTE) offerings in the K-12 education system, career centers, and the FCS, in consultation with the DEO, CareerSource Florida, Inc., leaders of business and industry, the Board of Governors of the State University System (BOG), the FCS, school districts, and other education stakeholders, to determine the alignment of existing offerings with employer demand, postsecondary degree or certificate programs, and professional industry certifications. The bill requires the review to identify CTE offerings that are linked to occupations that are in high demand by employers, require high-level skills, and provide middle-level and high-level wages. The review must include analyses of:

- Participating students and their educational outcomes, including the following:
 - Academic achievement;
 - Attainment of industry certifications;
 - Program completion;
 - Applied learning experiences;
 - College credit attainment through the career and technical education program, including dual enrollment or articulation;
 - Postsecondary enrollment and credential attainment, including enrollment in 4-year degree programs for FCS students; and
 - Employment outcomes, including wages;
- Demographics of participating students by pathway and credential attainment;
- Educational settings of the courses;
- Alignment with high-growth, high-demand, and high-wage employment opportunities;
- Current and projected economic, labor, and wage data on the needs of the state, regional and global economies, and workforce;
- Alignment with certificate or degree programs offered at the postsecondary level or professional industry certifications;
- Employment outcomes, including wages, by career and technical education program offerings;
- Apprenticeship and preapprenticeship offerings;

³² The Florida Education and Training Placement Information Program (FETPIP) is a data collection and consumer reporting system established to provide follow-up data on former students and program participants who have graduated, exited or completed a public education or training program within the State of Florida. Section 1008.39, F.S.

³³ Section 1004.92(2)(b), F.S.

³⁴ Section 1008.42(1), F.S.

³⁵ Section 1008.42(2)(b)1. and 2., F.S.

- Qualifications and specialized knowledge and expertise of instructors and the opportunities for these educators to upskill in the latest in-demand skills of employers; and
- The extent to which federal, state, and local funding is used to foster career and technical education program success and program efficiency.

The bill requires the commissioner to:

- Phase out K-12 CTE offerings that are not aligned with the needs of employers or do not provide program completers with middle- or higher-wage jobs based on the findings from the annual review.
- Encourage school districts and FCS institutions to offer new programs that are currently in demand by employers but are not offered by school districts or FCS institutions.
- Provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives, annually by December 1, a report summarizing the following:
 - The review's findings;
 - A list of existing CTE programs by school or institution which are not aligned with employer demand or do not provide students with an opportunity to earn a living wage;
 - A list of knowledge areas, skills, and competencies employers demand which are not being provided through existing CTE program offerings; and
 - The commissioner's recommendations to improve the operational efficiency and student success in the state's CTE program offerings.

Finally, the bill specifies that the SBE must adopt rules to implement these requirements.

The bill is similar in effect to Executive Order 19-31,³⁶ in which Governor DeSantis directed the commissioner to ensure the following objectives are completed:

- An audit of the course offerings in the state CTE system is completed and a methodology to audit and review the offerings annually is developed. The audit should include:
 - An analysis of alignment with certificate or degree programs offered at the K-12 and postsecondary levels;
 - An analysis of alignment with professional level industry certifications;
 - An analysis of alignment with high-growth, high-demand and high-wage employment opportunities; and
 - A review of student outcomes such as academic achievement, college readiness, postsecondary enrollment, credential attainment and attainment of industry certifications;
- The DOE works with and utilizes the expertise of the following stakeholders: CareerSource Florida, the DEO, the BOG, the FCS, school districts and business and industry leaders to ensure CTE course offerings are aligned with market demands;
- The DOE develops CTE best practices for partnerships between high schools, postsecondary institutions, and businesses; and
- The DOE makes recommendations to the Governor on an annual basis to eliminate course offerings that are not aligned to market demands, to create new offerings that are aligned to market demands and to strengthen existing programs as needed.

³⁶ Office of the Governor, Executive Order Number 19-31 (Jan. 30, 2019), available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf, at 1-2.

Such an audit of Florida's CTE programs may enhance alignment of programs to industry and market needs, and may increase the visibility of career education as an option for students.

Degree Completion – Reverse Transfer

Present Situation

In fall, 2017, 16,312 FCS students transferred to a state university, but 4,589 transferred with no degree.³⁷

Statewide Articulation Agreement

The SBE and the BOG are required to enter into a statewide articulation agreement. The agreement must preserve Florida's "2+2" system of articulation and facilitate the seamless articulation of student credit across and among Florida's educational entities.³⁸ The agreement requires state university boards of trustees, FCS boards of trustees, and district school boards to adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit.³⁹

Reverse Transfer

Reverse transfer is the process of retroactively granting associate degrees to students who complete the requirements of an associate degree after they transferred from a two- to a four-year institution. Once the student reaches the designated credits and requirements, they are retroactively awarded an associate degree from their two-year institution of origin.⁴⁰

In 2012, Florida and 15 states joined the Credit When It's Due⁴¹ initiative and developed policies to implement reverse transfer agreements between public colleges and universities. From 2013 to 2016, FCS institution and state university participation in the program resulted in the award of 316 reverse transfer associate in arts (AA) degrees.⁴²

³⁷ Florida Board of Governors, *Florida College System Students Transferring into the State University System, Fall 2017* (Table 9), available at https://www.flbog.edu/resources/factbooks/2017-2018/xls/t09_00_1718_F.xlsx.

³⁸ Section 1007.23(1), F.S.

³⁹ Rule 6A-10.024(1), F.A.C.

⁴⁰ Education Commission of the States, *Reverse Transfer: What is the Best Route to Take?* (Sept. 2015), available at <https://www.ecs.org/wp-content/uploads/12112.pdf>.

⁴¹ The Credit When It's Due (CWID) initiative is a national grant program designed to facilitate the implementation and improve the process of "reverse transfer" degree programs. CWID represents a joint venture of several foundations: Lumina Foundation, The Kresge Foundation, the Bill & Melinda Gates Foundation, USA Funds, The Helios Education Foundation, and Greater Texas Foundation. The following 15 states have been awarded CWID grants: Arkansas, Colorado, Florida, Georgia, Hawaii, Maryland, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Oregon, Tennessee, and Texas. As explained in the CWID grant announcement, "The initiative is designed to encourage partnerships of community colleges and universities to significantly expand programs that award associate degrees to transfer students when students complete the requirements for the associate degree while pursuing a bachelor's degree."

⁴² Jason L. Taylor & Eden Cortes-Lopez, *Reverse Credit Transfer: Increasing State Associate's Degree Attainment* (April 2017), available at <https://degreeswhendue.com/wp-content/uploads/2018/09/Taylor-Cortes-Lopez-2017.pdf>.

Associate in Arts Degrees at State Universities

Florida law authorizes students at state universities to request an AA degree if they have successfully completed the minimum requirements for an AA degree. The state university must award the student an AA degree if the student has successfully completed:⁴³

- The minimum requirements for college-level communication and computation skills adopted by the SBE;⁴⁴
- Sixty academic semester hours or the equivalent within a degree program area; and
- Thirty-six semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement.⁴⁵

Effect of Proposed Changes

The bill amends s. 1007.23, F.S., to specify that the statewide articulation agreement must specifically provide for a reverse transfer agreement for FCS AA degree-seeking students who transfer to a state university before earning an AA degree. The bill requires the agreement to include, but is not limited to, the following provisions:

- The state universities' annual identification of students who have completed requirements for an AA degree.
- The transfer of credits earned at the state university back to the FCS institution.
- Provisions for the annual notification to students of the reverse transfer policy.

The bill also amends s. 1007.25, F.S., to require that state universities annually notify students of the option to request an associate in arts certificate if they have successfully completed the minimum requirements of the degree.

Similarly, in Executive Order 19-31,⁴⁶ Governor DeSantis directed the Commissioner of Education (commissioner) to ensure the DOE's 2019 legislative priorities included:

- Adopting a "reverse transfer" policy within universities and state colleges, whereby state colleges issue associates' degrees to students who began their higher education at a state college and transferred to a university prior to completing the necessary credits for an associate's degree, but did not complete their bachelors' degrees at the university. This would be accomplished by having the university transfer back any credits completed by the student to the state college where they started, allowing those who have completed the necessary credits across the system to be awarded an associate's degree from the state college at which they started.
- Requiring all four-year colleges to proactively offer associate's degrees to students who have completed the required 60 hours immediately upon completion of those hours.

⁴³ Section 1007.25(11), F.S.

⁴⁴ Rule 6A-10.0316, F.A.C. The State Board of Education is directed to adopt, in consultation with the Board of Governors, and from time to time modify, minimum and uniform standards of college-level communication and computation skills generally associated with successful performance and progression through the baccalaureate level and to identify college-preparatory high school coursework and postsecondary-level coursework that prepares students with the academic skills necessary to succeed in postsecondary education. Section 1001.02(2)(d), F.S.

⁴⁵ Section 1007.23(1)(f), F.S.

⁴⁶ Office of the Governor, Executive Order Number 19-31 (Jan. 30, 2019), available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf, at 2-3.

A statewide reverse transfer policy may result in additional degrees awarded to students. Students who are not able to complete a bachelor's degree may still benefit from award of an AA degree. In addition, FCS institutions may benefit from additional degrees awarded for completion calculations under the FCS Performance-Based Incentive.

Fee Waivers

Present Situation

Florida law establishes tuition and fee exemptions⁴⁷ and waivers⁴⁸ according to a student's specific circumstance. Some fee waivers are mandatory,⁴⁹ while others are permissive.⁵⁰ State universities and FCS institutions are provided some flexibility in awarding tuition and fee waivers to nonexempt students. However, such waivers at state universities must be for purposes that support and enhance the mission of the university, and FCS institutions may not grant waivers in excess of the amount established annually in the General Appropriations Act.⁵¹

Effect of Proposed Changes

The bill amends s. 1009.26, F.S., to authorize a state university or FCS institution to waive tuition and fees for a student who was enrolled in a state university or FCS institution within the past 10 years or earlier, but who has not reenrolled in the preceding 5 years and who successfully completed all but the equivalent of 10 percent of the required coursework for an associate or bachelor's degree.

The bill is similar to a provision in Executive Order 19-31,⁵² in which Governor DeSantis directed the commissioner to ensure the DOE's 2019 legislative priorities included creating the "Last Mile College Completion" funding incentive to provide tuition waivers for online and state college course completion for identified former students who are within 10 percent of degree completion by credit hours.

Similarly, but with different credit completion requirements, Complete Florida⁵³ offers "Last Mile" scholarships to Florida residents who have completed a substantial portion of an associate's or bachelor's degree. The Last Mile scholarship provides a scholarship of 100 percent of tuition and fees for an applicant who has completed 90 hours or more of a bachelor's degree. The scholarship awards 75 percent of tuition and fees for an applicant who has completed 45 to 60 hours of an associate's degree.

United States Census data indicate that of the 249,193,000 adults 18 years of age or older, 104,477,000 had earned an associate's or higher degree, but 46,175,000 had some college, but no

⁴⁷ Section 1009.25, F.S.

⁴⁸ Section 1009.26, F.S.

⁴⁹ *Id.*, at (5), (7)-(8), (12)-(14).

⁵⁰ *Id.*, at (1)-(4), (6), (9)-(11), and (15).

⁵¹ *Id.* at (1) and (9).

⁵² Office of the Governor, Executive Order Number 19-31 (Jan. 30, 2019), available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf, at 2-3.

⁵³ The Complete Florida Plus Program established at the University of West Florida provides support for online academic programs, and facilitates degree completion for the state's adult learners through the Complete Florida Degree Initiative. Section 1006.735(1), F.S.

degree.⁵⁴ An example in Florida of an attempt to help adults with some college earn their degree was Project Win-Win, a multi-year collaboration of the Institute for Higher Education Policy and the State Higher Education Executive Officers. Project Win-Win worked with 61 institutions that award associate's degrees in nine states (Florida, Louisiana, Michigan, Missouri, New York, Ohio, Oregon, Virginia, and Wisconsin) to identify students either eligible for a degree or very close to completing the degree requirements. Of the 41,710 eligible students, 4,550 were awarded a degree, and 1,668 expressed interest in returning to complete the degree.⁵⁵

Authorizing a fee waiver may encourage state universities and FCS institutions to offer such a tuition and fee waivers to specified students. This may make postsecondary education more affordable for students to return to a college or university to complete their degree.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁵⁴ United States Census Bureau, *Educational Attainment in the United States: 2018*, <https://www.census.gov/data/tables/2018/demo/education-attainment/cps-detailed-tables.html> (last visited Mar. 14, 2019).

⁵⁵ Clifford Adelman, Institute for Higher Education Policy, *Searching for our Lost Associate's Degrees: Project Win-Win at the Finish Line* (Oct. 2013), available at http://www.ihep.org/sites/default/files/uploads/docs/pubs/pww_at_the_finish_line-long_final_october_2013.pdf, at 6.

B. Private Sector Impact:

The tuition and fee waivers authorized in the bill may make a postsecondary education more affordable for students returning to complete a degree.

C. Government Sector Impact:

Any Florida College System institution or state university that grants a waiver of tuition and fees for a returning student under specified conditions will not collect tuition and fees for that student, thereby resulting in a loss of revenue.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1007.23, 1007.25, and 1009.26.

This bill creates section 1004.991 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 on March 19, 2019:

The committee substitute includes career centers in the requirement that the Commissioner of Education conduct an annual review of career and technical education offerings in the K-12 education system and Florida College System.

B. Amendments:

None.



514048

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
	.	
	.	
	.	

The Committee on Education (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete line 31
and insert:
education system, career centers, and the Florida College
System, in consultation

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

And the title is amended as follows:

Delete lines 5 - 6
and insert:



514048

12 of career and technical education offerings in the K-
13 12 education system, career centers, and the Florida
14 College System;

By Senator Perry

8-01457B-19

20191308__

A bill to be entitled

An act relating to pathways to college and career success; creating s. 1004.991, F.S.; requiring the Commissioner of Education to conduct an annual review of career and technical education offerings in the K-12 education system and the Florida College System; providing requirements for the annual review; requiring the commissioner to annually provide a report summarizing the annual review to the Governor and the Legislature; providing requirements for the report; requiring the State Board of Education to adopt rules; amending s. 1007.23, F.S.; requiring the statewide articulation agreement to provide for a reverse transfer agreement; providing requirements for the reverse transfer agreement; amending s. 1007.25, F.S.; requiring state universities to annually notify their students of a specified provision of law; amending s. 1009.26, F.S.; authorizing state universities or Florida College System institutions to waive tuition and fees for students who meet specified requirements; providing an effective date.

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

Section 1. Section 1004.991, Florida Statutes, is created to read:

1004.991 Duties of the commissioner in reviewing career and technical education offerings.—

(1) The Commissioner of Education shall conduct an annual

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20191308__

review of career and technical education offerings in the K-12 education system and the Florida College System, in consultation with the Department of Economic Opportunity, CareerSource Florida, Inc., leaders of business and industry, the Board of Governors of the State University System, the Florida College System, school districts, and other education stakeholders, to determine the alignment of existing offerings with employer demand, postsecondary degree or certificate programs, and professional industry certifications. The review must identify career and technical education offerings that are linked to occupations that are in high demand by employers, require high-level skills, and provide middle-level and high-level wages. The review must include analyses of:

(a) Participating students and their educational outcomes, including the following:

1. Academic achievement;

2. Attainment of industry certifications;

3. Program completion;

4. Applied learning experiences;

5. College credit attainment through the career and technical education program, including dual enrollment or articulation;

6. Postsecondary enrollment and credential attainment, including enrollment in 4-year degree programs for Florida College System students; and

7. Employment outcomes, including wages;

(b) Demographics of participating students by pathway and credential attainment;

(c) Educational settings of the courses;

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20191308__

(d) Alignment with high-growth, high-demand, and high-wage employment opportunities;

(e) Current and projected economic, labor, and wage data on the needs of the state, regional and global economies, and workforce;

(f) Alignment with certificate or degree programs offered at the postsecondary level or professional industry certifications;

(g) Employment outcomes, including wages, by career and technical education program offerings;

(h) Apprenticeship and preapprenticeship offerings;

(i) Qualifications and specialized knowledge and expertise of instructors and the opportunities for these educators to upskill in the latest in-demand skills of employers; and

(j) The extent to which federal, state, and local funding is used to foster career and technical education program success and program efficiency.

(2) Using the findings from the annual review as provided in subsection (1), the commissioner shall phase out K-12 career and technical education offerings that are not aligned with the needs of employers or do not provide program completers with middle- or higher-wage jobs. Additionally, the commissioner shall encourage school districts and Florida College System institutions to offer new programs that are currently in demand by employers but are not offered by school districts or Florida College System institutions.

(3) By December 1 of each year, the commissioner shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing the

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20191308__

following:

(a) The review's findings pursuant to subsection (1);

(b) A list of existing career and technical education programs by school or institution which are not aligned with employer demand or do not provide students with an opportunity to earn a living wage;

(c) A list of knowledge areas, skills, and competencies employers demand which are not being provided through existing career and technical education program offerings; and

(d) The commissioner's recommendations to improve the operational efficiency and student success in the state's career and technical education program offerings.

(4) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

Section 2. Subsection (7) is added to section 1007.23, Florida Statutes, to read:

1007.23 Statewide articulation agreement.—

(7) The articulation agreement must specifically provide for a reverse transfer agreement for Florida College System associate in arts degree-seeking students who transfer to a state university before earning an associate in arts degree. The agreement must include, but is not limited to, the following provisions:

(a) The state universities' annual identification of students, described under this subsection, who have completed requirements for an associate in arts degree.

(b) The transfer of credits earned at the state university back to the Florida College System institution.

(c) Provisions for the annual notification to students,

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117 described under this subsection, of the reverse transfer policy.

118 Section 3. Subsection (11) of section 1007.25, Florida
119 Statutes, is amended to read:

120 1007.25 General education courses; common prerequisites;
121 other degree requirements.-

122 (11) Students at state universities may request associate
123 in arts certificates if they have successfully completed the
124 minimum requirements for the degree of associate in arts ~~(A.A.)~~.
125 The university must grant the student an associate in arts
126 degree if the student has successfully completed minimum
127 requirements for college-level communication and computation
128 skills adopted by the State Board of Education and 60 academic
129 semester hours or the equivalent within a degree program area,
130 including 36 semester hours in general education courses in the
131 subject areas of communication, mathematics, social sciences,
132 humanities, and natural sciences, consistent with the general
133 education requirements specified in the articulation agreement
134 pursuant to s. 1007.23. Universities must annually notify their
135 students of this provision.

136 Section 4. Subsection (16) is added to section 1009.26,
137 Florida Statutes, to read:

138 1009.26 Fee waivers.-

139 (16) A state university or Florida College System
140 institution may waive tuition and fees for a student who was
141 enrolled in a state university or Florida College System
142 institution within the past 10 years or earlier, but who has not
143 reenrolled in the preceding 5 years and who successfully
144 completed all but the equivalent of 10 percent of the required
145 coursework for an associate or bachelor's degree.

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

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146 Section 5. This act shall take effect July 1, 2019.

Page 6 of 6

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/19/19
Meeting Date

SB 1308
Bill Number (if applicable)

Topic Pathways to College + Career Success

Amendment Barcode (if applicable)

Name Sue Sommer

Job Title

Address 505 SW Aviation Dr
Street

Phone

Lake City FL 32025
City State Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Citizens Alliance

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)

3/19/19
Meeting Date

SB-1308
Bill Number (if applicable)

Topic PATHWAYS

Amendment Barcode (if applicable)

Name J. B. CLARK

Job Title COBBLIST

Address 2001 CYNTHIA PTORR
Street

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City State Zip

Email BOBCLARK@KAREHILL.NET

Speaking: ☐ For ☐ Against ☐ Information

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

Representing FLORIDA ALLEGIANCE WORKERS ASSN.

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)

19 March 19

Meeting Date

1308

Bill Number (if applicable)

Topic College and Career Pathways

Amendment Barcode (if applicable)

Name Debbie Mortham

Job Title Advocacy Director

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32301

Email debbie@excelined.org

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Foundation for Florida's Future

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3.19.19

Meeting Date

1308

Bill Number (if applicable)

Topic PATHWAYS TO COLLEGE + CAREER SUCCESS

Amendment Barcode (if applicable)

Name AMANDA BOWEN

Job Title EXECUTIVE DIRECTOR

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TCH

City

FL

State

32317

Zip

Email ABOWEN@NSTEPHENS.COM

Speaking: ☐ For ☐ Against ☐ Information

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

Representing MANUFACTURERS ASSOC. OF FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

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)

3/19/19
Meeting Date

1308
Bill Number (if applicable)

Topic Pathways to College and Career Success

Amendment Barcode (if applicable)

Name Carol Bowen

Job Title Chief Lobbyist

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City State Zip

Email cbowen@arwasthene.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)

03/19/19

Meeting Date

1308

Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Bethany Swonson

Jared Ochs

Job Title Leg. Affairs Director

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Tallahassee

FL

32303

City

State

Zip

Email Bethany.swonson

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

Representing Florida Department of Education

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.

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 Committee on Education

BILL: CS/SB 1316

INTRODUCER: Education Committee and Senator Brandes

SUBJECT: Civic Education

DATE: March 20, 2019

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1316 expands and enhances civics instruction in public schools. The bill creates the United States Government and Civic Engagement course and provides:

- An option for students entering grade 9, in the 2020-2021 school year, to take one-half credit in United States Government and Civic Engagement.
- A nonpartisan civic literacy project as the laboratory component of the United States Government and Civic Engagement course.

Additionally, the bill:

- Creates the Florida Seal of Civic Engagement Program.
- Provides an option for students initially enrolling in a Florida College System institution or state university to demonstrate competency in civic literacy by earning the Seal of Civic Engagement.
- Requires the Department of Education (DOE) to include nonpartisan civic literacy projects when encouraging school districts to initiate, adopt, and expand service-learning programs and policies in kindergarten through grade 12.
- Amends the school grading requirements beginning with the 2020-2021 school year to include the percentage of students who complete the United States Government and Civic Engagement course with a grade of “B” or higher in the calculation.

The bill takes effect July 1, 2019.

II. Present Situation:

Florida law requires the adoption of standards for core curricula content taught in public schools and specifies the requirements that students must meet to earn a standard high school diploma.¹

Next Generation Sunshine State Standards

The Next Generation Sunshine State Standards (NGSSS) establish the core curricula content to be taught in Florida and specify the core content knowledge and skills that K-12 public school students are expected to acquire.² The standards must be rigorous and relevant to incrementally increase a student's core content knowledge and skills over time.³ The curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.⁴ The standards applicable to students in grades 9 through 12 may be organized by grade clusters that include more than one grade level, except as otherwise provided for visual performing arts, physical education, health, and foreign language standards.⁵

The State Board of Education (SBE) is responsible for adopting the NGSSS and subsequent revisions to such standards in rule.⁶ Currently, the NGSSS must meet the following requirements:⁷

- English Language Arts must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.
- Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.
- Mathematics standards must establish curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.
- Social Studies standards must establish curricula content for, at a minimum, geography, United States and world history, government, civics, humanities, and economics, including financial literacy.
- Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

¹ Sections 1003.41 and 1003.4282(3), F.S.

² Section 1003.41(1), F.S.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ Section 1003.41(3)-(4), F.S.

⁷ Section 1003.41(2), F.S.

Credits Required to Earn a Standard High School Diploma

To graduate from high school with a standard high school diploma, a student must successfully complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.⁸

A student must successfully complete 24 credits in the following subject areas:⁹

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one 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.¹⁰ 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 that incorporates artistic content and techniques of creativity, interpretation, and imagination.
- One credit in physical education that must include the integration of health.
- Eight credits in electives. School districts are required to develop and offer coordinated electives to enable a student to develop knowledge and skills in his or her area of interest and such electives must include opportunities for students to earn college credit.

Service Learning

Service learning refers to a student-centered, research-based teaching and learning strategy that engages students in meaningful service activities in their schools or communities.¹¹ Service learning activities are directly tied to academic curricula, standards, and course, district, or state assessments.¹² The Department of Education (DOE) must encourage school districts to initiate, adopt, expand and institutionalize service-learning programs, activities, and policies in kindergarten through grade 12.

School Grades

School grades provide an easily understandable way to measure the performance of a school.¹³ Parents and the general public can use the school grade and its components to understand how well each school is serving its students.¹⁴ A school's grade may include up to eleven

⁸ Section 1003.4282(1)(a), F.S.

⁹ *Id.* at (3).

¹⁰ Two of the three science credits must have a laboratory component. Section 1003.4282(3)(c), F.S.

¹¹ Section 1003.497(1), F.S.

¹² *Id.*

¹³ Florida Department of Education, *2018 School Grades Overview* (2018), available at <http://www.fldoe.org/core/fileparse.php/18534/urlt/SchoolGradesOverview18.pdf>.

¹⁴ *Id.*

components. There are four achievement components¹⁵, four learning gains components¹⁶, a middle school acceleration component, as well as components for graduation rate and college and career acceleration. Each component is worth up to 100 points in the overall calculation.

Schools are graded using the following scale:¹⁷

- “A,” for schools making excellent progress – 62 percent or higher of total points.
- “B,” for schools making above average progress – 54 percent to 61 percent of total points.
- “C,” for schools making satisfactory progress – 41 percent to 53 percent of total points.
- “D,” for schools making less than satisfactory progress – 32 percent to 40 percent of total points.
- “F,” for schools failing to make adequate progress – 31 percent or less of total points.

The SBE must periodically review the school grading scale to determine if the scale should be adjusted upward to meet raised expectations and encourage increased student performance. The SBE must notify the public of any adjustment, and explain the reasons for such adjustment and the impact of the adjustment on school grades.¹⁸

Civic Literacy

Florida law requires that students initially entering a Florida College System institution or state university in the 2018-2019 school year and thereafter, must demonstrate competency in civic literacy.¹⁹ The SBE and Board of Governors (BOG) are required to adopt in regulation at least one existing assessment that measures competency and identify certain outcomes.²⁰ The chair of the SBE and the chair of the BOG, or their respective designees, were tasked to jointly appoint a committee to:

- Develop a new course in civic literacy or revise an existing general education core course in American History or American Government to include civic literacy
- Establish course competencies and identify outcomes that include, at a minimum, an understanding of the basic principles of American democracy and how they are applied in our republican form of government, an understanding of the United States Constitution, knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance, and an understanding of landmark Supreme Court cases and their impact on law and society.

In 2017, the appointed Faculty Committee was formed and met on three occasions.²¹ The committee modified two existing courses to include approved course competencies for civic

¹⁵ English Language Arts (ELA), Mathematics, Science and Social Studies

¹⁶ ELA, Mathematics, lowest performing 25% in ELA and Mathematics

¹⁷ Section 1008.34(2), F.S.; Rule 6A-1.09981, F.A.C.

¹⁸ Section 1008.34(3)(c)1., F.S.

¹⁹ Section 1007.25(4), F.S.

²⁰ That include, at a minimum, an understanding of the basic principles of American democracy and how they are applied in our republican form of government, an understanding of the United States Constitution, knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance, and an understanding of landmark Supreme Court cases and their impact on law and society. *Id.* at (4)(b).

²¹ Florida Department of Education, *Postsecondary Civics Literacy* (2018), available at <http://www.fldoe.org/policy/articulation/postsec-civics-lit.shtml>.

literacy, and added a new course, that is available statewide, which is not part of the General Education Core and includes approved course competencies for civic literacy.²²

III. Effect of Proposed Changes:

CS/SB 1316 expands and enhances civics instruction in public schools. The bill creates the United States Government and Civic Engagement course and provides:

- An option for students entering grade 9, in the 2020-2021 school year, to take one-half credit in United States Government and Civic Engagement.
- A nonpartisan civic literacy project as the laboratory component of the United States Government and Civic Engagement course.

Additionally, the bill:

- Creates the Florida Seal of Civic Engagement Program.
- Provides an option for students initially enrolling in a Florida College System institution or state university to demonstrate competency in civic literacy by earning the Seal of Civic Engagement.
- Requires the Department of Education (DOE) to include nonpartisan civic literacy projects when encouraging school districts to initiate, adopt, and expand service-learning programs and policies in kindergarten through grade 12.
- Amends the school grading requirements beginning with the 2020-2021 school year to include the percentage of students who complete the United States Government and Civic Engagement course with a grade of “B” or higher in the calculation.

Credits Required to Earn a Standard High School Diploma

The bill modifies the one-half credit requirement in United States Government to include an option for students entering grade 9, beginning in the 2020-2021 school year, to take one-half credit in United States Government and Civic Engagement to fulfill this requirement. The course must include an individual or group nonpartisan civic literacy project as a laboratory component. The State Board of Education (SBE) is required to approve and identify the United States Government and Civic Engagement course in the Course Code Directory. The course may be offered as a semester course or a year-long course.

Non Partisan Civic Literacy Project

The bill establishes the requirements for the nonpartisan civic literacy project, which students must complete as the laboratory component of the United States Government and Civic Engagement course. The SBE is required to develop minimum criteria for a nonpartisan civic literacy project and a process for a district school board to confirm a student’s completion of the project. The criteria for nonpartisan civic literacy projects must, at a minimum, require a student to:

- Identify a civic issue that impacts his or her community.
- Rigorously research the issue from multiple perspectives and develop a plan for his or her personal involvement in addressing the issue.

²² Department of Education, *Civil Literacy Recommendations from the Faculty Committee* (2017), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/CL-FCR.pdf>.

- Create a portfolio to evaluate and reflect upon his or her experience and the outcomes of his or her involvement.

In addition, the project must be:

- Nonpartisan in nature and focus on addressing at least one community issue.
- Structured to promote a student's ability to consider differing points of view and engage in civil discourse with individuals who hold an opposing opinion.

A student may not receive remuneration for his or her work related to the project; however the hours that a student devotes to the project may be counted toward meeting community service requirements for high school graduation and for participation in the Bright Futures Scholarship Program.

Service Learning

The bill modifies service learning requirements to require the DOE to include nonpartisan civic literacy projects when encouraging school districts to initiate, adopt, and expand service-learning programs and policies in kindergarten through grade 12.

Florida Seal of Civic Engagement Program

The bill creates the Florida Seal of Civic Engagement Program (program) to recognize high school graduates who have attained a high level of community involvement and academic achievement in civics. The purpose of the program is to encourage students to understand the basic principles of American democracy and to foster a sense of citizenship and community involvement.

Beginning with the 2020-2021 school year, the Seal of Civic Engagement must be awarded to a high school student who earns a standard high school diploma and who meets the requirements established by the SBE. The SBE must include all of the following in its criteria:

- Completion of the United State Government and Civic Engagement course with a grade of "B" or higher.
- Community service or extracurricular activities related to civic engagement.
- Additional academic achievement in courses that include the study of civics and the United State Government.

Additionally, the Commissioner of Education must:

- Prepare and provide to each school district an appropriate insignia to affix to a student's diploma indicating that the student has been awarded the Seal of Civic Engagement.
- Provide information necessary for school districts to successfully implement the program.

In conjunction, each school district must:

- Maintain appropriate records to identify students who have met the requirements to receive the Seal of Civic Engagement.
- Provide the commissioner with the number of students who have met the requirements to receive the Seal of Civic Engagement.

- Affix the appropriate insignia to the student's diploma and indicate on the student's transcript that the student has earned the Seal of Civic Engagement.

A school district or the DOE may not charge a fee for the Seal of Civic Engagement.

The state board is required to adopt rules to implement this program that, at a minimum, must include:

- The requirements a student must meet to be awarded the Seal of Civic Engagement.
- A process to confirm a student's successful completion of the requirements to receive the Seal of Civic Engagement.

Designation of School Grades

The bill amends the school grading requirements, beginning with the 2020-2021 school year, to include in its calculation the percentage of students who complete the United States Government and Civic Engagement course with a grade of "B" or higher.

In effect, this may encourage more school districts to offer the United States Government and Civic Engagement course and encourage students to enroll in the course.

Civic Literacy

The bill amends the civic education competency requirements to allow a student initially enrolling in a Florida College System institution or state university to demonstrate competency in civic literacy by earning the Seal of Civic Engagement, beginning with the 2020-2021 school year. Additionally, the bill requires the chairs of the SBE and Board of Governors to include faculty from public post-secondary educational institutions located in counties of varying size and demographic makeup to be included in their faculty committee which develops and establishes civic literacy courses, competencies and outcomes. However, this committee met in October 2017 and made recommendations.²³ These changes to the committee would occur should the committee reconvene.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

²³ Department of Education, *Civil Literacy Recommendations from the Faculty Committee* (2017), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/CL-FCR.pdf>.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 1003.4282, 1003.497, 1007.25, and 1008.34.

This bill creates the following sections of the Florida Statutes: 1003.4321, and 1003.4971.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

CS by Education on March 19, 2019.

The committee substitute removes language in the bill related to the designation of public schools meeting specified criteria as Democracy Schools.

B. Amendments:

None.

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



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/20/2019	.	
	.	
	.	
	.	

The Committee on Education (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 174 - 304
and insert:

Section 5. Subsection (4) of section 1007.25, Florida
Statutes, is amended to read:

1007.25 General education courses; common prerequisites;
other degree requirements.—

(4) Beginning with students initially entering a Florida
College System institution or state university in the 2018-2019
school year and thereafter, each student must demonstrate



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competency in civic literacy. Students must have the option to demonstrate competency through successful completion of a civic literacy course, ~~or~~ by achieving a passing score on an assessment, or, beginning in the 2020-2021 school year, by earning the Seal of Civic Engagement pursuant to s. 1003.4321.

The State Board of Education must adopt in rule and the Board of Governors must adopt in regulation at least one existing assessment that measures competencies consistent with the required course competencies outlined in paragraph (b). The chair of the State Board of Education and the chair of the Board of Governors, or their respective designees, shall jointly appoint a faculty committee, representing faculty from public postsecondary educational institutions located in counties of varying size and demographic makeup, to:

(a) Develop a new course in civic literacy or revise an existing general education core course in American History or American Government to include civic literacy.

(b) Establish course competencies and identify outcomes that include, at a minimum, an understanding of the basic principles of American democracy and how they are applied in our republican form of government, an understanding of the United States Constitution, knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance, and an understanding of landmark Supreme Court cases and their impact on law and society.

Section 6. Paragraph (b) of subsection (3) of section 1008.34, Florida Statutes, is amended to read:

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



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(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. Beginning with the 2014-2015 school year, a school's grade shall be based on the following components, each worth 100 points:

a. The percentage of eligible students passing statewide, standardized assessments in English Language Arts under s. 1008.22(3).

b. The percentage of eligible students passing statewide, standardized assessments in mathematics under s. 1008.22(3).

c. The percentage of eligible students passing statewide, standardized assessments in science under s. 1008.22(3).

d. The percentage of eligible students passing statewide, standardized assessments in social studies under s. 1008.22(3).

e. The percentage of eligible students who make Learning Gains in English Language Arts as measured by statewide, standardized assessments administered under s. 1008.22(3).

f. The percentage of eligible students who make Learning Gains in mathematics as measured by statewide, standardized assessments administered under s. 1008.22(3).

g. The percentage of eligible students in the lowest 25 percent in English Language Arts, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized English Language Arts assessments administered under s. 1008.22(3).

h. The percentage of eligible students in the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments administered under s. 1008.22(3).



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i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

In calculating Learning Gains for the components listed in sub-subparagraphs e.-h., the State Board of Education shall require that learning growth toward achievement levels 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year. In calculating the components in sub-subparagraphs a.-d., the state board shall include the performance of English language learners only if they have been enrolled in a school in the United States for more than 2 years.

2. For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade shall also be based on the following components, each worth 100 points:

a. The 4-year high school graduation rate of the school as defined by state board rule.

b. The percentage of students who were eligible to earn college and career credit through College Board Advanced Placement examinations, International Baccalaureate examinations, dual enrollment courses, or Advanced International Certificate of Education examinations; ~~or~~ who, at any time during high school, earned national industry certification identified in the CAPE Industry Certification Funding List, pursuant to rules adopted by the state board; or, beginning with the 2020-2021 school year, who complete the United States



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Government and Civic Engagement course with a grade of "B" or
higher.

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

And the title is amended as follows:

Delete lines 30 - 45

and insert:

amending s. 1007.25, F.S.; providing that earning the
Seal of Civic Engagement demonstrates competency in
civic literacy for specified purposes; providing
membership requirements for a specified faculty
committee; amending s. 1008.34, F.S.; revising school
grade components to include students who complete a
specified course with a grade of "B" or higher;
providing an

By Senator Brandes

24-01527-19

20191316__

1 A bill to be entitled
2 An act relating to civic education; providing a short
3 title; amending s. 1003.4282, F.S.; revising the
4 requirements for a standard high school diploma to
5 include a specified course; providing requirements for
6 such course; creating s. 1003.4321, F.S.; establishing
7 the Florida Seal of Civic Engagement Program;
8 providing the purpose of the program; requiring the
9 State Board of Education to establish criteria for
10 awarding the seal; providing requirements for such
11 criteria; providing duties of the Commissioner of
12 Education and school districts; prohibiting a school
13 district or the Department of Education from charging
14 a fee for the seal; requiring the state board to adopt
15 rules; amending s. 1003.497, F.S.; providing that a
16 nonpartisan civic literacy project may be included in
17 service-learning programs, activities, or policies;
18 creating s. 1003.4971, F.S.; authorizing certain
19 students to complete a nonpartisan civic literacy
20 project; requiring the state board to develop the
21 minimum criteria for such project and a process to
22 confirm completion; providing requirements for such
23 criteria and for nonpartisan civic literacy projects;
24 prohibiting a student from receiving remuneration for
25 specified purposes; authorizing the hours devoted to
26 such project to be used for specified purposes;
27 authorizing a school to integrate a nonpartisan civic
28 literacy project into a service-learning program or
29 activity; requiring the state board to adopt rules;

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

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30 creating s. 1003.632, F.S.; providing a purpose;
31 requiring the state board to annually designate public
32 schools that meet specified criteria as Democracy
33 Schools; requiring the state board to establish the
34 criteria for designation as a Democracy School;
35 providing requirements for such criteria; requiring
36 the state board to adopt rules; amending s. 1007.25,
37 F.S.; providing that earning the Seal of Civic
38 Engagement demonstrates competency in civic literacy
39 for specified purposes; providing membership
40 requirements for a specified faculty committee;
41 amending s. 1008.34, F.S.; revising school grade
42 components to include students who complete a
43 specified course with a grade of "B" or higher;
44 providing a weighted calculation for schools
45 designated as a Democracy School; providing an
46 effective date.
47
48 Be It Enacted by the Legislature of the State of Florida:
49
50 Section 1. Paragraph (d) of subsection (3) of section
51 1003.4282, Florida Statutes, is amended to read:
52 1003.4282 Requirements for a standard high school diploma.—
53 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
54 REQUIREMENTS.—
55 (d) *Three credits in social studies.*—A student must earn
56 one credit in United States History; one credit in World
57 History; one-half credit in economics, which must include
58 financial literacy; and one-half credit in United States

Page 2 of 11

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

24-01527-19 20191316__

59 Government or, beginning with students entering grade 9 in the
 60 2020-2021 school year, one-half credit in United States
 61 Government and Civic Engagement. The United States History EOC
 62 assessment constitutes 30 percent of the student's final course
 63 grade. The one-half credit in United States Government and Civic
 64 Engagement must include an individual or group nonpartisan civic
 65 literacy project pursuant to s. 1003.4971 as a laboratory
 66 component. The state board shall approve and identify in the
 67 Course Code Directory the United States Government and Civic
 68 Engagement course. Such course may be offered as a semester
 69 course or a year-long course.

70 Section 2. Section 1003.4321, Florida Statutes, is created
 71 to read:

72 1003.4321 Florida Seal of Civic Engagement Program.—

73 (1) The Florida Seal of Civic Engagement Program is
 74 established to recognize each high school graduate who has
 75 attained a high level of community involvement and academic
 76 achievement in civics.

77 (2) The purpose of the Florida Seal of Civic Engagement
 78 Program is to encourage students to understand the basic
 79 principles of American democracy and to foster a sense of
 80 citizenship and community involvement.

81 (3) Beginning with the 2020-2021 school year, the Seal of
 82 Civic Engagement shall be awarded to a high school student who
 83 earns a standard high school diploma and who meets the
 84 requirements established by the State Board of Education. In
 85 establishing the criteria for awarding the Seal of Civic
 86 Engagement, the state board shall include all of the following:

87 (a) Completion of the United States Government and Civic

24-01527-19 20191316__

88 Engagement course with a grade of "B" or higher.
 89 (b) Community service or extracurricular activities that
 90 are related to civic engagement.
 91 (c) Additional academic achievement in courses that include
 92 the study of civics and the United States Government.
 93 (4) The Commissioner of Education shall:
 94 (a) Prepare and provide to each school district an
 95 appropriate insignia to affix to a student's diploma indicating
 96 that the student has been awarded the Seal of Civic Engagement.
 97 (b) Provide information necessary for school districts to
 98 successfully implement the program.
 99 (5) Each school district shall:
 100 (a) Maintain appropriate records to identify students who
 101 have met the requirements to receive the Seal of Civic
 102 Engagement.
 103 (b) Provide the commissioner with the number of students
 104 who have met the requirements to receive the Seal of Civic
 105 Engagement.
 106 (c) Affix the appropriate insignia to the student's diploma
 107 and indicate on the student's transcript that the student has
 108 earned the Seal of Civic Engagement.
 109 (6) A school district or the Department of Education may
 110 not charge a fee for the Seal of Civic Engagement.
 111 (7) The state board shall adopt rules to implement this
 112 section. Such rules must, at a minimum, include all of the
 113 following:
 114 (a) The requirements a student must meet to be awarded the
 115 Seal of Civic Engagement.
 116 (b) A process to confirm a student's successful completion

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of the requirements to receive the Seal of Civic Engagement.

Section 3. Subsection (1) of section 1003.497, Florida Statutes, is amended to read:

1003.497 Service learning.—

(1) The Department of Education shall encourage school districts to initiate, adopt, expand, and institutionalize service-learning programs, activities, and policies in kindergarten through grade 12, including nonpartisan civic literacy projects under s. 1003.4971. Service learning refers to a student-centered, research-based teaching and learning strategy that engages students in meaningful service activities in their schools or communities. Service-learning activities are directly tied to academic curricula, standards, and course, district, or state assessments. Service-learning activities foster academic achievement, character development, civic engagement, and career exploration and enable students to apply curriculum content, skills, and behaviors taught in the classroom.

Section 4. Section 1003.4971, Florida Statutes, is created to read:

1003.4971 Nonpartisan Civic Literacy Projects.—

(1) Beginning with students entering grade 9 in the 2020-2021 school year, students shall complete a nonpartisan civic literacy project as the laboratory component of the United States Government and Civic Engagement course offered under s. 1003.4282. The State Board of Education shall develop the minimum criteria for a nonpartisan civic literacy project and a process for a district school board to confirm a student's completion of the project. The criteria for nonpartisan civic

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literacy projects must, at a minimum, require a student to:

(a) Identify a civic issue that impacts his or her community.

(b) Rigorously research the issue from multiple perspectives and develop a plan for his or her personal involvement in addressing the issue.

(c) Create a portfolio to evaluate and reflect upon his or her experience and the outcomes of his or her involvement.

(2) (a) A nonpartisan civic literacy project must be nonpartisan in nature and focus on addressing at least one community issue.

(b) A nonpartisan civic literacy project must promote a student's ability to consider differing points of view and engage in civil discourse with individuals who hold an opposing opinion.

(c) A student may not receive remuneration for his or her work relating to the nonpartisan civic literacy project.

(d) The hours that a high school student devotes to a nonpartisan civic literacy project may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program. School districts are encouraged to include and accept nonpartisan civic literacy project activities and hours in requirements for academic awards, especially those awards that currently include community service as a criterion or selection factor.

(3) The state board shall adopt rules to administer this section.

Section 5. Section 1003.632, Florida Statutes, is created

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to read:

1003.632 Democracy Schools.—The purpose of this section is to recognize each public school in the state that demonstrates a commitment to integrating high-quality civic learning, including civic-engagement skills, into its academic curricula.

(1) The State Board of Education shall annually designate each public school in the state that provides students with high-quality civic learning, including civic-engagement skills, as a Democracy School.

(2) The state board shall establish the criteria for designation as a Democracy School. The criteria must include all of the following:

(a) Offering the United States Government and Civic Engagement course as a year-long course.

(b) The extent to which strategies to develop high-quality civic learning, including civic-engagement skills, are integrated into the classroom using best instructional practices.

(c) The scope of integration of high-quality civic learning, including civic-engagement skills, across the school's curricula.

(d) The extent to which school administrators and instructional personnel have made high-quality civic learning, including civic-engagement skills, an instructional priority.

(e) The extent to which the school supports interdisciplinary, teacher-led professional learning communities to support continuous improvement in instruction and student achievement.

(3) The state board shall adopt rules to administer this

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section.

Section 6. Subsection (4) of section 1007.25, Florida Statutes, is amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(4) Beginning with students initially entering a Florida College System institution or state university in the 2018-2019 school year and thereafter, each student must demonstrate competency in civic literacy. Students must have the option to demonstrate competency through successful completion of a civic literacy course, ~~or~~ by achieving a passing score on an assessment, or, beginning in the 2020-2021 school year, by earning the Seal of Civic Engagement pursuant to s. 1003.4321. The State Board of Education must adopt in rule and the Board of Governors must adopt in regulation at least one existing assessment that measures competencies consistent with the required course competencies outlined in paragraph (b). The chair of the State Board of Education and the chair of the Board of Governors, or their respective designees, shall jointly appoint a faculty committee, representing faculty from public postsecondary educational institutions located in counties of varying size and demographic makeup, to:

(a) Develop a new course in civic literacy or revise an existing general education core course in American History or American Government to include civic literacy.

(b) Establish course competencies and identify outcomes that include, at a minimum, an understanding of the basic principles of American democracy and how they are applied in our republican form of government, an understanding of the United

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States Constitution, knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance, and an understanding of landmark Supreme Court cases and their impact on law and society.

Section 7. Paragraph (b) of subsection (3) of section 1008.34, Florida Statutes, is amended to read:

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

(3) DESIGNATION OF SCHOOL GRADES.—

(b)1. Beginning with the 2014-2015 school year, a school's grade shall be based on the following components, each worth 100 points:

a. The percentage of eligible students passing statewide, standardized assessments in English Language Arts under s. 1008.22(3).

b. The percentage of eligible students passing statewide, standardized assessments in mathematics under s. 1008.22(3).

c. The percentage of eligible students passing statewide, standardized assessments in science under s. 1008.22(3).

d. The percentage of eligible students passing statewide, standardized assessments in social studies under s. 1008.22(3).

e. The percentage of eligible students who make Learning Gains in English Language Arts as measured by statewide, standardized assessments administered under s. 1008.22(3).

f. The percentage of eligible students who make Learning Gains in mathematics as measured by statewide, standardized assessments administered under s. 1008.22(3).

g. The percentage of eligible students in the lowest 25 percent in English Language Arts, as identified by prior year

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performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized English Language Arts assessments administered under s. 1008.22(3).

h. The percentage of eligible students in the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments administered under s. 1008.22(3).

i. For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education.

In calculating Learning Gains for the components listed in subparagraphs e.-h., the State Board of Education shall require that learning growth toward achievement levels 3, 4, and 5 is demonstrated by students who scored below each of those levels in the prior year. In calculating the components in subparagraphs a.-d., the state board shall include the performance of English language learners only if they have been enrolled in a school in the United States for more than 2 years.

2. For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade shall also be based on the following components, each worth 100 points:

a. The 4-year high school graduation rate of the school as defined by state board rule.

b. The percentage of students who were eligible to earn

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291 college and career credit through College Board Advanced
292 Placement examinations, International Baccalaureate
293 examinations, dual enrollment courses, or Advanced International
294 Certificate of Education examinations; ~~or~~ who, at any time
295 during high school, earned national industry certification
296 identified in the CAPE Industry Certification Funding List,
297 pursuant to rules adopted by the state board; or, beginning with
298 the 2020-2021 school year, who complete the United States
299 Government and Civic Engagement course with a grade of "B" or
300 higher. For a school that is designated as a Democracy School
301 pursuant to s. 1003.632, the percentage of students who
302 completed the United States Government and Civic Engagement
303 course with a grade of "B" or higher shall be multiplied by a
304 weight of 1.2 for purposes of this sub-subparagraph.

305 Section 8. This act shall take effect July 1, 2019.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/19/19
Meeting Date

SB 1316
Bill Number (if applicable)

Topic Civics Education

Amendment Barcode (if applicable)

Name Sue Sommer

Job Title _____

Address 505 SW Anatan Dr
Street

Phone _____

Lake City FL 32025
City State Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Citizens Alliance

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)

3-19-19

Meeting Date

SB 1316

Bill Number (if applicable)

Topic SB 1316/Civic Literacy

Amendment Barcode (if applicable)

Name Monte Finklestein - by RHJob Title Dean Emeritus, Tallahassee Community CollegeAddress 4287 Sherborne RdPhone 850-322-4984Tallahassee FL 32303

City

State

Zip

Email finkelsm@tcc.fl.eduSpeaking: ☐ 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.

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 Committee on Education

BILL: SB 1366

INTRODUCER: Senator Baxley

SUBJECT: Education

DATE: March 19, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Sikes	ED	Favorable
2.			AED	
3.			AP	

I. Summary:

SB 1366 promotes options for education in computer science by:

- Providing that a student may substitute one computer science credit for one science credit, excluding Biology I, in order to satisfy the credit requirements to earn a standard high school diploma;
- Including high-quality professional development for teachers to provide instruction in computer science courses and content to the existing training that a school district or consortium of school districts may apply to the Department of Education for funding to deliver, subject to legislative appropriation; and
- Increasing the number of potential certificates available to elementary and middle school students by doubling the limit on CAPE Digital Tool certificates that may be included on the Industry Certification Funding List.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Science Credits Required for High School Graduation

Receipt of a standard high school diploma requires successful completion of 24 credits.¹ A student must earn three science credits to earn a standard high school diploma:²

- One credit in Biology I; and

¹ Section 1003.4282, F.S. A Student may also receive a standard high school diploma by completing the curriculum of an International Baccalaureate, or an Advanced International Certificate of Education.

² Section 1003.4282, F.S.

- Two credits in equally rigorous courses, one of which a student may satisfy by earning a credit in computer science or an industry certification approved for college credit by the State Board of Education.³ A computer science credit or industry certification may not substitute for a Biology I or higher-level science credit.

Public schools are required to offer courses in computer science to middle school and high school students and to provide all students opportunities for learning computer science in the classroom or through the Florida Virtual School or other means.⁴ A teacher with a valid teaching certificate which requires a minimum of a baccalaureate degree can provide instruction in a computer science course.⁵ However, only 19 percent of Florida high schools offered a computer science course during the 2017-2018 academic year.⁶

CAPE Digital Tool Certificates

The Career and Professional Education Act (CAPE)⁷ provides multiple options for students to attain digital skills through digital tools and industry certifications.⁸ Digital tools are certificates reflecting core computer skills. The Department of Education (DOE) is required to annually identify, and the Commissioner of Education may recommend, up to 15 CAPE Digital Tool certificates for inclusion on a CAPE Industry Certification Funding List.⁹ Public schools must make the certificates available to all elementary and middle school students. School districts are eligible for 0.025 full-time equivalent (FTE) bonus funding through the Florida Education Finance Program (FEFP) for each certificate earned by a student; however, additional FTE may not exceed 0.1 for certificates or certifications earned by an elementary or middle school student within the same fiscal year.¹⁰

A CAPE Digital Tool certificate may be included on the CAPE Industry Certification Funding List if it:¹¹

- Is achievable by elementary and middle school students;
- Assesses skills in word processing, development of spreadsheets, digital arts, cybersecurity, and coding;
- Does not articulate for college credit; and
- Is part of a career pathway leading to the attainment of a career and professional education industry certification on the career and professional education funding list.

³ Section 1007.2616(6)(a), F.S.

⁴ *Id.* at (1) and (3).

⁵ Section 1012.55, F.S.; Rules 6A-1.0503 and 6A-1.09441(5), F.A.C.; Florida Department of Education, *Course Code Directory and Instructional Personnel Assignments 2018-2019* (2018), available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09272>. Open the pdf titled “CCD1819v2.pdf” (last visited Mar. 15, 2019).

⁶ Code.org, *Support K-12 Computer Science Education in Florida* (2018), available at <https://code.org/advocacy/state-facts/FL.pdf>.

⁷ Chapter 2007-216, L.O.F.

⁸ Section 1003.4203, F.S.

⁹ Section 1008.44(1)(b), F.S.

¹⁰ *Id.* and s. 1011.62(1)(o)1., F.S.

¹¹ See s. 1008.44(1)(b), F.S.; Rule 6A-6.0573(7)(d), F.A.C.

Fifteen CAPE Digital Tool certificates are included on the CAPE Industry Certification Funding List for 2018-2019.¹² The bonus funding associated with earning a CAPE Digital Tool certificate is approximately \$105 for the 2018-2019 academic year.¹³ During the 2017-18 school year, 33,714 students earned 40,947 CAPE Digital Tool certificates.¹⁴

III. Effect of Proposed Changes:

SB 1366 promotes options for education in computer science by:

- Providing that a student may substitute one computer science credit for one science credit, excluding Biology I, in order to satisfy the credit requirements to earn a standard high school diploma;
- Including high-quality professional development for teachers to provide instruction in computer science courses and content to the existing training that a school district or consortium of school districts may apply to the Department of Education for funding to deliver, subject to legislative appropriation; and
- Increasing the number of potential certificates available to elementary and middle school students by doubling the limit on CAPE Digital Tool Certificates that may be included on the Industry Certification Funding List.

Computer Science Credits

The bill specifies that a student may substitute one computer science credit for one science credit, excluding Biology I. This may result in more students earning computer science credits.

Additionally, the bill authorizes school districts or a consortium of school districts to apply to the Department of Education for funding, contingent on legislative appropriation, for high-quality professional development for teachers to provide instruction in computer science courses and content. This may increase the number of teachers with the skills necessary to teach computer science courses.

CAPE Digital Tools

The bill increases the number of potential CAPE Digital Tool certificates available to students by doubling the cap on the certificates that may be included on the Industry Certification Funding List. This may provide more options for school districts to offer CAPE Digital Tool certificates, which may increase the number of students earning CAPE Digital Tool certificates.

¹² Florida Department of Education, *2018-2019 CAPE Industry Funding List, Revised*, at 9 (2018), available at <http://www.fldoe.org/core/fileparse.php/8904/urlt/1819icfl.pdf>.

¹³ Florida Department of Education, Career and Adult Education, *Estimated Funding Values by District (Excel)*, <http://www.fldoe.org/academics/career-adult-edu/cape-secondary/resources.stml>. Open the excel file in the “CAPE Implementation Tools” section of the page (last visited Mar. 15, 2019).

¹⁴ Florida Department of Education, Division of Career and Adult Education, *Career and Professional Education Act Enrollment and Performance Report, 2017-18* (2018), available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1718capepr.pdf>.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

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 revenues or expenditures. Increasing the number of CAPE Digital Tool certificates may allow some school districts to generate additional bonus funding through the Florida Education Finance Program (FEFP). School districts receive bonus funding of approximately \$105 for each CAPE Digital Tool certificate awarded in the 2018-2019 academic year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.4282, 1007.2616, and 1008.44.

This bill reenacts the following sections of the Florida Statutes: 1002.20, 1002.3105, 1003.4281, 1003.4285, 1003.49, 1004.935, 1006.15, 1007.271, 1008.25, 1009.531, and 1009.893.

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 Baxley

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1 A bill to be entitled
 2 An act relating to education; amending s. 1003.4282,
 3 F.S.; revising science credits required for a standard
 4 high school diploma; amending s. 1007.2616, F.S.;
 5 authorizing school districts and consortiums of school
 6 districts to apply to the Department of Education for
 7 funding for professional development for classroom
 8 teachers to provide instruction in computer science
 9 courses and content; deleting a provision providing
 10 that one credit in computer science and the earning of
 11 related industry certifications constitutes the
 12 equivalent of up to one credit of the science
 13 requirement for high school graduation; amending s.
 14 1008.44, F.S.; expanding the number of CAPE Digital
 15 Tool certificates relating to certain areas which the
 16 department must annually identify and the Commissioner
 17 of Education may recommend; reenacting ss. 1002.20(8),
 18 1002.3105(5), 1003.4281(1), 1003.4285(1), 1003.49(1),
 19 1004.935(1)(c), 1006.15(3)(a), 1007.271(2) and (9),
 20 1008.25(2)(f), 1009.531(1)(b), and 1009.893(4), F.S.,
 21 relating to Academically Challenging Curriculum to
 22 Enhance Learning (ACCEL) options; K-12 student and
 23 parent rights; early high school graduation; standard
 24 high school diploma designations; graduation and
 25 promotion requirements for publicly operated schools;
 26 the Adults with Disabilities Workforce Education
 27 Program; student standards for participation in
 28 interscholastic and intrascholastic extracurricular
 29 student activities and related regulations; dual

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

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30 enrollment programs; public school student
 31 progression, student support, and reporting
 32 requirements; Florida Bright Futures Scholarship
 33 Program and student eligibility requirements for
 34 initial awards; and the Benacquisto Scholarship
 35 Program, respectively, to incorporate the amendment
 36 made to s. 1003.4282, F.S., in references thereto;
 37 providing an effective date.
 38

39 Be It Enacted by the Legislature of the State of Florida:
 40

41 Section 1. Paragraph (c) of subsection (3) of section
 42 1003.4282, Florida Statutes, is amended to read:
 43 1003.4282 Requirements for a standard high school diploma.-
 44 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 45 REQUIREMENTS.-
 46 (c) *Three credits in science.*-Two of the three required
 47 credits must have a laboratory component. A student must earn
 48 one credit in Biology I and two credits in equally rigorous
 49 courses. The statewide, standardized Biology I EOC assessment
 50 constitutes 30 percent of the student's final course grade. A
 51 student who earns an industry certification for which there is a
 52 statewide college credit articulation agreement approved by the
 53 State Board of Education or who earns credit in a computer
 54 science course, as identified in s. 1007.2616, may substitute
 55 the certification or the computer science credit for one science
 56 credit, except for Biology I.
 57 Section 2. Paragraph (a) of subsection (4) and paragraph
 58 (a) of subsection (6) of section 1007.2616, Florida Statutes,

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are amended to read:

1007.2616 Computer science and technology instruction.—

(4) (a) Subject to legislative appropriation, a school district or a consortium of school districts may apply to the department, in a format prescribed by the department, for funding to deliver or facilitate training for classroom teachers to earn an educator certificate in computer science pursuant to s. 1012.56, ~~or~~ an industry certification associated with a course identified in the Course Code Directory pursuant to paragraph (2) (b), or for high-quality professional development for teachers to provide instruction in computer science courses and content. Such funding shall only be used to provide training for classroom teachers and to pay fees for examinations that lead to a credential pursuant to this paragraph.

(6) High school students must be provided opportunities to take computer science courses to satisfy high school graduation requirements, including, but not limited to, the following:

(a) High school computer science courses of sufficient rigor, as identified by the commissioner, such that one credit in computer science and the earning of related industry certifications constitute the equivalent of up to one credit of the mathematics requirement, with the exception of Algebra I or higher-level mathematics, ~~or up to one credit of the science requirement, with the exception of Biology I or higher-level science,~~ for high school graduation. Computer science courses and technology-related industry certifications that are identified as eligible for meeting mathematics or science requirements for high school graduation shall be included in the Course Code Directory.

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Section 3. Paragraph (b) of subsection (1) of section

1008.44, Florida Statutes, is amended to read:

1008.44 CAPE Industry Certification Funding List and CAPE Postsecondary Industry Certification Funding List.—

(1) Pursuant to ss. 1003.4203 and 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, and the Commissioner of Education may at any time recommend adding the following certificates, certifications, and courses:

(b) No more than 30 ~~45~~ CAPE Digital Tool certificates limited to the areas of word processing; spreadsheets; sound, motion, and color presentations; digital arts; cybersecurity; and coding pursuant to s. 1003.4203(3) that do not articulate for college credit. Such certificates shall be annually identified on the CAPE Industry Certification Funding List and updated solely by the Chancellor of Career and Adult Education. The certificates shall be made available to students in elementary school and middle school grades and, if earned by a student, shall be eligible for additional full-time equivalent membership pursuant to s. 1011.62(1)(o)1.

Section 4. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, subsection (8) of section 1002.20, Florida Statutes, is reenacted 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

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rights including, but not limited to, the following:

(8) STUDENTS WITH DISABILITIES.—Parents of public school students with disabilities and parents of public school students in residential care facilities are entitled to notice and due process in accordance with the provisions of ss. 1003.57 and 1003.58. Public school students with disabilities must be provided the opportunity to meet the graduation requirements for a standard high school diploma as set forth in s. 1003.4282 in accordance with the provisions of ss. 1003.57 and 1008.22.

Section 5. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, subsection (5) of section 1002.3105, Florida Statutes, is reenacted to read:

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

(5) AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.—A student who meets the applicable grade 9 cohort graduation requirements of s. 1003.4282(3)(a)-(e) or s. 1003.4282(9)(a)1.-5., (b)1.-5., (c)1.-5., or (d)1.-5., earns three credits in electives, and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma in a form prescribed by the State Board of Education.

Section 6. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, subsection (1) of section 1003.4281, Florida Statutes, is reenacted to read:

1003.4281 Early high school graduation.—

(1) The purpose of this section is to provide a student the option of early graduation and receipt of a standard high school

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diploma if the student earns 24 credits and meets the graduation requirements set forth in s. 1003.4282. For purposes of this section, the term "early graduation" means graduation from high school in less than 8 semesters or the equivalent.

Section 7. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, subsection (1) of section 1003.4285, Florida Statutes, is reenacted 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:

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 Geometry statewide, standardized assessment.

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 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

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175 Biology I EOC assessment.

176 3. Social studies.—Pass the statewide, standardized United
177 States History EOC assessment. However, a student enrolled in an
178 AP, IB, or AICE course that includes United States History
179 topics who takes the respective AP, IB, or AICE assessment and
180 earns the minimum score necessary to earn college credit as
181 identified pursuant to s. 1007.27(2) meets the requirement of
182 this subparagraph without having to take the statewide,
183 standardized United States History EOC assessment.

184 4. Foreign language.—Earn two credits in the same foreign
185 language.

186 5. Electives.—Earn at least one credit in an Advanced
187 Placement, an International Baccalaureate, an Advanced
188 International Certificate of Education, or a dual enrollment
189 course.

190 (b) *Merit designation*.—In addition to the requirements of
191 s. 1003.4282, in order to earn the Merit designation, a student
192 must attain one or more industry certifications from the list
193 established under s. 1003.492.

194 Section 8. For the purpose of incorporating the amendment
195 made by this act to section 1003.4282, Florida Statutes, in a
196 reference thereto, subsection (1) of section 1003.49, Florida
197 Statutes, is reenacted to read:

198 1003.49 Graduation and promotion requirements for publicly
199 operated schools.—

200 (1) Each state or local public agency, including the
201 Department of Children and Families, the Department of
202 Corrections, the boards of trustees of universities and Florida
203 College System institutions, and the Board of Trustees of the

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204 Florida School for the Deaf and the Blind, which agency is
205 authorized to operate educational programs for students at any
206 level of grades kindergarten through 12, shall be subject to all
207 applicable requirements of ss. 1002.3105(5), 1003.4281,
208 1003.4282, 1008.23, and 1008.25. Within the content of these
209 cited statutes each such state or local public agency or entity
210 shall be considered a "district school board."

211 Section 9. For the purpose of incorporating the amendment
212 made by this act to section 1003.4282, Florida Statutes, in a
213 reference thereto, paragraph (c) of subsection (1) of section
214 1004.935, Florida Statutes, is reenacted to read:

215 1004.935 Adults with Disabilities Workforce Education
216 Program.—

217 (1) The Adults with Disabilities Workforce Education
218 Program is established in the Department of Education in Hardee,
219 DeSoto, Manatee, and Sarasota Counties to provide the option of
220 receiving a scholarship for instruction at private schools for
221 up to 30 students who:

222 (c) Are receiving instruction from an instructor in a
223 private school to meet the high school graduation requirements
224 in s. 1002.3105(5) or s. 1003.4282;

225
226 As used in this section, the term "student with a disability"
227 includes a student who is documented as having an intellectual
228 disability; a speech impairment; a language impairment; a
229 hearing impairment, including deafness; a visual impairment,
230 including blindness; a dual sensory impairment; an orthopedic
231 impairment; another health impairment; an emotional or
232 behavioral disability; a specific learning disability,

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including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 10. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, paragraph (a) of subsection (3) of section 1006.15, Florida Statutes, is reenacted to read:

1006.15 Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation.—

(3) (a) As used in this section and s. 1006.20, the term “eligible to participate” includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests. The term does not mean that a student must be placed on any specific team for interscholastic or intrascholastic extracurricular activities. To be eligible to participate in interscholastic extracurricular student activities, a student must:

1. Maintain a grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the previous semester or a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282.

2. Execute and fulfill the requirements of an academic performance contract between the student, the district school board, the appropriate governing association, and the student’s parents, if the student’s cumulative grade point average falls below 2.0, or its equivalent, on a 4.0 scale in the courses

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required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the contract must require that the student attend summer school, or its graded equivalent, between grades 9 and 10 or grades 10 and 11, as necessary.

3. Have a cumulative grade point average of 2.0 or above on a 4.0 scale, or its equivalent, in the courses required by s. 1002.3105(5) or s. 1003.4282 during his or her junior or senior year.

4. Maintain satisfactory conduct, including adherence to appropriate dress and other codes of student conduct policies described in s. 1006.07(2). If a student is convicted of, or is found to have committed, a felony or a delinquent act that would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student’s participation in interscholastic extracurricular activities is contingent upon established and published district school board policy.

Section 11. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in references thereto, subsections (2) and (9) of section 1007.271, Florida Statutes, are reenacted to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in any of grades 6 through 12 in a Florida public school or in a Florida private school that is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.4282. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the

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student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the full-time equivalent student membership value shall be subject to the provisions in s. 1011.61(4). A student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. Applied academics for adult education instruction, developmental education, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(9) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of s. 1003.4282 and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and not on seat time traditionally allocated to such

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courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of s. 1003.4282.

Section 12. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, paragraph (f) of subsection (2) of section 1008.25, Florida Statutes, is reenacted to read:

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

(2) STUDENT PROGRESSION PLAN.—Each district school board shall establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of the standards in s. 1003.41, specifically English Language Arts, mathematics, science, and social studies standards. The plan must:

(f) Provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and the demonstration of competence of standards required pursuant to ss. 1003.41 and 1003.4203 through attainment of industry certifications and other means of demonstrating credit requirements identified under ss. 1002.3105, 1003.4203, and 1003.4282.

Section 13. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a

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reference thereto, paragraph (b) of subsection (1) of section 1009.531, Florida Statutes, is reenacted to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) In order to be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(b) Earn a standard Florida high school diploma pursuant to s. 1002.3105(5), s. 1003.4281, or s. 1003.4282 or a high school equivalency diploma pursuant to s. 1003.435 unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida.

Section 14. For the purpose of incorporating the amendment made by this act to section 1003.4282, Florida Statutes, in a reference thereto, subsection (4) of section 1009.893, Florida Statutes, is reenacted to read:

1009.893 Benacquisto Scholarship Program.—

(4) In order to be eligible for an award under the scholarship program, a student must meet the requirements of paragraph (a) or paragraph (b).

(a) A student who is a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Earn a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 unless:

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a. The student completes a home education program according to s. 1002.41; or

b. The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;

2. Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and

3. Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(b) A student who initially enrolls in a baccalaureate degree program in the 2018-2019 academic year or later and who is not a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Physically reside in this state on or near the campus of the postsecondary educational institution in which the student is enrolled;

2. Earn a high school diploma from a school outside Florida which is comparable to a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home education program in another state; and

3. Be accepted by and enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

Section 15. This act shall take effect July 1, 2019.

THE FLORIDA SENATE

APPEARANCE RECORD

3/19/19

Meeting Date

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

SB1366

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Robby Holroyd

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Email REH@trippscott.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Code.org

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)

3/19

Meeting Date

SB 1364

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

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Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Chamber of Commerce

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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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)

3.19.19

Meeting Date

1366

Bill Number (if applicable)

Topic Computer Science

Amendment Barcode (if applicable)

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Job Title Legislative Director

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Speaking: ☐ For ☐ Against ☐ Information

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

Representing Foundation for Florida's Future

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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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)

3/19/19

Meeting Date

1366

Bill Number (if applicable)

Topic EDUCATION

Amendment Barcode (if applicable)

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Representing

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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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)

3/19/19
Meeting Date

SB 1366
Bill Number (if applicable)

Topic EDUCATION

Amendment Barcode (if applicable)

Name JUDY WOLINSKI

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DELTONA FL 32738
City State Zip

Email _____

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.

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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)

03/19/19

Meeting Date

1366

Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

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Jared Ock

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(The Chair will read this information into the record.)

Representing Florida Department of Education

Appearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☒ Yes ☐ No

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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)

3.19.19

Meeting Date

1366

Bill Number (if applicable)

Topic EDUCATION

Amendment Barcode (if applicable)

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Speaking: ☐ For ☐ Against ☐ Information

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

Representing MANUFACTURERS ASSOC. OF FL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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

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 Committee on Education

BILL: SB 1444

INTRODUCER: Senator Diaz

SUBJECT: Education

DATE: March 19, 2019

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Olenick	Sikes	ED	Favorable
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 1444 provides safeguards to help protect students by requiring the creation of a state disqualification list to be maintained by the Department of Education (department or DOE), which must include the following information:

- The name of any individual who has been placed on the list by the Education Practices Commission (EPC) pursuant to law, or whose educator certificate has been permanently revoked by the EPC.
- The name of any private school owners or operators who have been permanently disqualified from participation in a state scholarship program by the DOE.

Additionally, the bill:

- Requires the DOE to provide authorized staff of school districts, charter schools, the Florida School for the Deaf and Blind, and private schools that accept scholarship students who participate in a state scholarship program with electronic access to the DOE's disqualification list.
- Prohibits any individual on the disqualification list from earning an educator certificate or being employed in any position which requires direct contact with students in any public school, charter school, or private school that accepts state scholarship money.
- Provides the DOE and EPC with authority to place individuals on the disqualification list for certain purposes.
- Requires the DOE to immediately investigate, under certain circumstances, any legally sufficient complaint that involves the misconduct by an employee or contracted personnel in a public school, charter school or private school that receives state scholarship funds.

The bill takes effect July 1, 2019.

II. Present Situation:

Commissioner of Education Authority and Duties

The Commissioner of Education (commissioner) is responsible for giving full assistance to the State Board of Education (SBE) in enforcing compliance with the mission and goals of the K-20 education system except for the State University System.¹ The commissioner is appointed by the SBE and serves as the Executive Director of the Department of Education (department or DOE). The DOE is required to provide:²

- Technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind (FSDB), and private schools that accept scholarship students in the development of policies, procedures and training related to employment practices and standards of ethical conduct for instructional personnel and administrators.
- Authorized staff of school districts, charter schools, FSDB, and private schools that accept scholarship students with access to electronic verification of information from the following employment screening tools:
 - The Professional Practices' Database of Disciplinary Actions Against Educators
 - The DOE's Teacher Certification Database
- Authorized staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

Additionally the commissioner may deny, suspend or revoke a private school's participation in a scholarship program if the commissioner determines that:³

- An owner or operator of the private school is operating or has operated an educational institution in this state or in another state or jurisdiction in a manner contrary to health, safety or welfare of the public or,
- The owner or operator has exhibited a previous pattern of failure to comply with the relevant law or specific requirements identified within respective scholarship program laws.

Charter Schools

Charter schools are nonsectarian, public schools that operate under a performance contract with a sponsor, called a charter.⁴ A guiding principle of charter schools is to meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system.⁵

Employees of Charter Schools

A charter school is required to employ certified teachers. For any employee who has direct contact with students, a charter school must conduct an employment history check of each of the individual's previous employers and conduct the required screening through the use of the

¹ Section 1001.10(1), F.S.

² *Id.* at (4) and (5).

³ Section 1002.421(3), F.S.

⁴ Section 1002.33(5)(a), (6)(h), (7) and (9)(a), F.S.

⁵ *Id.* at (2)(a)1.

educator screening tools.⁶ Failure to comply with these requirements results in the termination of a charter.⁷

A charter school is required to employ or contract with employees who have undergone background screening. Additionally, a charter school is required to disqualify any instructional personnel and school administrators from employment in any position that requires direct contact with students if the personnel are ineligible for such employment based on conviction of certain qualified offenses.⁸

Private Schools

A private school that chooses to participate in a state scholarship program must comply with the requirements specified in law, such as applicable state and local health, safety, and welfare laws, code, and rules; employing teachers who meet specified requirements; demonstrating fiscal soundness and accountability;⁹ and submitting a Scholarship Compliance Form.¹⁰

Teacher Qualifications

A private school that participates in a state scholarship program must employ or contract with teachers who:¹¹

- Hold baccalaureate or higher degrees,
- Have at least 3 years of experience in public or private schools, or
- Have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

Before employing instructional personnel or school administrators in any position that requires direct contact with students, the employing private school must conduct employment history checks of each individual's previous employers and screen the individual through the use of the screening tool.¹²

Additionally, each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, is required to undergo a state and national background screening by electronically filing a complete set of fingerprints¹³ with the Florida Department of Law Enforcement.

⁶ The employment screening tools consist of the Professional Practices' Database of Disciplinary Actions Against Educators; and the Department of Education's Teacher Certification Database. Section 1001.10(5), F.S.

⁷ *Id.* at (12)(f) and (g)1.

⁸ Sections 1002.33 and 1012.315, F.S.

⁹ Section 1002.421, F.S.; *see also* ss. 1002.385, 1002.39, and 1002.395, F.S.

¹⁰ The Scholarship Compliance Form delineates private school reporting requirements specified pursuant to Section 1002.42, F.S., and statutory and regulatory requirements related to the areas of school location and contact information; school ownership; affiliation; financial solvency; school administration; school staffing; school program; student health, safety, and welfare; student records; school facility; and submission of the scholarship compliance form. Rule 6A-6.03315(4), F.A.C.

¹¹ Section 1002.421(2)(h), F.S.

¹² *Id.* at (1)(o).

¹³ *Id.* at (1)(m).

Continued employment of an employee or contracted personnel after notification that he or she has failed the background screening will cause a private school to be ineligible for participation in a scholarship program.¹⁴

Disqualification from Employment

A person is ineligible for an educator certification or employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts students who participate in a state scholarship program if the person has been convicted of certain qualified offenses.¹⁵

The Education Practices Commission

The Education Practices Commission (EPC) is a quasi-judicial body of peers, law enforcement and lay persons that interprets and applies the standards of professional practice established by the SBE.¹⁶

The EPC may:¹⁷

- Suspend the educator certificate of any instructional personnel or school administrator, for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the person may return to teaching;
- Revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to law;
- Permanently revoke the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students;
- Suspend an educator's certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; or impose any other penalty provided by law.

The property, personnel, and appropriations related to the specified authority, powers, duties and responsibilities of the commission must be provided to the EPC by the DOE.¹⁸ However, the EPC, in the performance of its power and duties, is not to be subject to control, supervision, or direction by the DOE.¹⁹

¹⁴ *Id.* at (1)(m)3, F.S.

¹⁵ Section 1012.315, F.S.

¹⁶ Section 1012.79, F.S.

¹⁷ Section 1012.795(1), F.S.

¹⁸ Section 1012.79(6)(b), F.S.

¹⁹ *Id.* at (6)(a).

Complaints against Teachers and Administrators

The DOE is tasked with investigating any legally sufficient complaint filed before it or otherwise called to its attention that contains grounds for the revocation or suspension of a certificate or any other appropriate penalty as set forth in law.²⁰

The department must immediately investigate any legally sufficient complaint that involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student, giving the complaint priority over other pending complaints. The department must investigate, or continue to investigate, and take action on such a complaint filed against a person whose educator certificate has expired if the act or acts that are the basis for the complaint were allegedly committed while that person possessed an educator certificate.²¹

If allegations arise against an employee who possesses an educator certificate and is employed in an educator-certificated position in any public school, charter school or governing board thereof, or private school that accepts students who participate in a state scholarship program, the school must file in writing with the department a legally sufficient complaint within 30 days from the date the school had notice of the incident, regardless of whether the subject of the allegations is still an employee of the school.²²

III. Effect of Proposed Changes:

SB 1444 provides safeguards to help protect students by requiring the creation of a state disqualification list to be maintained by the Department of Education (department or DOE) which must include the following information:

- The name of any individual who has been placed on the list by the Education Practices Commission (EPC) pursuant to law, or whose educator certificate has been permanently revoked by the EPC.
- The name of any private school owners or operators who have been permanently disqualified from participation in a state scholarship program by the DOE.

Additionally, the bill:

- Requires the DOE to provide authorized staff of school districts, charter schools, the Florida School for the Deaf and Blind (FSDB), and private schools that accept scholarship students who participate in a state scholarship program with electronic access to the DOE's disqualification list.
- Prohibits any individual on the disqualification list from earning an educator certificate or being employed in any position which requires direct contact with students in any public school, charter school, or private school that accepts state scholarship money.
- Provides the DOE and EPC with authority to place individuals on the disqualification list for certain purposes.

²⁰ Section 1012.796(1), F.S.

²¹ *Id.*

²² *Id.* at 1(e).

- Requires the DOE to immediately investigate, under certain circumstances, any legally sufficient complaint that involves the misconduct by an employee or contracted personnel in a public school, charter school or private school that receives state scholarship funds.

Commissioner of Education

The bill requires the DOE to maintain a state disqualification list which must include the following information:

- The name of any individual who has been placed on the list by the EPC pursuant to law, or whose educator certificate has been permanently revoked by the commission.
- The name of any private school owners or operators who have been permanently disqualified from participation in a state scholarship program by the DOE.

The bill provides that the Commissioner of Education (commissioner) may permanently deny or revoke the authority of an owner or operator to establish or operate a private school in this state if the commissioner decides that the owner or operator is operating or has operated an educational institution in this state or another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public. The commissioner must include such individuals on the disqualification list maintained by the DOE.

Additionally, the bill requires the DOE to provide authorized staff of school districts, charter schools, the FSDB, and private schools that accept scholarship students who participate in a state scholarship program with access to the DOE's disqualification list.

In effect, this may help provide more safeguards to better protect students from teachers or administrators who have been disqualified from their profession because of criminal and unethical conduct.

Charter Schools

Employees of Charter Schools

The bill specifies that an individual may not be an employee or contract personnel of a charter school, or serve as a member of a charter school governing board, if the individual is on the disqualification list maintained by the DOE.

Private Schools

Teacher Qualifications

The bill requires that any private school that participates in a state educational scholarship program must deny employment to any individual whose educator certificate is revoked, who is barred from reapplication, or who is on the disqualification list maintained by the department.

Disqualification from Employment

The bill provides that a person on the disqualification list maintained by the DOE is ineligible for educator certification or employment in any position that requires direct contact with students in

a district school system, charter school, or private school that accepts students who participate in a state scholarship program.

Educator Practices Commission

The bill provides that the EPC may place an employee or contracted personnel of any public school, charter school, charter school governing board, or private school that accepts students who participate in a state scholarship program on the disqualification list maintained by the DOE if such conduct would otherwise result in permanent revocation of a certificate.

Complaints against Teachers and Administrators

The bill requires the DOE to immediately investigate any legally sufficient complaint that involves the misconduct by an employee or contracted personnel of any public school, charter school, charter school governing board, or private school that accepts students who participate in a state scholarship program which affects the health, safety or welfare of a student and would otherwise result in the permanent revocation of a certificate. The DOE is required to give the complaint priority over other pending complaints.

In addition, the bill provides that the EPC may place an individual who is not a certificate holder on the disqualification list maintained by the DOE if the conduct would meet the standard for permanent revocation of a certificate.

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Department of Education, the added obligation to investigate all district staff, all charter school staff, and all staff at private schools that receive state scholarship funds, would substantially increase the workload of the Office of Professional Practices Services. However, the fiscal impact is indeterminate at this time.²³

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.10, 1002.33, 1002.421, 1012.315, 1012.795, and 1012.796.

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.

²³ Email, *Florida Department of Education* (March 15, 2019).

By Senator Diaz

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1 A bill to be entitled
 2 An act relating to education; amending s. 1001.10,
 3 F.S.; requiring the Department of Education to
 4 maintain a disqualification list; providing
 5 requirements for the disqualification list; requiring
 6 the department to provide certain staff with access to
 7 information from such disqualification list; amending
 8 s. 1002.33, F.S.; prohibiting individuals who are on
 9 the disqualification list from being employed or
 10 contracted by a charter school or serving as a member
 11 of a charter school governing board; amending s.
 12 1002.421, F.S.; revising requirements for private
 13 schools relating to employment; authorizing the
 14 Commissioner of Education to deny or revoke the
 15 authority of an owner or operator of a private school
 16 to establish or operate a private school under
 17 specified conditions; requiring the commissioner to
 18 include such individuals on the disqualification list;
 19 amending s. 1012.315, F.S.; expanding ineligibility
 20 for educator certification or employment to persons
 21 who are on the disqualification list; amending s.
 22 1012.795, F.S.; expanding the authority of the
 23 Education Practices Commission to discipline
 24 instructional personnel and school administrators;
 25 amending s. 1012.796, F.S.; requiring the department
 26 to investigate certain complaints involving misconduct
 27 by employees or contracted personnel of specified
 28 entities; expanding penalties that may be imposed by
 29 the commission; prohibiting individuals on the

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

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30 disqualification list from serving or applying to
 31 serve as an employee or contract personnel at any
 32 public school or private school; providing criminal
 33 penalties; providing an effective date.
 34
 35 Be It Enacted by the Legislature of the State of Florida:
 36
 37 Section 1. Subsections (4) and (5) of section 1001.10,
 38 Florida Statutes, are amended to read:
 39 1001.10 Commissioner of Education; general powers and
 40 duties.—
 41 (4) The Department of Education shall:
 42 (a) Provide technical assistance to school districts,
 43 charter schools, the Florida School for the Deaf and the Blind,
 44 and private schools that accept scholarship students who
 45 participate in a state scholarship program under chapter 1002 in
 46 the development of policies, procedures, and training related to
 47 employment practices and standards of ethical conduct for
 48 instructional personnel and school administrators, as defined in
 49 s. 1012.01.
 50 (b) Maintain a state disqualification list, which must
 51 include the following information:
 52 1. The name of any individual who has been placed on the
 53 list by the Education Practices Commission pursuant to s.
 54 1012.796(7), or whose educator certificate has been permanently
 55 revoked by the commission pursuant to s. 1012.796; and
 56 2. The names of individuals who have been permanently
 57 disqualified from participation in a scholarship program by the
 58 department pursuant to s. 1002.421.

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(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students who participate in a state scholarship program under chapter 1002 with access to electronic verification of information from the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary Actions Against Educators; ~~and~~

(b) The Department of Education's Teacher Certification Database; and

(c) The Department of Education's disqualification list maintained pursuant to paragraph (4) (b).

This subsection does not require the department to provide these staff with unlimited access to the databases. However, the department shall provide the staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

Section 2. Paragraph (g) of subsection (12) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g)1. A charter school shall employ or contract with employees who have undergone background screening as provided in s. 1012.32. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32. An individual may not be employed

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as an employee or contract personnel of a charter school, or serve as a member of a charter school governing board, if the individual is on the disqualification list maintained by the department pursuant to s. 1001.10(4) (b).

2. A charter school shall disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

3. The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A charter school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without

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disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

4. Before employing instructional personnel or school administrators in any position that requires direct contact with students, a charter school shall conduct employment history checks of each of the personnel's or administrators' previous employers, screen the instructional personnel or school administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the charter school must document efforts to contact the employer.

5. The sponsor of a charter school that knowingly fails to comply with this paragraph shall terminate the charter under subsection (8).

Section 3. Paragraph (o) of subsection (1) and subsection (3) of section 1002.421, Florida Statutes, are amended to read:

1002.421 State school choice scholarship program accountability and oversight.—

(1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01(2) in this state, be registered, and be in compliance with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program

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laws, and other provisions of Florida law that apply to private schools, and must:

(o) Before employing ~~an individual instructional personnel or school administrators~~ in any position that requires direct contact with students, conduct employment history checks of ~~each of the personnel's or administrators'~~ previous employers, screen the ~~individual personnel or administrators~~ through use of the ~~educator~~ screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer. The school must deny employment to any individual whose educator certificate is revoked, who is barred from reapplication, or who is on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b).

The department shall suspend the payment of funds to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies. If a private school fails to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (q), the commissioner may determine that the private school is ineligible to participate in a scholarship program.

(3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—The Commissioner of Education:

(a) Shall deny, suspend, or revoke a private school's participation in a scholarship program if it is determined that the private school has failed to comply with this section or

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exhibits a previous pattern of failure to comply. However, if the noncompliance is correctable within a reasonable amount of time, not to exceed 45 days, and if the health, safety, or welfare of the students is not threatened, the commissioner may issue a notice of noncompliance which provides the private school with a timeframe within which to provide evidence of compliance before taking action to suspend or revoke the private school's participation in the scholarship program.

(b) May deny, suspend, or revoke a private school's participation in a scholarship program if the commissioner determines that an owner or operator of the private school is operating or has operated an educational institution in this state or in another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public or if the owner or operator has exhibited a previous pattern of failure to comply with this section or specific requirements identified within respective scholarship program laws. For purposes of this subsection, the term "owner or operator" has the same meaning as provided in paragraph (1)(p).

(c) May permanently deny or revoke the authority of an owner or operator to establish or operate a private school in this state if the commissioner decides that the owner or operator is operating or has operated an educational institution in this state or another state or jurisdiction in a manner contrary to the health, safety, or welfare of the public, and shall include such individuals on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b).

(d) ~~(e)~~ 1. In making such a determination, may consider factors that include, but are not limited to, acts or omissions

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by an owner or operator which led to a previous denial, suspension, or revocation of participation in a state or federal education scholarship program; an owner's or operator's failure to reimburse the department or scholarship-funding organization for scholarship funds improperly received or retained by a school; the imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational institution; the imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination, or revocation related to an owner's or operator's management or operation of an educational institution; or other types of criminal proceedings in which an owner or operator was found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

2. The commissioner's determination is subject to the following:

a. If the commissioner intends to deny, suspend, or revoke a private school's participation in the scholarship program, the department shall notify the private school of such proposed action in writing by certified mail and regular mail to the private school's address of record with the department. The notification shall include the reasons for the proposed action and notice of the timelines and procedures set forth in this paragraph.

b. The private school that is adversely affected by the proposed action shall have 15 days after receipt of the notice of proposed action to file with the department's agency clerk a

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request for a proceeding pursuant to ss. 120.569 and 120.57. If the private school is entitled to a hearing under s. 120.57(1), the department shall forward the request to the Division of Administrative Hearings.

c. Upon receipt of a request referred pursuant to this subparagraph, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. A final order shall be entered by the agency within 30 days after the entry of a recommended order. The provisions of this sub-subparagraph may be waived upon stipulation by all parties.

(e) ~~(d)~~ May immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is:

1. An imminent threat to the health, safety, or welfare of the students;

2. A previous pattern of failure to comply with this section; or

3. Fraudulent activity on the part of the private school. Notwithstanding s. 1002.22, in incidents of alleged fraudulent activity pursuant to this section, the department's Office of Inspector General is authorized to release personally identifiable records or reports of students to the following persons or organizations:

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a. A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

b. A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

c. Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

The commissioner's order suspending payment pursuant to this paragraph may be appealed pursuant to the same procedures and timelines as the notice of proposed action set forth in subparagraph (d)2. ~~subparagraph (e)2.~~

Section 4. Section 1012.315, Florida Statutes, is amended to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification or employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students who participate in a state scholarship program under chapter 1002 if the person is on the disqualification list maintained by the department pursuant to

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291 s. 1001.10(4)(b) or has been convicted of:

292 (l) Any felony offense prohibited under any of the
293 following statutes:

294 (a) Section 393.135, relating to sexual misconduct with
295 certain developmentally disabled clients and reporting of such
296 sexual misconduct.

297 (b) Section 394.4593, relating to sexual misconduct with
298 certain mental health patients and reporting of such sexual
299 misconduct.

300 (c) Section 415.111, relating to adult abuse, neglect, or
301 exploitation of aged persons or disabled adults.

302 (d) Section 782.04, relating to murder.

303 (e) Section 782.07, relating to manslaughter, aggravated
304 manslaughter of an elderly person or disabled adult, aggravated
305 manslaughter of a child, or aggravated manslaughter of an
306 officer, a firefighter, an emergency medical technician, or a
307 paramedic.

308 (f) Section 784.021, relating to aggravated assault.

309 (g) Section 784.045, relating to aggravated battery.

310 (h) Section 784.075, relating to battery on a detention or
311 commitment facility staff member or a juvenile probation
312 officer.

313 (i) Section 787.01, relating to kidnapping.

314 (j) Section 787.02, relating to false imprisonment.

315 (k) Section 787.025, relating to luring or enticing a
316 child.

317 (l) Section 787.04(2), relating to leading, taking,
318 enticing, or removing a minor beyond the state limits, or
319 concealing the location of a minor, with criminal intent pending

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320 custody proceedings.

321 (m) Section 787.04(3), relating to leading, taking,
322 enticing, or removing a minor beyond the state limits, or
323 concealing the location of a minor, with criminal intent pending
324 dependency proceedings or proceedings concerning alleged abuse
325 or neglect of a minor.

326 (n) Section 790.115(1), relating to exhibiting firearms or
327 weapons at a school-sponsored event, on school property, or
328 within 1,000 feet of a school.

329 (o) Section 790.115(2)(b), relating to possessing an
330 electric weapon or device, destructive device, or other weapon
331 at a school-sponsored event or on school property.

332 (p) Section 794.011, relating to sexual battery.

333 (q) Former s. 794.041, relating to sexual activity with or
334 solicitation of a child by a person in familial or custodial
335 authority.

336 (r) Section 794.05, relating to unlawful sexual activity
337 with certain minors.

338 (s) Section 794.08, relating to female genital mutilation.

339 (t) Chapter 796, relating to prostitution.

340 (u) Chapter 800, relating to lewdness and indecent
341 exposure.

342 (v) Section 800.101, relating to offenses against students
343 by authority figures.

344 (w) Section 806.01, relating to arson.

345 (x) Section 810.14, relating to voyeurism.

346 (y) Section 810.145, relating to video voyeurism.

347 (z) Section 812.014(6), relating to coordinating the
348 commission of theft in excess of \$3,000.

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349 (aa) Section 812.0145, relating to theft from persons 65
 350 years of age or older.
 351 (bb) Section 812.019, relating to dealing in stolen
 352 property.
 353 (cc) Section 812.13, relating to robbery.
 354 (dd) Section 812.131, relating to robbery by sudden
 355 snatching.
 356 (ee) Section 812.133, relating to carjacking.
 357 (ff) Section 812.135, relating to home-invasion robbery.
 358 (gg) Section 817.563, relating to fraudulent sale of
 359 controlled substances.
 360 (hh) Section 825.102, relating to abuse, aggravated abuse,
 361 or neglect of an elderly person or disabled adult.
 362 (ii) Section 825.103, relating to exploitation of an
 363 elderly person or disabled adult.
 364 (jj) Section 825.1025, relating to lewd or lascivious
 365 offenses committed upon or in the presence of an elderly person
 366 or disabled person.
 367 (kk) Section 826.04, relating to incest.
 368 (ll) Section 827.03, relating to child abuse, aggravated
 369 child abuse, or neglect of a child.
 370 (mm) Section 827.04, relating to contributing to the
 371 delinquency or dependency of a child.
 372 (nn) Section 827.071, relating to sexual performance by a
 373 child.
 374 (oo) Section 843.01, relating to resisting arrest with
 375 violence.
 376 (pp) Chapter 847, relating to obscenity.
 377 (qq) Section 874.05, relating to causing, encouraging,

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378 soliciting, or recruiting another to join a criminal street
 379 gang.
 380 (rr) Chapter 893, relating to drug abuse prevention and
 381 control, if the offense was a felony of the second degree or
 382 greater severity.
 383 (ss) Section 916.1075, relating to sexual misconduct with
 384 certain forensic clients and reporting of such sexual
 385 misconduct.
 386 (tt) Section 944.47, relating to introduction, removal, or
 387 possession of contraband at a correctional facility.
 388 (uu) Section 985.701, relating to sexual misconduct in
 389 juvenile justice programs.
 390 (vv) Section 985.711, relating to introduction, removal, or
 391 possession of contraband at a juvenile detention facility or
 392 commitment program.
 393 (2) Misdemeanor offense prohibited under any of the
 394 following statutes:
 395 (a) Section 784.03, relating to battery, if the victim of
 396 the offense was a minor.
 397 (b) Section 787.025, relating to luring or enticing a
 398 child.
 399 (3) Any criminal act committed in another state or under
 400 federal law which, if committed in this state, constitutes an
 401 offense prohibited under any statute listed in subsection (1) or
 402 subsection (2).
 403 (4) Any delinquent act committed in this state or any
 404 delinquent or criminal act committed in another state or under
 405 federal law which, if committed in this state, qualifies an
 406 individual for inclusion on the Registered Juvenile Sex Offender

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List under s. 943.0435(1)(h)1.d.

Section 5. Subsection (1) of section 1012.795, Florida Statutes, is amended to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any instructional personnel or school administrator, as defined in s. 1012.01(2) or (3), for up to 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the person may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to subsection (4); may permanently revoke the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend a person's educator certificate, upon an order of the court or notice by the Department of Revenue relating to the payment of child support; may place an employee or contracted personnel of any public school, charter school, charter school governing board, or private school that accepts scholarship students who participate in a state scholarship program under chapter 1002 on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b) if such conduct would

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otherwise result in the permanent revocation of a certificate;
or may impose any other penalty provided by law, if the person:

(a) Obtained or attempted to obtain an educator certificate by fraudulent means.

(b) Knowingly failed to report actual or suspected child abuse as required in s. 1006.061 or report alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student as required in s. 1012.796.

(c) Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.

(d) Has been guilty of gross immorality or an act involving moral turpitude as defined by rule of the State Board of Education, including engaging in or soliciting sexual, romantic, or lewd conduct with a student or minor.

(e) Has had an educator certificate or other professional license sanctioned by this or any other state or has had the authority to practice the regulated profession revoked, suspended, or otherwise acted against, including a denial of certification or licensure, by the licensing or certifying authority of any jurisdiction, including its agencies and subdivisions. The licensing or certifying authority's acceptance of a relinquishment, stipulation, consent order, or other settlement offered in response to or in anticipation of the filing of charges against the licensee or certificateholder shall be construed as action against the license or certificate. For purposes of this section, a sanction or action against a professional license, a certificate, or an authority to practice

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a regulated profession must relate to being an educator or the fitness of or ability to be an educator.

(f) Has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(g) Upon investigation, has been found guilty of personal conduct that seriously reduces that person's effectiveness as an employee of the district school board.

(h) Has breached a contract, as provided in s. 1012.33(2) or s. 1012.335.

(i) Has been the subject of a court order or notice by the Department of Revenue pursuant to s. 409.2598 directing the Education Practices Commission to suspend the certificate as a result of noncompliance with a child support order, a subpoena, an order to show cause, or a written agreement with the Department of Revenue.

(j) Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

(k) Has otherwise violated the provisions of law, the penalty for which is the revocation of the educator certificate.

(l) Has violated any order of the Education Practices Commission.

(m) Has been the subject of a court order or plea agreement in any jurisdiction which requires the certificateholder to surrender or otherwise relinquish his or her educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. A person may not

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surrender or otherwise relinquish his or her certificate prior to a finding of probable cause by the commissioner as provided in s. 1012.796.

(n) Has been disqualified from educator certification under s. 1012.315.

(o) Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to s. 1006.20(2)(b).

(p) Has violated test security as provided in s. 1008.24.

Section 6. Paragraph (g) of subsection (1), paragraph (i) of subsection (7), and paragraph (10) are added to section 1012.796, Florida Statutes, to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)

(g) The department shall immediately investigate any legally sufficient complaint that involves misconduct by an employee or contracted personnel of any public school, charter school, charter school governing board, or private school that accepts scholarship students who participate in a state scholarship program under chapter 1002 which affects the health, safety, or welfare of a student and would otherwise result in the permanent revocation of a certificate, giving the complaint priority over other pending complaints.

(7) A panel of the commission shall enter a final order either dismissing the complaint or imposing one or more of the following penalties:

(i) Place an individual who is not a certificateholder on the disqualification list maintained by the department pursuant

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523 to s. 1001.10(4)(b) if the conduct would meet the standard for
524 permanent revocation of a certificate.

525
526 The penalties imposed under this subsection are in addition to,
527 and not in lieu of, the penalties required for a third
528 recruiting offense pursuant to s. 1006.20(2)(b).

529 (10) An individual on the disqualification list maintained
530 by the department pursuant to s. 1001.10(4)(b) may not serve or
531 apply to serve as an employee or contracted personnel at any
532 public school or private school in this state. An individual who
533 violates this provision commits a felony of the third degree,
534 punishable as provided in s. 775.082 or s. 775.083.

535 Section 7. This act shall take effect July 1, 2019.

THE FLORIDA SENATE
APPEARANCE RECORD

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

03/19/19

Meeting Date

1444

Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Bethany Swonson Jared Ochs

Job Title Leg. Affairs Director

Address 325 W. Gains St.

Phone 850-621-2556

Street

Tallahassee

FL

32303

Email Bethany.swonson

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

APPEARANCE RECORD

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

3/19/19

Meeting Date

1444

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Angie Gallo

Job Title V.P. of Education

Address

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 Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

3/19/2019

Meeting Date

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

1444

Bill Number (if applicable)

Topic Educational Personnel

Amendment Barcode (if applicable)

Name Eileen Fernandez

Job Title Associate General Counsel

Address 445 W. Amelia St.

Phone 407-317-3411

Street

Orlando

City

FL

State

32801

Zip

Email Eileen.Fernandez@ocrs.net

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Orange County Public 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)

3/19/19

Meeting Date

SB 1444

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Sue Sommer

Job Title _____

Address 505 SW Aviation Dr

Phone 386-628-2890

Street

Lake City

City

FL

State

32025

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Citizens Alliance

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.

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S-001 (10/14/14)

THE FLORIDA SENATE

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3.19.19

Meeting Date

1444

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name Debbie Northam

Job Title Legislative Dir.

Address 215 S. Monroe St.

Street

TLH

City

FL

State

32301

Zip

Phone ✓

Email debbie@exclined.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Foundation for Florida's Future

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

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S-001 (10/14/14)

CourtSmart Tag Report

Room: KN 412 **Case No.:**
Caption: Senate Committee on Education

Type:
Judge:

Started: 3/19/2019 4:01:40 PM
Ends: 3/19/2019 5:31:25 PM **Length:** 01:29:46

4:01:39 PM Meeting called to order by Chair Diaz
4:01:42 PM Roll call by Angela Herndon Administrative Assistant
4:01:47 PM Quorum present
4:02:03 PM Comments from Senator Diaz
4:02:21 PM Introduction of Tab 7, SB 1224 by Chair Diaz
4:02:38 PM Explanation of SB 1224, Charter School Employees by Senator Farmer and bill being TP'd
4:03:09 PM SB 1224 temporary postponed
4:03:19 PM Introduction of Tab 9, 1316 by Chair Diaz
4:03:31 PM Explanation of SB 1316, Civic Education by Senator Brandes
4:04:25 PM Amendment Barcode No. 687766 introduced by Chair Diaz
4:05:18 PM Explanation of Late-filed Amendment by Senator Brandes
4:05:32 PM Closure waived on Amendment
4:05:37 PM Amendment Barcode No. 687766 adopted
4:05:51 PM Question from Senator Berman
4:06:07 PM Response from Senator Brandes
4:06:17 PM Follow-up question from Senator Berman
4:06:23 PM Response from Senator Brandes
4:07:07 PM Speaker Monte Finklestein, Dean Emeritus, Tallahassee Community College in opposition
4:09:42 PM Sue Sommer, Florida Citizens Alliance waives in support
4:10:07 PM No objection to Late-filed Amendment
4:10:18 PM Closure waived
4:10:20 PM Roll call on SB 1316
4:10:33 PM CS/SB 1316 reported favorably
4:10:51 PM Introduction of Tab 1, SB 194 by Chair Diaz
4:11:02 PM Explanation of SB 194, Higher Education by Senator Stargel
4:12:12 PM Question from Senator Cruz
4:12:20 PM Response from Senator Stargel
4:12:41 PM Follow-up question from Senator Cruz
4:12:50 PM Response from Senator Stargel
4:13:29 PM Comments from Chair Diaz
4:13:35 PM Closure waived
4:13:38 PM Roll call by Angela Herndon Administrative Assistant
4:13:51 PM SB 194 reported favorably
4:14:04 PM Introduction of Tab 3, CS/SB 318 by Chair Diaz
4:14:18 PM Explanation of Amendment Barcode No. 637096 by Senator Montford
4:15:56 PM Alan Abramowitz, Executive Director, Guardian Ad Litem Program waives in support
4:16:05 PM Stephen Winn, Executive Director, Florida Osteopathic Medical Association waives in support
4:16:18 PM Closure waived
4:16:22 PM Amendment adopted

4:16:45 PM Stephen Winn waives in support of Bill
4:17:00 PM Closure waived
4:17:02 PM Roll call on CS/SB 318 by Angela Herndon Administrative Assistant
4:17:20 PM CS/SB 318 reported favorably
4:17:33 PM Introduction of Tab 5, SB 770
4:17:53 PM Explanation of SB 770, Alternative High School Graduation Requirements and Strike-All Amendment by Senator Hutson
4:20:23 PM Gavel passed to Chair Montford
4:20:31 PM Speaker Mark Anderson, Florida Council on Economic Education in support
4:22:19 PM J.B. Clark, Florida Electrical Workers Association waives in support
4:22:31 PM Introduction of Amendment Barcode No. 511646 by Chair Montford
4:22:42 PM Explanation of Amendment Barcode No. 511646 by Senator Diaz
4:23:52 PM Comments from Chair Montford
4:23:57 PM Closure waived
4:24:01 PM Amendment Barcode No. 511646 adopted
4:24:10 PM Introduction of Amendment Barcode No. 228510 by Chair Montford
4:24:14 PM Explanation of Amendment Barcode No. 228510 by Senator Diaz
4:25:32 PM Question from Senator Cruz
4:25:36 PM Response from Senator Diaz
4:28:28 PM Question from Senator Berman
4:28:33 PM Response from Senator Diaz
4:29:32 PM Vern Pickup-Crawford waives in support
4:29:47 PM Closure waived on Amendment
4:29:53 PM Amendment Barcode No. 228510 adopted
4:30:00 PM Gavel returned to Chair Diaz
4:30:23 PM Back on Amendment Barcode No. 865050
4:30:44 PM Amendment Barcode No. 865050 adopted
4:30:54 PM Question from Senator Berman
4:31:02 PM Response from Senator Hutson
4:31:59 PM Question from Senator Cruz
4:32:05 PM Response from Senator Hutson
4:33:27 PM Follow-up question from Senator Cruz
4:33:36 PM Response from Senator Hutson
4:34:34 PM Additional question from Senator Cruz
4:34:45 PM Response from Senator Hutson
4:35:29 PM Question from Senator Berman
4:35:35 PM Response from Senator Hutson
4:36:55 PM Follow-up question from Senator Berman
4:37:03 PM Response from Senator Hutson
4:37:42 PM Question from Senator Cruz
4:37:48 PM Response from Senator Hutson
4:39:10 PM Rusty Payton, Florida Home Builders Association waives in support
4:39:13 PM Shawn Frost, School Choice Movement waives in support
4:39:21 PM Brian Thiele, Americans for Prosperity waives in support
4:39:26 PM Angie Gallo, Florida PTA waives in support
4:39:38 PM Speaker Valerie Brant-Wilson in opposition
4:44:48 PM Carol Bowen, Associated Builders waives in support
4:44:53 PM Matthew Clay, Florida Chamber of Commerce waives in support
4:44:59 PM Theresa King, Florida State Building & Construction Trades waives in support
4:45:29 PM Senator Montford in debate
4:46:28 PM Senator Simmons in debate
4:49:35 PM Senator Cruz in debate

4:51:02 PM Senator Hutson with closure
4:51:57 PM Roll call by Angela Herndon Administrative Assistant
4:52:09 PM CS/SB 770 reported favorably
4:52:20 PM Introduction of Tab 4, SB 464 by Chair Diaz
4:52:26 PM Explanation of Tab 4, SB 464, Prepaid College Plans by Senator Flores
4:53:11 PM Question from Senator Cruz
4:53:16 PM Response from Senator Flores
4:53:23 PM Follow-up question from Senator Cruz
4:53:30 PM Response from Senator Flores
4:53:36 PM Additional question from Senator Cruz
4:53:42 PM Response from Senator Flores
4:54:30 PM Additional question from Senator Cruz
4:54:39 PM Response from Senator Flores
4:55:23 PM Introduction of Amendment 256780 by Chair Diaz
4:55:31 PM Explanation of Amendment Barcode No. 256780 by Senator Flores
4:55:57 PM Closure waived on Amendment
4:56:02 PM Amendment Barcode No. 256780 adopted
4:56:19 PM Senator Flores in closure
4:56:37 PM Roll call on CS/SB 464 by Angela Herndon Administrative Assistant
4:56:54 PM CS/SB 464 reported favorably
4:57:10 PM Introduction of Tab 2, CS/SB 292 by Chair Diaz
4:57:18 PM Explanation of CS/SB 292, Education by Senator Lee
4:59:19 PM Sue Sommer, Florida Citizens Alliance waives in support
4:59:32 PM Senator Lee in closure
4:59:40 PM Roll call on CS/SB 292 by Angela Herndon Administrative Assistant
5:00:02 PM CS/SB 292 reported favorably
5:00:22 PM Introduction of Tab 8, SB 1308 by Chair Diaz
5:00:36 PM Explanation of SB 1308, Pathways to College and Career Success by Senator Perry
5:01:41 PM Question from Senator Berman
5:01:48 PM Response from Senator Perry
5:02:49 PM Amendment Barcode No. 514048 introduced by Chair Diaz
5:02:57 PM Explanation of Amendment Barcode No. 514048 by Senator Perry
5:03:12 PM Closure waived
5:03:16 PM Amendment Barcode No. 514048 adopted
5:03:35 PM Sue Sommer, Florida Citizens Alliance waives in support
5:03:43 PM A.B. Clark, Florida Electrical Workers waives in support
5:03:53 PM Debbie Mortham, Foundation for Florida's Future waives in support
5:03:59 PM Amanda Bowen, Manufacturers Association of Florida waives in support
5:04:06 PM Carol Bowen, Associated Builders and Contractors waives in support
5:04:12 PM Jared Ochs Florida Department of Education waives in support
5:04:17 PM Comments from Chair Diaz
5:04:23 PM Closure waived
5:04:26 PM Roll call by Angela Herndon Administrative Assistant
5:04:35 PM CS/SB 1308 reported favorably
5:04:52 PM Introduction of Tab 10, SB 1366 by Chair Diaz
5:05:02 PM Explanation of SB 1336, Education by Senator Baxley
5:06:45 PM Robby Holroyd, Code Org. waives in support
5:06:51 PM Matthew Clay, Florida Chamber of Commerce waives in support
5:06:56 PM Debbie Mortham, Foundation for Florida's Future waives in support
5:07:06 PM Sean Ngyine waives in opposition
5:07:23 PM Judy Ngying waives in opposition
5:07:30 PM Jared Ochs, Florida Department of Education waives in support

5:07:36 PM Amanda Bowen, Manufacturers Association of Florida waives in support
5:07:46 PM Senator Baxley in closure
5:07:52 PM Roll call by Angela Herndon Administrative Assistant
5:08:19 PM SB 1366 reported favorably
5:08:43 PM Gavel to Chair Montford
5:08:47 PM Tab 6, SB 934 introduced by Chair Montford
5:08:55 PM Explanation of SB 934, High-Performing Charter Schools by Senator Diaz
5:09:42 PM Introduction of Amendment Barcode No. 289614
5:09:53 PM Explanation of Amendment Barcode No. 289614 by Senator Diaz
5:10:16 PM Edward Briggs, Pepin Academics waives in support
5:10:28 PM Comments from Chair Montford
5:10:33 PM Closure waived
5:10:35 PM Amendment adopted
5:10:46 PM Question from Senator Cruz
5:10:52 PM Response from Senator Diaz
5:11:55 PM Follow-up question from Senator Cruz
5:12:02 PM Response from Senator Diaz
5:12:56 PM Additional question from Senator Cruz
5:13:02 PM Response from Senator Diaz
5:13:52 PM Follow-up question from Senator Cruz
5:13:58 PM Response from Senator Diaz
5:14:40 PM Question from Senator Berman
5:14:50 PM Response from Senator Diaz
5:15:49 PM Follow-up question from Senator Berman
5:15:55 PM Response from Senator Diaz
5:16:17 PM Additional question from Senator Berman
5:16:22 PM Response from Senator Diaz
5:16:53 PM Sue Sommer, Florida Citizens Alliance waives in support
5:17:00 PM Edward Briggs, Pepin Academics waives in support
5:17:10 PM
5:17:20 PM Debate by Senator Cruz
5:19:08 PM Debate by Senator Baxley
5:21:19 PM Senator Berman in debate
5:22:27 PM Senator Stargel in debate
5:24:02 PM Senator Diaz in closure
5:24:53 PM Roll call by Angela Herndon Administrative Assistant
5:25:54 PM CS/SB 934 reported favorably
5:26:19 PM Introduction of Tab 11. SB 1444 by Chair Montford
5:26:28 PM Explanation of SB 1444, Education by Senator Diaz
5:28:50 PM Sue Sommer, Florida Citizens Alliance waives in support
5:28:57 PM Debbie Mortham, Foundation for Florida's Future waives in support
5:29:01 PM Eileen Fernandez, Orange County Public Schools waives in support
5:29:08 PM Angie Gallo, Florida PTA
5:29:18 PM Jared Ochs, Florida Department of Education waives in support
5:29:31 PM Senator Diaz in closure
5:29:38 PM Roll call by Angela Herndon Administrative Assistant
5:29:48 PM SB 1444 reported favorably
5:30:09 PM Gavel back to Chair Diaz
5:30:24 PM Comments from Chair Diaz
5:30:28 PM Senator Stargel shown in the affirmative on SB 1308
5:30:40 PM Senator Perry in the affirmative on SB 1316, SB 194, SB 318
5:30:53 PM Senator Simmons in the affirmative SB 1444

5:31:06 PM Senator Stargel moves to adjourn