

Tab 1 CS/SB 328 by HP, Grimsley (CO-INTRODUCERS) Perry; (Similar to CS/H 00543) Regulation of Nursing

Tab 2 SB 668 by Bean; (Similar to CS/H 00859) Postsecondary Distance Education
 744338 D S RCS ED, Bean Delete everything after 03/27 03:47 PM

Tab 3 SB 782 by Mayfield; (Identical to H 06015) High School Graduation Requirements

Tab 4 SB 926 by Flores (CO-INTRODUCERS) Bradley; (Identical to H 00773) K-12 Student Assessments
 945386 A S ED, Simmons Delete L.23 - 31: 03/27 01:40 PM
 654648 A S ED, Flores btw L.31 - 32: 03/24 01:19 PM
 512972 A S ED, Simmons Delete L.40 - 93. 03/27 01:41 PM
 578028 A S ED, Simmons Delete L.59: 03/27 01:41 PM
 464772 A S ED, Simmons btw L.93 - 94: 03/27 01:41 PM
 747760 A S ED, Flores Delete L.142 - 147: 03/24 01:19 PM
 173108 A S ED, Simmons btw L.167 - 168: 03/27 01:41 PM
 521886 A S ED, Simmons btw L.167 - 168: 03/27 02:19 PM

Tab 5 SB 978 by Powell; (Similar to CS/H 00525) High School Graduation Requirements
 728964 A S RCS ED, Powell Delete L.46 - 47: 03/27 03:47 PM

Tab 6 SB 1210 by Lee (CO-INTRODUCERS) Mayfield, Steube, Hutson, Artiles, Bean; (Compare to CS/H 00989) Instructional Materials for K-12 Public Education
 833208 D S RCS ED, Lee Delete everything after 03/27 03:47 PM
 834124 AA S RCS ED, Lee Delete L.54 - 263: 03/27 03:47 PM
 554964 AA S RCS ED, Lee Delete L.133: 03/27 03:47 PM

Tab 7 SB 1222 by Bradley; (Similar to H 00781) School Grades

Tab 8 SB 1290 by Hutson; Career and Technical Education

Tab 9 SB 1472 by Galvano; (Identical to H 01177) Medicinal Cannabis Research and Education

Tab 11 SB 538 by Clemens; Charter Schools

Tab 12 SB 692 by Baxley; (Identical to H 00833) Student Eligibility for K-12 Virtual Instruction

Tab 13 SB 696 by Baxley; (Identical to H 00251) Charter Schools

Tab 14 SB 796 by Bean; Charter Schools

Tab 15 SB 868 by Baxley; (Compare to H 00833) Educational Options and Services

Tab 16 SB 902 by Simmons; (Compare to CS/H 00015) Gardiner Scholarship Program

Tab 17 SB 1302 by Gibson; (Similar to CS/H 01109) Private School Student Participation in Extracurricular Activities

Tab 18	SB 1314 by Grimsley ; (Compare to CS/H 00015) Educational Options
---------------	---------------------------------------------------------------------------------

Tab 19	SB 1362 by Broxson ; K-12 Education
---------------	---------------------------------------------------

Tab 20	SB 1556 by Lee ; (Similar to CS/H 01391) Education
---------------	------------------------------------------------------------------

Tab 21	SB 1572 by Bean ; Education Savings Account Program
---------------	-------------------------------------------------------------------

Tab 22	SB 1586 by Garcia ; Student Eligibility for Interscholastic Athletic Competition
---------------	------------------------------------------------------------------------------------------------

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Hukill, Chair
Senator Mayfield, Vice Chair

MEETING DATE: Monday, March 27, 2017
TIME: 1:30—3:30 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Hukill, Chair; Senator Mayfield, Vice Chair; Senators Farmer, Flores, Galvano, Lee, Simmons, Simpson, Stewart, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 328 Health Policy / Grimsley (Similar CS/H 543, Compare H 7011)	Regulation of Nursing; Removing an obsolete qualification no longer sufficient to satisfy certain nursing certification requirements; authorizing the Board of Nursing to conduct certain on-site evaluations; removing a requirement that certain nursing program graduates complete a specific preparatory course; providing that a name change or the creation of a new educational institution does not reduce the waiting period for reapplication, etc. HP 03/14/2017 Fav/CS ED 03/27/2017 Favorable RC	Favorable Yeas 8 Nays 0
2	SB 668 Bean (Similar CS/H 859)	Postsecondary Distance Education; Authorizing this state to participate in a reciprocity agreement for delivery of postsecondary distance education; establishing the Postsecondary Reciprocal Distance Education Coordinating Council within the Department of Education; authorizing the council to revoke a Florida institution's participation in the reciprocity agreement for noncompliance, etc. ED 03/27/2017 Fav/CS AHE AP	Fav/CS Yeas 9 Nays 0
3	SB 782 Mayfield (Identical H 6015)	High School Graduation Requirements; Removing a requirement that a student participating in an interscholastic sport pass a competency test on personal fitness to satisfy the physical education credit requirement for high school graduation, etc. ED 03/21/2017 Workshop-Discussed ED 03/27/2017 Favorable HP RC	Favorable Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, March 27, 2017, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 926 Flores (Identical H 773)	K-12 Student Assessments; Requiring the Commissioner of Education to review specified college entrance examinations to determine their alignment with the core curricular content for high school level English Language Arts and mathematics established in state standards; revising provisions relating to achievement levels for certain statewide, standardized assessments; providing requirements for administration of the statewide, standardized English Language Arts and mathematics assessments in specified grades, etc. ED 03/21/2017 Workshop-Discussed ED 03/27/2017 Temporarily Postponed RC	Temporarily Postponed
5	SB 978 Powell (Similar CS/H 525)	High School Graduation Requirements; Authorizing the use of credits earned upon completion of a registered apprenticeship or preapprenticeship to satisfy specified high school graduation credit requirements; requiring that the State Board of Education approve and identify apprenticeship and preapprenticeship programs for such purpose, etc. ED 03/27/2017 Fav/CS AED AP	Fav/CS Yeas 8 Nays 0
6	SB 1210 Lee (Similar H 989)	Instructional Materials for K-12 Public Education; Requiring each district school board to adopt a process allowing parents or other persons who pay ad valorem property or sales tax in Florida to object to the use of specific instructional materials based on specified criteria; revising the requirement that the district school superintendent certify that all instructional materials used by the district for core courses meet certain standards; revising the standards that an instructional materials reviewer shall use to include instructional materials standards that are equivalent to or better than applicable state standards, etc. ED 03/27/2017 Fav/CS AP	Fav/CS Yeas 9 Nays 0
7	SB 1222 Bradley (Similar H 781)	School Grades; Providing that a school exhibits a feeder pattern for the purpose of designating school grades if at least a majority of its students are scheduled to be assigned to the graded school, etc. ED 03/21/2017 Workshop-Discussed ED 03/27/2017 Favorable AED AP	Favorable Yeas 9 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, March 27, 2017, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SB 1290 Hutson	Career and Technical Education; Specifying goals for a CAPE pathway; requiring each school district, in consultation with local businesses and Florida College System institutions, to develop at least one CAPE pathway in a specified area by a specified school year; authorizing parents to enroll their children in any school's CAPE pathway in the school district under certain circumstances, etc. ED 03/27/2017 Favorable AED AP	Favorable Yeas 8 Nays 0
9	SB 1472 Galvano (Identical H 1177)	Medicinal Cannabis Research and Education; Citing this act as the "Medicinal Cannabis Research and Education Act"; establishing the Coalition for Medicinal Cannabis Research and Education within the H. Lee Moffitt Cancer Center and Research Institute, Inc.; establishing the Medicinal Cannabis Research and Education Board to direct the operations of the coalition; requiring the board to advise specified entities and officials regarding medicinal cannabis research and education in this state; specifying responsibilities of the H. Lee Moffitt Cancer Center and Research Institute, Inc., etc. ED 03/27/2017 Favorable AHS AP	Favorable Yeas 9 Nays 0
10	Presentation on Charter Schools		Presented

Workshop - Discussion and testimony only on the following (no vote to be taken):

11	SB 538 Clemens	Charter Schools; Requiring applicants for charter status to demonstrate that they meet certain needs that the local school district does not, or is unable to, meet; authorizing a charter school to share the results of innovative methods and best practices with the school district, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed
----	--------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, March 27, 2017, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
12	SB 692 Baxley (Identical H 833, Compare S 868)	Student Eligibility for K-12 Virtual Instruction; Revising eligibility requirements for specified students to receive part-time instruction at the Florida Virtual School; authorizing all students, including home education and private school students, to participate in specified virtual instruction options; revising the options that a district school board or charter school governing board may offer for a student to satisfy certain online course requirements, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed
13	SB 696 Baxley (Identical H 251)	Charter Schools; Requiring a sponsor to honor irrevocable instructions by a charter school to deposit certain funds; providing that a charter school that pledges or assigns future payment of its funding is not pledging the credit or taxing power of the state or a school district, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed
14	SB 796 Bean	Charter Schools; Revising charter school contract and funding requirements; authorizing certain entities to apply for designation as a High-Impact Charter Management Organization; requiring the Department of Education to give priority to certain charter schools applying for specified grants, etc. ED 03/27/2017 Workshop-Discussed AED AP RC	Workshop-Discussed
15	SB 868 Baxley (Compare H 833, S 692, S 1252)	Educational Options and Services; Providing that a participant in an adult or youth work experience activity in the Division of Blind Services is considered an employee of the state for workers' compensation coverage; revising student eligibility requirements for the Florida Virtual School and virtual instruction programs; requiring an institution that seeks initial approval after a specified date to offer a graduate-level teacher preparation program to offer students certain options, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, March 27, 2017, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
16	SB 902 Simmons (Compare CS/H 15)	Gardiner Scholarship Program; Revising program eligibility requirements; prohibiting a student who is enrolled in the Florida School for the Deaf and the Blind from being eligible for the program; specifying that certain actions of the private school are a basis for program ineligibility; providing an appropriation, etc. ED 03/27/2017 Workshop-Discussed AED AP RC	Workshop-Discussed
17	SB 1302 Gibson (Similar CS/H 1109)	Private School Student Participation in Extracurricular Activities; Revising the eligibility requirements for certain private school students to participate in interscholastic or intrascholastic sports at specified public schools, etc. ED 03/27/2017 Workshop-Discussed AED AP RC	Workshop-Discussed
18	SB 1314 Grimsley (Compare CS/H 15)	Educational Options; Specifying the Department of Education's duty to approve or deny an application for the Florida Tax Credit Scholarship Program within a specified time; requiring an eligible nonprofit scholarship-funding organization to allow certain dependent children to apply for a scholarship at any time; revising parent and student responsibilities for program participation; authorizing the Learning Systems Institute to receive compensation for research under certain circumstances; authorizing specified eligible nonprofit scholarship-funding organizations to develop a professional development system, etc. ED 03/27/2017 Workshop-Discussed AED AP RC	Workshop-Discussed
19	SB 1362 Broxson	K-12 Education; Removing a requirement that the Department of Education compare certain charter school student performance data to certain traditional public schools; authorizing certain entities to apply to the State Board of Education for designation as a High-Impact Charter Network; revising the exams each public high school is required to administer to all enrolled 10th grade students to include the preliminary ACT, rather than the ACT Aspire, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, March 27, 2017, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
20	SB 1556 Lee (Similar CS/H 1391, Compare CS/H 1017, CS/S 302)	Education; Prohibiting a district school board from requiring any additional information or verification from a home education program parent under certain circumstances; providing an exception for certain children from the age verification requirements for school attendance; requiring a school and school district to comply with specified provisions before instituting criminal prosecution against certain parents relating to compulsory school attendance, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed
21	SB 1572 Bean	Education Savings Account Program; Authorizing a parent to direct a financial institution trustee of his or her child's account to use funds for specified costs of attending specified private schools or programs, for participating in a dual enrollment program, or to make a contribution to the child's college savings plan or to a contract under the Stanley G. Tate Florida Prepaid College Program; specifying eligibility criteria for private schools, private tutors, private tutoring programs, and private postsecondary institutions to participate in the program, etc. ED 03/27/2017 Workshop-Discussed AED AP	Workshop-Discussed
22	SB 1586 Garcia	Student Eligibility for Interscholastic Athletic Competition; Revising requirements for the bylaws of the Florida High School Athletic Association governing student eligibility to participate in interscholastic athletic competition; revising the information that must be included on the preparticipation physical evaluation form, etc. ED 03/27/2017 Workshop-Discussed HP RC	Workshop-Discussed

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: CS/SB 328

INTRODUCER: Health Policy Committee and Senators Grimsley and Perry

SUBJECT: Regulation of Nursing

DATE: March 24, 2017 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rossitto-Van Winkle	Stovall	HP	Fav/CS
2.	Bouck	Graf	ED	Favorable
3.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 328 removes an obsolete pathway for certification as an advanced registered nurse practitioner and modifies provisions pertaining to the approval of nursing education programs.

The bill authorizes the Board of Nursing (BON) to conduct an on-site evaluation of applicants for nursing education programs, and modifies the program approval process as follows:

- Applies the minimum graduate passage rate standard to all first-time test takers;
- Removes the requirement that a graduate who does not take the licensure examination within 6 months of graduation must complete an examination preparatory course;
- Clarifies when programs in probationary status must be terminated;
- Requires an accredited and non-accredited program to disclose its probationary status and the implication of the probationary status to students;
- Prohibits a terminated or closed program from seeking approval for a certain time;
- Requires the termination of a program that fails to meet accreditation requirements;
- Closes a loophole for terminated programs to reapply for program approval within 3 years using an institutional name change or creating a new institution with the same ownership;
- Authorizes the BON to adopt rules relating to nursing curriculum, including rules relating to the use and limitations of simulation technology; and
- Removes the responsibility of the Office of Program Policy Analysis and Government Accountability from preparing certain reports and performing certain tasks, and places responsibility for those tasks and reports on Florida Center for Nursing.

The bill takes effect July 1, 2017, except as expressly provided otherwise.

II. Present Situation:

Part I of ch. 464, F.S., the Nurse Practice Act, governs the licensure and regulation of nurses in Florida. Nurses are licensed by the Department of Health (DOH)¹ and are regulated by the Board of Nursing (BON).² Currently a nurse desiring to practice nursing in the state of Florida must obtain a Florida license by examination or endorsement.

Applicants for licensure by examination as a registered nurse (RN) or licensed practical nurse (LPN), among other requirements, must:

- Graduate from an approved program or its equivalent, as determined by the BON;³
- Submit an application to the DOH;
- Pay a fee;
- Submit information for a criminal background check;⁴ and
- Pass the National Council Licensure Examination (NCLEX).⁵

Licensure by endorsement requirements include submitting an application and fee, passing a criminal background screening, and:

- Holding a valid license to practice professional or practical nursing in another state or territory of the United States that when issued the licensure requirements met or exceeded those in Florida at that time;
- Meeting the requirements for licensure in Florida and having successfully completed an examination in another state that is substantially equivalent to the examination in Florida; or
- Having actively practiced nursing in another state or jurisdiction, or territory of the United States for two of the preceding 3 years without having his or her license acted against by the licensing authority of any jurisdiction.⁶

In 2016, the Legislature created s. 464.0095, F.S., the Nurse Licensure Compact (NLC), which adopts the revised NLC in its entirety into state law. It is effective on December 31, 2018, or upon enactment of the revised NLC into law by 26 states, whichever occurs first. When effective, this legislation will allow licensed practical and professional nurses to practice in all member states by maintaining a single license in the nurse's primary state of residence. To date, 14 states, including Florida, have adopted the revised NLC.⁷

¹ Section 464.008, F.S.

² The BON is comprised of 13 members appointed by the Governor and confirmed by the Senate who serve 4-year terms. All members must be residents of the state. Seven members must be registered nurses who are representative of the diverse areas of practice within the nursing profession. Three members must be licensed practical nurses and three members must be laypersons. At least one member of the board must be 60 years of age or older. *See* Section 464.004, F.S.

³ Section 464.008(1)(c), F.S.

⁴ Section 464.008(1), F.S.

⁵ Section 464.008(2), F.S.

⁶ Section 464.009, F.S.

⁷ The National Council of State Boards of Nursing administers the NLC. They refer to it as the enhanced NLC. *See* <https://www.nursecompact.com/> (last visited on March 24, 2017).

Advanced Registered Nurse Certification

Any nurse desiring to obtain Florida certification as an advanced registered nurse practitioner must submit to the DOH proof that he or she holds a current Florida professional nursing license as a RN and meets at least one of the following additional requirements:

- Satisfactory completion of a formal post-basic educational program of at least one academic year, the primary purpose of which is to prepare nurses for advanced or specialized practice;
- Certification by an appropriate specialty board such as a registered nurse anesthetist, psychiatric nurse, or nurse midwife; or
- Graduation from a nursing education program leading to a master's degree in a nursing clinical specialty area with preparation in specialized practitioner skills.⁸

According to the DOH, all recent applicants across the country are graduates of programs for the preparation of nurse practitioners, or are graduates of master's degree programs in a clinical nursing specialty, who meet specific educational requirements for certification. Accordingly, the first pathway to certification is now obsolete.⁹

Nursing Education Program Approval and Accreditation

Florida law requires an institution desiring to offer a prelicensure nursing education program to submit an application to the DOH and pay a program review fee for each campus or instructional site. In addition to identifying information about the program, the application must indicate the name of the accrediting agency if the institution is accredited.

The application must document compliance with the following program standards: faculty qualifications; clinical training and clinical simulation requirements, including a requirement that no more than 50 percent of the program's clinical training consist of clinical simulation; faculty-to-student supervision ratios; and curriculum and instruction requirements.¹⁰ Currently the DOH is not authorized to conduct an on-site evaluation to document the applicant's compliance with the required program standards.

Once the DOH determines an application is complete, it forwards the application to the BON, which has 90 days to approve the application or to provide the applicant with notice of its intent to deny and the reasons for the denial. An applicant may request a hearing under ch. 120, F.S., on a notice of intent to deny.¹¹

Nursing programs currently offered in Florida include: public school districts, community colleges, state universities, private institutions licensed by the Commission for Independent Education (CIE), private institutions that are members of the Independent Colleges and

⁸ Section 464.012(1), F.S.

⁹ Department of Health, *Senate Bill 328 Analysis* (January 11, 2017) p. 2, (on file with the Senate Committee on Health Policy).

¹⁰ Section 464.019(1), F.S.

¹¹ Section 464.019(2), F.S. If the BON does not act on a program application within the 90-day review period, the program application is deemed approved. *Id.*

Universities of Florida, and Pensacola Christian College, which is statutorily authorized to offer a bachelor of science in nursing degree by s. 1005.06(1)(e), F.S.¹²

Chapter 464, F.S., recognizes and distinguishes between nursing education programs that are approved by the BON and programs that are approved and accredited.¹³

An “accredited program” is accredited by a specialized nursing accrediting agency that is nationally recognized by the United States Secretary of Education to accredit nursing education programs.¹⁴ The specialized nursing accrediting agencies currently recognized by the United States Department of Education include: the Commission on Collegiate Nursing Education and the Accreditation Commission for Education in Nursing.¹⁵

A BON approved nursing education program¹⁶ is required to submit an annual report to the BON which includes an affidavit certifying compliance with the program standards, and documentation for the previous academic year that sets forth data related to the number of students who applied, were accepted, enrolled, and graduated; retention rates; and accreditation status.¹⁷

The BON posts the following information on its website:

- A list of all accredited programs and graduation rates for the most recent 2 years;
- A list of all approved programs that are not accredited;
- All documentation submitted in a program’s application;
- A summary of the program’s compliance with program standards;
- A program’s accreditation status, probationary status, graduate passage rates for the most recent 2 years, and retention rates.¹⁸

¹² Office of Program Policy Analysis and Government Accountability, *Florida’s Nursing Education Programs Continued to Expand in 2013, While Licensure Exams Passage Rates of New Programs Declined*, Report No. 14-03, 2 (Jan. 2014), available at <http://floridasnursing.gov/forms/oppaga-report-2014.pdf>. (last visited March 24, 2017). OPPAGA notes that “[n]ursing education programs in Florida that hold specialized nursing accreditation by the National League for Nursing Accrediting Commission (NLNAC) or by the Collegiate Commission on Nursing Education (CCNE) are not regulated by the Florida Board of Nursing.” *Id.* Section 1005.06(1)(e), F.S., exempts schools from the CIE’s licensure requirements if the institution had been so exempted in 2001 under s. 246.085(1)(b), F.S. (2001), and maintains the following qualifying criteria: the institution is incorporated in this state; the institution’s credits or degrees are accepted for credit by at least three colleges that are fully accredited by an agency recognized by the U.S. Department of Education; the institution was exempt under that category prior to July 1, 1982, and the institution does not enroll any students who receive state or federal financial aid. Two institutions in Florida, Pensacola Christian College and Landmark Baptist College, are subject to this exemption. Landmark Baptist College does not offer a nursing program.

¹³ The program application and approval process, the annual report requirement, the data submission requirements and the pass rate requirements are not applicable to accredited programs.

¹⁴ Section 464.003(1), F.S.

¹⁵ United States Department of Education, *Accreditation in the United States: Specialized Accrediting Agencies*, https://www2.ed.gov/admins/finaid/accred/accreditation_pg7.html (last visited March 24, 2017).

¹⁶ Section 464.003(4), F.S., defines an “approved program” as “a program for the pre-licensure education of professional or practical nurses that is conducted in the state at an educational institution and that is approved under s. 464.019, F.S. The term includes such a program placed on probationary status.”

¹⁷ Section 464.019(3), F.S.

¹⁸ Section 464.019(4), F.S.

Approved programs must have a graduate passage rate not lower than ten percent below the national average for two consecutive years. Programs are placed on probation for low performance with NCLEX scores for two consecutive years and are subject to termination. The program director is required to present a plan for remediation to the BON that includes specific benchmarks to identify progress toward a graduate passage rate goal. The program must remain on probationary status until it achieves a graduate passage rate that equals or exceeds the required passage rate for any one calendar year. If the program does not achieve the required passage rate in any one calendar year after a program has been placed on probationary status, the BON is authorized to terminate the program or may extend the probation for one additional year.¹⁹ Fifteen schools are currently on probation. Of these, five are LPN and 10 are RN programs. Of the RN programs, nine are associate degree programs.²⁰

An approved program which has been placed on probation must disclose its probationary status in writing to the program's students and applicants.²¹

If an accredited program ceases to be accredited, the educational institution conducting the program must provide written notice to that effect to the BON, the program's students and applicants, and each entity providing clinical training sites or experiences. It may then apply to be an approved program.²²

An approved program graduate who does not take the licensure examination within 6 months after graduation must enroll in, and successfully complete, a licensure examination preparatory course pursuant to s. 464.008, F.S.

To improve program quality, the 2014 Legislature revised Florida law to require nursing education programs that prepare students for the practice of professional nursing (RNs) to become accredited within 5 years of certain triggering dates. A program approved before July 1, 2014, is required to become accredited by July 1, 2019. If a program was approved but had not enrolled students before July 1, 2014, then the program must become accredited within 5 years of enrolling the first students. A program approved after June 30, 2014, has 5 years after enrolling the program's first students to become accredited.²³

The BON does not have rulemaking authority for the approval of nursing education programs, except as to the format for submitting applications and the format for the required annual report.²⁴

The Florida Center for Nursing (FCN) and the Office of Program Policy Analysis and Government Accountability (OPPAGA) are tasked with studying the nursing education approval process, and submitting reports to the Governor, the President of the Senate, and Speaker of the House of Representatives, annually through January 30, 2020. The report is to be based on data

¹⁹ Section. 464.019(5)(a)3., F.S.

²⁰ *Supra*, note 22.

²¹ Section 464.019(5)(c), F.S.

²² Section 464.019(9)(b), F.S.

²³ Section 464.019(11), F.S. Pensacola Christian College is exempt from this certification requirement due to its status under s. 1005.06(1)(e), F.S.

²⁴ Section 464.019(8), F.S.

received from programs from the previous academic year to determine whether the program approval process is increasing the availability of nursing education programs and producing quality nurses.²⁵ If the FNC does not receive funding for any legislative fiscal year, the education policy arm of OPPAGA must perform the duties assigned to the FCN.²⁶ The FCN did not receive funding in the fiscal year 2016-2017 from the Florida Legislature, and must rely on grants, donations, and savings to complete the tasks and reports on the nursing workforce and improving the Florida nursing environment in Florida.²⁷

The 2015 data indicates that approximately 42 percent of nursing programs had licensure examination passage rates that were ten percent or more below the national average. This a 36 percent increase over 2014. Most of the nursing programs below the required passage rate were created since 2009 and are unaccredited.²⁸ As of December 2016, 93 of the 350 nursing education programs in Florida were accredited by the BON.²⁹

III. Effect of Proposed Changes:

Sections 1 and 2 amend s. 464.012, F.S., to delete an obsolete pathway that permitted a registered nurse to be certified as an advanced registered nurse practitioner if he or she completed a formal postbasic education program of at least one academic year. This is no longer sufficient for current graduate education and certification standards. This pathway is also deleted from chapter laws which passed last year, but which do not go into effect until the Nurse Licensure Compact goes into effect on December 31, 2018, or when 26 states have adopted the compact.

Section 3 amends s. 464.019, F.S., to revise provisions relating to nursing education programs, including:

- Authorizing the Board of Nursing (BON) to conduct on site-evaluations of nursing education program applicants, if necessary, to confirm compliance with the requirements s. 464.019(1), F.S.
- Requiring approved programs to demonstrate a licensure exam passage rate of no more than 10 percent below the average pass rate for all United States educated, first time exam takers of the National Council Licensure Examination (NCLEX). Currently the measure is calculated for first-time test takers who take the exam within 6 months after graduation from the program.
- Repealing the requirement that a graduate who does not take the licensure examination within six months after graduation must complete an examination preparatory course.

²⁵ Section 464.019(10), F.S.

²⁶ Id.

²⁷ Florida Center for Nursing, *About Us*, available at <https://www.flcenterfornursing.org/Donations/HowyourdonationshelptheFCN.aspx>, (last visited March 24, 2017).

²⁸ Office of Program Policy Analysis and Government Accountability, *Approximately 42% of Nursing Programs Had Licensure Passage Rates Below the Required Legislative Standard in 2015*, Report No. 16-05, (July, 2016), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1605rpt.pdf> (last visited March 24, 2017).

²⁹ Office of Program Policy Analysis and Government Accountability, *Review of Florida's Nursing Education Programs, 2016*, Report No. 17-03 (Jan. 2017), available at <http://www.oppaga.state.fl.us/MonitorDocs/Reports/pdf/1703rpt.pdf>, (last visited March 24, 2017).

- Clarifying that the BON shall terminate a program, whether accredited or non-accredited, which has been placed on probationary status for failing to achieve the examination passage rate if it is not granted a 1-year extension or fails to achieve the required passage rate.
- Imposing the sanction of program termination if a program fails to submit the annual report within 6 months after it is due or if a program director for an approved program fails to appear before the board to explain the reason for failing to submit the annual report timely.
- Requiring an accredited or non-accredited program which has been placed on probationary status to disclose in its notification of that status an explanation of the implications on the students and applicants.
- Providing for termination of a nursing education program that fails to become accredited within the required timeframes.
- Prohibiting a program that is terminated or closed from seeking subsequent program approval under its original name, a new program or institutional name, or a new institution with the same ownership, for a minimum of 3 years after the date of termination or closing.
- Providing additional rulemaking authority for the BON to adopt rules related to nursing curriculum, including rules relating to the uses and limitations of simulation technology.
- Extending certain accountability provisions, that previously only applied to approved programs, to accredited programs. This includes the standard that the passage rate for first-time test takers may not be more than 10 percentage points lower than the average passage rate for graduates of comparable degree programs on the NCLEX; and the implications if the passage rate is below that standard. The second provision relates to the contents of the notification to various parties when a nursing education program has been placed on probationary status. The third provision authorizes excluding the test scores of students who transfer more than 12 credits from a terminated program to an approved or accredited program when calculating the passage rate of the receiving program.

This section of the bill also removes the Office of Program Policy Analysis and Government Accountability as a partner with the Florida Center for Nursing (FCN) to study and annually report to the Governor, President of the Senate and the Speaker of the House of Representatives on the previous year's availability of nursing education programs and the production of quality nurses through January 2020. In addition to existing report requirements, the FCN is to complete an assessment of the status of each program's progress in the accreditation process.

Section 4 provides an effective date of July 1, 2017, except as expressly provided otherwise.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Florida Center for Nursing may require governmental funding to perform the implementation study tasks.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 464.012, 464.019 and Chapters 2016-139, 2016-224, and 2016-231, Laws of Florida.

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 Health Policy on March 14, 2017:

The CS:

- Removes from the bill language changing the approving entity for advanced registered nurse practitioner continuing education on the safe and effective prescription of controlled substances to the Board of Nursing (BON);
- Removes the requirement that nursing education programs placed on probation disclose to students and applicants the specific implications of the school's probationary status on an applicant's employment and educational opportunities; but retains the programs requirement to disclose the implications of the probation on the students and applicants;

- Closes a loophole for terminated programs to reapply for program approval within 3 years using an institutional name change or creating a new institution with the same ownership;
- Removes BON rulemaking authority for program implementation, termination and closure, and the procedure to seek subsequent approval; and
- Provides for removing the test scores of students transferring more than 12 hours from a closed program when calculating passage rates.

B. Amendments:

None.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

328

Bill Number (if applicable)

Topic NURSING EDUCATION

Amendment Barcode (if applicable)

Name MARTHA DeCASTRO

Job Title VP for Nursing

Address 306 E. College Ave

Phone 850-222-9800

Street

Tallahassee FL 32317

City

State

Zip

Email martha@fha.org

Speaking: For Against Information

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

Representing FLORIDA HOSPITAL 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)

3/27/17

Meeting Date

CS/SB 328

Bill Number (if applicable)

Topic Regulation of nursing

Amendment Barcode (if applicable)

Name Carrie Graham

Job Title Legislative Assistant for Bob Harris

Address 2618 Centennial Pl

Phone 850 222 0720

Tallahassee
City

FL
State

32308
Zip

Email Cgraham@lawfla.com

Speaking: For Against Information

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

Representing DeVry University and the Chamberlain College of Nursing

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No
Bob Harris

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

328

Bill Number (if applicable)

Topic Regulation of Nursing

Amendment Barcode (if applicable)

Name Alisa La Polt

Job Title Lobbyist

Address PO Box 1344

Phone 443-1319

Street

Tallahassee FL 32302

Email

City

State

Zip

Speaking: For Against Information

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

Representing Florida Nurses 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.

By the Committee on Health Policy; and Senators Grimsley and Perry

588-02417-17

2017328c1

1 A bill to be entitled
 2 An act relating to the regulation of nursing; amending
 3 s. 464.012, F.S.; removing an obsolete qualification
 4 no longer sufficient to satisfy certain nursing
 5 certification requirements; amending s. 464.019, F.S.;
 6 authorizing the Board of Nursing to conduct certain
 7 on-site evaluations; removing a limiting criterion
 8 from the requirement to measure graduate passage
 9 rates; removing a requirement that certain nursing
 10 program graduates complete a specific preparatory
 11 course; clarifying circumstances when programs in
 12 probationary status must be terminated; providing that
 13 accredited and nonaccredited nursing education
 14 programs must disclose probationary status; requiring
 15 notification of probationary status to include certain
 16 information; prohibiting a terminated or closed
 17 program from seeking program approval for a certain
 18 time; providing that a name change or the creation of
 19 a new educational institution does not reduce the
 20 waiting period for reapplication; authorizing the
 21 board to adopt certain rules; removing requirements
 22 that the Office of Program Policy Analysis and
 23 Government Accountability perform certain tasks;
 24 requiring the Florida Center for Nursing to make an
 25 annual assessment of compliance by nursing programs
 26 with certain accreditation requirements; requiring the
 27 center to include its assessment in a report to the
 28 Governor and the Legislature; requiring the
 29 termination of a program under certain circumstances;

Page 1 of 10

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

588-02417-17

2017328c1

30 providing effective dates.
 31
 32 Be It Enacted by the Legislature of the State of Florida:
 33
 34 Section 1. Subsection (1) of section 464.012, Florida
 35 Statutes, is amended to read:
 36 464.012 Certification of advanced registered nurse
 37 practitioners; fees; controlled substance prescribing.—
 38 (1) Any nurse desiring to be certified as an advanced
 39 registered nurse practitioner shall apply to the department and
 40 submit proof that he or she holds a current license to practice
 41 professional nursing and that he or she meets one or more of the
 42 following requirements as determined by the board:
 43 ~~(a) Satisfactory completion of a formal postbasic~~
 44 ~~educational program of at least one academic year, the primary~~
 45 ~~purpose of which is to prepare nurses for advanced or~~
 46 ~~specialized practice.~~
 47 (a)(b) Certification by an appropriate specialty board.
 48 Such certification shall be required for initial state
 49 certification and any recertification as a registered nurse
 50 anesthetist, psychiatric nurse, or nurse midwife. The board may
 51 by rule provide for provisional state certification of graduate
 52 nurse anesthetists, psychiatric nurses, and nurse midwives for a
 53 period of time determined to be appropriate for preparing for
 54 and passing the national certification examination.
 55 (b)(e) Graduation from a program leading to a master's
 56 degree in a nursing clinical specialty area with preparation in
 57 specialized practitioner skills. For applicants graduating on or
 58 after October 1, 1998, graduation from a master's degree program

Page 2 of 10

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

588-02417-17

2017328c1

59 shall be required for initial certification as a nurse
60 practitioner under paragraph (4) (c). For applicants graduating
61 on or after October 1, 2001, graduation from a master's degree
62 program shall be required for initial certification as a
63 registered nurse anesthetist under paragraph (4) (a).

64 Section 2. Effective December 31, 2018, or upon enactment
65 of the Nurse Licensure Compact into law by 26 states, whichever
66 occurs first, subsection (1) of section 464.012, Florida
67 Statutes, as amended by section 8 of chapter 2016-139, section
68 12 of chapter 2016-224, and section 7 of chapter 2016-231, Laws
69 of Florida, is amended to read:

70 464.012 Certification of advanced registered nurse
71 practitioners; fees; controlled substance prescribing.—

72 (1) Any nurse desiring to be certified as an advanced
73 registered nurse practitioner shall apply to the department and
74 submit proof that he or she holds a current license to practice
75 professional nursing or holds an active multistate license to
76 practice professional nursing pursuant to s. 464.0095 and that
77 he or she meets one or more of the following requirements as
78 determined by the board:

79 ~~(a) Satisfactory completion of a formal postbasic
80 educational program of at least one academic year, the primary
81 purpose of which is to prepare nurses for advanced or
82 specialized practice.~~

83 (a)(b) Certification by an appropriate specialty board.
84 Such certification shall be required for initial state
85 certification and any recertification as a registered nurse
86 anesthetist, psychiatric nurse, or nurse midwife. The board may
87 by rule provide for provisional state certification of graduate

588-02417-17

2017328c1

88 nurse anesthetists, psychiatric nurses, and nurse midwives for a
89 period of time determined to be appropriate for preparing for
90 and passing the national certification examination.

91 ~~(b)(e)~~ Graduation from a program leading to a master's
92 degree in a nursing clinical specialty area with preparation in
93 specialized practitioner skills. For applicants graduating on or
94 after October 1, 1998, graduation from a master's degree program
95 shall be required for initial certification as a nurse
96 practitioner under paragraph (4) (c). For applicants graduating
97 on or after October 1, 2001, graduation from a master's degree
98 program shall be required for initial certification as a
99 registered nurse anesthetist under paragraph (4) (a).

100 Section 3. Paragraph (b) of subsection (2), subsection (5),
101 subsection (8), paragraph (a) of subsection (9), and subsection
102 (10) of section 464.019, Florida Statutes, are amended,
103 paragraph (d) is added to subsection (7) of that section, and
104 paragraph (e) is added to subsection (11) of that section, to
105 read:

106 464.019 Approval of nursing education programs.—

107 (2) PROGRAM APPROVAL.—

108 (b) Following the department's receipt of a complete
109 program application, the board may conduct an on-site evaluation
110 if necessary to document the applicant's compliance with
111 subsection (1). Within 90 days after the department's receipt of
112 a complete program application, the board shall:

113 1. Approve the application if it documents compliance with
114 subsection (1); or

115 2. Provide the educational institution with a notice of
116 intent to deny the application if it does not document

588-02417-17

2017328c1

117 compliance with subsection (1). The notice must specify written
 118 reasons for the board's denial of the application. The board may
 119 not deny a program application because of an educational
 120 institution's failure to correct an error or omission that the
 121 department failed to provide notice of to the institution within
 122 the 30-day notice period under paragraph (a). The educational
 123 institution may request a hearing on the notice of intent to
 124 deny the program application pursuant to chapter 120.

125 (5) ACCOUNTABILITY.—

126 (a)1. An approved program must achieve a graduate passage
 127 rate for first-time test takers which ~~who take the licensure~~
 128 ~~examination within 6 months after graduation from the program~~
 129 ~~that is not more than 10 percentage points lower than the~~
 130 average passage rate during the same calendar year for graduates
 131 of comparable degree programs who are United States educated,
 132 first-time test takers on the National Council of State Boards
 133 of Nursing Licensing Examination, as calculated by the contract
 134 testing service of the National Council of State Boards of
 135 Nursing. ~~An approved program shall require a graduate from the~~
 136 ~~program who does not take the licensure examination within 6~~
 137 ~~months after graduation to enroll in and successfully complete a~~
 138 ~~licensure examination preparatory course pursuant to s. 464.008.~~
 139 For purposes of this subparagraph, an approved program is
 140 comparable to all degree programs of the same program type from
 141 among the following program types:

- 142 a. Professional nursing education programs that terminate
 143 in a bachelor's degree.
 144 b. Professional nursing education programs that terminate
 145 in an associate degree.

Page 5 of 10

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

588-02417-17

2017328c1

146 c. Professional nursing education programs that terminate
 147 in a diploma.

148 d. Practical nursing education programs.

149 2. Beginning with graduate passage rates for calendar year
 150 2010, if an approved program's graduate passage rates do not
 151 equal or exceed the required passage rates for 2 consecutive
 152 calendar years, the board shall place the program on
 153 probationary status pursuant to chapter 120 and the program
 154 director shall appear before the board to present a plan for
 155 remediation, which shall include specific benchmarks to identify
 156 progress toward a graduate passage rate goal. The program must
 157 remain on probationary status until it achieves a graduate
 158 passage rate that equals or exceeds the required passage rate
 159 for any 1 calendar year. The board shall deny a program
 160 application for a new prelicensure nursing education program
 161 submitted by an educational institution if the institution has
 162 an existing program that is already on probationary status.

163 3. Upon the program's achievement of a graduate passage
 164 rate that equals or exceeds the required passage rate, the
 165 board, at its next regularly scheduled meeting following release
 166 of the program's graduate passage rate by the National Council
 167 of State Boards of Nursing, shall remove the program's
 168 probationary status. If the program, during the 2 calendar years
 169 following its placement on probationary status, does not achieve
 170 the required passage rate for any 1 calendar year, the board
 171 ~~shall terminate the program pursuant to chapter 120. However,~~
 172 ~~the board~~ may extend the program's probationary status for 1
 173 additional year, provided if the program has demonstrated
 174 ~~demonstrates~~ adequate progress toward the graduate passage rate

Page 6 of 10

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

588-02417-17 2017328c1

175 goal by meeting a majority of the benchmarks established in the
 176 remediation plan. If the program is not granted the 1-year
 177 extension or fails to achieve the required passage rate by the
 178 end of such extension, the board shall terminate the program
 179 pursuant to chapter 120.

180 (b) If an approved program fails to submit the annual
 181 report required in subsection (3), the board shall notify the
 182 program director and president or chief executive officer of the
 183 educational institution in writing within 15 days after the due
 184 date of the annual report. The program director shall appear
 185 before the board at the board's next regularly scheduled meeting
 186 to explain the reason for the delay. The board shall terminate
 187 the program pursuant to chapter 120 if the program director
 188 fails to appear before the board, as required under this
 189 paragraph, or if the program ~~it~~ does not submit the annual
 190 report within 6 months after the due date.

191 (c) A nursing education ~~An approved program, whether~~
 192 accredited or nonaccredited, which has been placed on
 193 probationary status shall disclose its probationary status in
 194 writing to the program's students and applicants. The
 195 notification must include an explanation of the implications of
 196 the program's probationary status on the students or applicants.

197 (d) If students from a program that is terminated pursuant
 198 to this subsection transfer to an approved or an accredited
 199 program under the direction of the Commission for Independent
 200 Education, the board shall recalculate the passage rates of the
 201 programs receiving the transferring students, excluding the test
 202 scores of those students transferring more than 12 credits.

203 (7) PROGRAM CLOSURE.—

Page 7 of 10

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

588-02417-17 2017328c1

204 (d) A program that is terminated or closed under this
 205 section may not seek program approval under its original name or
 206 a new program name for a minimum of 3 years after the date of
 207 termination or closing. An institutional name change or the
 208 creation of a new educational institution with the same
 209 ownership does not reduce the waiting period for reapplication.

210 (8) RULEMAKING.—The board does not have rulemaking
 211 authority to administer this section, except that the board
 212 shall adopt rules that prescribe the format for submitting
 213 program applications under subsection (1) and annual reports
 214 under subsection (3), and to administer the documentation of the
 215 accreditation of nursing education programs under subsection
 216 (11). The board may adopt rules relating to the nursing
 217 curriculum, including rules relating to the uses and limitations
 218 of simulation technology. The board may not impose any condition
 219 or requirement on an educational institution submitting a
 220 program application, an approved program, or an accredited
 221 program, except as expressly provided in this section.

222 (9) APPLICABILITY TO ACCREDITED PROGRAMS.—

223 (a) Subsections (1)-(3), paragraph (4)(b), and paragraph
 224 (5)(b) subsection (5) do not apply to an accredited program.

225 (10) IMPLEMENTATION STUDY.—The Florida Center for Nursing
 226 ~~and the education policy area of the Office of Program Policy~~
 227 ~~Analysis and Government Accountability~~ shall study the
 228 administration of this section and submit reports to the
 229 Governor, the President of the Senate, and the Speaker of the
 230 House of Representatives annually by January 30, through January
 231 30, 2020. The annual reports shall address the previous academic
 232 year; provide data on the measures specified in paragraphs (a)

Page 8 of 10

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

588-02417-17

2017328c1

233 and (b), as such data becomes available; and include an
 234 evaluation of such data for purposes of determining whether this
 235 section is increasing the availability of nursing education
 236 programs and the production of quality nurses. The department
 237 and each approved program or accredited program shall comply
 238 with requests for data from the Florida Center for Nursing ~~and~~
 239 ~~the education policy area of the Office of Program Policy~~
 240 ~~Analysis and Government Accountability.~~

241 (a) The Florida Center for Nursing ~~education policy area of~~
 242 ~~the Office of Program Policy Analysis and Government~~
 243 ~~Accountability~~ shall evaluate program-specific data for each
 244 approved program and accredited program conducted in the state,
 245 including, but not limited to:

- 246 1. The number of programs and student slots available.
- 247 2. The number of student applications submitted, the number
 248 of qualified applicants, and the number of students accepted.
- 249 3. The number of program graduates.
- 250 4. Program retention rates of students tracked from program
 251 entry to graduation.
- 252 5. Graduate passage rates on the National Council of State
 253 Boards of Nursing Licensing Examination.
- 254 6. The number of graduates who become employed as practical
 255 or professional nurses in the state.

256 (b) The Florida Center for Nursing shall evaluate the
 257 board's implementation of the:

- 258 1. Program application approval process, including, but not
 259 limited to, the number of program applications submitted under
 260 subsection (1); the number of program applications approved and
 261 denied by the board under subsection (2); the number of denials

588-02417-17

2017328c1

262 of program applications reviewed under chapter 120; and a
 263 description of the outcomes of those reviews.

264 2. Accountability processes, including, but not limited to,
 265 the number of programs on probationary status, the number of
 266 approved programs for which the program director is required to
 267 appear before the board under subsection (5), the number of
 268 approved programs terminated by the board, the number of
 269 terminations reviewed under chapter 120, and a description of
 270 the outcomes of those reviews.

271 (c) The Florida Center for Nursing shall complete an annual
 272 assessment of compliance by programs with the accreditation
 273 requirements of subsection (11), include in the assessment a
 274 determination of the accreditation process status for each
 275 program, and submit the assessment as part of the reports
 276 required ~~For any state fiscal year in which The Florida Center~~
 277 ~~for Nursing does not receive legislative appropriations, the~~
 278 ~~education policy area of the Office of Program Policy Analysis~~
 279 ~~and Government Accountability shall perform the duties assigned~~
 280 ~~by this subsection to the Florida Center for Nursing.~~

281 (11) ACCREDITATION REQUIRED.—

282 (e) A nursing education program that fails to meet the
 283 accreditation requirements shall be terminated and is ineligible
 284 for reapproval under its original name or a new program name for
 285 a minimum of 3 years after the date of termination. An
 286 institutional name change or the creation of a new educational
 287 institution with the same ownership does not reduce the waiting
 288 period for reapplication.

289 Section 4. Except as otherwise expressly provided in this
 290 act, this act shall take effect July 1, 2017.

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 668

INTRODUCER: Education Committee and Senator Bean

SUBJECT: Postsecondary Distance Education

DATE: March 28, 2017 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Benvenisty	Graf	ED	Fav/CS
2.			AHE	
3.			AP	

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 668 authorizes the state of Florida to participate in the State Authorization Reciprocity Agreements (SARA) for the delivery of postsecondary distance education. Specifically, the bill:

- Specifies that all parties to the SARA must be willing to accept each other’s authorization of accredited institutions to operate in their state to offer distance education services.
- Establishes the Postsecondary Reciprocal Distance Education Coordinating Council (Council), within the Florida Department of Education, for the purpose of entering into and administering the SARA.
- Establishes membership of the Council and requires the Commission for Independent Education to provide administrative support to the Council.
- Requires the Council to propose an annual fee schedule and collect fees from each Florida institution participating in the SARA.
- Requires the State Board of Education to adopt rules for the implementation of the SARA.

The bill takes effect upon becoming law.

II. Present Situation:

Students may access higher education through the traditional classroom setting or through distance education.

The Southern Association of Colleges and Schools Commission on Colleges defines distance learning as a formal educational process in which the majority of the instruction in a course occurs when students and instructors do not share the same location.¹ Florida law defines distance learning, for the purpose of assessing a distance learning course fee, as a course in which at least 80 percent of direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.²

The Southern Regional Education Board

The Southern Regional Education Board (SREB) maintains a regional system for sharing online college courses known as the Electronic Campus (EC).³ SREB's EC allows students residing in an SREB member state to access online courses in any SREB state through the SREB's Electronic Reciprocity Agreement (SECRRA).⁴ The SECRRA is a voluntary agreement, which allows institutions that offer courses and degree programs that have been reviewed and approved by the institution's home state to be recognized as approved to offer courses in other SREB states.⁵ In order to participate in SECRRA, an institution must be not-for-profit, regionally accredited, and chartered in one of the 16 SREB member states.⁶ Florida currently participates in this agreement.⁷

The SECRRA will expire on June 30, 2017.⁸

Federal Requirements

Federal law requires each state to regulate out-of-state educational institutions with a physical presence in their state or that provides an education via distance learning to students in that state.⁹ The state authorization of online programs can be achieved through a state authorization reciprocity agreement.¹⁰ A "state authorization reciprocity agreement" is¹¹

"an agreement between two or more states that authorizes an institution located and legally authorized in a State covered by the agreement to provide postsecondary education through distance education or correspondence courses to students residing in other States covered by the agreement and does not prohibit any State in agreement from

¹ Southern Association of Colleges and Schools Commission on Colleges, *Policy Statement, Distance and Correspondence Education* (2014), available at <http://www.sacscoc.org/pdf/DistanceCorrespondenceEducation.pdf>.

² Sections 1009.23(16) and 1009.24(7), F.S.

³ Southern Regional Education Board, *State Authorization, SREB and the State Authorization Reciprocity Agreement*, <http://www.sreb.org/state-authorization-sara-secrra> (last visited March 24, 2017).

⁴ Southern Regional Education Board, *State Authorization, SREB's Regional Agreement, SECRRA*, <http://www.sreb.org/state-authorization-sara-secrra> (last visited March 24, 2017).

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Southern Regional Education Board, *State Authorization, SECRRA Dissolve Date*, <http://www.sreb.org/state-authorization-sara-secrra> (last visited March 24, 2017).

⁹ 34 C.F.R. s. 600.9.

¹⁰ *Id.* See also National Council for State Authorization Reciprocity Agreements, *About NC-SARA*, <http://nc-sara.org/about> (last visited March 24, 2017).

¹¹ Program Integrity and Improvement, 81 Fed. Reg. 92232 (Dec. 19, 2016).

enforcing its own statutes and regulations, whether general or specifically directed at all or a subgroup of educational institutions.”

Currently, there is a national interstate reciprocity agreement for the state authorization of distance learning programs.¹²

State Authorization Reciprocity Agreement

The State Authorization Reciprocity Agreement, also known as SARA, is a voluntary agreement among participating states that establishes comparable national standards for interstate offerings of postsecondary distance education courses and programs.¹³ SARA is overseen by a national council¹⁴ and administered by the four regional education compacts.¹⁵ SARA membership requires the state to designate a portal entity as the coordinating entity responsible for contact with other state entities and students from other states.¹⁶ Each state must apply to the National Council for SARA (NC-SARA) through its portal entity to be a member of SARA.¹⁷ Once a state becomes a member of SARA, institutions within that state are authorized to apply to the portal entity to participate in SARA.¹⁸ An institution in an SARA member state is not required to participate in SARA.¹⁹

To participate in SARA, an institution must:²⁰

- Be a degree granting institution;
- Be physically located in the United States;
- Hold proper authorization from Congress, a U.S. state, or a federally recognized Indian Tribe; and
- Hold accreditation as a single entity from an accrediting association recognized by the U.S. Department of Education and whose scope of authority includes distance education.

Institutions participating in the reciprocity agreement pay a fee directly to NC- SARA based on the institution’s full time equivalent enrollment.²¹ States have the option of charging a SARA-participating institution a fee to cover the state’s costs in administering SARA.²²

¹² National Council for State Authorization Reciprocity Agreements, *About NC-SARA*, <http://nc-sara.org/about> (last visited March 24, 2017).

¹³ National Council for State Authorization Reciprocity Agreements, *About NC-SARA*, <http://nc-sara.org/about> (last visited March 24, 2017).

¹⁴ National Council for State Authorization Reciprocity Agreements, *National Council Board*, <http://nc-sara.org/about/national-council> (last visited March 24, 2017).

¹⁵ The four regional education compacts are the Midwestern Higher Education Compact, the New England Board of Higher Education, the Southern Regional Education Board, and the Western Interstate Commission for Higher Education. National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf, at 5 of 88.

¹⁶ *Id.* at 11-12 of 88.

¹⁷ *Id.* at 14 of 88.

¹⁸ *Id.* at 20 of 88.

¹⁹ *Id.* at 3 of 88.

²⁰ National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf, at 17 of 88.

²¹ National Council for State Authorization Reciprocity Agreements, *State Authorization Reciprocity Agreements Policy and Operations Manual* (2016), available at http://nc-sara.org/files/docs/NC-SARA_Manual_Final_2016.pdf, at pg. 21 of 88.

²² *Id.*

The Commission for Independent Education

The Commission for Independent Education (CIE) is responsible for matters relating to nonpublic postsecondary educational institutions.²³ The CIE's functions include consumer protection; program improvements; institutional policies and administration; data management; licensure of independent schools, colleges and universities; and establishing minimum standards for the approval of employees of independent postsecondary educational institutions.²⁴ The CIE may adopt rules to ensure that licensed employees of an independent postsecondary educational institution meets specified standards.²⁵ An employee of an independent postsecondary educational institution may not solicit prospective students in Florida for enrollment in any independent postsecondary educational institution under the CIE's purview or in any out-of-state independent postsecondary educational institution unless the employee has received a license as prescribed by the CIE.²⁶

III. Effect of Proposed Changes:

CS/SB 668 authorizes the state of Florida to participate in the State Authorization Reciprocity Agreements (SARA) for the delivery of postsecondary distance education. Specifically, the bill:

- Specifies that all parties to the SARA must be willing to accept each other's authorization of accredited institutions to operate in their state to offer distance education services.
- Establishes the Postsecondary Reciprocal Distance Education Coordinating Council (Council), within the Florida Department of Education, for the purpose of entering into and administering the SARA.
- Establishes membership of the Council and requires the Commission for Independent Education (CIE) to provide administrative support to the Council.
- Requires the Council to propose an annual fee schedule and collect fees from each Florida institution participating in the SARA.
- Requires the State Board of Education to adopt rules for the implementation of the SARA.

Under the bill, each member state or institution that participates in the SARA must be willing to accept the participating states' authorization of accredited institutions to operate in their states to offer distance educational services beyond state boundaries.

The bill defines institution to mean a public or private postsecondary educational institution that is accredited by a federally recognized accrediting body that awards, at a minimum, associate level degrees requiring at least two years of full-time equivalent college coursework.

²³ Section 1005.22, F.S.

²⁴ Section 1005.04, F.S.

²⁵ Section 1005.22(e), F.S.

²⁶ Section 1005.31(11), F.S.

Postsecondary Reciprocal Distance Education Coordinating Council Responsibilities

The bill grants to the Council the authority to apply to National Council for SARA (NC-SARA) and recommend rules, necessary to administer the SARA, for adoption by the State Board of Education.²⁷ Additionally, the Council is required to:

- Review and approve applications from Florida institutions to participate in the SARA and establish an appeals process for institutions that are not approved to participate in the SARA;
- Ensure compliance by Florida's institutions with the terms of the SARA, including but not limited to, accreditation and institutional quality, and consumer information and protection;
- Comply with the terms and provisions of the SARA relating to any member state, Florida institution, or non-Florida institution;
- Comply with reporting requirements in the SARA and post all such reports on the Council's website;
- Develop and administer a complaint resolution process for complaints related to the SARA; and
- Delegate to the CIE's staff any responsibilities, obligations, or authorities necessary for the administration of Florida's participation in the SARA.
- Propose an annual fee schedule and collect fees from each Florida SARA institution. The fees must be commensurate with the costs incurred by the Council.

The Council must consist of the Chancellor of the State University System, the Chancellor of the Florida College System, the Chancellor of the Division of Career and Adult Education, the Executive Director of the CIE, and the President of the Independent Colleges and Universities of Florida.

Commission for Independent Education Responsibilities

The bill provides that a non-Florida institution participating in the SARA that offers degree programs and conducts activities limited to distance education degree programs and activities in accordance with the SARA is not under the jurisdiction of the CIE. As a result, the CIE is not required to independently authorize every institution that provides distance education that serves Florida's students.

Additionally, the bill specifies that an employee of an independent postsecondary educational institution may not solicit prospective students in Florida for enrollment in any independent postsecondary educational institution unless the employee solicits for a postsecondary educational institution that is a member of the SARA, and therefore not under the jurisdiction of the CIE.

The bill takes effect upon becoming law.

²⁷ State University System of Florida Board of Governors, *2017 Agency Legislative Bill Analysis for SB 668* (Feb. 14, 2017), at 3.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private postsecondary educational institutions that choose to participate in the State Authorization Reciprocity Agreements (SARA) be required to pay the fee that the Postsecondary Reciprocal Distance Education Coordinating Council (Council) is authorized to establish under CS/SB 668.²⁸ Additional fees may be required by the governing body of the SARA.²⁹ The expenditures associated with the fee rates under the agreement cannot be determined at this time.³⁰

C. Government Sector Impact:

Public postsecondary educational institutions that choose to participate in SARA may be required to pay the fee that the Council is authorized to establish under CS/SB 668.³¹ Additional fees may be required by the governing body of the SARA.³² The expenditures associated with the fee rates under the agreement cannot be determined at this time.³³

VI. Technical Deficiencies:

None.

²⁸ State University System of Florida Board of Governors, *2017 Agency Legislative Bill Analysis for SB 668* (Feb. 14, 2017), at 3.

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1005.06 and 1005.31.

This bill creates section 1000.35 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 March 27, 2017:

The committee substitute:

- Authorizes Florida to participate specifically in the State Authorization Reciprocity Agreement (SARA).
- Specifies that all parties to the SARA must be willing to accept each other's authorization of accredited institutions to offer distance educational services.
- Requires the Postsecondary Reciprocal Distance Education Coordinating Council (Council) to apply to participate in the SARA within 60 days after the effective date of this act.
- Specifies the terms and conditions with which Florida SARA institutions must comply, including, but not limited to, accreditation and institutional quality, consumer information and protections, disclosure and reporting requirements, complaint mechanisms and financial responsibility.
- Requires the annual fee schedule, proposed by the Council, be based on a graduated scale based on enrollment.

B. Amendments:

None.



744338

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
	.	
	.	
	.	

The Committee on Education (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1000.35, Florida Statutes, is created to
read:

1000.35 State Authorization Reciprocity Agreement.—

(1) The purpose of this section is to authorize this
state's participation in the State Authorization Reciprocity
Agreement (SARA) as established by the Southern Regional
Education Board (SREB) and the National Council for State



744338

12 Authorization Reciprocity Agreements (NC-SARA) relative to
13 postsecondary distance education as defined in the SARA. All
14 parties to the SARA must be willing to accept each other's
15 authorization of accredited institutions to operate in their
16 state to offer distance educational services beyond state
17 boundaries.

18 (2) For purposes of this section, the term:

19 (a) "Commission" means the Commission for Independent
20 Education.

21 (b) "Complaint" means a formal assertion in writing that a
22 person, institution, state, agency, or other entity operating
23 under the SARA has violated the terms of the SARA or the laws,
24 standards, or regulations incorporated therein.

25 (c) "Council" means the Postsecondary Reciprocal Distance
26 Education Coordinating Council, which serves as the single
27 portal entity designated by the state to administer the SARA and
28 serves as the interstate point of contact for SARA-related
29 questions, complaints, and other matters related to the SARA.

30 (d) "Department" means the Department of Education.

31 (e) "Florida SARA institution" means a postsecondary
32 institution in this state approved by the council to participate
33 in the SARA.

34 (f) "Institution" means a public or private postsecondary
35 degree-granting college or university that is accredited by a
36 federally recognized accrediting body and that awards, at a
37 minimum, associate-level degrees requiring at least 2 years of
38 full-time equivalent college work.

39 (g) "Member state" means a state, territory, or district
40 within the United States that has been approved to participate



744338

41 in the SARA.

42 (h) "Non-Florida SARA institution" means an institution
43 approved by a member state other than this state to participate
44 in the SARA.

45 (i) "SREB" means the Southern Regional Education Board.

46 (j) "State Authorization Reciprocity Agreement" or "SARA"
47 means the agreement that establishes reciprocity between member
48 states that accept other member states' authorization of
49 accredited institutions to operate in their states to offer
50 distance educational services beyond state boundaries pursuant
51 to the terms and conditions set forth in the agreement.

52 (k) "State board" means the State Board of Education.

53 (3) The council is created within the department for the
54 purpose of administering the SARA. The council shall consist of
55 the Chancellor of the State University System, the Chancellor of
56 the Florida College System, the Chancellor of the Division of
57 Career and Adult Education, the executive director of the
58 commission, and the president of the Independent Colleges and
59 Universities of Florida. The commission shall provide
60 administrative support for the council. The council shall:

61 (a) Within 60 days after the effective date of this act,
62 apply for this state to participate as a member of the SARA
63 pursuant to the procedures established by the SREB;

64 (b) Serve as the single portal entity for administration of
65 the SARA;

66 (c) Review and approve applications from institutions in
67 this state to participate in the SARA and establish an appeals
68 process for institutions that are not approved to participate in
69 the SARA;



744338

70 (d) Ensure compliance by Florida SARA institutions with the
71 terms and provisions of the SARA, including, but not limited to,
72 accreditation and institutional quality, consumer information
73 and protection, disclosure and reporting requirements, complaint
74 mechanisms, and financial responsibility;

75 (e) Comply with the terms and provisions of the SARA
76 relating to any member state, Florida SARA institution, or non-
77 Florida SARA institution;

78 (f) Comply with the reporting requirements in the SARA and
79 post all such reports on the council's website;

80 (g) Consistent with the complaint resolution processes in
81 the SARA, develop and administer a complaint resolution process
82 to resolve SARA-related complaints after all complaint processes
83 in place at a Florida SARA institution have been exhausted by
84 the complainant;

85 (h) Delegate any responsibilities, obligations, or
86 authorities necessary for the administration of this state's
87 participation in the SARA to the commission's staff; and

88 (i) Recommend rules necessary to administer this section
89 for adoption by the state board.

90 (4) The council shall propose an annual fee schedule and
91 collect fees from each Florida SARA institution. The fees shall
92 be commensurate with the costs incurred by the council and
93 commission to administer the SARA and shall be based on a
94 graduated scale of institutional enrollment. The council shall
95 propose an annual fee schedule to generate the amount of revenue
96 necessary for its operations. The proposed fee schedule shall be
97 submitted to the state board for approval. The department shall
98 include the approved fee schedule in its legislative budget



744338

99 request which takes effect unless revised by the Legislature in
100 the General Appropriations Act. All fees collected pursuant to
101 this subsection shall be submitted through the department to the
102 Chief Financial Officer for deposit into a separate account
103 within the Institutional Assessment Trust Fund. Any fee
104 authorized by the council is nonrefundable unless paid in error.

105 (5) The council may revoke a Florida SARA institution's
106 approval to participate in the SARA if the council determines
107 such institution is not in compliance with the terms and
108 provisions of the SARA.

109 (6) A Florida SARA institution may withdraw from
110 participation as a Florida SARA institution by submitting notice
111 of its intent to withdraw to the council, which shall become
112 effective at the beginning of the next academic term after
113 receipt of such notice.

114 (7) Decisions of the council are not subject to chapter
115 120.

116 (8) This section does not supersede the requirements in
117 chapter 1005 relating to postsecondary educational institutions
118 under the jurisdiction of the commission.

119 (9) The state board shall adopt rules to implement this
120 section.

121 Section 2. Paragraph (h) is added to subsection (1) of
122 section 1005.06, Florida Statutes, to read:

123 1005.06 Institutions not under the jurisdiction or purview
124 of the commission.—

125 (1) Except as otherwise provided in law, the following
126 institutions are not under the jurisdiction or purview of the
127 commission and are not required to obtain licensure:



744338

128 (h) Any non-Florida institution that has been approved by a
129 member state to participate in the State Authorization
130 Reciprocity Agreement (SARA), as those terms are defined in s.
131 1000.35(2), if the degree programs that may be offered and the
132 activities that may be conducted by such institution in this
133 state are limited to the distance education degree programs and
134 activities provided in and consistent with the terms and
135 provisions of the SARA.

136 Section 3. Subsection (11) of section 1005.31, Florida
137 Statutes, is amended to read:

138 1005.31 Licensure of institutions.—

139 (11) The commission shall establish minimum standards for
140 the approval of agents. The commission may adopt rules to ensure
141 that licensed agents meet these standards and uphold the intent
142 of this chapter. An agent may not solicit prospective students
143 in this state for enrollment in any independent postsecondary
144 educational institution under the commission's purview or in any
145 out-of-state independent postsecondary educational institution
146 unless the agent has received a license as prescribed by the
147 commission or solicits for a postsecondary educational
148 institution that is not under the jurisdiction of the commission
149 pursuant to s. 1005.06(1)(h).

150 Section 4. The Division of Law Revision and Information is
151 directed to replace the phrase "the effective date of this act"
152 wherever it occurs in this act with the date this act becomes a
153 law.

154 Section 5. This act shall take effect upon becoming a law.

155

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



744338

157 And the title is amended as follows:

158 Delete everything before the enacting clause
159 and insert:

160 A bill to be entitled

161 An act relating to postsecondary distance education;
162 creating s. 1000.35, F.S.; authorizing this state to
163 participate in the State Authorization Reciprocity
164 Agreement (SARA) for delivery of postsecondary
165 distance education; providing definitions;
166 establishing the Postsecondary Reciprocal Distance
167 Education Coordinating Council within the Department
168 of Education; requiring the Commission for Independent
169 Education to provide administrative support for the
170 council; providing membership and duties of the
171 council; requiring the council to propose an annual
172 fee schedule and collect fees from Florida SARA
173 institutions; requiring the proposed fee schedule to
174 be submitted to the State Board of Education for
175 approval; providing for deposit of such fees into a
176 specified trust fund; authorizing the council to
177 revoke a Florida SARA institution's participation for
178 noncompliance; authorizing such institution to
179 withdraw from participation in the SARA after
180 providing notice; exempting council decisions from the
181 Administrative Procedure Act; providing that
182 provisions relating to the jurisdiction of the
183 commission are not superseded; requiring the state
184 board to adopt rules; amending s. 1005.06, F.S.;

185 providing that the commission does not have



744338

186 jurisdiction over certain non-Florida institutions
187 participating in the SARA; amending s. 1005.31, F.S.;
188 authorizing the solicitation of prospective students
189 for enrollment in certain postsecondary educational
190 institutions; providing a directive to the Division of
191 Law Revision and Information; providing an effective
192 date.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

SB668

Bill Number (if applicable)

Topic Postsecondary Distance Ed

Amendment Barcode (if applicable)

Name Kathleen Daly - Florida State Univ.

Job Title AVP, University Relations

Address Westcott Bldg

Phone 591-3920

Street

Tallahassee FL 32306

Email

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing Florida State University

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)

3/27/2017
Meeting Date

SB 668
Bill Number (if applicable)

Topic Postsecondary Distance Education

Amendment Barcode (if applicable)

Name Janet Owen

Job Title VP, Governmental Affairs

Address 1 UNF Drive

Phone (904) 620-2500

Jacksonville FL 32224
City State Zip

Email jowen@unf.edu

Speaking: For Against Information

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

Representing University of North 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 668

Bill Number (if applicable)

~~000000~~

Amendment Barcode (if applicable)

Topic Postsecondary Distance Education

Name Carrie Graham

Job Title Legislative Assistant for Bob Harris

Address 2618 Centennial Pl

Street

Phone 850 222 0720

Tallahassee

City

FL

State

32308

Zip

Email Cgraham@lawfla.com

Speaking: For Against Information

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

Representing DeVry University

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

Bob Harris

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)

3-27-17

Meeting Date

668

Bill Number (if applicable)

Topic State Authorization Reciprocity Agr.

Amendment Barcode (if applicable)

Name BRIAN LOGAN

Job Title Legislative Affairs Director

Address 325 W. Gaines St.

Phone 850-567-0588

Street

Tallahassee

FL

32399

Email brian.logan@flbog.org

City

State

Zip

Speaking: For Against Information

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

Representing Florida Board of Governors

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)

3-27-17

Meeting Date

SB668

Bill Number (if applicable)

Topic Distance Learning

Amendment Barcode (if applicable)

Name Stephen Shiver

Job Title _____

Address 204 S Monroe St

Phone 850 222 8900

Street

Tallahassee

City

FL

State

32303

Zip

Email ss@cardonapartners.com

Speaking: For Against Information

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

Representing Associated Industries of Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

~~3/27/17~~

Meeting Date

668

Bill Number (if applicable)

744338

Amendment Barcode (if applicable)

Topic Postsecondary Distance Education

Name Carrie Graham

Job Title Legislative Assistant for Bob Harris

Address 2018 Centennial Pl

Phone 850 222 0720

Street

Tallahassee

City

FL

State

32308

Zip

Email Cgraham@lawfla.com

Speaking: For Against Information

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

Representing DeVry University

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No
Bob Harris

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

668

Bill Number (if applicable)

744338

Amendment Barcode (if applicable)

Topic Postsecondary Distance Education

Name Dr. Ed Moore

Job Title President & CEO of Indepent Colleges and Universities of Florida (ICUF)

Address 542 East Park Ave

Street

Tallahassee

City

Florida

State

32301

Zip

Phone 850-681-3188

Email emoore@icuf.org

Speaking: [checked] For [] Against [] Information

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

Representing ICUF- would like to speak on the bill and strike all amendment

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

Lobbyist registered with Legislature: [] Yes [checked] 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.

By Senator Bean

4-00898-17

2017668__

A bill to be entitled

An act relating to postsecondary distance education; creating s. 1000.35, F.S.; authorizing this state to participate in a reciprocity agreement for delivery of postsecondary distance education; providing definitions; establishing the Postsecondary Reciprocal Distance Education Coordinating Council within the Department of Education; providing a purpose; requiring the Commission for Independent Education to provide administrative support for the council; providing membership and duties of the council; requiring the council to propose an annual fee schedule and collect fees from Florida institutions participating in the reciprocity agreement; requiring the State Board of Education to approve the fee schedule; providing for deposit of such fees into a specified trust fund; authorizing the council to revoke a Florida institution's participation in the reciprocity agreement for noncompliance; authorizing such institution to withdraw from participation in the reciprocity agreement after providing notice; exempting council decisions from the Administrative Procedure Act; providing that provisions relating to the jurisdiction of the commission are not superseded; requiring the state board to adopt rules; amending s. 1005.06, F.S.; providing that the commission does not have jurisdiction over certain non-Florida institutions participating in the reciprocity agreement; amending s. 1005.31, F.S.; conforming a provision to changes made by the act; providing an effective date.

Page 1 of 6

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

4-00898-17

2017668__

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

Section 1. Section 1000.35, Florida Statutes, is created to read:

1000.35 Reciprocity agreement.—

(1) The purpose of this section is to authorize this state to participate in a reciprocity agreement with other states for the delivery of postsecondary distance education. Each member state or institution participating in the reciprocity agreement must accept the accreditation standards and criteria of each other member state and institution participating in the reciprocity agreement to offer postsecondary distance education.

(2) For purposes of this section, the term:

(a) "Commission" means the Commission for Independent Education.

(b) "Complaint" means a formal assertion in writing that a person, institution, state, agency, or other entity operating under the reciprocity agreement has violated the terms of the reciprocity agreement or the laws, standards, or regulations incorporated therein.

(c) "Council" means the Postsecondary Reciprocal Distance Education Coordinating Council, which serves as the single portal agency designated by the state to administer the reciprocity agreement and serves as the interstate point of contact for questions, complaints, and other matters related to the reciprocity agreement.

(d) "Department" means the Department of Education.

(e) "Florida institution" means a postsecondary educational institution in this state approved by the council to participate

Page 2 of 6

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

4-00898-17

2017668__

62 in the reciprocity agreement.

63 (f) "Institution" means a public or private postsecondary
 64 educational institution that is accredited by a federally
 65 recognized accrediting body and that awards, at a minimum,
 66 associate-level degrees requiring at least 2 years of full-time
 67 equivalent college coursework.

68 (g) "Member state" means a state, territory, or district
 69 within the United States that has been approved to participate
 70 in the reciprocity agreement.

71 (h) "Non-Florida institution" means an institution approved
 72 by a member state other than this state to participate in the
 73 reciprocity agreement.

74 (i) "Reciprocity agreement" means an agreement that
 75 establishes reciprocity between member states to authorize
 76 institutions to offer postsecondary distance education in such
 77 states pursuant to the terms and conditions in the agreement.

78 (j) "State board" means the State Board of Education.

79 (3) The council is established within the department for
 80 the purpose of administering the reciprocity agreement, and
 81 except as otherwise provided in this subsection, shall operate
 82 consistent with s. 20.052.

83 (a) The council shall consist of the Chancellor of the
 84 State University System, the Chancellor of the Florida College
 85 System, the Chancellor of the Division of Career and Adult
 86 Education, the Executive Director of the Commission for
 87 Independent Education, and the President of the Independent
 88 Colleges and Universities of Florida. The commission shall
 89 provide administrative support for the council.

90 (b) The council shall:

Page 3 of 6

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

4-00898-17

2017668__

91 1. Apply for this state to participate as a member of the
 92 reciprocity agreement;

93 2. Serve as the portal agency for the administration of the
 94 reciprocity agreement;

95 3. Review and approve applications from institutions in
 96 this state to participate in the reciprocity agreement and
 97 establish an appeals process for institutions that are not
 98 approved to participate in the reciprocity agreement;

99 4. Ensure compliance by Florida institutions with the terms
 100 and provisions of the reciprocity agreement;

101 5. Comply with the terms and provisions of the reciprocity
 102 agreement relating to any member state, Florida institution, or
 103 non-Florida institution;

104 6. Comply with the reporting requirements in the
 105 reciprocity agreement and post any required reports on the
 106 council's website;

107 7. Develop and administer a complaint resolution process
 108 for complaints related to the reciprocity agreement for which
 109 all available remedies at a Florida institution have been
 110 exhausted;

111 8. Delegate any responsibilities, obligations, or
 112 authorities to the commission's staff necessary for the
 113 administration of this state's participation in the reciprocity
 114 agreement; and

115 9. Recommend rules necessary to administer this section for
 116 adoption by the state board.

117 (c) The council shall propose an annual fee schedule and
 118 collect fees from each Florida institution participating in the
 119 reciprocity agreement. The fees shall be commensurate with the

Page 4 of 6

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

4-00898-17 2017668__

120 costs incurred by the council and the commission for
 121 administering the reciprocity agreement. The council shall
 122 submit the proposed fee schedule to the state board for
 123 approval. The department shall include the approved fee schedule
 124 in its legislative budget request which takes effect unless
 125 revised in the General Appropriations Act. All fees collected
 126 pursuant to this paragraph shall be submitted through the
 127 department to the Chief Financial Officer for deposit into a
 128 separate account within the Institutional Assessment Trust Fund.
 129 Any fee authorized by the council is nonrefundable unless paid
 130 in error.

131 (d) The council may revoke a Florida institution's
 132 participation in the reciprocity agreement if the council
 133 determines such institution is not in compliance with the terms
 134 and provisions of the reciprocity agreement.

135 (e) A Florida institution may withdraw from participation
 136 in the reciprocity agreement by submitting notice of its intent
 137 to withdraw to the council which shall become effective at the
 138 beginning of the next academic term after receipt of such
 139 notice.

140 (f) Decisions by the council are not subject to chapter
 141 120.

142 (4) This section does not supersede the requirements in
 143 chapter 1005 relating to postsecondary educational institutions
 144 under the jurisdiction of the commission.

145 (5) The state board shall adopt rules to implement this
 146 section.

147 Section 2. Paragraph (h) is added to subsection (1) of
 148 section 1005.06, Florida Statutes, to read:

Page 5 of 6

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

4-00898-17 2017668__

149 1005.06 Institutions not under the jurisdiction or purview
 150 of the commission.-

151 (1) Except as otherwise provided in law, the following
 152 institutions are not under the jurisdiction or purview of the
 153 commission and are not required to obtain licensure:

154 (h) Any non-Florida institution that has been approved by a
 155 member state to participate in a reciprocity agreement, as those
 156 terms are defined in s. 1000.35(2), entered into by the
 157 Postsecondary Reciprocal Distance Education Coordinating Council
 158 under s. 1000.35, and offers degree programs and conducts
 159 activities that are limited to distance education degree
 160 programs and activities in accordance with the reciprocity
 161 agreement.

162 Section 3. Subsection (11) of section 1005.31, Florida
 163 Statutes, is amended to read:

164 1005.31 Licensure of institutions.-

165 (11) The commission shall establish minimum standards for
 166 the approval of agents. The commission may adopt rules to ensure
 167 that licensed agents meet these standards and uphold the intent
 168 of this chapter. An agent may not solicit prospective students
 169 in this state for enrollment in any independent postsecondary
 170 educational institution under the commission's purview or in any
 171 out-of-state independent postsecondary educational institution
 172 unless the agent has received a license as prescribed by the
 173 commission or solicits for a postsecondary educational
 174 institution that is not under the jurisdiction of the commission
 175 pursuant to s. 1005.06(1)(h).

176 Section 4. This act shall take effect upon becoming a law.

Page 6 of 6

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

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 782

INTRODUCER: Senator Mayfield

SUBJECT: High School Graduation Requirements

DATE: March 24, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Androff	Graf	ED	Favorable
2.			HP	
3.			RC	

I. Summary:

SB 782 revises the high school graduation requirements for satisfying the mandatory one-credit requirement in physical education. Specifically, the bill deletes the requirement for students who participate in two full seasons of an interscholastic sport to pass a competency test on personal fitness in order to satisfy the physical education credit required for graduation with a standard high school diploma.

The bill takes effect July 1, 2017.

II. Present Situation:

Florida law specifies the requirements for students to obtain a standard high school diploma.

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.¹

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.
- 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.

¹ Section 1003.4282(1)(a), F.S.

² *Id.* at (3).

- Three credits in science, including one credit in Biology I and two credits in equally rigorous courses.³ 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 U.S. history and World history; one-half in credit in economics, which must include financial literacy; and one-half credit in U.S. 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 these electives must include opportunities for students to earn college credit.

Physical Education Credit

Florida law requires a student to earn one credit in physical education, of the mandatory 24 credits, to graduate with a standard high school diploma.⁴ Currently, students that participate in an interscholastic sport at the junior varsity or varsity level for two full seasons can satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of “C” or better.⁵ In 1998, the Legislature raised the physical education credit requirement from one to two seasons of interscholastic sports and added the personal fitness competency test.⁶

Currently, students who complete one semester with a grade of “C” or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class can satisfy one-half credit in physical education.⁷ Additionally, students who complete two years in a Reserve Officer Training Corps (ROTC) class, a significant component of which is drills, satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts.⁸ There is no requirement that such students complete a personal fitness competency exam.

III. Effect of Proposed Changes:

SB 782 revises the high school graduation requirements for satisfying the mandatory one-credit requirement in physical education. Specifically, the bill deletes the requirement for students who participate in two full seasons of an interscholastic sport to pass a competency test on personal fitness in order to satisfy the physical education credit required for graduation with a standard high school diploma.

The bill takes effect July 1, 2017.

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

⁴ Section 1003.4282(9)(b)6., F.S.

⁵ *Id.* at (3)(f).

⁶ Section 39, c. 1998-421, L.O.F.

⁷ Section 1003.4383(3)(f), F.S.

⁸ *Id.*

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

At the local school level, according to the Florida Department of Education (DOE), the elimination of the competency test on personal fitness may create savings in supplies that the school currently supplies, such as paper, printing, and the portion of salary used for the administration and grading of such tests.⁹ However, any such savings are indeterminable because the current expenditures related to the competency test at the school level are currently unknown.¹⁰

According to the DOE, the elimination of the competency test on personal fitness may save the DOE costs for personnel to update the test, and any mailing or other costs associated with making the test available to the school districts.¹¹ The update to the personal fitness exam is currently expected to cost \$1,427. Additionally, there is expected to be approximately \$372.52 in expenditures related to the distribution of the updated material.¹²

VI. Technical Deficiencies:

None.

⁹ Florida Department of Education, *SB 782 Analysis* (2017), at 3.

¹⁰ *Id.*

¹¹ *Id.* at 4.

¹² *Id.*

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.4282 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

Topic _____

Bill Number SB ~~928~~ 782
(if applicable)

Name KAREN EFFROM

Amendment Barcode _____
(if applicable)

Job Title Exec. Dir.

Address 116 LOUSCOY DR. SE
Street
PORT CHARLOTTE FL 33952
City State Zip

Phone 763-458-7119

E-mail dakaren@stapcc
coalition.org

Speaking: For Against Information

Representing FL STOP COMMON CORE COALITION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 782

Bill Number (if applicable)

Topic H.S. Graduation Requirement

Amendment Barcode (if applicable)

Name Laurie Cox

Job Title Physical Education teacher + Leon Co. Phys. Ed. Coordinator

Address ~~5777 Pima~~ 7373 Ox Bow Circle Phone 850-766-0678

Street

Tallahassee FL 32312

City

State

Zip

Email coxl@leonschools.net

Speaking: For Against Information

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

Representing SHAPE Florida

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

782

Bill Number (if applicable)

Topic High School Graduation Requirement

Amendment Barcode (if applicable)

Name Fely Curva, Ph.D.

Job Title Partner, Curva i Associates LLC

Address 1212 Piedmont Dr.

Phone (850) 508-2256

Street

Tallahassee

FL

32312

City

State

Zip

Email fely.curva@gmail.com

Speaking: [] For [x] Against [] Information

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

Representing Society of Health's Physical Educators (SHAPE) FL

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

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

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 782

Bill Number (if applicable)

Topic High School Graduation

Amendment Barcode (if applicable)

Name Mark Landreth

Job Title Sr. Dir. Government Relations

Address 2851 Remington Green Cir., Ste C

Phone 850 544 3376

Street

Tallahassee FL 32308

City

State

Zip

MARK.LANDRETH@heart.org

Email

Speaking: For Against Information

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

Representing American Heart Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/2017

Meeting Date

782

Bill Number (if applicable)

Topic High S.

Amendment Barcode (if applicable)

Name Nancy Lawther

Job Title _____

Address 9140 SW 59 Ave.

Phone 305 607-3837

Street

Miami, FL 33156

Email nlawther@gmail.com

City

State

Zip

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)

By Senator Mayfield

17-00968-17

2017782__

1 A bill to be entitled
 2 An act relating to high school graduation
 3 requirements; amending s. 1003.4282, F.S.; removing a
 4 requirement that a student participating in an
 5 interscholastic sport pass a competency test on
 6 personal fitness to satisfy the physical education
 7 credit requirement for high school graduation;
 8 conforming a provision; providing an effective date.
 9
 10 Be It Enacted by the Legislature of the State of Florida:
 11
 12 Section 1. Paragraph (f) of subsection (3) of section
 13 1003.4282, Florida Statutes, is amended to read:
 14 1003.4282 Requirements for a standard high school diploma.—
 15 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
 16 REQUIREMENTS.—
 17 (f) *One credit in physical education.*—Physical education
 18 must include the integration of health. Participation in an
 19 interscholastic sport at the junior varsity or varsity level for
 20 two full seasons shall satisfy the one-credit requirement in
 21 physical education ~~if the student passes a competency test on~~
 22 ~~personal fitness with a score of "C" or better. The competency~~
 23 ~~test on personal fitness developed by the Department of~~
 24 ~~Education must be used.~~ A district school board may not require
 25 that the one credit in physical education be taken during the
 26 9th grade year. Completion of one semester with a grade of "C"
 27 or better in a marching band class, in a physical activity class
 28 that requires participation in marching band activities as an
 29 extracurricular activity, or in a dance class shall satisfy one-
 30 half credit in physical education or one-half credit in
 31 performing arts. This credit may not be used to satisfy the
 32 personal fitness requirement or the requirement for adaptive

Page 1 of 2

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

17-00968-17

2017782__

33 physical education under an individual education plan (IEP) or
 34 504 plan. Completion of 2 years in a Reserve Officer Training
 35 Corps (R.O.T.C.) class, a significant component of which is
 36 drills, shall satisfy the one-credit requirement in physical
 37 education and the one-credit requirement in performing arts.
 38 This credit may not be used to satisfy the personal fitness
 39 requirement or the requirement for adaptive physical education
 40 under an IEP or 504 plan.
 41 Section 2. This act shall take effect July 1, 2017.

Page 2 of 2

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

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 926

INTRODUCER: Senators Flores and Bradley

SUBJECT: K-12 Student Assessments

DATE: March 24, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Benvenisty</u>	<u>Graf</u>	<u>ED</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 926 establishes and revises certain provisions relating to student assessments. Specifically, the bill:

- Requires the Commissioner of Education to review the SAT and ACT to determine if such assessments are aligned with Florida’s academic standards for English Language Arts (ELA) and mathematics.
- Shortens and moves the state testing window to the last 3 weeks of the school year.
- Requires results on district-required local assessments be returned to a student’s teacher within 1 week after administering such assessments.
- Revises achievement level 3 to mean proficient for any new contract for the ELA and mathematics assessments.
- Requires results of statewide standardized assessments to be reported in an understandable format to each student’s current teacher of record and the teacher of record for the subsequent school year before the start of the school year.
 - Specifies information that must be included in the student assessment results report.

The bill takes effect July 1, 2017.

II. Present Situation:

Florida’s assessment program consists primarily of statewide, standardized assessments that are selected and administered by the state, and local assessments that are selected and administered by the school districts to measure students’ attainment of education expectations.¹

¹ Section 1008.22, F.S.

Statewide, Standardized Assessment Program

Purpose

The purpose of Florida's student assessment program is to improve instruction; provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff; and assess the cost benefit of the expenditure of taxpayer dollars.²

The Commissioner of Education (Commissioner) is required to design and implement a statewide, standardized assessment program that is aligned to the curricular content established in the Next Generation Sunshine State Standards and the Florida Standards.³

Statewide, Standardized Assessment Requirements

The statewide, standardized assessment program consists of:

- Statewide, standardized comprehensive assessments:⁴
 - English Language Arts (ELA) (grades 3 through 10);
 - Mathematics (grades 3 through 8); and
 - Science (once at the elementary grade level and once at the middle grade level).⁵
- End-of-Course (EOC) assessments:⁶
 - Civics (at the middle grade level);
 - U.S. History EOC;
 - Algebra I EOC;
 - Algebra II EOC;⁷
 - Geometry EOC; and
 - Biology I EOC.

Additionally, the statewide, standardized assessment program also includes the Florida Alternate Assessment (FAA) to assess students with disabilities in the content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.⁸

All statewide, standardized assessments and EOC assessments must use scaled scores and achievement levels.⁹ Achievement levels must range from 1 through 5, with level 1 being the

² Section 1008.22(1), F.S.

³ *Id.* at (3).

⁴ *Id.* at (3)(a). Federal law requires students to be tested in reading or language arts and mathematics in each of grades 3 through 8 and not less than once in grades 10 through 12. With respect to science, students must be tested once during grades 3 through 5, grades 6 through 9, and grades 10 through 12. 20 U.S.C. s. 6311(b)(3). The Florida Department of Education posts the Statewide Assessment Schedule on its website. Florida Department of Education, *Florida Statewide Assessment Program 2016-2017 Schedule*, available at <http://info.fldoe.org/docushare/dsweb/Get/Document-7514/dps-2015-175a.pdf>.

⁵ Rule 6A-1.09422(3)(b), F.A.C., requires all eligible students in grades 5 and 8 to take the FCAT 2.0 Science.

⁶ Section 1008.22(3)(b), F.S.

⁷ Students are not required to take the Algebra II EOC assessment. However, a student who selects Algebra II must take the Algebra II EOC assessment. Section 1003.4282(3)(b), F.S.

⁸ Section 1008.22(3)(c)1, F.S. A child with medical complexity may be exempt from participating in statewide, standardized assessments, including the Florida Alternate Assessment. *Id.* at (10).

⁹ *Id.* at (3)(e) and Rule 6A-1.09422, F.A.C.

lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment.¹⁰

Use of Assessments

The Florida Legislature has established accountability mechanisms to assess the effectiveness of the state's K-20 education delivery system.¹¹ The law specifies annual educator performance evaluations¹² and the evaluation criteria for instructional personnel, which must include student performance, instructional practice, and professional and job responsibilities.¹³ In addition, the Legislature has also established mechanisms to measure school performance by assigning school grades,¹⁴ school improvement ratings,¹⁵ and district grades¹⁶ based on student performance on statewide, standardized assessments. Student performance data are analyzed and reported to parents, the community, and the state.¹⁷

Contracts for Assessments

The Commissioner must provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts.¹⁸ The Commissioner may enter into contracts for the continued administration of assessments that are authorized and funded by the Legislature.¹⁹ Contracts may be initiated in one fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years.²⁰ The law authorizes the Commissioner to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed in accordance with law.²¹

Administration and Reporting of Statewide Standardized Assessments

The Commissioner must establish schedules for the administration of statewide, standardized assessments and the reporting of student assessment results.²² The Commissioner must publish on the DOE's website a uniform calendar that includes the assessment and reporting schedule for a minimum of the next school years and be provided to the school districts in an electronic format that allows each school district and public school to populate the calendar with information as specified in law.

For new contracts and renewal of existing contracts for statewide, standardized assessments, a student's performance on such assessments must be provided to the student's teachers and

¹⁰ Section 1008.22(3)(e), F.S. and Rule 6A-1.09422, F.A.C.

¹¹ Section 1008.31, F.S.

¹² Section 1012.34, F.S.

¹³ *Id.* at (3)(a)1., 2., and 4., F.S. School administrator evaluation criteria include instructional leadership. Section *Id.* at (3)(a)3., F.S.

¹⁴ Section 1008.34, F.S.

¹⁵ Section 1008.341, F.S.

¹⁶ Section 1008.34(5), F.S.

¹⁷ Section 1008.22(4), F.S.

¹⁸ *Id.* at (3)(g)1.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.* at (7)(a).

parents by the end of the school year, unless the Commissioner determines that extenuating circumstances exist and reports the extenuating circumstances to the State Board of Education (SBE or state board).²³

Local Assessment of Student Performance

Measurement of student performance is the responsibility of the school districts except in those subjects and grade levels measured under the statewide standardized assessment program.²⁴ A school district must provide a student's performance results on district-required local assessments to the student's teachers and parents no later than 30 days after administering such assessments, unless the superintendent determines in writing that extenuating circumstances exist and reports the extenuating circumstances to the district school board.²⁵

Authorized Alternatives to Statewide, Standardized Assessments

The Legislature has also authorized several alternative means for students to demonstrate competency and satisfy statewide, standardized assessment and credit requirements.

Concordant and Comparative Scores

To fulfill statewide, standardized assessment requirements, the state board has adopted:²⁶

- Concordant scores on SAT²⁷ and ACT,²⁸ which if attained by a student satisfies the grade 10 statewide, standardized Reading²⁹ assessment, and
- Comparative scores on the Postsecondary Education Readiness Test (PERT), which if attained by a student satisfies the Algebra I EOC assessment requirement.

The SAT and ACT, and PERT substitutions are authorized for the two assessments in high school³⁰ that students must pass to graduate with a standard high school diploma.³¹ The law also authorizes the Commissioner to identify concordant scores on assessments other than the SAT and ACT, and one or more comparative scores for the Algebra I EOC assessment.³²

²³ Section 1008.22(3)(g)2, F.S. .

²⁴ *Id.* at (6).

²⁵ Section 1008.22(7)(f), F.S.

²⁶ *Id.* at (9)-(10), F.S.; *see also* Rule 6A-1.094223, F.A.C.

²⁷ The concordant passing scale score for the SAT must be equal to or greater than 430 on the 200 to 800 scale. Rule 6A-1.094223(1), F.A.C.

²⁸ The concordant passing scale score for the ACT must be equal to or greater than 19 on the 1 to 36 scale. Rule 6A-1.094223(1), F.A.C.

²⁹ The English Language Arts (ELA) Florida Standards assessment, which replaced the FCAT Reading assessment, was administered for the first time during the 2014-2015 school year. Florida Department of Education, *Florida Statewide Assessment Program 2014-2015 Schedule*, available at <http://info.fldoe.org/docushare/dsweb/Get/Document-7047/dps-2014-81a.pdf>. Pursuant to law, the concordant scores on SAT and ACT will need to be adjusted to correspond to ELA assessment. Section 1008.22(8), F.S. Until such time that the new concordant scores on SAT and ACT are adopted in rule by the state board, students are allowed to use the existing concordant scores to satisfy the requirements for a standard high school diploma. Letter, Florida Department of Education (Sep. 18, 2015), on file with the Committee Education Pre-K -12, at 1.

³⁰ To fulfill the requirements for a standard high school diploma, students must pass the grade 10 ELA and Algebra I EOC assessments. Section 1003.4282(3)(a)-(b), F.S.

³¹ Section 1003.4282(3), F.S.

³² Section 1008.22(9)-(10), F.S.

Nationally Developed Comprehensive Assessments for Use as EOC Assessments

The Commissioner has the authority to select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement (AP) course, International Baccalaureate (IB) course, or Advanced International Certificate of Education (AICE) course, or industry-approved examinations to earn national industry certifications identified in the Career and Professional Education (CAPE) Industry Certification Funding List,³³ for use as EOC assessments if the Commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade level expectations for the curricular content established for the course in the Next Generation Sunshine State Standards.³⁴ The state board must adopt in rule the use of such examinations as EOC assessments.³⁵

III. Effect of Proposed Changes:

SB 926 establishes and revises certain provisions relating to student assessments. Specifically, the bill:

- Requires the Commissioner of Education to review the SAT and ACT to determine if such assessments are aligned with Florida’s academic standards for English Language Arts (ELA) and mathematics.
- Shortens and moves the state testing window to the last 3 weeks of the school year.
- Requires results on district-required local assessments be returned to a student’s teacher within 1 week after administering such assessments.
- Revises achievement level 3 to mean proficient for any new contract for the ELA and mathematics assessments.
- Requires results of statewide standardized assessments to be reported in an understandable format to each student’s current teacher of record and the teacher of record for the subsequent school year before the start of the school year.
 - Specifies information that must be included in the student assessment results report.

Test Alignment

The bill requires the commissioner to review the SAT and ACT to determine their alignment with the core curricular content for high school-level ELA and mathematics established in the Next Generation Sunshine State Standards. The Commissioner must submit a report with the results of the review to the Governor, the Legislature and the State Board of Education by December 1, 2017.

The bill requires any new contract for the statewide, standardized ELA and mathematics assessments entered into after July 1, 2017, to administer the assessments quarterly for students

³³ The State Board of Education (SBE or state board) adopts by rule, the list of industry certifications that are eligible for funding through the Florida Education Finance Program (FEFP). The list is updated annually. Sections 1008.44, F.S. Industry certifications on the “Gold Standard Career Pathways” list are incorporated by reference in the SBE rule, and articulated to Associate in Applied Science and Associate in Science degree programs. Rule 6A-10.0401, F.A.C.; *see also* Florida Department of Education, *Process for Establishing Gold Standard Career Pathways Industry Certification to AAS/AS Degree Statewide Articulation Agreements*, available at <http://www.fldoe.org/workforce/dwdframe/pdf/GSCPICprocess.pdf>.

³⁴ Section 1008.22(3)(b)3., F.S.

³⁵ *Id.*

who have been identified through competency-based education as having mastered the content and who are prepared to take the applicable assessment.

Test Administration and Report

The bill requires the ELA assessment in grades 3 through 10 and the mathematics assessment in grades 3 through 8 to be administered no earlier than the last 3 weeks of the school year. The bill specifies that the testing window for these assessments may be no longer than 3 weeks and exempts the grade three “Reading” assessment from the requirements of the bill. The bill does not expressly include state end-of-course (EOC) assessments under these requirements. Compressing the testing window may result in freeing-up more time for instruction, which may facilitate student success.

Additionally, the bill requires that the results of the statewide, standardized ELA and mathematics assessments be reported in an “easy-to read and understandable” format to each student’s current teacher of record and to each student’s teacher of record for the subsequent school year before the start of the school year. The report must include, at a minimum:

- A clear explanation of the student’s performance on the applicable assessments;
- Information identifying the student’s areas of strength and areas in need of improvement;
- Specific actions that may be taken, and the available resources that may be used, by the student’s parent to assist the student based on his or her areas of strength and areas in need of improvement;
- Longitudinal information, if available, on the student’s progress in each subject area based on previous statewide, standardized assessment data;
- Comparative information showing the student’s score compared to other students in the school district, in the state or, if available, in other states; and
- Predictive information, if available, showing the linkage between the scores attained by the student on the statewide, standardized assessments and the scores he or she may potentially attain on nationally recognized college entrance examinations.

Accordingly, teachers may be able to adjust instructional strategies to improve student performance outcomes.

The bill also requires that a student’s performance on a district-required local assessment be provided to the student’s teacher within 1 week after such assessments are administered. This may provide teachers will the opportunity to use assessment results to inform instructional strategies including, but not limited to, targeted individualized instructional strategies to address the specific academic needs of students.

Test Impact

The bill requires that, beginning with any contract for the statewide, standardized ELA and mathematics assessments entered into after July 1, 2017, achievement level 3 must be defined as proficient. “Proficient” means “demonstrated competency over challenging subject matter, including subject-matter knowledge, application of such knowledge to real-world situations, and

analytical skills appropriate to the subject matter.”³⁶ The bill does not address achievement level for the EOC assessments.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Department of Education, school districts, under SB 926, may be required to increase their computer-based testing capacity through hardware updates in order to test all students within the last 3 weeks of the school year.³⁷ This cost is indeterminate.³⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

³⁶ The National Center for Education Statistics, *NAEP Achievement Levels*, <https://nces.ed.gov/nationsreportcard/achievement.aspx> (last visited Mar. 12, 2017).

³⁷ Florida Department of Education, *2017 Agency Legislative Bill Analysis for HB 773* (March 22, 2017), at 6. SB 926 is similar to HB 773.

³⁸ *Id.*

VIII. Statutes Affected:

The bill substantially amends section 1008.22 of the Florida Statutes.

The bill creates an unnumbered section of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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



945386

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete lines 23 - 31

and insert:

Section 1. Study of a nationally recognized alternate high school assessment.—

(1) INDEPENDENT STUDY.—

(a) The Commissioner of Education shall contract for an independent study to determine whether a nationally recognized high school assessment may be administered in lieu of the Florida Standards Assessment and the Algebra I and end-of-course



945386

12 assessment for high school students.

13 (b) In order to be considered a nationally recognized high
14 school assessment, the assessment must meet the following
15 requirements:

16 1. Be substantially aligned with the core curricular
17 content for high school level English Language Arts (ELA) and
18 mathematics established in the Next Generation Sunshine State
19 Standards pursuant to s. 1003.41, Florida Statutes;

20 2. Provide for learning gains from the grade 8 ELA and
21 mathematics Florida Standards Assessment to the nationally
22 recognized high school assessment;

23 3. Provide for differentiation and comparability between
24 schools and districts;

25 4. Provide the same or additional accommodations to
26 students with disabilities and other students which are provided
27 by the Florida Standards Assessment and other statewide,
28 standardized assessments;

29 5. Meet the applicable assessment security requirements
30 determined by the commissioner for the state and for school
31 districts;

32 6. Meet the reasonable technical specification requirements
33 determined by the commissioner which allow implementation by the
34 state and by school districts; and

35 7. Satisfy any threshold legal requirements, including, but
36 not limited to, the standard set forth in *Debra P. v.*
37 *Turlington*, 474 F. Supp. 244 (M.D. Fla. 1979).

38 (c) The commissioner and the contractor shall consult with,
39 and receive recommendations for alternate assessments from,
40 education stakeholders, including district school



945386

41 superintendents, testing and measurement administrators,
42 curriculum directors, principals, teachers, and other educators
43 who have experience and expertise in the administration of high
44 school assessments.

45 (2) REPORT.—The commissioner shall submit a report on the
46 findings of the study and any recommendations to the Governor,
47 the President of the Senate, and the Speaker of the House of
48 Representatives by January 1, 2018.

49
50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 Delete lines 3 - 10

53 and insert:

54 the Commissioner of Education to contract for an
55 independent study to determine whether a nationally
56 recognized high school assessment may be administered
57 in lieu of the Florida Standards Assessment and the
58 Algebra I end-of-course assessment; providing
59 requirements for the assessment; requiring the
60 commissioner and the contractor to consult with
61 specified stakeholders; requiring the commissioner to
62 submit a report to the Governor and the Legislature by
63 a specified date; amending s. 1008.22,



654648

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Flores) recommended the following:

Senate Amendment (with title amendment)

Between lines 31 and 32

insert:

Section 2. Section 1001.4205, Florida Statutes, is created to read:

1001.4205 Visitation of schools by an individual school board member.—An individual member of a district school board may, on any day and at any time at his or her pleasure, visit any district school or charter school in his or her school district. The school board member must sign in and sign out at



654648

12 the school's main office and wear his or her school board
13 identification badge at all times while present on school
14 premises. The school board, the school, or any other person or
15 entity including, but not limited to, the principal of the
16 school, the school superintendent, or any other school board
17 member, may not require the visiting school board member to
18 provide notice before visiting the school. The school may offer,
19 but may not require, an escort to accompany a visiting school
20 board member during the visit. Another school board member or a
21 district employee including, but not limited to, the
22 superintendent, the school principal, or his or her designee,
23 may not limit the duration or scope of the visit or direct a
24 visiting school board member to leave the premises. A school
25 board, district, or school administrative policy or practice may
26 not prohibit or limit the authority granted to a school board
27 member under this section.

28
29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete line 10

32 and insert:

33 of Education by a specified date; creating s.
34 1001.4205, F.S.; authorizing an individual district
35 school board member to visit any district school or
36 charter school in his or her school district;
37 providing requirements and restrictions; amending s.
38 1008.22,



512972

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 40 - 93.

=====
D I R E C T O R Y C L A U S E A M E N D M E N T
=====

And the directory clause is amended as follows:

Delete line 35

and insert:

respectively, paragraph (b)

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



512972

12 And the title is amended as follows:
13 Delete lines 11 - 13
14 and insert:
15 F.S.; providing requirements for administration



578028

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with directory and title amendments)

Delete line 59

and insert:

(a) *Statewide, standardized comprehensive assessments.*—The statewide, standardized Reading assessment shall be administered annually in grades 3 through 10. The statewide, standardized Writing assessment shall be administered annually at least once at the elementary, middle, and high school levels. When the Reading and Writing assessments are replaced by English Language Arts (ELA) assessments, ELA assessments shall be administered to



12 students in grades 3 through 10. Retake opportunities for the
13 grade 10 Reading assessment or, upon implementation, the grade
14 10 ELA assessment must be provided. Students taking the ELA
15 assessments may ~~shall~~ not take the statewide, standardized
16 assessments in Reading or Writing. ELA assessments shall be
17 administered online unless the provisions of paragraph (d) are
18 implemented. The statewide, standardized Mathematics assessments
19 shall be administered annually in grades 3 through 8, and shall
20 be administered online unless the provisions of paragraph (d)
21 are implemented. Students taking a revised Mathematics
22 assessment may ~~shall~~ not take the discontinued assessment. The
23 statewide, standardized Science assessment shall be administered
24 annually at least once at the elementary and middle grades
25 levels. In order to earn a standard high school diploma, a
26 student who has not earned a passing score on the grade 10
27 Reading assessment or, upon implementation, the grade 10 ELA
28 assessment must earn a passing score on the assessment retake or
29 earn a concordant score as authorized under subsection (8).

30 (d) Nonelectronic option.—The commissioner shall make
31 available an alternative, nonelectronic option for all statewide
32 assessments, including the statewide, standardized ELA
33 assessment, including the Writing assessment; the statewide,
34 standardized Mathematics assessment; the statewide, standardized
35 Science assessment; and the Algebra I and Biology I EOC
36 assessments. The nonelectronic option shall be made available to
37 reduce the time spent on assessments; increase instructional
38 time for students; and ensure that students demonstrate more
39 successfully a mastery of the standards being measured, that
40 students have the time to develop the word processing and



578028

41 computer skills necessary to take any statewide, standardized
42 assessment, and that school districts have the capacity at both
43 the school and district levels to administer the assessments
44 online.

45 (f)~~(e)~~ *Assessment scores and achievement levels.*-

46
47 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

48 And the directory clause is amended as follows:

49 Delete lines 32 - 36

50 and insert:

51 Section 2. Present paragraphs (d) through (g) of subsection
52 (3) of section 1008.22, Florida Statutes, are redesignated as
53 paragraphs (e) through (h), respectively, paragraph (a) and
54 present paragraph (e) of that subsection are amended, and a new
55 paragraph (d) is added to that subsection, paragraph (b) of
56 subsection (7) of that section is amended, present paragraphs
57 (c) through (f) and present paragraph (g) of subsection (7) of
58 that section are redesignated as paragraphs (e) through (h) and
59 paragraph (j), respectively, present paragraph (f) of that
60 section is amended, and new

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete lines 11 - 13

65 and insert:

66 F.S.; providing an exception to the requirement that
67 ELA assessments be administered online; requiring that
68 Mathematics assessments be administered online;
69 providing an exception; revising provisions relating



578028

70 to achievement levels for certain statewide,
71 standardized assessments; requiring the commissioner
72 to make an alternative, nonelectronic assessment
73 option available for statewide assessments; providing
74 requirements for administration



464772

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with directory and title amendments)

Between lines 93 and 94

insert:

(4) SCHOOL PARTICIPATION IN THE STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—Each public school shall participate in the statewide, standardized assessment program in accordance with the assessment and reporting schedules and the minimum and recommended technology requirements published by the Commissioner of Education. A district school superintendent must notify the commissioner that the district will use a



464772

12 nonelectronic option for the entire district or for specific
13 grade levels throughout the district by the beginning of the
14 school year in which the nonelectronic option is used. The
15 commissioner shall provide the alternative, nonelectronic option
16 to the school district for the successful and timely
17 administration of the statewide, standardized assessment and
18 end-of-course exams and the reporting of assessment results to
19 the Department of Education, as specified in paragraph (3)(d).
20 District school boards may ~~shall~~ not establish school calendars
21 that conflict with or jeopardize implementation of the
22 assessment program. All district school boards shall report
23 assessment results using the state management information
24 system. Performance data shall be analyzed and reported to
25 parents, the community, and the state. Student performance data
26 shall be used by districts in developing objectives for the
27 school improvement plan, evaluating instructional personnel and
28 administrative personnel, assigning staff, allocating resources,
29 acquiring instructional materials and technology, implementing
30 performance-based budgeting, and promoting and assigning
31 students to educational programs. The analysis of student
32 performance data must also identify strengths and needs in the
33 educational program and trends over time. The analysis must be
34 used in conjunction with the budgetary planning processes
35 developed pursuant to s. 1008.385 and the development of
36 remediation programs.

37
38 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

39 And the directory clause is amended as follows:

40 Delete line 35



464772

41 and insert:
42 respectively, paragraph (e) of subsection (3), subsection (4),
43 and paragraph (b)

44
45 ===== T I T L E A M E N D M E N T =====

46 And the title is amended as follows:

47 Delete line 13

48 and insert:

49 assessments; requiring a district school
50 superintendent to provide the commissioner with
51 certain notifications requiring the use of a
52 nonelectronic assessment option; providing
53 requirements for administration



747760

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Flores) recommended the following:

Senate Amendment

Delete lines 142 - 147

and insert:

(i) A school district must provide a student's performance results on statewide, standardized ELA and mathematics assessments in an easy-to-read and understandable format to each student's parent, current teacher of record, and teacher of record for the subsequent school year before the start of that school year. A report of student assessment results, prepared by the Department of Education, must, at a minimum,



173108

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with title amendment)

Between lines 167 and 168

insert:

Section 3. Paragraphs (b) and (c) of subsection (1) of section 1003.4156, Florida Statutes, are amended 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:



173108

12 (b) Three middle grades or higher courses in mathematics.
13 Each school that includes middle grades must offer at least one
14 high school level mathematics course for which students may earn
15 high school credit. Successful completion of a high school level
16 Algebra I ~~or Geometry~~ course is not contingent upon the
17 student's performance on the statewide, standardized Algebra I
18 end-of-course (EOC) assessment. To earn high school credit for
19 Algebra I, a middle grades student must take the statewide,
20 standardized Algebra I EOC assessment and pass the course, and,
21 in addition, ~~beginning with the 2013-2014 school year and~~
22 ~~thereafter,~~ a student's performance on the Algebra I EOC
23 assessment constitutes 30 percent of the student's final course
24 grade. ~~To earn high school credit for a Geometry course, a~~
25 ~~middle grades student must take the statewide, standardized~~
26 ~~Geometry EOC assessment, which constitutes 30 percent of the~~
27 ~~student's final course grade, and earn a passing grade in the~~
28 ~~course.~~

29 (c) Three middle grades or higher courses in social
30 studies. ~~Beginning with students entering grade 6 in the 2012-~~
31 ~~2013 school year,~~ One of these courses must be at least a one-
32 semester civics education course that includes the roles and
33 responsibilities of federal, state, and local governments; the
34 structures and functions of the legislative, executive, and
35 judicial branches of government; and the meaning and
36 significance of historic documents, such as the Articles of
37 Confederation, the Declaration of Independence, and the
38 Constitution of the United States. ~~Beginning with the 2013-2014~~
39 ~~school year, each student's performance on the statewide,~~
40 ~~standardized EOC assessment in civics education required under~~



173108

41 ~~s. 1008.22 constitutes 30 percent of the student's final course~~
42 ~~grade.~~ A middle grades student who transfers into the state's
43 public school system from out of country, out of state, a
44 private school, or a home education program after the beginning
45 of the second term of grade 8 is not required to meet the civics
46 education requirement for promotion from the middle grades if
47 the student's transcript documents passage of three courses in
48 social studies or two year-long courses in social studies that
49 include coverage of civics education.

50

51 Each school must inform parents about the course curriculum and
52 activities. Each student shall complete a personal education
53 plan that must be signed by the student and the student's
54 parent. The Department of Education shall develop course
55 frameworks and professional development materials for the career
56 and education planning course. The course may be implemented as
57 a stand-alone course or integrated into another course or
58 courses. The Commissioner of Education shall collect
59 longitudinal high school course enrollment data by student
60 ethnicity in order to analyze course-taking patterns.

61 Section 4. Paragraphs (b) and (d) of subsection (3) and
62 subsections (7) and (9) of section 1003.4282, Florida Statutes,
63 are amended to read:

64 1003.4282 Requirements for a standard high school diploma.—

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

67 (b) *Four credits in mathematics.*—A student must earn one
68 credit in Algebra I and one credit in Geometry. A student's
69 performance on the statewide, standardized Algebra I end-of-



173108

70 course (EOC) assessment constitutes 30 percent of the student's
71 final course grade. A student must pass the statewide,
72 standardized Algebra I EOC assessment, or earn a comparative
73 score, in order to earn a standard high school diploma. A
74 ~~student's performance on the statewide, standardized Geometry~~
75 ~~EOC assessment constitutes 30 percent of the student's final~~
76 ~~course grade. If the state administers a statewide, standardized~~
77 ~~Algebra II assessment, a student selecting Algebra II must take~~
78 ~~the assessment, and the student's performance on the assessment~~
79 ~~constitutes 30 percent of the student's final course grade. A~~
80 student who earns an industry certification for which there is a
81 statewide college credit articulation agreement approved by the
82 State Board of Education may substitute the certification for
83 one mathematics credit. Substitution may occur for up to two
84 mathematics credits, except for Algebra I and Geometry.

85 (d) *Three credits in social studies.*—A student must earn
86 one credit in United States History; one credit in World
87 History; one-half credit in economics, which must include
88 financial literacy; and one-half credit in United States
89 Government. ~~The United States History EOC assessment constitutes~~
90 ~~30 percent of the student's final course grade.~~

91 (7) UNIFORM TRANSFER OF HIGH SCHOOL CREDITS. ~~Beginning with~~
92 ~~the 2012-2013 school year,~~ If a student transfers to a Florida
93 public high school from out of country, out of state, a private
94 school, or a home education program and the student's transcript
95 shows a credit in Algebra I, the student must pass the
96 statewide, standardized Algebra I EOC assessment in order to
97 earn a standard high school diploma unless the student earned a
98 comparative score, passed a statewide assessment in Algebra I



173108

99 administered by the transferring entity, or passed the statewide
100 Mathematics assessment the transferring entity uses to satisfy
101 the requirements of the Elementary and Secondary Education Act,
102 20 U.S.C. s. 6301. If a student's transcript shows a credit in
103 high school reading or English Language Arts II or III, in order
104 to earn a standard high school diploma, the student must take
105 and pass the statewide, standardized grade 10 Reading assessment
106 or, when implemented, the grade 10 ELA assessment, or earn a
107 concordant score. If a transfer student's transcript shows a
108 final course grade and course credit in Algebra I ~~or, Geometry,~~
109 ~~Biology I, or United States History,~~ the transferring course
110 final grade and credit shall be honored without the student
111 taking the requisite statewide, standardized EOC assessment and
112 without the assessment result ~~results~~ constituting 30 percent of
113 the student's final course grade.

114 (9) COHORT TRANSITION TO NEW GRADUATION REQUIREMENTS.—The
115 requirements of this section, in addition to applying to
116 students entering grade 9 in the 2013-2014 school year and
117 thereafter, shall also apply to students entering grade 9 before
118 the 2013-2014 school year, except as otherwise provided in this
119 subsection.

120 (a) A student entering grade 9 before the 2010-2011 school
121 year must earn:

122 1. Four credits in English/ELA. A student must pass the
123 statewide, standardized grade 10 Reading assessment, or earn a
124 concordant score, in order to graduate with a standard high
125 school diploma.

126 2. Four credits in mathematics, which must include Algebra
127 I. A student must pass grade 10 FCAT Mathematics, or earn a



173108

128 concordant score, in order to graduate with a standard high
129 school diploma. A student who takes Algebra I ~~or Geometry~~ after
130 the 2010-2011 school year must take the statewide, standardized
131 EOC assessment for the course but is not required to pass the
132 assessment in order to earn course credit. A student's
133 performance on the Algebra I ~~or Geometry~~ EOC assessment is not
134 required to constitute 30 percent of the student's final course
135 grade. A student who earns an industry certification for which
136 there is a statewide college credit articulation agreement
137 approved by the State Board of Education may substitute the
138 certification for one mathematics credit. Substitution may occur
139 for up to two mathematics credits, except for Algebra I.

140 3. Three credits in science, two of which must have a
141 laboratory component. A student who takes Biology I after the
142 2010-2011 school year must take the statewide, standardized
143 Biology I EOC assessment but is not required to pass the
144 assessment in order to earn course credit. A student's
145 performance on the assessment is not required to constitute 30
146 percent of the student's final course grade. A student who earns
147 an industry certification for which there is a statewide college
148 credit articulation agreement approved by the State Board of
149 Education may substitute the certification for one science
150 credit.

151 4. Three credits in social studies of which one credit in
152 World History, one credit in United States History, one-half
153 credit in United States Government, and one-half credit in
154 economics are required. ~~A student who takes United States
155 History after the 2011-2012 school year must take the statewide,
156 standardized United States History EOC assessment, but the~~



157 ~~student's performance on the assessment is not required to~~
158 ~~constitute 30 percent of the student's final course grade.~~

159 5. One credit in fine or performing arts, speech and
160 debate, or practical arts as provided in paragraph (3) (e).

161 6. One credit in physical education as provided in
162 paragraph (3) (f).

163 7. Eight credits in electives.

164 (b) A student entering grade 9 in the 2010-2011 school year
165 must earn:

166 1. Four credits in English/ELA. A student must pass the
167 statewide, standardized grade 10 Reading assessment, or earn a
168 concordant score, in order to graduate with a standard high
169 school diploma.

170 2. Four credits in mathematics, which must include Algebra
171 I and Geometry. The statewide, standardized Algebra I EOC
172 assessment constitutes 30 percent of the student's final course
173 grade. A student who takes Algebra I ~~or Geometry~~ after the 2010-
174 2011 school year must take the statewide, standardized EOC
175 assessment for the course but is not required to pass the
176 assessment in order to earn course credit. ~~A student's~~
177 ~~performance on the Geometry EOC assessment is not required to~~
178 ~~constitute 30 percent of the student's final course grade.~~ A
179 student who earns an industry certification for which there is a
180 statewide college credit articulation agreement approved by the
181 State Board of Education may substitute the certification for
182 one mathematics credit. Substitution may occur for up to two
183 mathematics credits, except for Algebra I and Geometry.

184 3. Three credits in science, two of which must have a
185 laboratory component. A student who takes Biology I after the



173108

186 2010-2011 school year must take the statewide, standardized
187 Biology I EOC assessment but is not required to pass the
188 assessment in order to earn course credit. A student's
189 performance on the assessment is not required to constitute 30
190 percent of the student's final course grade. A student who earns
191 an industry certification for which there is a statewide college
192 credit articulation agreement approved by the State Board of
193 Education may substitute the certification for one science
194 credit, except for Biology I.

195 4. Three credits in social studies of which one credit in
196 World History, one credit in United States History, one-half
197 credit in United States Government, and one-half credit in
198 economics are required. ~~A student who takes United States
199 History after the 2011-2012 school year must take the statewide,
200 standardized United States History EOC assessment, but the
201 student's performance on the assessment is not required to
202 constitute 30 percent of the student's final course grade.~~

203 5. One credit in fine or performing arts, speech and
204 debate, or practical arts as provided in paragraph (3)(e).

205 6. One credit in physical education as provided in
206 paragraph (3)(f).

207 7. Eight credits in electives.

208 (c) A student entering grade 9 in the 2011-2012 school year
209 must earn:

210 1. Four credits in English/ELA. A student must pass the
211 statewide, standardized grade 10 Reading assessment, or earn a
212 concordant score, in order to graduate with a standard high
213 school diploma.

214 2. Four credits in mathematics, which must include Algebra



173108

215 I and Geometry. A student who takes Algebra I after the 2010-
216 2011 school year must pass the statewide, standardized Algebra I
217 EOC assessment, or earn a comparative score, in order to earn a
218 standard high school diploma. A student who takes Algebra I ~~or~~
219 ~~Geometry~~ after the 2010-2011 school year must take the
220 statewide, standardized EOC assessment but is not required to
221 pass the Algebra I ~~or Geometry~~ EOC assessment in order to earn
222 course credit. A student's performance on the Algebra I ~~or~~
223 ~~Geometry~~ EOC assessment is not required to constitute 30 percent
224 of the student's final course grade. A student who earns an
225 industry certification for which there is a statewide college
226 credit articulation agreement approved by the State Board of
227 Education may substitute the certification for one mathematics
228 credit. Substitution may occur for up to two mathematics
229 credits, except for Algebra I and Geometry.

230 3. Three credits in science, two of which must have a
231 laboratory component. One of the science credits must be Biology
232 I. A student who takes Biology I after the 2010-2011 school year
233 must take the statewide, standardized Biology I EOC assessment
234 but is not required to pass the assessment in order to earn
235 course credit. A student's performance on the assessment is not
236 required to constitute 30 percent of the student's final course
237 grade. A student who earns an industry certification for which
238 there is a statewide college credit articulation agreement
239 approved by the State Board of Education may substitute the
240 certification for one science credit, except for Biology I.

241 4. Three credits in social studies of which one credit in
242 World History, one credit in United States History, one-half
243 credit in United States Government, and one-half credit in



173108

244 economics are required. ~~A student who takes United States~~
245 ~~History after the 2011-2012 school year must take the statewide,~~
246 ~~standardized United States History EOC assessment, but the~~
247 ~~student's performance on the assessment is not required to~~
248 ~~constitute 30 percent of the student's final course grade.~~

249 5. One credit in fine or performing arts, speech and
250 debate, or practical arts as provided in paragraph (3)(e).

251 6. One credit in physical education as provided in
252 paragraph (3)(f).

253 7. Eight credits in electives.

254 8. One online course as provided in subsection (4).

255 (d) A student entering grade 9 in the 2012-2013 school year
256 must earn:

257 1. Four credits in English/ELA. A student must pass the
258 statewide, standardized grade 10 Reading assessment, or earn a
259 concordant score, in order to graduate with a standard high
260 school diploma.

261 2. Four credits in mathematics, which must include Algebra
262 I and Geometry. A student who takes Algebra I after the 2010-
263 2011 school year must pass the statewide, standardized Algebra I
264 EOC assessment, or earn a comparative score, in order to earn a
265 standard high school diploma. ~~A student who takes Geometry after~~
266 ~~the 2010-2011 school year must take the statewide, standardized~~
267 ~~Geometry EOC assessment.~~ A student is not required to pass the
268 statewide, standardized EOC assessment in Algebra I ~~or Geometry~~
269 in order to earn course credit. A student's performance on the
270 Algebra I ~~or Geometry~~ EOC assessment is not required to
271 constitute 30 percent of the student's final course grade. A
272 student who earns an industry certification for which there is a



173108

273 statewide college credit articulation agreement approved by the
274 State Board of Education may substitute the certification for
275 one mathematics credit. Substitution may occur for up to two
276 mathematics credits, except for Algebra I and Geometry.

277 3. Three credits in science, two of which must have a
278 laboratory component. One of the science credits must be Biology
279 I. A student who takes Biology I after the 2010-2011 school year
280 must take the statewide, standardized Biology I EOC assessment
281 but is not required to pass the assessment to earn course
282 credit. A student's performance on the assessment is not
283 required to constitute 30 percent of the student's final course
284 grade. A student who earns an industry certification for which
285 there is a statewide college credit articulation agreement
286 approved by the State Board of Education may substitute the
287 certification for one science credit, except for Biology I.

288 4. Three credits in social studies of which one credit in
289 World History, one credit in United States History, one-half
290 credit in United States Government, and one-half credit in
291 economics are required. ~~The statewide, standardized United~~
292 ~~States History EOC assessment constitutes 30 percent of the~~
293 ~~student's final course grade.~~

294 5. One credit in fine or performing arts, speech and
295 debate, or practical arts as provided in paragraph (3)(e).

296 6. One credit in physical education as provided in
297 paragraph (3)(f).

298 7. Eight credits in electives.

299 8. One online course as provided in subsection (4).

300 (e) Policy adopted in rule by the district school board may
301 require for any cohort of students that performance on a



173108

302 statewide, standardized EOC assessment constitute 30 percent of
303 a student's final course grade.

304 (f) This subsection is repealed July 1, 2020.

305 Section 5. Paragraph (a) of subsection (1) of section
306 1003.4285, Florida Statutes, is amended to read:

307 1003.4285 Standard high school diploma designations.—

308 (1) Each standard high school diploma shall include, as
309 applicable, the following designations if the student meets the
310 criteria set forth for the designation:

311 (a) *Scholar designation.*—In addition to the requirements of
312 s. 1003.4282, in order to earn the Scholar designation, a
313 student must satisfy the following requirements:

314 1. Mathematics.—Earn one credit in Algebra II and one
315 credit in statistics or an equally rigorous course. ~~Beginning~~
316 ~~with students entering grade 9 in the 2014-2015 school year,~~
317 ~~pass the Algebra II and Geometry statewide, standardized~~
318 ~~assessments.~~

319 2. Science.—Pass the statewide, standardized Biology I EOC
320 assessment and earn one credit in chemistry or physics and one
321 credit in a course equally rigorous to chemistry or physics.
322 However, a student enrolled in an Advanced Placement (AP),
323 International Baccalaureate (IB), or Advanced International
324 Certificate of Education (AICE) Biology course who takes the
325 respective AP, IB, or AICE Biology assessment and earns the
326 minimum score necessary to earn college credit as identified
327 pursuant to s. 1007.27(2) meets the requirement of this
328 subparagraph without having to take the statewide, standardized
329 Biology I EOC assessment.

330 3. Social studies.—~~Pass the statewide, standardized United~~



173108

331 ~~States History EOC assessment. However,~~ A student enrolled in an
332 AP, IB, or AICE course that includes United States History
333 topics who takes the respective AP, IB, or AICE assessment and
334 earns the minimum score necessary to earn college credit as
335 identified pursuant to s. 1007.27(2) meets the requirement of
336 this subparagraph ~~without having to take the statewide,~~
337 ~~standardized United States History EOC assessment.~~

338 4. Foreign language.—Earn two credits in the same foreign
339 language.

340 5. Electives.—Earn at least one credit in an Advanced
341 Placement, an International Baccalaureate, an Advanced
342 International Certificate of Education, or a dual enrollment
343 course.

344 Section 6. Paragraphs (b), (d), (e), and (g) of subsection
345 (3) and paragraphs (a) and (e) of subsection (7) of section
346 1008.22, Florida Statutes, are amended to read:

347 1008.22 Student assessment program for public schools.—

348 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
349 Commissioner of Education shall design and implement a
350 statewide, standardized assessment program aligned to the core
351 curricular content established in the Next Generation Sunshine
352 State Standards. The commissioner also must develop or select
353 and implement a common battery of assessment tools that will be
354 used in all juvenile justice education programs in the state.
355 These tools must accurately measure the core curricular content
356 established in the Next Generation Sunshine State Standards.
357 Participation in the assessment program is mandatory for all
358 school districts and all students attending public schools,
359 including adult students seeking a standard high school diploma



360 under s. 1003.4282 and students in Department of Juvenile
361 Justice education programs, except as otherwise provided by law.
362 If a student does not participate in the assessment program, the
363 school district must notify the student's parent and provide the
364 parent with information regarding the implications of such
365 nonparticipation. The statewide, standardized assessment program
366 shall be designed and implemented as follows:

367 (b) Algebra I and Biology I End-of-course (EOC)
368 assessments.—The Algebra I and Biology I EOC assessments must be
369 statewide, standardized, and developed or approved by the
370 Department of Education. ~~as follows:~~

371 1. EOC assessments for Algebra I ~~and, Geometry, Algebra II,~~
372 ~~Biology I, United States History, and Civics~~ shall be
373 administered to students enrolled in such courses as specified
374 in the course code directory.

375 2. Students enrolled in Algebra I and Biology I ~~a course,~~
376 ~~as specified in the course code directory,~~ with an associated
377 ~~statewide, standardized EOC assessment~~ must take the EOC
378 assessment for such course and may not take the corresponding
379 subject or grade-level statewide, standardized assessment
380 pursuant to paragraph (a). Sections 1003.4156 and 1003.4282
381 govern the use of statewide, standardized EOC assessment results
382 for students.

383 3. The commissioner may select one or more nationally
384 developed comprehensive examinations, which may include
385 examinations for a College Board Advanced Placement course,
386 International Baccalaureate course, or Advanced International
387 Certificate of Education course, or industry-approved
388 examinations to earn national industry certifications identified



173108

389 in the CAPE Industry Certification Funding List, for use as the
390 Algebra I and Biology I EOC assessments under this paragraph if
391 the commissioner determines that the content knowledge and
392 skills assessed by the examinations meet or exceed the grade-
393 level expectations for the core curricular content established
394 for Algebra I and Biology I ~~the course~~ in the Next Generation
395 Sunshine State Standards. Use of any such examination as an EOC
396 assessment must be approved by the state board in rule.

397 ~~4. Contingent upon funding provided in the General~~
398 ~~Appropriations Act, including the appropriation of funds~~
399 ~~received through federal grants, the commissioner may establish~~
400 ~~an implementation schedule for the development and~~
401 ~~administration of additional statewide, standardized EOC~~
402 ~~assessments that must be approved by the state board in rule. If~~
403 ~~approved by the state board, student performance on such~~
404 ~~assessments constitutes 30 percent of a student's final course~~
405 ~~grade.~~

406 ~~4.5. The Algebra I and Biology I All statewide,~~
407 ~~standardized EOC assessments must be administered online except~~
408 ~~as otherwise provided in paragraph (c).~~

409 (d) *Implementation schedule.*—

410 1. The Commissioner of Education shall establish and
411 publish on the department's website an implementation schedule
412 to transition from the statewide, standardized Reading and
413 Writing assessments to the ELA assessments and to the revised
414 Mathematics assessments, including the Algebra I and ~~Geometry~~
415 EOC assessment ~~assessments~~. The schedule must take into
416 consideration funding, sufficient field and baseline data,
417 access to assessments, instructional alignment, and school



173108

418 district readiness to administer the assessments online. All
419 such assessments must be delivered through computer-based
420 testing, however, the following assessments must be delivered in
421 a computer-based format, as follows: the grade 3 ELA assessment,
422 beginning in the 2017-2018 school year; the grade 3 Mathematics
423 assessment beginning in the 2016-2017 school year; the grade 4
424 ELA assessment, beginning in the 2015-2016 school year; and the
425 grade 4 Mathematics assessment, beginning in the 2016-2017
426 school year.

427 2. The Department of Education shall publish minimum and
428 recommended technology requirements that include specifications
429 for hardware, software, networking, security, and broadband
430 capacity to facilitate school district compliance with the
431 requirement that assessments be administered online.

432 (e) *Assessment scores and achievement levels.*—

433 1. The All statewide, standardized Algebra I EOC assessment
434 ~~assessments~~ and ELA, Mathematics, and Science assessments shall
435 use scaled scores and achievement levels. Achievement levels
436 shall range from 1 through 5, with level 1 being the lowest
437 achievement level, level 5 being the highest achievement level,
438 and level 3 indicating satisfactory performance on an
439 assessment.

440 2. The state board shall designate by rule a passing score
441 for each statewide, standardized assessment.

442 3. If the commissioner seeks to revise a statewide,
443 standardized assessment and the revisions require the state
444 board to modify performance level scores, including the passing
445 score, the commissioner shall provide a copy of the proposed
446 scores and implementation plan to the President of the Senate



173108

447 and the Speaker of the House of Representatives at least 90 days
448 before submission to the state board for review. Until the state
449 board adopts the modifications by rule, the commissioner shall
450 use calculations for scoring the assessment that adjust student
451 scores on the revised assessment for statistical equivalence to
452 student scores on the former assessment. The state board shall
453 adopt by rule the passing score for the revised assessment that
454 is statistically equivalent to the passing score on the
455 discontinued assessment for a student who is required to attain
456 a passing score on the discontinued assessment. The commissioner
457 may, with approval of the state board, discontinue
458 administration of the former assessment upon the graduation,
459 based on normal student progression, of students participating
460 in the final regular administration of the former assessment. If
461 the commissioner revises a statewide, standardized assessment
462 and the revisions require the state board to modify the passing
463 score, only students taking the assessment for the first time
464 after the rule is adopted are affected.

465 (g) *Contracts for assessments.*—

466 1. The commissioner shall provide for the assessments to be
467 developed or obtained, as appropriate, through contracts and
468 project agreements with private vendors, public vendors, public
469 agencies, postsecondary educational institutions, or school
470 districts.

471 2. The commissioner may enter into contracts for the
472 continued administration of the assessments authorized and
473 funded by the Legislature. Contracts may be initiated in 1
474 fiscal year and continue into the next fiscal year and may be
475 paid from the appropriations of either or both fiscal years. The



173108

476 commissioner may negotiate for the sale or lease of tests,
477 scoring protocols, test scoring services, and related materials
478 developed pursuant to law.

479 ~~3.2.~~ A student's performance results on statewide,
480 standardized assessments, Algebra I and Biology I EOC
481 assessments, and Florida Alternative Assessments administered
482 pursuant to this subsection must be provided to the student's
483 teachers and parents by the end of the school year, unless the
484 commissioner determines that extenuating circumstances exist and
485 reports the extenuating circumstances to the State Board of
486 Education and to school districts. This subparagraph does not
487 apply to existing contracts for such assessments, but applies
488 ~~shall apply~~ to new contracts and any renewal of existing
489 contracts for such assessments.

490 ~~4.3.~~ If liquidated damages are applicable, the department
491 shall collect liquidated damages that are due in response to the
492 administration of the spring 2015 computer-based assessments of
493 the department's Florida Standards Assessment contract with
494 American Institutes for Research, and expend the funds to
495 reimburse parties that incurred damages.

496 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

497 (a) The Commissioner of Education shall establish schedules
498 for the administration of statewide, standardized assessments
499 and the reporting of student assessment results. The
500 commissioner shall consider the observance of religious and
501 school holidays when developing the schedules. The assessment
502 and reporting schedules must provide the earliest possible
503 reporting of student assessment results to the school districts,
504 consistent with the requirements of paragraph (3)(g). Assessment



173108

505 results for the statewide, standardized ELA and Mathematics
506 assessments and the all statewide, standardized Algebra I and
507 Biology I EOC assessments must be made available no later than
508 the week of June 8, except for results of assessments
509 administered in the 2014-2015 school year. School districts
510 shall administer statewide, standardized assessments in
511 accordance with the schedule established by the commissioner.

512 (e) The Algebra I and Biology I ~~A statewide, standardized~~
513 EOC assessments ~~assessment~~ must be used as the final cumulative
514 examination for its associated course. No additional final
515 assessment may be administered in an Algebra I or Biology I ~~a~~
516 ~~course with a statewide, standardized EOC assessment~~. A
517 district-required local assessment may be used as the final
518 cumulative examination for its associated course in accordance
519 with the school district's policy.

520
521 ===== T I T L E A M E N D M E N T =====

522 And the title is amended as follows:

523 Delete line 19

524 and insert:

525 assessment results; amending s. 1003.4156, F.S.;

526 revising the mathematics and social studies

527 requirements for student promotion to high school and

528 for certain high school credits; amending s.

529 1003.4282, F.S.; revising the requirements for a

530 standard high school diploma; deleting provisions

531 requiring a student or transfer student to take a

532 statewide, standardized Algebra II assessment or a

533 Geometry or United States History end-of-course (EOC)



173108

534 assessment; amending s. 1003.4285, F.S.; revising the
535 standard high school diploma designation requirements
536 for mathematics and social studies; amending s.
537 1008.22, F.S.; deleting requirements that a student
538 take an EOC assessment in Geometry, Algebra II, United
539 States History, or Civics; deleting a provision
540 authorizing the commissioner to establish a schedule
541 for the development and administration of additional
542 statewide, standardized EOC assessments; providing an
543 effective date.



521886

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with title amendment)

Between lines 167 and 168

insert:

Section 3. Paragraph (c) of subsection (1), paragraph (a) of subsection (3), and subsections (7), (8), and (9) of section 1012.34, Florida Statutes, are amended to read:

1012.34 Personnel evaluation procedures and criteria.—

(1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

(c) Annually, by February 1, the Commissioner of Education shall publish on the department's website ~~the status of each~~



521886

12 school district's instructional personnel and school
13 administrator evaluation systems. This information must include:

14 ~~1.~~ performance evaluation results for the prior school year
15 for instructional personnel and school administrators using the
16 four levels of performance specified in paragraph (2) (e). The
17 performance evaluation results for instructional personnel shall
18 be disaggregated by classroom teachers, as defined in s.
19 1012.01(2) (a), excluding substitute teachers, and all other
20 instructional personnel, as defined in s. 1012.01(2) (b)-(d).

21 ~~2. An analysis that compares performance evaluation results~~
22 ~~calculated by each school district to indicators of performance~~
23 ~~calculated by the department using the standards for performance~~
24 ~~levels adopted by the state board under subsection (8).~~

25 ~~3. Data reported under s. 1012.341.~~

26 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
27 personnel and school administrator performance evaluations must
28 be based upon the performance of students assigned to their
29 classrooms or schools, as provided in this section. Pursuant to
30 this section, a school district's performance evaluation system
31 is not limited to basing unsatisfactory performance of
32 instructional personnel and school administrators solely upon
33 student performance, but may include other criteria to evaluate
34 instructional personnel and school administrators' performance,
35 or any combination of student performance and other criteria.
36 Evaluation procedures and criteria must comply with, but are not
37 limited to, the following:

38 (a) A performance evaluation must be conducted for each
39 employee at least once a year, except that a classroom teacher,
40 as defined in s. 1012.01(2) (a), excluding substitute teachers,



521886

41 who is newly hired by the district school board must be observed
42 and evaluated at least twice in the first year of teaching in
43 the school district. The performance evaluation must be based
44 upon sound educational principles and contemporary research in
45 effective educational practices. The evaluation criteria must
46 include:

47 1. Performance of students.—At least one-third of a
48 performance evaluation must be based upon data and indicators of
49 student performance, as determined by each school district in
50 ~~accordance with subsection (7).~~ This portion of the evaluation
51 must include growth or achievement data of the teacher's
52 students or, for a school administrator, the students attending
53 the school over the course of at least 3 years. If less than 3
54 years of data are available, the years for which data are
55 available must be used. The proportion of growth or achievement
56 data may be determined by instructional assignment.

57 2. Instructional practice.—For instructional personnel, at
58 least one-third of the performance evaluation must be based upon
59 instructional practice. Evaluation criteria used when annually
60 observing classroom teachers, as defined in s. 1012.01(2)(a),
61 excluding substitute teachers, must include indicators based
62 upon each of the Florida Educator Accomplished Practices adopted
63 by the State Board of Education. For instructional personnel who
64 are not classroom teachers, evaluation criteria must be based
65 upon indicators of the Florida Educator Accomplished Practices
66 and may include specific job expectations related to student
67 support.

68 3. Instructional leadership.—For school administrators, at
69 least one-third of the performance evaluation must be based on



521886

70 instructional leadership. Evaluation criteria for instructional
71 leadership must include indicators based upon each of the
72 leadership standards adopted by the State Board of Education
73 under s. 1012.986, including performance measures related to the
74 effectiveness of classroom teachers in the school, the
75 administrator's appropriate use of evaluation criteria and
76 procedures, recruitment and retention of effective and highly
77 effective classroom teachers, improvement in the percentage of
78 instructional personnel evaluated at the highly effective or
79 effective level, and other leadership practices that result in
80 student learning growth. The system may include a means to give
81 parents and instructional personnel an opportunity to provide
82 input into the administrator's performance evaluation.

83 4. Other indicators of performance.—For instructional
84 personnel and school administrators, the remainder of a
85 performance evaluation may include, but is not limited to,
86 professional and job responsibilities as recommended by the
87 State Board of Education or identified by the district school
88 board and, for instructional personnel, peer reviews,
89 objectively reliable survey information from students and
90 parents based on teaching practices that are consistently
91 associated with higher student achievement, and other valid and
92 reliable measures of instructional practice.

93 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

94 (a) The Commissioner of Education may develop ~~shall approve~~
95 a formula to measure individual student learning growth on the
96 statewide, standardized assessments in English Language Arts and
97 mathematics administered under s. 1008.22. The formula must take
98 into consideration each student's prior academic performance.



521886

99 The formula must not set different expectations for student
100 learning growth based upon a student's gender, race, ethnicity,
101 or socioeconomic status. In the development of the formula, the
102 commissioner shall consider other factors such as a student's
103 attendance record, disability status, or status as an English
104 language learner. The commissioner may select additional
105 formulas to measure student performance as appropriate for the
106 remainder of the statewide, standardized assessments included
107 under s. 1008.22 and continue to select formulas as new
108 assessments are implemented in the state system. ~~After the~~
109 ~~commissioner approves the formula to measure individual student~~
110 ~~learning growth, the State Board of Education shall adopt these~~
111 ~~formulas in rule.~~

112 (b) Each school district may, but is not required to, shall
113 measure student learning growth using the formulas developed
114 ~~approved~~ by the commissioner under paragraph (a) ~~and the~~
115 ~~standards for performance levels adopted by the state board~~
116 ~~under subsection (8) for courses associated with the statewide,~~
117 ~~standardized assessments administered under s. 1008.22 no later~~
118 ~~than the school year immediately following the year the formula~~
119 ~~is approved by the commissioner. For grades and subjects not~~
120 ~~assessed by statewide, standardized assessments, each school~~
121 ~~district shall measure student performance using a methodology~~
122 ~~determined by the district.~~

123 (8) RULEMAKING. ~~No later than August 1, 2015,~~ The State
124 Board of Education shall adopt rules pursuant to ss. 120.536(1)
125 and 120.54 which establish uniform procedures and format for the
126 submission, review, and approval of district evaluation systems
127 and reporting requirements for the annual evaluation of



521886

128 instructional personnel and school administrators; ~~specific,~~
129 ~~discrete standards for each performance level required under~~
130 ~~subsection (2), based on student learning growth models approved~~
131 ~~by the commissioner, to ensure clear and sufficient~~
132 ~~differentiation in the performance levels and to provide~~
133 ~~consistency in meaning across school districts; the measurement~~
134 ~~of student learning growth and associated implementation~~
135 ~~procedures required under subsection (7); and a process for~~
136 ~~monitoring school district implementation of evaluation systems~~
137 ~~in accordance with this section.~~

138 ~~(9) TRANSITION TO NEW STATEWIDE, STANDARDIZED ASSESSMENTS.—~~
139 ~~Standards for each performance level required under subsection~~
140 ~~(2) shall be established by the State Board of Education~~
141 ~~beginning with the 2015-2016 school year.~~

142
143 ===== T I T L E A M E N D M E N T =====

144 And the title is amended as follows:

145 Delete line 19

146 and insert:

147 assessment results; amending s. 1012.34, F.S.;

148 revising personnel evaluation procedures and criteria;

149 authorizing the commissioner to develop a formula for

150 measuring student learning growth on specified

151 statewide, standardized assessments, rather than

152 requiring the commissioner to approve such a formula;

153 authorizing, rather than requiring, a school district

154 to use certain formulas developed by the commissioner;

155 providing an effective date.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/2017
Meeting Date

926
Bill Number (if applicable)

Topic Assessments

Support Simmons
Amendment Barcode (if applicable)
Amendments

Name Joy Frank

Job Title General Counsel

Address 208 S. Monroe St.

Phone 850-577-5784

Street

Tall.

FL

32301

City

State

Zip

Email JFRANK@FLASS.org

Speaking: For Against Information

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

Representing FLA Association of District School Superintendents

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

926
Bill Number (if applicable)

Topic Student ~~Assessments~~ Assessments

Amendment Barcode (if applicable) _____

Name KEITH O FLAUF

Job Title Student Advocate

Address 1390 Quaker Ct

Phone 239-250-3320

Street

Mario Isidra FL 34145

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing FLCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

SB 926

Bill Number (if applicable)

Topic Assessment

Amendment Barcode (if applicable)

Name Dennis McDonald

Job Title Citizen advocate

Address P.O. Box 1232

Phone 386-852-9016

Street

Flagler Beach

City

FL

State

32136

Zip

Email dmcDonald67@gmail.com

Speaking: For Against Information

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

Representing FLCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

8926

Bill Number (if applicable)

Topic Assessment

Amendment Barcode (if applicable)

Name Janet McDonald

Job Title Flagler County School Board member

Address P.O. Box 1232

Phone 386-852-9014

Street

Flagler Beach FL 32136

City

State

Zip

Email mcdonaldj@flaglerschools.com

Speaking: For Against Information

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

Representing Flagler Students

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

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)

3-27-17

Meeting Date

SB 926

Bill Number (if applicable)

Topic Fewer Testing

Amendment Barcode (if applicable)

Name Faith DeVault

Job Title Student

Address 4320 Woodside Manor Drive

Phone 813-481-9524

Street

Tampa,

City

FL

State

33624

Zip

Email henrayray9@gmail.com

Speaking: For Against Information

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

Representing Florida PTA - Student Involvement

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17
Meeting Date

Topic E Assessments

Bill Number 926
(if applicable)

Name Catherine Baer

Amendment Barcode _____
(if applicable)

Job Title Chair

Address 1421 Woodgate Way
Street
Tallahassee FL 32308
City State Zip

Phone 850-345-1114

E-mail flybaer@gmail.com

Speaking: For Against Information

Representing The Tea Party Network

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 924

Bill Number (if applicable)

Topic Fewer Better Tests

Amendment Barcode (if applicable)

Name Shan Golf

Job Title Fla. Policy Director

Address 915 S Monroe St

Phone 5946138

Tall, Fla. 32201

Email

Speaking: [] For [] Against [] Information

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

Representing Foundation for Fla's Future

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

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

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

Topic Assessments

Bill Number 926
(if applicable)

Name Beth Overholt

Amendment Barcode _____
(if applicable)

Job Title Opt Out lead

Address 4130 Faulkner Lane
Street

Phone 728-0587

Tallahassee FL 32311
City State Zip

E-mail overholtbetha@gmail.com

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

March 27 2017
Meeting Date

Topic Assessments

Bill Number SB 926

Name Marie-Claire Leman

Amendment Barcode _____
(if applicable)

Job Title _____

(if applicable)

Address 1911 Wakahaw
Street

Phone 850-728-7514

Tallahassee FL 32301
City State Zip

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

926

Bill Number (if applicable)

Topic Testing - Student Assessments

Amendment Barcode (if applicable)

Name Cathy Boehme

Job Title Legislative Specialist,

Address 213 S. Adams St.
Street

Phone 850-224-7800

Tallahassee, FL
City State

32327
Zip

Email Cathy.boehme@floridaea.org

Speaking: For Against Information

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

Representing Florida Education Association

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

3-27-17

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

Meeting Date

Topic Testing

Bill Number 926
(if applicable)

Name Dr. Sally Butzin

Amendment Barcode _____
(if applicable)

Job Title Retired Educator

Address 1628 Woodgate Way

Phone 850-728-1097

Tallahassee FL 32308
City State Zip

E-mail sally.butzin@gmail.com

Speaking: For Against Information

Representing children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

926

Bill Number (if applicable)

Topic Assessments

Amendment Barcode (if applicable)

Name Kim Williams

Job Title Records Technician

Address 653 Markim Road

Phone 421-6282 (850)

Street

Tallahassee FL

32305

Email WMS518@emberguy.com

City

State

Zip

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17
Meeting Date

926
Bill Number (if applicable)

Topic Senate bill 926 - Fewer, Better Tasty

Amendment Barcode (if applicable)

Name Margie Viera

Job Title Parent

Address Street

Phone 407-800-3934

Orlando
City State Zip

Email

Speaking: For Against Information

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

Representing Private Citizen

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

920

Bill Number (if applicable)

Topic K-12 Student Assessment

Amendment Barcode (if applicable)

Name Kelly Quintero

Job Title legislative advocate

Address 870 Beverly Ct

Phone 772 204 1792

Street

tallahassee FL

32301

City

State

Zip

Email lwrfadvocacy@gmail.com

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

Waive Speaking: [X] In Support [] Against

(The Chair will read this information into the record.)

Representing League of Women Voters of Florida

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

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

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

Topic VAM

Bill Number SB 926
(if applicable)

Name KAREN EFFREM, MD

Amendment Barcode 52 886
(if applicable)

Job Title EXEC DIRECTOR - FL STOP COMMON CORE COALITION

Address 116 COURSEY DR SE
Street

Phone _____

PORT CHARLOTTE FL 33952
City State Zip

E-mail dkaren@flstopcccoalition.org

Speaking: For Against Information

Representing FL STOP COMMON CORE COALITION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

March 27 2017
Meeting Date

SB 926
Bill Number (if applicable)
521886
Amendment Barcode (if applicable)

Topic Teacher evaluations

Name Marie-Claire Leman

Job Title

Address 1911 Wahalaaw Ct
Street
Tallahassee FL 32301
City State Zip

Phone 850 728 7514

Email

Speaking: [X] 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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-27-17

Meeting Date

926

Bill Number (if applicable)

521886

Amendment Barcode (if applicable)

Topic Student Assessments-VAM

Name Wendy Dodge

Job Title Director of legislative Affairs

Address PO Box 391

Street

Phone 863-838-3632

Bartow FL 33831

City

State

Zip

Email wendy.dodge@public.fl.gov

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

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

Representing _____

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

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

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

3-27-17

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

Meeting Date

Topic Assessments VAM

Bill Number 926

Name Catherine Baer

Amendment Barcode 521886
(if applicable)

Job Title Chair

(if applicable)

Address 1421 Woodgate Way

Phone 850-345-1114

Street

Tallahassee FL 32308

City

State

Zip

E-mail flybaer@gmail.com

Speaking: For Against Information

Representing The Tea Party Network

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-14

Meeting Date

926

Bill Number (if applicable)

512972

Amendment Barcode (if applicable)

Topic Assessments

Name Catherine Baer

Job Title Chair

Address 1421 Woodgate Way

Street

Tallahassee

City

FL

State

32308

Zip

Phone 850-345-1114

Email flybaer@gmail.com

Speaking: For Against Information

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

Representing The Tea Party Network

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)

March 27 2017
Meeting Date

SB 926
Bill Number (if applicable)

512972
Amendment Barcode (if applicable)

Topic Assessments

Name Marie-Claire Leman

Job Title _____

Address 1911 Wahalaw ct
Street

Phone 850 728-7514

Tallahassee 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 _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17 Meeting Date

Topic Assessment

Bill Number 926 (if applicable)

Name Beth Overholt

Amendment Barcode 512972 (if applicable)

Job Title Opt Out Leon

Address 4130 Faulkner Lane Street

Phone 728-0587

Tallahassee, FL 32311 City State Zip

E-mail Overholtbeth2@gmail.com

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

Waive in support

Representing

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

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

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17
Meeting Date

926
Bill Number (if applicable)
512972
Amendment Barcode (if applicable)

Topic Assessment

Name Kim Williams

Job Title Records Technician

Address 653 Markim Road
Street

Phone 421-6282 850

Tallahassee FL 32305
City State Zip

Email WMS518@embargmail.com

Speaking: For Against Information

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

Representing Parents

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/16
Meeting Date

Topic PROFICIENCY

Bill Number SB 926
(if applicable)

Name KAREN R EFFROM, MD

Amendment Barcode 512972
(if applicable)

Job Title EXPL. DIR.

Address 116 CAUSLEY DR SE

Phone 763-458-7119

Street

PORT CHARLOTTE FL 33952

City

State

Zip

E-mail dockaron@flstop
cccoalition.org

Speaking: For Against Information

Representing FL STOP COMMON CORE COALITION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17
Meeting Date

SB 926
Bill Number (if applicable)

Also 654648
Amendment Barcode (if applicable)

Topic Testing

Name Nancy Stacy (for Florida Coalition of School Bd. Members)

Job Title Director

Address 113 S. Monroe St #101

Phone 850-391-0421

Tallahassee, FL City State 32301 Zip

Email info@FCSBM.org

Speaking: For Against Information

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

Representing Florida Coalition of School Bd. Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

Meeting Date

926
Bill Number (if applicable)

Topic Student Assessment

~~Don't know~~
Amendment Barcode (if applicable)

Name Keith Flaugh

654648
747760

Job Title Citizen Advocate

Address 1390 Quanta Ct

Phone 239-250-3320

Street

Marco Island FL 3414

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27

Meeting Date

926

Bill Number (if applicable)

578028

Amendment Barcode (if applicable)

Topic Paper - Pencil Testing

Name Mindy Taylor

Job Title VP Advocacy HCC PTA

Address 3304 W. Wallcraft Ave.

Street

Phone 813-230-1979

Tampa

City

FL

State

33611

Zip

Email mindy.taylor@diver.com

Speaking: For Against Information

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

Representing Hillsborough County Council PTA/PTSA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

926

Bill Number (if applicable)

578028

Amendment Barcode (if applicable)

Topic Paper and pencil testing

Name Nancy Lawther

Job Title

Address 9140 SW 59 Ave.

Street

Phone 305 607 3837

Miami FL 33156

City

State

Zip

Email nlawther@gmail.com

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

926

Bill Number (if applicable)

578028

Amendment Barcode (if applicable)

Topic Assessment Pencil + Paper

Name Kim L Williams

Job Title Records Technician

Address PO Box 10393 / 653 Markim Road

Street

Phone 421-6282

Tallahassee

FL

32305

Email wms518@emborgmail.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing Parents

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

Topic Assessment Pencil + Paper

Bill Number 924
(if applicable)

Name Beth Overholt

Amendment Barcode 578028
(if applicable)

Job Title Opt Out Leon

Address 4130 Faulkner

Phone 728-0587

Tally
City

FL
State

32311
Zip

E-mail overholtbeth2@gmail.com

Speaking: For Against Information

voice in Support

Representing Parents / Opt Out

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

March 27 2017
Meeting Date

Topic Allowing paper + pencil administration of
assessments
Name Marie-Claire Leman

Bill Number SB 926
(if applicable)
Amendment Barcode 578028
(if applicable)

Job Title _____

Address 1911 Wahalaaw Ct
Street
Tallahassee FL 32301
City State Zip

Phone 850 728 7514

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

Topic Assessments

Bill Number 926

Name Catherine Baer

Amendment Barcode 578028
(if applicable)

Job Title _____

Address 1421 Woodgate Way

Phone 850-345-1114

Tallahassee FL 32305
Street City State Zip

E-mail flybaer@gmail.com

Speaking: For Against Information

Representing The Tea Party Network

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

3/27/2017

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

926

Bill Number (if applicable)

173108

Amendment Barcode (if applicable)

Topic EOC exam high-stakes

Name Nancy Lawther

Job Title _____

Address 9140 SW 59 Ave.

Street

Phone 305 607 3837

Miami FL 33156

City

State

Zip

Email nlawther@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

926
Bill Number (if applicable)
173108
Amendment Barcode (if applicable)

Topic Assessment

Name Kim Williams

Job Title Records Technician

Address 653 Markim Road

Phone 421-6282

Street

Tallahassee

FL

32305

City

State

Zip

Email WMS518@ewoburgmail.com

Speaking: For Against Information

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

Representing Parent(s)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17
Meeting Date

926
Bill Number (if applicable)

173108
Amendment Barcode (if applicable)

Topic Assessment

Name Beth Overholt

Job Title Opt Out Leon

Address 4130 Faulkner Lane

Phone 728-0587

Street

Tallahassee FL 32311

City

State

Zip

Email overholtbetha@gmail.com

Speaking: For Against Information

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

Representing Out Of

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

March 27 2017
Meeting Date

SB 926
Bill Number (if applicable)

~~1730~~ 173108
Amendment Barcode (if applicable)

Topic _____

Name Marie-Claire Leman

Job Title _____

Address 1911 Wahalaw Ct
Street

Phone 850 728-7514

Tallahassee 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 _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

Topic ~~Catherine Baer Assessments~~

Bill Number 926
(if applicable)

Name Catherine Baer

Amendment Barcode 173108
(if applicable)

Job Title Chair

Address 1421 Woodgate Way

Phone _____

Tallahassee Fl 32308
City State Zip

E-mail _____

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/16
Meeting Date

Topic EOC

Bill Number SB 926
(if applicable)

Name KARON R. EFFROM, MD

Amendment Barcode 173108
(if applicable)

Job Title EXEC. DIRECTOR

Address 116 COUSLEY DR SE

Phone 763-458-7119

Street
PO BOX CARLOTTO FL 33952
City State Zip

E-mail doekaren@flstopcccoalition.org

Speaking: For Against Information

Representing FL STOP COMMON COEG COALITION

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

1262
SB 13

Bill Number (if applicable)

Topic High Impact Charter

Amendment Barcode (if applicable)

Name Alexandra Dominguez

Job Title _____

Address 215 South Morse

Phone _____

Street

Tall, Fl. 32201

Email _____

City

State

Zip

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-27-17
Meeting Date

538
Bill Number (if applicable)

Topic SB 538

Amendment Barcode (if applicable)

Name Andrew Watt

Job Title Director of legislative Affairs

Address 3300 forest Hill Blvd

Phone 561-951-1139

Street
west Palm Beach FL 33406
City State Zip

Email Andrew.Watt@PalmBeachSchools.org

Speaking: For Against Information

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

Representing School District of Palm Beach County

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

1556

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Amber Kelly

Job Title Director of Policy & Communications

Address 4853 S. Orange Avenue

Phone (407) 418-0250

Street

Orlando

City

FL

State

32806

Zip

Email _____

Speaking: For Against Information

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

Representing FL Family Action

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

3-27-17

Meeting Date

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

1572

Bill Number (if applicable)

Topic Education Savings Accounts

Amendment Barcode (if applicable)

Name Debbie Mortham

Job Title Advocacy Director

Address 215 S Monroe

Phone 251-2278

Street

City RA FL

State

Zip 32311

Zip

Email

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/2017 Meeting Date

1572 Bill Number (if applicable)

Topic Workshop on Charter Schools

Amendment Barcode (if applicable)

Name Nancy Lawther

Job Title

Address 9140 SW 59 Ave

Phone 305 607 3837

Street

Miami FL 33156

Email nllawther@gmail.com

City

State

Zip

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.

By Senator Flores

39-00510A-17

2017926__

A bill to be entitled

An act relating to K-12 student assessments; requiring the Commissioner of Education to review specified college entrance examinations to determine their alignment with the core curricular content for high school level English Language Arts and mathematics established in state standards; requiring the commissioner to submit a report on the results of such review to the Governor, Legislature, and State Board of Education by a specified date; amending s. 1008.22, F.S.; revising provisions relating to achievement levels for certain statewide, standardized assessments; providing requirements for administration of the statewide, standardized English Language Arts and mathematics assessments in specified grades; revising provisions relating to reporting requirements for local assessments required by school districts; providing reporting requirements for certain student assessment results; providing an effective date.

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

Section 1. The Commissioner of Education shall review the SAT and ACT to determine their alignment with the core curricular content for high school level English Language Arts and mathematics established in the Next Generation Sunshine State Standards pursuant to s. 1003.41, Florida Statutes. The commissioner shall submit a report containing the results of such review to the Governor, the President of the Senate, the

Page 1 of 6

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

39-00510A-17

2017926__

Speaker of the House of Representatives, and the State Board of Education by December 1, 2017.

Section 2. Present paragraphs (c) through (f) and paragraph (g) of subsection (7) of section 1008.22, Florida Statutes, are redesignated as paragraphs (e) through (h) and paragraph (j), respectively, paragraph (e) of subsection (3) and paragraph (b) and present paragraph (f) of subsection (7) are amended, and new paragraphs (c), (d), and (i) are added to subsection (7) of that section, to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including adult students seeking a standard high school diploma under s. 1003.4282 and students in Department of Juvenile Justice education programs, except as otherwise provided by law. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. The statewide, standardized assessment program shall be designed and implemented as follows:

Page 2 of 6

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

39-00510A-17

2017926__

(e) *Assessment scores and achievement levels.*—

1. All statewide, standardized EOC assessments and ELA, mathematics, and Science assessments shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. Beginning with any new contract for the ELA assessment and the mathematics assessment entered into after July 1, 2017, achievement level 3 shall be defined as proficient for each new assessment.

2. The state board shall designate by rule a passing score for each statewide, standardized assessment.

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation,

Page 3 of 6

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

39-00510A-17

2017926__

based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

(7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

(b) By August of each year, beginning in 2016, the commissioner shall publish on the department's website a uniform calendar that includes the assessment and reporting schedules for, at a minimum, the next 2 school years. The uniform calendar must be provided to school districts in an electronic format that allows each school district and public school to populate the calendar with, at minimum, the following information for reporting the district assessment schedules under paragraph (e) ~~(e)~~:

1. Whether the assessment is a district-required assessment or a state-required assessment.

2. The specific date or dates that each assessment will be administered.

3. The time allotted to administer each assessment.

4. Whether the assessment is a computer-based assessment or a paper-based assessment.

5. The grade level or subject area associated with the assessment.

6. The date that the assessment results are expected to be available to teachers and parents.

7. The type of assessment, the purpose of the assessment, and the use of the assessment results.

Page 4 of 6

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

39-00510A-17

2017926__

- 117 8. A glossary of assessment terminology.
- 118 9. Estimates of average time for administering state-
- 119 required and district-required assessments, by grade level.
- 120 (c) Beginning with the 2017-2018 school year, the ELA
- 121 assessment in grades 3 through 10 and the mathematics assessment
- 122 in grades 3 through 8 shall be administered:
- 123 1. With the exception of the grade 3 Reading assessment, no
- 124 earlier than during the last 3 weeks of the school year as
- 125 determined by a district school board's policy pursuant to s.
- 126 1001.42(4)(f).
- 127 2. Within a testing window not to exceed 3 weeks.
- 128 (d) Beginning with any new contract for the ELA assessment
- 129 in grades 3 through 10 and the mathematics assessment in grades
- 130 3 through 8 entered into after July 1, 2017, each new assessment
- 131 shall be made available once per quarter for students who the
- 132 school district has identified through competency-based
- 133 education as having mastered the content and who are prepared to
- 134 take the applicable assessment.
- 135 (h) ~~(f)~~ A school district must provide a student's
- 136 performance results on district-required local assessments to
- 137 the student's teachers within 1 week and to the student's
- 138 parents no later than 30 days after administering such
- 139 assessments, unless the superintendent determines in writing
- 140 that extenuating circumstances exist and reports the extenuating
- 141 circumstances to the district school board.
- 142 (i) The results of statewide, standardized ELA and
- 143 mathematics assessments shall be reported in an easy-to-read and
- 144 understandable format to each student's current teacher of
- 145 record and to each student's teacher of record for the

Page 5 of 6

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

39-00510A-17

2017926__

- 146 subsequent school year before the start of that school year. A
- 147 report of student assessment results must, at a minimum,
- 148 contain:
- 149 1. A clear explanation of the student's performance on the
- 150 applicable statewide, standardized assessments.
- 151 2. Information identifying the student's areas of strength
- 152 and areas in need of improvement.
- 153 3. Specific actions that may be taken, and the available
- 154 resources that may be used, by the student's parent to assist
- 155 his or her child based on the student's areas of strength and
- 156 areas in need of improvement.
- 157 4. Longitudinal information, if available, on the student's
- 158 progress in each subject area based on previous statewide,
- 159 standardized assessment data.
- 160 5. Comparative information showing the student's score
- 161 compared to other students in the school district, in the state,
- 162 or, if available, in other states.
- 163 6. Predictive information, if available, showing the
- 164 linkage between the scores attained by the student on the
- 165 statewide, standardized assessments and the scores he or she may
- 166 potentially attain on nationally recognized college entrance
- 167 examinations.
- 168 Section 3. This act shall take effect July 1, 2017.

Page 6 of 6

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

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 978

INTRODUCER: Education Committee and Senator Powell

SUBJECT: High School Graduation Requirements

DATE: March 28, 2017

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 978 allows a student to use credit earned upon completion of a registered apprenticeship or preapprenticeship program registered with the Department of Education to satisfy certain high school credit requirements for graduation with a standard diploma. Specifically, the bill:

- Authorizes the use of credit earned upon completion of a registered apprenticeship or preapprenticeship program to satisfy up to one credit in fine or performing arts, speech and debate, or practical arts; or electives.
- Requires the State Board of Education (SBE) to approve and identify in the Course Code Directory (CCD) the registered apprenticeship and preapprenticeship programs from which a student may use earned credit to satisfy such course credit requirements.

The bill takes effect on July 1, 2017.

II. Present Situation:

The Legislature has provided educational opportunities for young people to benefit from on-the-job training combined with academic-related classroom experiences so that such individuals can be trained for trades, occupations, and professions suited to their abilities.¹

¹ Section 446.011(1), F.S.

High School Graduation Requirements

In order to graduate from high school with a Florida standard high school diploma, 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.
- Four credits in mathematics including one credit each in Algebra I and Geometry. Industry certifications³ 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.⁴ Industry certifications⁵ 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.⁶
- One credit in physical education.⁷
- Eight credits in electives.⁸

Career Education Courses to Meet High School Credit Requirements

Career education includes, but is not limited to, job-preparatory instruction in the competencies that prepare students for effective entry into an occupation, including diversified cooperative education, work experience, and job-entry programs that coordinate directed study and on-the-job training.⁹

² Section 1003.4282(1)(a) and (3), F.S.

³ Eligible industry certifications are those for which there is a statewide college credit articulation agreement approved by the State Board of Education. *Id.* at (3)(b).

⁴ Two of the three science credits must have a laboratory component. *Id.* at (3)(c).

⁵ Eligible industry certifications are those for which there is a statewide college credit articulation agreement approved by the State Board of Education. *Id.* at (3)(c).

⁶ Practical arts courses are identified in the Course Code Directory, and must incorporate artistic content and techniques of creativity, interpretation, and imagination. *Id.* at (3)(e). The “Career and Technical Education Courses that meet the Practical Arts High School Graduation Requirement” list contains 325 courses that meet the practical arts requirement. Email, Florida Department of Education (March 20, 2017), Florida Department of Education, *2017 Agency Bill Analysis for SB 978*, at 2.

⁷ Physical education must include the integration of health. Section 1003.4282(3)(f), F.S.

⁸ School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. *Id.* at (3)(g). 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. *Id.*

⁹ Section 1003.01(4), F.S. Career education courses fall within the definition of “extracurricular courses” which are not defined as “core-curricula courses.” *Id.* at (15). Other extracurricular courses may include, but are not limited to, physical education, fine arts, performing fine arts, and courses that may result in college credit. *Id.*

Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework resulting in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certified or degree program, which may include high school junior or senior year work-related internships or apprenticeships.¹⁰ The instructional methodologies used in these courses must be comprised of authentic projects, problems, and activities for contextually learning the academics.¹¹

Each school district is encouraged to partner with local workforce boards, business and industry leaders, and postsecondary institutions to create career education courses that meet the goals and requirements of career and professional academies¹² and career-themed courses.¹³ School districts or regional consortium service organizations must submit such career education courses to the Department of Education (DOE) for State Board of Education (SBE) approval¹⁴ that include, but are not limited to:¹⁵

- Preparing graduating high school students to make appropriate choices relative to employment and future educational experiences.¹⁶
- Raising student aspiration and commitment to academic achievement and work ethics through relevant coursework.¹⁷
- Supporting the state's economy by meeting industry needs for skilled employees in high-skill, high-wage, and high-demand occupations.¹⁸
- Promoting learning by doing through application and adaptation.¹⁹
- Requiring the course leads to an industry certification or college credit.²⁰

The courses approved by the SBE must allow students to earn credit in both the career education course and courses required for high school graduation.²¹ The SBE must determine if sufficient academic standards are covered to warrant the award of academic credit.²²

¹⁰ Section 1003.4282(8)(a)2., F.S.

¹¹ *Id.*

¹² A career and professional academy is defined in s. 1003.493(1)(a), F.S. Career and professional academies are required for public schools and school districts, and encouraged for the Florida Virtual School. Section 1003.493(1)(a), F.S.

¹³ *Id.* at (8)(b).

¹⁴ 1003.4982(8)(b) and (c), F.S.

¹⁵ Section 1003.4282(8)(a), F.S. Career education courses for purposes of earning high school credit must meet the requirements and criteria set forth in s. 1003.493(2), (4), and (5), F.S., for career and professional academy and career-themed courses.

¹⁶ Section 1003.493(2)(b).

¹⁷ *Id.* at (d).

¹⁸ *Id.* at (f).

¹⁹ *Id.* at (4)(a).

²⁰ *Id.* at (5).

²¹ Section 1008.4282(8)(a), F.S.

²² *Id.* at 1.

Course Code Directory

The Course Code Directory (CCD) is the listing of all public Pre-K-12 courses available for use by school districts²³ and identifies courses including, but not limited to, the courses that meet subject-area high school graduation requirements, and specifies course level and length.²⁴ The CCD 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.²⁵ 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.²⁶

Apprenticeship and Preapprenticeship Programs

Federal Law

The United States Congress enacted the National Apprenticeship Act (also known as the Fitzgerald Act in honor of its author, Congressman William J. Fitzgerald) in 1937.²⁷ In 2008, revised regulations were issued by the Department of Labor that increase program flexibility to better serve the needs of today's apprentices and program sponsors.²⁸

²³ Rule 6A-1.09441, F.A.C.

²⁴ Florida Department of Education, *2016-2017 Course Directory: Section 1-Narrative Section*, at 10-11, <http://www.fldoe.org/core/fileparse.php/7746/urlt/CCDNarrative1617.pdf> (last visited March 24, 2017). Level 1 courses are basic courses for which students may not earn credit towards a standard diploma; level 2 courses are regular, mainstreamed courses; and level 3 courses include honors, AP, IB, AICE, advanced college-preparatory courses, and other courses containing rigorous academic curriculum and performance standards. *Id.*

²⁵ Rule 6A-1.09441(4), F.A.C.

²⁶ Florida Department of Education, *2015-2016 Course Code Directory* <http://www.fldoe.org/policy/articulation/ccd/2016-2017-course-directory.stml> (last visited March 24, 2017).

²⁷ U.S. Department of Labor, *History and Fitzgerald Act*, <http://www.doleta.gov/oa/history.cfm> (last visited March 24, 2017). See 29 U.S.C. s. 50 (1937), as amended. The Fitzgerald Act authorized the U.S. Department of Labor (DOL) to formulate and promote the furtherance of 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 standards of apprenticeship. Department of Labor, *29 CFR Part 29, Apprenticeship Programs, Labor Standards for Registration, Amendment of Regulations; Final Rule*, Federal Register, Vol. 73, No. 210 (October 29, 2008), at 64402.

²⁸ U.S. Department of Labor, *Regulations*, <http://www.doleta.gov/oa/regulations.cfm> (last visited March 24, 2017). These revised regulations published on October 29, 2008, update Title 29 CFR, part 29 and provide a framework that supports an enhanced, modernized apprenticeship system. *Id.*

Registered apprenticeship program sponsors (*i.e.*, employers, employer associations, and labor management organizations)²⁹ identify the minimum qualifications to apply to their apprenticeship programs.³⁰

State Law

In Florida, the DOE is responsible for administering, facilitating, and supervising registered apprenticeship programs,³¹ including, but not limited to:³²

- Developing and encouraging apprenticeship programs.
- Cooperating with and assisting apprenticeship sponsors to develop apprenticeship standards and training requirements.
- Monitoring RA programs.
- Investigating complaints regarding failure to meet the standards³³ established by the DOE.
- Canceling registration of programs that fail to comply with DOE standards and policies.

An apprenticeship program means “an organized course of instruction, registered and approved by the department, which course shall contain all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices³⁴ including such matters as the

²⁹ Registered Apprenticeship program sponsors vary from small, privately owned businesses to national employer and industry associations. There are nearly 29,000 sponsors representing more than 250,000 employers, such as United Parcel Service, the United States Military Apprenticeship Program, Werner Enterprises, and CVS/pharmacy. U.S. Department of Labor, *Apprentices*, <http://www.doleta.gov/oa/apprentices.cfm> (last visited March 24, 2017).

³⁰ *Id.* An individual must be at least 16 years of age to be an apprentice. *Id.* In hazardous occupations, individuals must usually be 18 years of age. *Id.* Program sponsors may also identify additional minimum qualifications and credentials to apply (*e.g.*, education, ability to physically perform the essential functions of the occupation, and proof of age). *Id.* All applicants are required to meet the minimum qualifications. *Id.* Based on the selection method utilized by the sponsor, additional qualification standards, such as fair aptitude tests and interviews, school grades, and previous work experience may be identified. *Id.*

³¹ States have the authority to register apprenticeship programs through federally recognized “State Apprenticeship Agencies.”³¹ 29 C.F.R. ss. 29.1 and 29.13.

³² Section 446.041, F.S. Employers may participate within an existing group program through agreements called Participating Employer Agreements or Collective Bargaining Agreements, or employers may work with an Apprenticeship Training Representative to develop and directly sponsor a new program. Florida Department of Education, *What is Apprenticeship?*, <http://www.fldoe.org/academics/career-adult-edu/apprenticeship-programs/what-is-apprenticeship.stml> (last visited March 24, 2017).

³³ The DOE is responsible for developing apprenticeship and preapprenticeship uniform minimum standards for the apprenticeable trades and assisting district school boards and FCS institution boards of trustees in developing preapprenticeship programs. Sections 446.011(2), 446.032, and 446.052, F.S.; Rule 6A-23.004, F.A.C. “Uniform minimum preapprenticeship standards” means “the minimum requirements established uniformly for each craft under which a preapprenticeship program is administered and includes standards for admission, training goals, training objectives, curriculum outlines, objective standards to measure successful completion of the preapprenticeship program, and the percentage of credit which may be given to preapprenticeship graduates upon acceptance into the apprenticeship program.” Section 446.021(8), F.S.

³⁴ 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

requirements for a written apprenticeship agreement.”³⁵ A preapprenticeship program means “an organized course of instruction in the public school system or elsewhere, which course is designed to prepare a person 16 years of age or older to become an apprentice and which course is approved by and registered with the DOE and sponsored by a registered apprenticeship program.”³⁶

An apprenticeable occupation is a skilled trade that:³⁷

- Is customarily learned in a practical way through a structured, systematic program of on-the-job, supervised training.
- Is commonly recognized throughout the industry or recognized with a positive view towards changing technology.
- Involves manual, mechanical, or technical skills and knowledge which require a minimum of 2,000 hours of work and training, which hours are excluded from the time spent at related instruction.
- Requires related instruction to supplement on-the-job training. Such instruction may be given in a classroom or through correspondence courses.
- Involves the development of skill sufficiently broad to be applicable in like occupations throughout an industry, rather than of restricted application to the products or services of any one company.

Additionally, the DOE, district school boards, and Florida College System institution boards of trustees must work together with existing apprenticeship programs so that individuals completing the preapprenticeship program may be able to receive credit towards completing a registered apprenticeship program.³⁸

Apprenticeship Program Tuition and Fees

Fee exemptions and waivers are types of financial assistance authorized in statutory law that provide opportunities for many students to attend college at reduced tuition and fee cost or even free.³⁹ Florida law provides exemptions from the payment of tuition and fees, including lab fees, for several categories of students enrolled at a school district that provides workforce education

may be either an employer, an association of employers, or a local joint apprenticeship committee.” Section 446.021(2), F.S.

³⁵ 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.

³⁶ Section 446.021(5), F.S. After completing their programs, preapprentices may be granted preference for entry into registered apprenticeship programs, and may receive credit towards the completion of their registered apprenticeship program. Florida Department of Education, *Preapprenticeship*, <http://www.fldoe.org/academics/career-adult-edu/apprenticeship-programs/preapprenticeship.stml> (last visited March 24, 2017). As of December 2015, there were approximately 110 high school participants in 13 preapprenticeship programs located throughout the state. Email, Florida Department of Education (March 20, 2017), Florida Department of Education, *2017 Agency Bill Analysis for SB 978*, at 3.

³⁷ Section 446.092, F.S.

³⁸ Section 446.052(3), F.S.

³⁹ The Florida College System, *Exemptions and Waivers in the Florida College System* (March 2012), available at <http://www.fldoe.org/core/fileparse.php/7724/urlt/0072361-fyi2012-02exemptions.pdf>.

programs, an FCS institution, or a state university, including students enrolled in approved apprenticeship programs.⁴⁰

III. Effect of Proposed Changes:

CS/SB 978 allows a student to use credit earned upon completion of a registered apprenticeship or preapprenticeship program registered with the Department of Education to satisfy certain high school credit requirements for graduation with a standard diploma. Specifically, the bill:

- Authorizes the use of credit earned upon completion of a registered apprenticeship or preapprenticeship program to satisfy up to one credit in fine or performing arts, speech and debate, or practical arts; or electives.
- Requires the State Board of Education (SBE) to approve and identify in the Course Code Directory (CCD) the registered apprenticeship and preapprenticeship programs from which a student may use earned credit to satisfy such course credit requirements.

As a result, the bill may encourage students to participate in registered apprenticeship and preapprenticeship programs. Accordingly, students may be able to acquire on-the-job training for occupations, which may better prepare the students for college and career success.

The bill takes effect on July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁴⁰ Section 1009.25(1)(b), F.S. Direct costs to the registered apprentice are for tools, books, consumables, and materials required by the employer. Email, Florida Department of Education (March 20, 2017), Florida Department of Education, *2017 Agency Bill Analysis for SB 978*, at 3.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends 1003.4282 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 27, 2017:

The committee substitute maintains the intent of SB 978 with some clarifications:

- Authorizes the application of credit earned upon completion of a registered apprenticeship or preapprenticeship program towards either fine or performing arts, speech and debate, or practical arts; or electives.
- Specifies that such application of credit may be for up to one credit in either fine or performing arts, speech and debate, or practical arts; or electives.

B. Amendments:

None.



728964

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
	.	
	.	
	.	

The Committee on Education (Powell) recommended the following:

Senate Amendment

Delete lines 46 - 47
and insert:
satisfy up to one credit of the high school graduation credit
requirements in paragraph (3)(e) or paragraph (3)(g). The state
board shall approve and

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

978
Bill Number (if applicable)

Topic SB 978

Amendment Barcode (if applicable)

Name Andrew Watt

Job Title Director of legislative Affairs

Address 3500 Forest hill Blvd

Phone 561-951-1139

West Palm Beach FL 33406
City State Zip

Email Andrew.Watt@palmbeachschools.org

Speaking: For Against Information

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

Representing School district of Palm Beach County

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.

By Senator Powell

30-01093-17

2017978__

1 A bill to be entitled
 2 An act relating to high school graduation
 3 requirements; amending s. 1003.4282, F.S.; authorizing
 4 the use of credits earned upon completion of a
 5 registered apprenticeship or preapprenticeship to
 6 satisfy specified high school graduation credit
 7 requirements; requiring that the State Board of
 8 Education approve and identify apprenticeship and
 9 preapprenticeship programs for such purpose; providing
 10 an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Paragraph (a) of subsection (8) of section
 15 1003.4282, Florida Statutes, is amended to read:
 16 1003.4282 Requirements for a standard high school diploma.—
 17 (8) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
 18 CREDIT REQUIREMENTS.—
 19 (a) Participation in career education courses engages
 20 students in their high school education, increases academic
 21 achievement, enhances employability, and increases postsecondary
 22 success. By July 1, 2014, the department shall develop, for
 23 approval by the State Board of Education, multiple, additional
 24 career education courses or a series of courses that meet the
 25 requirements set forth in s. 1003.493(2), (4), and (5) and this
 26 subsection and allow students to earn credit in both the career
 27 education course and courses required for high school graduation
 28 under this section and s. 1003.4281.
 29 1. The state board must determine if sufficient academic

Page 1 of 2

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

30-01093-17

2017978__

30 standards are covered to warrant the award of academic credit.
 31 2. Career education courses must include workforce and
 32 digital literacy skills and the integration of required course
 33 content with practical applications and designated rigorous
 34 coursework that results in one or more industry certifications
 35 or clearly articulated credit or advanced standing in a 2-year
 36 or 4-year certificate or degree program, which may include high
 37 school junior and senior year work-related internships or
 38 apprenticeships. The department shall negotiate state licenses
 39 for material and testing for industry certifications. The
 40 instructional methodology used in these courses must be
 41 comprised of authentic projects, problems, and activities for
 42 contextually learning the academics.
 43 3. A student who earns credit upon completion of an
 44 apprenticeship or preapprenticeship program registered with the
 45 Department of Education under chapter 446 may use such credit to
 46 satisfy the high school graduation credit requirements in
 47 paragraphs (3)(e) and (g). The state board shall approve and
 48 identify in the Course Code Directory the apprenticeship and
 49 preapprenticeship programs from which earned credit may be used
 50 pursuant to this subparagraph.
 51 Section 2. This act shall take effect July 1, 2017.

Page 2 of 2

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

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 1210

INTRODUCER: Education Committee and Senator Lee and others

SUBJECT: Instructional Materials for K-12 Public Education

DATE: March 28, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Benvenisty</u>	<u>Graf</u>	<u>ED</u>	<u>Fav/CS</u>
2.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1210 revises provisions relating to the definition and acquisition of instructional materials. Specifically, the bill:

- Defines “legal resident” or “resident” to mean a person who has maintained his or her legal residence in the state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to Florida law.
- Requires a district school board to adopt a policy regarding the right of a parent or legal resident of the county to object to the use of an instructional material based on specified criteria or contest the district school boards’ adoption of specific instructional materials.
- Revises the review process for district school boards that implement their own instructional materials review program.
- Requires district school board, upon a written request, to provide access to any instructional material or book specified in the written request, which is maintained in a district school system library and is available for review.
- Revises requirements related to the instructional materials allocation.

The bill takes effect upon becoming law.

II. Present Situation:

The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with Florida law.¹

District School Board Responsibility

A school district must provide adequate instructional materials for its students, ensure the materials are consistent with the district's educational goals, and ensure the materials meet the objectives and the curriculum frameworks adopted by the State Board of Education (SBE).² Florida law defines "adequate instructional materials" to mean a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, lot, or package form and may consist of hardbacked or softbacked books, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as a basis for instruction for each student in the core subject areas³.⁴

Each district school board is responsible for the content of all instructional materials used in a classroom, whether adopted or purchased from the state-adopted instructional materials list, adopted or purchased through a district instructional materials project, or otherwise purchased or made available in the classroom.⁵

Each district school board must establish a process, as specified in law, by which the parent of a public school student may contest the district school board's adoption of specific instructional material.⁶ This process is specified in law.⁷ The decision of the district school board, after convening a public hearing on the issue, is final.⁸

The district school board is authorized to implement an instructional materials program that includes the review, recommendation, adoption, and purchase of materials.⁹ If a district school board chooses to implement its own instructional materials program, the school board must adopt rules implementing the program which include its processes, criteria, and requirements for:¹⁰

- Selection of reviewers, one or more of whom must be parents with children in public schools.
- Review of instructional materials, including a thorough review of curriculum content.
- Reviewer recommendations.
- District school board adoption.
- Purchase of materials.

¹ Section 1006.28(1)

² Section 1006.28(1) and 1001.03(1), F.S.

³ The core subject areas include mathematics, language arts, social studies, science, reading, and literature. Section 1006.28(1)

⁴ *Id.*

⁵ *Id.* at (1)(a)(1).

⁶ *Id.*

⁷ *Id.* at (1)(a)3.

⁸ *Id.*

⁹ Section 1006.283(1).

¹⁰ *Id.* at (2).

Additionally, the district school superintendent must certify to the DOE on an annual basis that all instructional materials for core courses used by the district are aligned with applicable state standards.¹¹

State Instructional Materials Reviewers and Content

The Commissioner must determine annually the areas in which instructional materials must be submitted for adoption and the number of titles in each area.¹² The Commissioner must appoint three state or national experts in the content areas submitted for adoption to review the instructional materials.¹³

Reviewers must evaluate all materials submitted by publishers in each adoption to determine if the material aligns with the applicable state standards, developed criteria, and any applicable performance standards.¹⁴

In addition to the standards, materials should also reflect appropriate diversity, include the Constitution and the Declaration of Independence in the social studies content area, and ensure that materials do not reflect unfairly upon people because of their race, color, creed, national origin, ancestry, gender, or occupation.¹⁵ Reviewers must report to the DOE the materials being recommended that meet the guidelines for adoption.¹⁶

Instructional Materials Allocation

The Commissioner of Education must annually certify to each district school superintendent the estimated allocated of state funds for instructional materials. The district is required to purchase current instructional materials in the core areas to provide students with current tools of instruction.¹⁷ This purchase must be made within the first two years of the effective date of the adoption cycle.¹⁸ Up to fifty percent of the allocation may be used to purchase non-adopted materials.¹⁹

III. Effect of Proposed Changes:

CS/SB 1210 revises provisions relating to the definition and acquisition of instructional materials. Specifically, the bill:

- Defines “legal resident” or “resident” to mean a person who has maintained his or her legal residence in the state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to Florida law.

¹¹ *Id.* at (1).

¹² Section 1006.29(1)(a), F.S.

¹³ *Id.* at (b).

¹⁴ Section 1006.31(2)(e), F.S.

¹⁵ *Id.* at (2)(d), F.S.

¹⁶ *Id.* at (3).

¹⁷ Section 1006.40(2), F.S.

¹⁸ *Id.*

¹⁹ *Id.* at (3)(b).

- Requires a district school board to adopt a policy regarding the right of a parent or legal resident of the county to object to the use of an instructional material based on specified criteria or contest the district school boards' adoption of specific instructional materials.
- Revises the review process for district school boards that implement their own instructional materials review program.
- Requires district school board, upon a written request, to provide access to any instructional material or book specified in the written request, which is maintained in a district school system library and is available for review.
- Revises requirements related to the instructional materials allocation.

Instructional Materials Definition

The bill adopts the definition of “instructional materials” contained in s. 1006.29(2), F.S., which defines instructional materials to mean items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software.

Local Instructional Material Review

The bill requires a district school board to adopt a policy regarding the right of a parent or county resident to object to the use of an instructional material. This process must provide the parent or resident the opportunity to offer evidence to the district school board that:

- The instructional material does not meet criteria specified in law, if it was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures specified in law.
- Any material used in a classroom, made available in a school library, or included on a reading list contains content that is prohibited under Florida law, is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.

The bill also requires that such process must include the right to timely appeal any district decision to the district school board. Accordingly, the bill provides for public input in the use and adoption of instructional material at the local level.

The bill modifies the district school board instructional materials review process authorized pursuant to law to require an instructional materials review committee that reports to the school board and is subject to public meeting requirements in s. 286.011, F.S. As such, meetings of an instructional materials review committee are open to the public to the same extent as a district school board meeting. Additionally, the bill requires that at least one-third of reviewers must be parents with children in public schools who are not and have not been employees of the district. Accordingly, the bill provides for more parent input if the district school board implements an instructional materials program as specified in law.

State Instructional Materials Review

The bill requires state instructional reviewers under the state approval process to use the selection criteria enumerated in this bill or recommend materials that are aligned with the Next Generation Sunshine State Standard.

Instructional Materials Allocation

The bill requires each district school board to use the annual instructional materials allocation only for the purchase of materials that align with state standards and that are included on the state adopted list.

The bill takes effect upon becoming law.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The instructional materials allocation is funded as a categorical appropriation through the Florida Educational Finance Program (FEFP).²⁰ The legislature appropriated \$228,792,422 in the 2016-2017 General Appropriations Act.²¹

VI. Technical Deficiencies:

None.

²⁰ Section 1, ch. 2016-66, L.O.F.

²¹ *Id.*

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.28, 1006.283, 1006.31, 1006.40, 1002.20, and 1006.42.

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 27, 2017:

The committee substitute:

- Requires, upon a written request, a school district to provide access to any instructional material or book specified in the request which is maintained in a district school system library and is available for review. Requires a school district to provide access to instructional materials 30 days after receipt of the written request.
- Removes reference to school districts' authority to lease, license, or obtain instructional materials by school districts from the state-adopted instructional materials list.
- Specifies that except for a school district or a consortium of school districts that implements an instructional materials program, each district school board must use the annual allocation for only the purchase of instructional materials that align with state standards and that are included on the state-adopted list.
- Removes the requirement that a school district review the instructional materials purchased by the school district from the state-adopted list.
- Modifies the policy for school districts to handle objections raised by a parent or a county resident to include the opportunity for such individuals to offer evidence supporting such objections to the district school board.
- Provides procedural safeguards for all petitions contesting the adoption of specific instructional materials that are timely received.
- Modifies the use of up to 50 percent of the annual allocation to specify uses including library and reference books and nonprint materials, hardback and softback books, repair and renovation of textbooks, etc.

None.

- B. **Amendments:**

None.



833208

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
	.	
	.	
	.	

The Committee on Education (Lee) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (1), (2), and (3) of section
1006.28, Florida Statutes, are redesignated as subsections (2),
(3), and (4), respectively, a new subsection (1) is added to
that section, and present subsection (1) and paragraph (a) of
present subsection (2) are amended, to read:

1006.28 Duties of district school board, district school
superintendent; and school principal regarding K-12



12 instructional materials.-

13 (1) DEFINITIONS.-As used in this section, the term:

14 (a) "Adequate instructional materials" means instructional
15 materials that meet the requirements of this section and have a
16 sufficient number of student or site licenses or sets of
17 materials that are available in bound, unbound, kit, or package
18 form and may consist of hardbacked or softbacked textbooks,
19 electronic content, consumables, learning laboratories,
20 manipulatives, electronic media, and computer courseware or
21 software to serve as the basis for instruction for each student
22 in the core subject areas of mathematics, language arts, social
23 studies, science, reading, and literature.

24 (b) "Instructional materials" has the same meaning as in s.
25 1006.29(2).

26 (c) "Legal resident" or "resident" means a person who has
27 maintained his or her residence in this state for the preceding
28 year, has purchased a home that is occupied by him or her as his
29 or her residence, or has established a domicile in this state
30 pursuant to s. 222.17.

31 (2)~~(1)~~ DISTRICT SCHOOL BOARD.-The district school board has
32 the constitutional duty and responsibility to select and provide
33 adequate instructional materials for all students in accordance
34 with the requirements of this part. ~~The term "adequate~~
35 ~~instructional materials" means a sufficient number of student or~~
36 ~~site licenses or sets of materials that are available in bound,~~
37 ~~unbound, kit, or package form and may consist of hardbacked or~~
38 ~~softbacked textbooks, electronic content, consumables, learning~~
39 ~~laboratories, manipulatives, electronic media, and computer~~
40 ~~courseware or software that serve as the basis for instruction~~



833208

41 ~~for each student in the core subject areas of mathematics,~~
42 ~~language arts, social studies, science, reading, and literature.~~
43 The district school board also has the following specific duties
44 and responsibilities:

45 (a) *Courses of study; adoption.*—Adopt courses of study,
46 including instructional materials, for use in the schools of the
47 district.

48 1. Each district school board is responsible for the
49 content of all instructional materials used in a classroom,
50 whether adopted and purchased from the state-adopted
51 instructional materials list ~~or~~, adopted and purchased through a
52 district instructional materials program under s. 1006.283, ~~or~~
53 ~~otherwise purchased or made available in the classroom.~~

54 Irrespective of whether or not instructional materials are
55 purchased by a district from the state-adopted instructional
56 materials list or purchased by a district through a district
57 instructional materials program under s. 1006.283, each district
58 school board shall ensure that all instructional materials used
59 in the classroom meet the following criteria:

60 a. Be research based, and be proven to be effective in
61 supporting student learning;

62 b. Provide a noninflammatory, objective, and balanced
63 viewpoint on issues;

64 c. Be appropriate to the students' ages and varying levels
65 of learning;

66 d. Be accurate and factual;

67 e. Be of acceptable technical quality;

68 f. Shall strictly adhere to the requirements of s.
69 1003.42(2); and



833208

70 g. Not contain pornography or content as is otherwise
71 prohibited by s. 847.012(3).

72
73 Districts may not determine that instructional materials used in
74 the classroom meet the above criteria on the basis that such
75 materials were purchased by a district from the state-adopted
76 instructional materials list or purchased by a district through
77 a district instructional materials program under s. 1006.283.

78 2. Each district school board shall ~~must~~ adopt a policy
79 regarding the right of a parent or a resident of the county to
80 object ~~parent's objection~~ to the ~~his or her child's~~ use of a
81 specific instructional material based on the criteria specified
82 in subparagraph 1., which policy must clearly describe ~~describes~~
83 a process to handle all objections and provide resolutions,
84 which shall be applied and enforced on a districtwide basis,
85 that eliminate the use, in all schools within the district, of
86 instructional materials that do not meet the criteria specified
87 in subparagraph 1. The process must also include a right to
88 timely appeal any district decision to the district school board
89 ~~provides for resolution.~~

90 3. Each district school board shall ~~must~~ establish a
91 process by which the parent of a public school student or a
92 resident of the county may contest the district school board's
93 adoption of a specific instructional material directly to the
94 school board based on the instructional materials requirements
95 under this section and the requirements of a district
96 instructional materials program under s. 1006.283 or the
97 requirements of instructional materials purchased from the list
98 of state-adopted materials, as applicable. The parent or the



833208

99 resident of the county shall ~~must~~ file a petition, on a form
100 provided by the school board, within 30 calendar days after the
101 adoption of the material by the school board. The school board
102 shall ~~must~~ make the form available to the public and publish the
103 form on the school district's website. The form must be signed
104 by the parent or the resident of the county, include the
105 required contact information, and state the objection to the
106 instructional material. Within 30 days after the 30-day period
107 has expired, the school board shall ~~must~~ conduct at least one
108 open public hearing on all petitions timely received and provide
109 the petitioner written notification of the date and time of the
110 hearing at least 7 days before the hearing. The school board
111 shall make all contested instructional materials ~~contested must~~
112 ~~be made~~ accessible online to the public at least 7 days before a
113 public hearing. ~~The school board's decision after convening a~~
114 ~~hearing is final and not subject to further petition or review.~~

115 (b) *Instructional materials.*—Provide for proper
116 requisitioning, distribution, accounting, storage, care, and use
117 of all instructional materials and furnish such other
118 instructional materials as may be needed. Instructional
119 materials used must be consistent with the district goals and
120 objectives and the course descriptions established in rule of
121 the State Board of Education, ~~as well as~~ with the applicable
122 Next Generation Sunshine State Standards provided for in s.
123 1003.41.

124 (c) *Other instructional materials.*—Provide such other
125 teaching accessories and aids as are needed for the school
126 district's educational program.

127 (d) *School library media services; establishment and*



833208

128 maintenance.—Establish and maintain a program of school library
129 media services for all public schools in the district, including
130 school library media centers, or school library media centers
131 open to the public, and, in addition such traveling or
132 circulating libraries as may be needed for the proper operation
133 of the district school system. Upon a written request, a school
134 district shall provide access to any instructional material or
135 book specified in the request which is maintained in a district
136 school system library and is available for review.

137 (3)~~(2)~~ DISTRICT SCHOOL SUPERINTENDENT.—

138 (a) The district school superintendent has the duty to
139 recommend such plans for improving, providing, distributing,
140 accounting for, and caring for instructional materials and other
141 instructional aids as will result in general improvement of the
142 district school system, as prescribed in this part, in
143 accordance with adopted district school board rules prescribing
144 the duties and responsibilities of the district school
145 superintendent regarding the requisition, purchase, receipt,
146 storage, distribution, use, conservation, records, and reports
147 of, and management practices and property accountability
148 concerning, instructional materials, and providing for an
149 evaluation of any instructional materials to be requisitioned
150 that have not been used previously in the district's schools.
151 The district school superintendent shall ~~must~~ keep adequate
152 records and accounts for all financial transactions for funds
153 collected pursuant to subsection (4) ~~(3)~~.

154 Section 2. Subsections (1), (2), and (4) of section
155 1006.283, Florida Statutes, are amended to read:

156 1006.283 District school board instructional materials



833208

157 review process.-

158 (1) A district school board or consortium of school
159 districts may implement an instructional materials program that
160 includes the review, recommendation, adoption, and purchase of
161 instructional materials pursuant to the requirements of this
162 section. The district school superintendent shall certify to the
163 department by March 31 of each year that all instructional
164 materials for core courses used by the district are aligned with
165 applicable state standards. A list of the core instructional
166 materials that will be used or purchased for use by the school
167 district shall be included in the certification.

168 (2) (a) If a district school board chooses to implement its
169 own instructional materials program, the school board shall
170 adopt rules implementing the district's instructional materials
171 program which must include its processes, criteria, and
172 requirements for the following:

173 1. Selection of reviewers, at least one-third ~~one or more~~
174 of whom must be parents with children in public schools who are
175 not and have not been employees of the district.

176 2. Review of instructional materials.

177 3. Selection of instructional materials, including a
178 thorough review of curriculum content.

179 4. Reviewer recommendations.

180 5. District school board adoption.

181 6. Purchase of instructional materials.

182 7. Use of an instructional materials review committee that
183 is subject to s. 286.011 and that is selected by and reports
184 directly to the district school board.

185 (b) District school board rules shall ~~must~~ also:



833208

- 186 1. Identify, by subject area, a review cycle for
187 instructional materials.
- 188 2. Specify the qualifications for an instructional
189 materials reviewer and the process for selecting reviewers; list
190 a reviewer's duties and responsibilities, including compliance
191 with the requirements of s. 1006.31; and provide that all
192 instructional materials recommended by a reviewer be accompanied
193 by the reviewer's statement that the materials align with the
194 state standards pursuant to s. 1003.41 ~~and the requirements of~~
195 ~~s. 1006.31.~~
- 196 3. State the requirements for an affidavit to be made by
197 each district instructional materials reviewer which
198 substantially meet the requirements of s. 1006.30.
- 199 4. Comply with s. 1006.32, relating to prohibited acts.
- 200 5. Establish a process that certifies the accuracy of
201 instructional materials.
- 202 6. Incorporate applicable requirements of s. 1006.31, which
203 relates to the duties of instructional materials reviewers.
- 204 7. Incorporate applicable requirements of s. 1006.38,
205 relating to the duties, responsibilities, and requirements of
206 publishers of instructional materials.
- 207 8. Establish the process by which instructional materials
208 are adopted by the district school board, which must include:
209 a. A process to allow student editions of recommended
210 instructional materials to be accessed and viewed online by the
211 public at least 20 calendar days before the school board hearing
212 and public meeting as specified in this subparagraph. This
213 process must include reasonable safeguards against the
214 unauthorized use, reproduction, and distribution of



833208

215 instructional materials considered for adoption.

216 b. An open, noticed school board hearing to receive public
217 comment on the recommended instructional materials.

218 c. An open, noticed public meeting to approve an annual
219 instructional materials plan to identify any instructional
220 materials that will be purchased through the district school
221 board instructional materials review process pursuant to this
222 section. The district school board shall hold this public
223 meeting ~~must be held~~ on a different date than the school board
224 hearing.

225 d. Notice requirements for the school board hearing and the
226 public meeting that must specifically state which instructional
227 materials are being reviewed and the manner in which the
228 instructional materials can be accessed for public review.

229 9. Establish the process by which the district school board
230 shall receive public comment on, and review, the recommended
231 instructional materials.

232 10. Establish the process by which instructional materials
233 are will be purchased, including advertising, bidding, and
234 purchasing requirements.

235 11. Establish the process by which the school district
236 notifies will notify parents and residents of the county of
237 their ability to access ~~their children's~~ instructional materials
238 through the district's local instructional improvement system
239 and by which the school district will encourage parents and
240 residents of the county to access the system. This notification
241 must be displayed prominently on the school district's website
242 and provided annually in written format to all parents of
243 enrolled students.



833208

244 (4) Instructional materials that have been reviewed by the
245 district instructional materials reviewers and approved shall be
246 ~~must have been~~ determined to align with all applicable state
247 standards pursuant to s. 1003.41 ~~and the requirements in s.~~
248 ~~1006.31~~. The district school superintendent shall annually
249 certify to the department that all instructional materials for
250 core courses used by the district are aligned with all
251 applicable state standards and have been reviewed, selected, and
252 adopted by the district school board in accordance with ~~the~~
253 ~~school board hearing and public meeting requirements of this~~
254 section.

255 Section 3. Subsection (2) of section 1006.31, Florida
256 Statutes, is amended to read:

257 1006.31 Duties of the Department of Education and school
258 district instructional materials reviewer.—The duties of the
259 instructional materials reviewer are:

260 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the
261 selection criteria listed in s. 1006.34(2)(b) for instructional
262 materials reviewers under a state approval process or to use the
263 selection criteria listed in s. 1006.28(2)(a)1. for
264 instructional materials reviewers under a district approval
265 process under s. 1006.283 and recommend for adoption only those
266 instructional materials that are aligned with the Next
267 Generation Sunshine State Standards provided for in s. 1003.41.
268 Instructional materials recommended by each reviewer shall be,
269 to the satisfaction of each reviewer, accurate, objective,
270 balanced, noninflammatory, ~~current~~, and suited to student needs
271 and their ability to comprehend the material presented.
272 Reviewers shall consider for recommendation materials developed



833208

273 for academically talented students, such as students enrolled in
274 advanced placement courses. When recommending instructional
275 materials, each reviewer shall:

276 (a) Include only instructional materials that accurately
277 portray the ethnic, socioeconomic, cultural, religious,
278 physical, and racial diversity of our society, including men and
279 women in professional, career, and executive roles, and the role
280 and contributions of the entrepreneur and labor in the total
281 development of this state and the United States.

282 (b) Include only materials that accurately portray,
283 whenever appropriate, humankind's place in ecological systems,
284 including the necessity for the protection of our environment
285 and conservation of our natural resources and the effects on the
286 human system of the use of tobacco, alcohol, controlled
287 substances, and other dangerous substances.

288 (c) Include materials that encourage thrift, fire
289 prevention, and humane treatment of people and animals.

290 (d) Require, when appropriate to the comprehension of
291 students, that materials for social science, history, or civics
292 classes contain the Declaration of Independence and the
293 Constitution of the United States. A reviewer may not recommend
294 any instructional materials that contain any matter reflecting
295 unfairly upon persons because of their race, color, creed,
296 national origin, ancestry, gender, religion, disability,
297 socioeconomic status, or occupation.

298 Section 4. Subsections (3), (5), and (8) of section
299 1006.40, Florida Statutes, are amended to read:

300 1006.40 Use of instructional materials allocation;
301 instructional materials, library books, and reference books;



833208

302 repair of books.-

303 (3) (a) Except for a school district or a consortium of
304 school districts that implements an instructional materials
305 program pursuant to s. 1006.283 ~~Beginning with the 2015-2016~~
306 ~~fiscal year~~, each district school board shall use ~~at least 50~~
307 ~~percent of~~ the annual allocation for only the purchase of
308 ~~digital or electronic~~ instructional materials that align with
309 state standards and that are included on the state-adopted list,
310 except as otherwise authorized in paragraphs (b) and (c).

311 (b) Up to 50 percent of the annual allocation may be used
312 for:

313 1. The purchase of instructional materials, including
314 library and reference books and nonprint materials; ~~not~~
315 ~~included on the state-adopted list and for the repair and~~
316 ~~renovation of textbooks and library books.~~

317 2. The purchase of materials that are not provided under
318 subparagraph 1. and that have intellectual content that assist
319 in the instruction of a subject or course. These materials may
320 be available in bound, unbound, kit, or package form and may
321 consist of hardbacked or softbacked textbooks, novels,
322 electronic content, consumables, learning laboratories,
323 manipulatives, electronic media, computer courseware or
324 software, and other commonly accepted instructional tools as
325 prescribed by district school board rule; and

326 3. The repair and renovation of textbooks and library books
327 and replacements for items that were part of previously
328 purchased instructional materials.

329 (c) District school boards may use 100 percent of that
330 portion of the annual allocation designated for the purchase of



833208

331 instructional materials for kindergarten, and 75 percent of that
332 portion of the annual allocation designated for the purchase of
333 instructional materials for first grade, to purchase materials
334 not on the state-adopted list.

335 (5) Each district school board is responsible for the
336 content of all instructional materials used in a classroom,
337 whether purchased from the state-adopted instructional materials
338 list or through a district instructional materials program under
339 s. 1006.283 ~~an adoption process or otherwise purchased or made~~
340 ~~available in the classroom~~. Each district school board shall
341 adopt rules, and each district school superintendent shall
342 implement procedures, which that:

343 (a) Maximize student use of the district-approved
344 instructional materials, whether purchased from the state-
345 adopted instructional materials list or purchased through a
346 district instructional materials program under s. 1006.283.

347 (b) If the instructional materials are purchased from the
348 state-adopted instructional materials list, provide a process
349 for public review of, public comment on, and the adoption of
350 instructional materials which that satisfies the requirements of
351 s. 1006.283(2)(b)8., 9., and 11.; or, if purchased through a
352 district instructional materials program, implement a program
353 that fully complies with s. 1006.283.

354 (8) Subsections ~~(3)~~, (4), and (6) do not apply to a
355 district school board or a consortium of school districts which
356 ~~that~~ implements an instructional materials program pursuant to
357 s. 1006.283 except that, ~~by the 2015-2016 fiscal year~~, each
358 district school board shall use at least 50 percent of the
359 annual instructional materials allocation for the purchase of



833208

360 ~~digital or electronic~~ instructional materials that are aligned
361 ~~align~~ with state standards adopted by the State Board of
362 Education pursuant to s. 1003.41.

363 Section 5. Paragraphs (b) and (c) of subsection (19) of
364 section 1002.20, Florida Statutes, are amended to read:

365 1002.20 K-12 student and parent rights.—Parents of public
366 school students must receive accurate and timely information
367 regarding their child's academic progress and must be informed
368 of ways they can help their child to succeed in school. K-12
369 students and their parents are afforded numerous statutory
370 rights including, but not limited to, the following:

371 (19) INSTRUCTIONAL MATERIALS.—

372 (b) *Curricular objectives*.—The parent of each public school
373 student has the right to receive effective communication from
374 the school principal as to the manner in which instructional
375 materials are used to implement the school's curricular
376 objectives, in accordance with s. 1006.28(4)(a) ~~the provisions~~
377 ~~of s. 1006.28(3)(a)~~.

378 (c) *Sale of instructional materials*.—Upon request of the
379 parent of a public school student, the school principal shall
380 ~~must~~ sell to the parent any instructional materials used in the
381 school, in accordance with s. 1006.28(4)(c) ~~the provisions of s.~~
382 ~~1006.28(3)(c)~~.

383 Section 6. Section 1006.42, Florida Statutes, is amended to
384 read:

385 1006.42 Responsibility of students and parents for
386 instructional materials.—All instructional materials purchased
387 under ~~the provisions of~~ this part are the property of the
388 district school board. When distributed to the students, these



833208

389 instructional materials are on loan to the students while they
390 are pursuing their courses of study and are to be returned at
391 the direction of the school principal or the teacher in charge.
392 Each parent of a student to whom or for whom instructional
393 materials have been issued, is liable for any loss or
394 destruction of, or unnecessary damage to, the instructional
395 materials or for failure of the student to return the
396 instructional materials when directed by the school principal or
397 the teacher in charge, and shall pay for such loss, destruction,
398 or unnecessary damage as provided under s. 1006.28(4) ~~s.~~
399 ~~1006.28(3)~~.

400 Section 7. This act shall take effect upon becoming a law.

401
402 ===== T I T L E A M E N D M E N T =====

403 And the title is amended as follows:

404 Delete everything before the enacting clause
405 and insert:

406 A bill to be entitled
407 An act relating to instructional materials for K-12
408 public education; amending s. 1006.28, F.S.; revising
409 the term "adequate instructional materials"; defining
410 terms; requiring instructional materials to meet
411 certain standards; requiring each district school
412 board to adopt a process allowing parents or residents
413 of the county to object to the use of specific
414 instructional materials based on specified criteria;
415 requiring the process to include a right to appeal a
416 school district decision; specifying the appeal
417 process; deleting a provision relating to the finality



833208

418 of the school board's decision under certain
419 circumstances; requiring that district school boards
420 provide parents and residents of the county access to
421 certain materials under certain circumstances;
422 amending s. 1006.283, F.S.; revising the requirements
423 for school boards that adopt rules for the
424 implementation of the district's instructional
425 materials program; conforming provisions to changes
426 made by the act; amending s. 1006.31, F.S.; revising
427 the standards that an instructional materials reviewer
428 shall use; amending s. 1006.40, F.S.; revising
429 requirements for use of the instructional materials
430 allocation; revising the types of instructional
431 materials for which a district school board is
432 responsible; revising applicability; amending ss.
433 1002.20 and 1006.42, F.S.; conforming cross-
434 references; providing an effective date.



834124

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
	.	
	.	
	.	

The Committee on Education (Lee) recommended the following:

1 **Senate Amendment to Amendment (833208) (with title**
2 **amendment)**

3
4 Delete lines 54 - 263

5 and insert:

6 2. Each district school board shall ~~must~~ adopt a policy
7 regarding an objection by a parent or a resident of the county a
8 ~~parent's objection to the his or her child's~~ use of a specific
9 instructional material, which clearly describes a process to
10 handle all objections and provides for resolution. The process
11 must provide the parent or resident the opportunity to offer



834124

12 evidence to the district school board that:

13 a. An instructional material does not meet the criteria of
14 s. 1006.31(2) if it was selected for use in a course or
15 otherwise made available to students in the school district but
16 was not subject to the public notice, review, comment, and
17 hearing procedures under s. 1006.283(2)(b)8., 9., and 11.

18 b. Any material used in a classroom, made available in a
19 school library, or included on a reading list contains content
20 that is pornographic or prohibited under s. 847.012, is not
21 suited to student needs and their ability to comprehend the
22 material presented, or is inappropriate for the grade level and
23 age group for which the material is used.

24
25 If the district school board finds that an instructional
26 material does not meet the criteria under sub-subparagraph a. or
27 that any other material contains prohibited content under sub-
28 subparagraph b., the school district shall discontinue use of
29 the material for any grade level or age group for which such use
30 is inappropriate or unsuitable. The process much also include a
31 right to timely appeal any district decision to the district
32 school board.

33 3. Each district school board shall ~~must~~ establish a
34 process by which the parent of a public school student or a
35 resident of the county may contest the district school board's
36 adoption of a specific instructional material. The parent or
37 resident must file a petition, on a form provided by the school
38 board, within 30 calendar days after the adoption of the
39 material by the school board. The school board must make the
40 form available to the public and publish the form on the school



834124

41 district's website. The form must be signed by the parent or
42 resident, include the required contact information, and state
43 the objection to the instructional material, based on the
44 criteria of s. 1006.31(2). Within 30 days after the 30-day
45 period has expired, the school board must, for all petitions
46 timely received, conduct at least one open public hearing on all
47 petitions timely received, providing at a minimum the procedural
48 safeguards of ss. 120.569 and 120.57 making appropriate
49 provision for appointment of unbiased and qualified hearing
50 officers. A hearing officer may not be an employee, agent, or
51 contractor of the school district and provide the petitioner
52 written notification of the date and time of the hearing at
53 least 7 days before the hearing. all instructional materials
54 contested must be made accessible online to the public at least
55 7 days before a public hearing.

56
57 The school board's decision after convening a hearing is final
58 and not subject to further petition or review.

59 (b) *Instructional materials.*—Provide for proper
60 requisitioning, distribution, accounting, storage, care, and use
61 of all instructional materials and furnish such other
62 instructional materials as may be needed. Instructional
63 materials used must be consistent with the district goals and
64 objectives and the course descriptions established in rule of
65 the State Board of Education, ~~as well as~~ with the applicable
66 Next Generation Sunshine State Standards provided for in s.
67 1003.41.

68 (c) *Other instructional materials.*—Provide such other
69 teaching accessories and aids as are needed for the school



834124

70 district's educational program.

71 (d) *School library media services; establishment and*
72 *maintenance.*—Establish and maintain a program of school library
73 media services for all public schools in the district, including
74 school library media centers, or school library media centers
75 open to the public, and, in addition such traveling or
76 circulating libraries as may be needed for the proper operation
77 of the district school system. Upon a written request, a school
78 district shall provide access to any instructional material or
79 book specified in the request which is maintained in a district
80 school system library and is available for review.

81 (3) ~~(2)~~ DISTRICT SCHOOL SUPERINTENDENT.—

82 (a) The district school superintendent has the duty to
83 recommend such plans for improving, providing, distributing,
84 accounting for, and caring for instructional materials and other
85 instructional aids as will result in general improvement of the
86 district school system, as prescribed in this part, in
87 accordance with adopted district school board rules prescribing
88 the duties and responsibilities of the district school
89 superintendent regarding the requisition, purchase, receipt,
90 storage, distribution, use, conservation, records, and reports
91 of, and management practices and property accountability
92 concerning, instructional materials, and providing for an
93 evaluation of any instructional materials to be requisitioned
94 that have not been used previously in the district's schools.
95 The district school superintendent shall ~~must~~ keep adequate
96 records and accounts for all financial transactions for funds
97 collected pursuant to subsection (4) ~~(3)~~.

98 Section 2. Subsections (1), (2), and (4) of section



834124

99 1006.283, Florida Statutes, are amended to read:

100 1006.283 District school board instructional materials
101 review process.—

102 (1) A district school board or consortium of school
103 districts may implement an instructional materials program that
104 includes the review, recommendation, adoption, and purchase of
105 instructional materials pursuant to the requirements of this
106 section. The district school superintendent shall certify to the
107 department by March 31 of each year that all instructional
108 materials for core courses used by the district are aligned with
109 applicable state standards. A list of the core instructional
110 materials that will be used or purchased for use by the school
111 district shall be included in the certification.

112 (2) (a) If a district school board chooses to implement its
113 own instructional materials program, the school board shall
114 adopt rules implementing the district's instructional materials
115 program which must include its processes, criteria, and
116 requirements for the following:

117 1. Selection of reviewers, at least one-third ~~one or more~~
118 of whom must be parents with children in public schools who are
119 not and have not been employees of the district.

120 2. Review of instructional materials.

121 3. Selection of instructional materials, including a
122 thorough review of curriculum content.

123 4. Reviewer recommendations.

124 5. District school board adoption.

125 6. Purchase of instructional materials.

126 7. Use of an instructional materials review committee that
127 is subject to s. 286.011 and that is selected by and reports



834124

128 directly to the district school board.

129 (b) District school board rules shall ~~must~~ also:

130 1. Identify, by subject area, a review cycle for
131 instructional materials.

132 2. Specify the qualifications for an instructional
133 materials reviewer and the process for selecting reviewers; list
134 a reviewer's duties and responsibilities, including compliance
135 with the requirements of s. 1006.31; and provide that all
136 instructional materials recommended by a reviewer be accompanied
137 by the reviewer's statement that the materials align with the
138 state standards pursuant to s. 1003.41 ~~and the requirements of~~
139 ~~s. 1006.31.~~

140 3. State the requirements for an affidavit to be made by
141 each district instructional materials reviewer which
142 substantially meet the requirements of s. 1006.30.

143 4. Comply with s. 1006.32, relating to prohibited acts.

144 5. Establish a process that certifies the accuracy of
145 instructional materials.

146 6. Incorporate applicable requirements of s. 1006.31, which
147 relates to the duties of instructional materials reviewers.

148 7. Incorporate applicable requirements of s. 1006.38,
149 relating to the duties, responsibilities, and requirements of
150 publishers of instructional materials.

151 8. Establish the process by which instructional materials
152 are adopted by the district school board, which must include:

153 a. A process to allow student editions of recommended
154 instructional materials to be accessed and viewed online by the
155 public at least 20 calendar days before the school board hearing
156 and public meeting as specified in this subparagraph. This



834124

157 process must include reasonable safeguards against the
158 unauthorized use, reproduction, and distribution of
159 instructional materials considered for adoption.

160 b. An open, noticed school board hearing to receive public
161 comment on the recommended instructional materials.

162 c. An open, noticed public meeting to approve an annual
163 instructional materials plan to identify any instructional
164 materials that will be purchased through the district school
165 board instructional materials review process pursuant to this
166 section. The district school board shall hold this public
167 meeting ~~must be held~~ on a different date than the school board
168 hearing.

169 d. Notice requirements for the school board hearing and the
170 public meeting that must specifically state which instructional
171 materials are being reviewed and the manner in which the
172 instructional materials can be accessed for public review.

173 9. Establish the process by which the district school board
174 shall receive public comment on, and review, the recommended
175 instructional materials.

176 10. Establish the process by which instructional materials
177 are ~~will be~~ purchased, including advertising, bidding, and
178 purchasing requirements.

179 11. Establish the process by which the school district
180 notifies ~~will notify~~ parents and residents of the county of
181 their ability to access ~~their children's~~ instructional materials
182 through the district's local instructional improvement system
183 and by which the school district will encourage parents and
184 residents of the county to access the system. This notification
185 must be displayed prominently on the school district's website



834124

186 and provided annually in written format to all parents of
187 enrolled students.

188 (4) Instructional materials that have been reviewed by the
189 district instructional materials reviewers and approved shall be
190 ~~must have been~~ determined to align with all applicable state
191 standards pursuant to s. 1003.41 ~~and the requirements in s.~~
192 ~~1006.31~~. The district school superintendent shall annually
193 certify to the department that all instructional materials for
194 core courses used by the district are aligned with all
195 applicable state standards and have been reviewed, selected, and
196 adopted by the district school board in accordance with ~~the~~
197 ~~school board hearing and public meeting requirements of this~~
198 section.

199 Section 3. Subsection (2) of section 1006.31, Florida
200 Statutes, is amended to read:

201 1006.31 Duties of the Department of Education and school
202 district instructional materials reviewer.—The duties of the
203 instructional materials reviewer are:

204 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the
205 selection criteria listed in s. 1006.34(2)(b) for instructional
206 materials reviewers under a state approval process or for

207
208 ===== T I T L E A M E N D M E N T =====

209 And the title is amended as follows:

210 Delete lines 410 - 411

211 and insert:

212 terms; requiring each district school



554964

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2017	.	
	.	
	.	
	.	

The Committee on Education (Lee) recommended the following:

Senate Amendment to Amendment (833208)

1
2
3 Delete line 133
4 and insert:
5 of the district school system. Within 30 days after receiving a
6 written request, a school

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

Topic INSTRUCTIONAL MATERIALS

Bill Number 1210
(if applicable)

Name KAREN EFFREM, MD

Amendment Barcode _____
(if applicable)

Job Title EXEC. DIR.

Address 116 LOUSLEY DRIVE SE
Street
PORT CHARLOTTE, FL 33952
City State Zip

Phone 763-458-7119

E-mail doakaren@stopcc
coalition.org

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-2017
Meeting Date

SB 210
Bill Number (if applicable)

Topic Classroom Materials

Amendment Barcode (if applicable)

Name Velinda Root

Job Title Teacher (retired, certified)

Address 1 Lake Pleasant Lane

Phone (850) 584-8311

Street

Perry
City

FL
State

32347
Zip

Email vroot@gmail.com

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

3/27/2017
Meeting Date

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

SB 1210
Bill Number (if applicable)

Topic CLASSROOM MATERIALS

Amendment Barcode (if applicable)

Name BOB ROOT

Job Title NATIONAL EDITOR, AMERICAN PATRIOT NEWS

Address P.O. Box 681

Phone 850-672-4221

Street

SHADY GROVE, FL

32357

City

State

Zip

Email americanpatriotnews@yahoo.com

Speaking: For Against Information

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

Representing AMERICAN PATRIOT NEWS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

5

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

SB 1210

Bill Number (if applicable)

Meeting Date

Topic SB 1210 Instructional Material

Amendment Barcode (if applicable)

Name KEITH O FLAUGH

Job Title CITIZEN ADVOCATE

Address 1390 Quintera Ct

Phone

Street

City

MACE ISLAND FL 34145

State

Zip

Email

Speaking: For Against Information

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

Representing FLCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

4

3/27/17
Meeting Date

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

SB 1210
Bill Number (if applicable)

Topic SB 1210

Amendment Barcode (if applicable)

Name Ed Wilson

Job Title Citizen

Address 6960 SW 155th St

Phone 352-362-1914

Dunnellon FL 34432
City State Zip

Email edw.bengcoadi.com

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.

THE FLORIDA SENATE
APPEARANCE RECORD

3

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

3-27-17

Meeting Date

SB-1210

Bill Number (if applicable)

Topic Instructional Materials

Amendment Barcode (if applicable)

Name Dennis McDonald

Job Title Citizen advocate

Address P.O. Box 1232
Street

Phone 386-852-9016

Flagler Beach FL 32136
City State Zip

Email dkmcdonald67@gmail.com

Speaking: For Against Information

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

Representing FLCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

2

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

3-27-17

Meeting Date

SB 1210

Bill Number (if applicable)

Topic Instructional Materials

Amendment Barcode (if applicable)

Name Janet McDonald

Job Title School Board Member - Flagler County

Address P.O. Box 1232
Street

Phone 386-852-9014

Flagler Beach FL 32136
City State Zip

Email mcdonaldj@flaglerschools.com

Speaking: For Against Information

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

Representing students, teachers, parents, community & business members, college profs
other school board members & FLCA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

①

3/27/17

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

1210

Bill Number (if applicable)

Meeting Date

Topic SB 1210 Instructional Materials

Amendment Barcode (if applicable)

Name Hamilton Boone

Job Title CITIZENS ADVOCATE

Address 505 Southeastern Lane

Phone 321 795 3210

Street

Indian Harbour Beach FL 32937

Email FreedomsofAccess.com

City

State

Zip

Speaking: For Against Information

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

Representing FL Citizen's 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17
Meeting Date

1210
Bill Number (if applicable)

Topic Instructional Materials

Amendment Barcode (if applicable)

Name Nancy Stacy (Ma County School Bd)

Job Title Director

Address 113 S. Monroe St. #101

Phone 850-391-0421

Tallahassee, FL 32301
City State Zip

Email info@FCSBM.org

Speaking: For Against Information

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

Representing Florida Coalition of School Bd. Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD3/27/2017

Meeting Date

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

1210

Bill Number (if applicable)

833208

Amendment Barcode (if applicable)

Topic Instructional MaterialsName Dana SchaeferJob Title President, FADIMAAddress 1529 Pleasant Grove Drive

Street

Dunedin

City

FL

State

34698

Zip

Phone 727-612-2539Email schaferd@pcsb.orgSpeaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing Florida Association of District Instructional Materials AdministratorsAppearing 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)

By Senator Lee

20-00767A-17

20171210__

1 A bill to be entitled
 2 An act relating to instructional materials for K-12
 3 public education; amending s. 1006.28, F.S.; revising
 4 the term "adequate instructional materials" and
 5 defining the term "instructional materials"; requiring
 6 instructional materials to meet certain standards;
 7 requiring each district school board to adopt a
 8 process allowing parents or other persons who pay ad
 9 valorem property or sales tax in Florida to object to
 10 the use of specific instructional materials based on
 11 specified criteria; requiring the process to include a
 12 right to appeal a school district decision; specifying
 13 the appeal process; deleting a provision relating to
 14 the finality of the school board's decision under
 15 certain circumstances; revising the standards for
 16 instructional materials to include standards that are
 17 equivalent to or better than applicable state
 18 standards; requiring that district school boards
 19 provide parents and other persons who pay ad valorem
 20 property or sales tax in Florida full access to
 21 certain services under certain circumstances; amending
 22 s. 1006.283, F.S.; revising the requirement that the
 23 district school superintendent certify that all
 24 instructional materials used by the district for core
 25 courses meet certain standards; revising the
 26 requirements for school boards that adopt rules for
 27 the implementation of the district's instructional
 28 materials program; conforming provisions to changes
 29 made by the act; amending s. 1006.31, F.S.; revising

Page 1 of 17

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

20-00767A-17

20171210__

30 the standards that an instructional materials reviewer
 31 shall use to include instructional materials standards
 32 that are equivalent to or better than applicable state
 33 standards; amending s. 1006.40, F.S.; revising the use
 34 of a portion of the district school board annual
 35 allocation; revising the portion of the district
 36 school board annual allocation which may be used for
 37 instructional materials; revising the types of
 38 instructional materials for which a district school
 39 board is responsible; revising applicability; amending
 40 ss. 1002.20 and 1006.42, F.S.; conforming cross-
 41 references; providing an effective date.

42
 43 Be It Enacted by the Legislature of the State of Florida:

44
 45 Section 1. Present subsections (1), (2), and (3) of section
 46 1006.28, Florida Statutes, are redesignated as subsections (2),
 47 (3), and (4), respectively, a new subsection (1) is added to
 48 that section, and present subsection (1) and paragraph (a) of
 49 present subsection (2) are amended, to read:

50 1006.28 Duties of district school board, district school
 51 superintendent; and school principal regarding K-12
 52 instructional materials.—

53 (1) DEFINITIONS.—As used in this section, the term:

54 (a) "Adequate instructional materials" means instructional
 55 materials that meet the requirements of this section and have a
 56 sufficient number of student or site licenses or sets of
 57 materials that are available in bound, unbound, kit, or package
 58 form and may consist of hardbacked or softbacked textbooks,

Page 2 of 17

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

20-00767A-17 20171210__

59 electronic content, consumables, learning laboratories,
 60 manipulatives, electronic media, and computer courseware or
 61 software to serve as the basis for instruction for each student
 62 in the core subject areas of mathematics, language arts, social
 63 studies, science, reading, and literature.

64 (b) "Instructional materials" means systematically arranged
 65 content in text, digital, braille and large print, or audio
 66 format which may be used within the state curriculum framework
 67 for courses of study by a student in a public school. The term
 68 includes textbooks, workbooks and worksheets, handouts, computer
 69 software, online or Internet courses, CDs or DVDs, and multiple
 70 forms of communication and electronic media. Instructional
 71 materials may be used by a student or teacher as principal
 72 sources of study to cover any portion of the course.

73 Instructional materials:

- 74 1. Must be designated for student use;
- 75 2. May contain or be accompanied by teaching guides and
 76 study helps; and
- 77 3. Must include all textbooks, workbooks, and student
 78 materials and supplements necessary for a student to fully
 79 participate in coursework.

80 (2)(4) DISTRICT SCHOOL BOARD.—The district school board has
 81 the constitutional duty and responsibility to select and provide
 82 adequate instructional materials for all students in accordance
 83 with the requirements of this part. The term "adequate
 84 instructional materials" means a sufficient number of student or
 85 site licenses or sets of materials that are available in bound,
 86 unbound, kit, or package form and may consist of hardbacked or
 87 softbacked textbooks, electronic content, consumables, learning

20-00767A-17 20171210__

88 ~~laboratories, manipulatives, electronic media, and computer~~
 89 ~~courseware or software that serve as the basis for instruction~~
 90 ~~for each student in the core subject areas of mathematics,~~
 91 ~~language arts, social studies, science, reading, and literature.~~

92 The district school board also has the following specific duties
 93 and responsibilities:

94 (a) *Courses of study; adoption.*—Adopt courses of study,
 95 including instructional materials, for use in the schools of the
 96 district.

97 1. Each district school board is responsible for the
 98 content of all instructional materials used in a classroom,
 99 whether adopted and purchased, leased, licensed, obtained, or
 100 used from the state-adopted instructional materials list or
 101 adopted and purchased, leased, licensed, obtained, or used
 102 through a district instructional materials program under s.
 103 1006.283, or otherwise purchased or made available in the
 104 classroom. Irrespective of whether or not instructional
 105 materials are purchased, leased, licensed, obtained or used by a
 106 district from the state-adopted instructional materials list or
 107 purchased, leased, licensed, obtained, or used by a district
 108 through a district instructional materials program under s.
 109 1006.283, each district school board shall ensure that all
 110 instructional materials used in the classroom meet the following
 111 criteria:

- 112 a. Be research-based, and be proven to be effective in
 113 supporting student learning;
- 114 b. Provide a noninflammatory, objective, and balanced
 115 viewpoint on issues;
- 116 c. Be appropriate to the students' ages and varying levels

20-00767A-17 20171210__

117 of learning;
 118 d. Be accurate and factual;
 119 e. Be of acceptable technical quality;
 120 f. Shall strictly adhere to the requirements of s.
 121 1003.42(2); and
 122 g. Not contain pornography or content as is otherwise
 123 prohibited by s. 847.012(3).
 124
 125 Districts may not determine that instructional materials used in
 126 the classroom meet the above criteria on the basis that such
 127 materials were purchased, leased, licensed, obtained, or used by
 128 a district from the state-adopted instructional materials list
 129 or purchased, leased, licensed, obtained, or used by a district
 130 through a district instructional materials program under s.
 131 1006.283.
 132 2. Each district school board shall must adopt a policy
 133 regarding the right of a parent's or other person who pays ad
 134 valorem property or sales taxes in Florida to object parent's
 135 objection to the his or her child's use of a specific
 136 instructional material based on the criteria specified in
 137 subparagraph 1., which policy must clearly describe describes a
 138 process to handle all objections and provide resolutions, which
 139 shall be applied and enforced on a districtwide basis, that
 140 eliminate the use, in all schools within the district, of
 141 instructional materials that do not meet the criteria specified
 142 in subparagraph 1. The process must also include a right to
 143 timely appeal any district decision to the district school board
 144 provides for resolution.
 145 3. Each district school board shall must establish a

20-00767A-17 20171210__

146 process by which the parent of a public school student or any
 147 other person who pays ad valorem property or sales tax in
 148 Florida may contest the district school board's adoption of a
 149 specific instructional material directly to the school board
 150 based on the instructional materials requirements under this
 151 section and the requirements of a district instructional
 152 materials program under s. 1006.283 or the requirements of
 153 instructional materials purchased, leased, licensed, obtained,
 154 or used from the list of state-adopted materials, as applicable.
 155 The parent or any other person who pays ad valorem property or
 156 sales tax in Florida shall must file a petition, on a form
 157 provided by the school board, within 30 calendar days after the
 158 adoption of the material by the school board. The school board
 159 shall must make the form available to the public and publish the
 160 form on the school district's website. The form shall must be
 161 signed by the parent or such other person who pays ad valorem
 162 property or sales tax in Florida, include the required contact
 163 information, and state the objection to the instructional
 164 material. Within 30 days after the 30-day period has expired,
 165 the school board shall must conduct at least one open public
 166 hearing on all petitions timely received and provide the
 167 petitioner written notification of the date and time of the
 168 hearing at least 7 days before the hearing. The school board
 169 shall make all contested instructional materials contested must
 170 be made accessible online to the public at least 7 days before a
 171 public hearing. ~~The school board's decision after convening a~~
 172 ~~hearing is final and not subject to further petition or review.~~
 173 (b) Instructional materials.-Provide for proper
 174 requisitioning, distribution, accounting, storage, care, and use

20-00767A-17

20171210__

175 of all instructional materials and furnish such other
 176 instructional materials as may be needed. Instructional
 177 materials used must be consistent with the district goals and
 178 objectives and the course descriptions established in rule of
 179 the State Board of Education, ~~as well as~~ with the applicable
 180 Next Generation Sunshine State Standards provided for in s.
 181 1003.41, with standards that are equivalent to or better than
 182 the applicable state standards, or with courses offered in the
 183 district pursuant to s. 1003.4282(1).

184 (c) *Other instructional materials.*—Provide such other
 185 teaching accessories and aids as are needed for the school
 186 district's educational program.

187 (d) *School library media services; establishment and*
 188 *maintenance.*—Establish and maintain a program of school library
 189 media services for all public schools in the district, including
 190 school library media centers, or school library media centers
 191 open to the public, and, in addition such traveling or
 192 circulating libraries as may be needed for the proper operation
 193 of the district school system. Subject to district policies
 194 pertaining to campus access and security, parents and any other
 195 person who pays ad valorem property or sales tax in Florida
 196 shall be given full access to inspect all school library media
 197 services and materials.

198 ~~(3)(2)~~ DISTRICT SCHOOL SUPERINTENDENT.—

199 (a) The district school superintendent has the duty to
 200 recommend such plans for improving, providing, distributing,
 201 accounting for, and caring for instructional materials and other
 202 instructional aids as will result in general improvement of the
 203 district school system, as prescribed in this part, in

20-00767A-17

20171210__

204 accordance with adopted district school board rules prescribing
 205 the duties and responsibilities of the district school
 206 superintendent regarding the requisition, purchase, lease,
 207 license, receipt, storage, distribution, use, conservation,
 208 records, and reports of, and management practices and property
 209 accountability concerning, instructional materials, and
 210 providing for an evaluation of any instructional materials to be
 211 requisitioned that have not been used previously in the
 212 district's schools. The district school superintendent shall
 213 ~~must~~ keep adequate records and accounts for all financial
 214 transactions for funds collected pursuant to subsection (4) ~~(3)~~.

215 Section 2. Subsections (1), (2), and (4) of section
 216 1006.283, Florida Statutes, are amended to read:

217 1006.283 District school board instructional materials
 218 review process.—

219 (1) A district school board or consortium of school
 220 districts may implement an instructional materials program that
 221 includes the review, recommendation, adoption, use, lease,
 222 license, obtaining and purchase, or other use of instructional
 223 materials pursuant to the requirements of this section. The
 224 district school superintendent shall certify to the department
 225 by March 31 of each year that all instructional materials for
 226 core courses used by the district are aligned with applicable
 227 state standards, aligned with standards that are equivalent to
 228 or better than the applicable state standards, or aligned with
 229 courses offered in the district pursuant to s. 1003.4282(1). A
 230 list of the core instructional materials that will be used,
 231 leased, licensed, obtained, or purchased for use by the school
 232 district shall be included in the certification.

20-00767A-17

20171210__

233 (2) (a) If a district school board chooses to implement its
 234 own instructional materials program, the school board shall
 235 adopt rules implementing the district's instructional materials
 236 program which must include its processes, criteria, and
 237 requirements for the following:

238 1. Selection of reviewers, at least one-third one or more
 239 of whom must be parents with children in public schools which
 240 are not and have not been employees of the district.

241 2. Review of instructional materials.

242 3. Selection of instructional materials, including a
 243 thorough review of curriculum content.

244 4. Reviewer recommendations.

245 5. District school board adoption.

246 6. Purchase, lease, license, or other use of instructional
 247 materials.

248 7. Use of an instructional materials review committee that
 249 is subject to s. 286.011 and that is selected by and reports
 250 directly to the district school board.

251 (b) District school board rules shall ~~must~~ also:

252 1. Identify, by subject area, a review cycle for
 253 instructional materials.

254 2. Specify the qualifications for an instructional
 255 materials reviewer and the process for selecting reviewers; list
 256 a reviewer's duties and responsibilities, including compliance
 257 with the requirements of s. 1006.31; and provide that all
 258 instructional materials recommended by a reviewer be accompanied
 259 by the reviewer's statement that the materials align with the
 260 state standards pursuant to s. 1003.41, align with standards
 261 that are equivalent to or better than the applicable state

20-00767A-17

20171210__

262 standards, or otherwise align with courses offered in the
 263 district pursuant to s. 1003.4282(1) and the requirements of s.
 264 ~~1006.31.~~

265 3. State the requirements for an affidavit to be made by
 266 each district instructional materials reviewer which
 267 substantially meet the requirements of s. 1006.30.

268 4. Comply with s. 1006.32, relating to prohibited acts.

269 5. Establish a process that certifies the accuracy of
 270 instructional materials.

271 6. Incorporate applicable requirements of s. 1006.31, which
 272 relates to the duties of instructional materials reviewers.

273 7. Incorporate applicable requirements of s. 1006.38,
 274 relating to the duties, responsibilities, and requirements of
 275 publishers of instructional materials.

276 8. Establish the process by which instructional materials
 277 are adopted by the district school board, which must include:

278 a. A process to allow student and teacher editions of
 279 recommended instructional materials to be accessed and viewed
 280 online by the public at least 20 calendar days before the school
 281 board hearing and public meeting as specified in this
 282 subparagraph. This process must include reasonable safeguards
 283 against the unauthorized use, reproduction, and distribution of
 284 instructional materials considered for adoption.

285 b. An open, noticed school board hearing to receive public
 286 comment on the recommended instructional materials.

287 c. An open, noticed public meeting to approve an annual
 288 instructional materials plan to identify any instructional
 289 materials that will be purchased, leased, licensed, obtained or
 290 used through the district school board instructional materials

20-00767A-17

20171210__

291 review process pursuant to this section. The district school
 292 board shall hold this public meeting ~~must be held~~ on a different
 293 date than the school board hearing.

294 d. Notice requirements for the school board hearing and the
 295 public meeting that ~~shall~~ ~~must~~ specifically state which
 296 instructional materials are being reviewed and the manner in
 297 which the instructional materials can be accessed for public
 298 review.

299 9. Establish the process by which the district school board
 300 shall receive public comment on, and review, the recommended
 301 instructional materials.

302 10. Establish the process by which instructional materials
 303 are will be purchased, leased, licensed, obtained, or used
 304 including advertising, bidding, and purchasing requirements.

305 11. Establish the process by which the school district
 306 notifies will notify parents and any other person who pays ad
 307 valorem property or sales tax in Florida of their ability to
 308 access ~~their children's~~ instructional materials through the
 309 district's local instructional improvement system and by which
 310 the school district will encourage parents and any other person
 311 who pays ad valorem property or sales tax in Florida to access
 312 the system. This notification ~~shall~~ ~~must~~ be displayed
 313 prominently on the school district's website and provided
 314 annually in written format to all parents of enrolled students.

315 (4) Instructional materials that have been reviewed by the
 316 district instructional materials reviewers and approved shall be
 317 ~~must have been~~ determined to align with all applicable state
 318 standards pursuant to s. 1003.41, align with standards that are
 319 equivalent to or better than the applicable state standards, or

20-00767A-17

20171210__

320 otherwise align with courses offered in the district pursuant to
 321 s. 1003.4282(1) and the requirements in s. 1006.31. The district
 322 school superintendent shall annually certify to the department
 323 that all instructional materials for core courses used by the
 324 district are aligned with all applicable state standards, are
 325 aligned with standards that are equivalent to or better than the
 326 applicable state standards, or are aligned with courses offered
 327 in the district pursuant to s. 1003.4282(1) and have been
 328 reviewed, selected, and adopted by the district school board in
 329 accordance with ~~the school board hearing and public meeting~~
 330 ~~requirements of~~ this section.

331 Section 3. Subsection (2) of section 1006.31, Florida
 332 Statutes, is amended to read:

333 1006.31 Duties of the Department of Education and school
 334 district instructional materials reviewer.—The duties of the
 335 instructional materials reviewer are:

336 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To use the
 337 selection criteria listed in s. 1006.34(2)(b) for instructional
 338 materials reviewers under a state approval process or to use the
 339 selection criteria listed in s. 1006.28(2)(a)1. for
 340 instructional materials reviewers under a district approval
 341 process under s. 1006.283 and recommend for adoption only those
 342 instructional materials that are aligned with the Next
 343 Generation Sunshine State Standards provided for in s. 1003.41,
 344 that are aligned with standards that are equivalent to or better
 345 than applicable state standards, or that are aligned with
 346 courses offered in the district pursuant to s. 1003.4282(1).
 347 Instructional materials recommended by each reviewer shall be,
 348 to the satisfaction of each reviewer, accurate, objective,

20-00767A-17

20171210__

349 balanced, noninflammatory, ~~current~~, and suited to student needs
 350 and their ability to comprehend the material presented.
 351 Reviewers shall consider for recommendation materials developed
 352 for academically talented students, such as students enrolled in
 353 advanced placement courses. When recommending instructional
 354 materials, each reviewer shall:

355 (a) Include only instructional materials that accurately
 356 portray the ethnic, socioeconomic, cultural, religious,
 357 physical, and racial diversity of our society, including men and
 358 women in professional, career, and executive roles, and the role
 359 and contributions of the entrepreneur and labor in the total
 360 development of this state and the United States.

361 (b) Include only materials that accurately portray,
 362 whenever appropriate, humankind's place in ecological systems,
 363 including the necessity for the protection of our environment
 364 and conservation of our natural resources and the effects on the
 365 human system of the use of tobacco, alcohol, controlled
 366 substances, and other dangerous substances.

367 (c) Include materials that encourage thrift, fire
 368 prevention, and humane treatment of people and animals.

369 (d) Require, when appropriate to the comprehension of
 370 students, that materials for social science, history, or civics
 371 classes contain the Declaration of Independence and the
 372 Constitution of the United States. A reviewer may not recommend
 373 any instructional materials that contain any matter reflecting
 374 unfairly upon persons because of their race, color, creed,
 375 national origin, ancestry, gender, religion, disability,
 376 socioeconomic status, or occupation.

377 Section 4. Subsections (3), (5), and (8) of section

20-00767A-17

20171210__

378 1006.40, Florida Statutes, are amended to read:

379 1006.40 Use of instructional materials allocation;
 380 instructional materials, library books, and reference books;
 381 repair of books.—

382 (3) (a) Beginning with the ~~2017-2018~~ 2015-2016 fiscal year
 383 and except as otherwise authorized in paragraphs (b) and (c),
 384 each district school board shall use at least 50 percent of the
 385 annual allocation for the purchase, lease, license, obtaining,
 386 or use of digital or electronic instructional materials that
 387 meet the requirements of s. 1006.31, and that are consistent
 388 with district goals and objectives and the course descriptions
 389 adopted in rule by the State Board of Education, align with
 390 state standards provided in s. 1003.41, align with standards
 391 that are equivalent to or better than applicable state
 392 standards, or align with courses offered in the district
 393 pursuant to s. 1003.4282(1) included on the state-adopted list,
 394 except as otherwise authorized in paragraphs (b) and (c).

395 (b) ~~All Up to 50 percent~~ of the annual allocation may be
 396 used for the purchase, lease, license, obtaining, or use of
 397 instructional materials, including library and reference books
 398 and nonprint materials, not included on the state-adopted list
 399 and for the repair and renovation of textbooks and library books
 400 if a district school board implements an instructional materials
 401 program pursuant to s. 1006.283.

402 (c) If a district school board does not implement an
 403 instructional materials program pursuant to s. 1006.283, it
 404 ~~boards~~ may use 100 percent of that portion of the annual
 405 allocation designated for the purchase, lease, license,
 406 obtaining, or use of instructional materials for kindergarten,

20-00767A-17

20171210__

407 and 75 percent of that portion of the annual allocation
 408 designated for the purchase, lease, license, obtaining, or use
 409 of instructional materials for first grade, to purchase, lease,
 410 license, obtain, or use materials not on the state-adopted list.

411 (5) Each district school board is responsible for the
 412 content of all instructional materials used in a classroom,
 413 whether purchased, leased, licensed, obtained, or used from the
 414 state-adopted instructional materials list or through a district
 415 instructional materials program under s. 1006.283 ~~an adoption~~
 416 ~~process or otherwise purchased or made available in the~~
 417 ~~classroom~~. Each district school board shall adopt rules, and
 418 each district school superintendent shall implement procedures,
 419 which that:

420 (a) Maximize student use of the district-approved
 421 instructional materials, whether purchased, leased, licensed,
 422 obtained, or used from the state-adopted instructional materials
 423 list or purchased, leased, licensed, obtained, or used through a
 424 district instructional materials program under s. 1006.283.

425 (b) If purchased, leased, licensed, obtained, or used from
 426 the state-adopted instructional materials list, provide a
 427 process for public review of, public comment on, and the
 428 adoption of instructional materials which that satisfies the
 429 requirements of s. 1006.283(2)(b)8., 9., and 11.; or, if
 430 purchased, leased, licensed, obtained, or used through a
 431 district instructional materials program, implement a program
 432 that fully complies with s. 1006.283.

433 (8) Subsections ~~(3)~~ (4) and (6) do not apply to a
 434 district school board or a consortium of school districts which
 435 ~~that~~ implements an instructional materials program pursuant to

Page 15 of 17

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

20-00767A-17

20171210__

436 s. 1006.283 except that, ~~by the 2015-2016 fiscal year,~~ each
 437 district school board shall use at least 50 percent of the
 438 annual instructional materials allocation for the purchase,
 439 lease, license, obtaining, or use of digital or electronic
 440 instructional materials that are aligned ~~align~~ with state
 441 standards adopted by the State Board of Education pursuant to s.
 442 1003.41, aligned with standards that are equivalent to or better
 443 than applicable state standards, or aligned with courses offered
 444 in the district pursuant to s. 1003.4282(1).

445 Section 5. Paragraphs (b) and (c) of subsection (19) of
 446 section 1002.20, Florida Statutes, are amended to read:

447 1002.20 K-12 student and parent rights.—Parents of public
 448 school students must receive accurate and timely information
 449 regarding their child's academic progress and shall ~~must~~ be
 450 informed of ways they can help their child to succeed in school.
 451 K-12 students and their parents are afforded numerous statutory
 452 rights including, but not limited to, the following:

453 (19) INSTRUCTIONAL MATERIALS.—

454 (b) *Curricular objectives.*—The parent of each public school
 455 student has the right to receive effective communication from
 456 the school principal as to the manner in which instructional
 457 materials are used to implement the school's curricular
 458 objectives, in accordance with s. 1006.28(4)(a) ~~the provisions~~
 459 ~~of s. 1006.28(3)(a).~~

460 (c) *Sale of instructional materials.*—Upon request of the
 461 parent of a public school student, the school principal shall
 462 ~~must~~ sell to the parent any instructional materials used in the
 463 school, in accordance with s. 1006.28(4)(c) ~~the provisions of s.~~
 464 ~~1006.28(3)(e).~~

Page 16 of 17

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

20-00767A-17

20171210__

465 Section 6. Section 1006.42, Florida Statutes, is amended to
466 read:

467 1006.42 Responsibility of students and parents for
468 instructional materials.—All instructional materials purchased,
469 leased, licensed, obtained, or used under ~~the provisions of~~ this
470 part are the property of the district school board. When
471 distributed to the students, these instructional materials are
472 on loan to the students while they are pursuing their courses of
473 study and are to be returned at the direction of the school
474 principal or the teacher in charge. Each parent of a student to
475 whom or for whom instructional materials have been issued, is
476 liable for any loss or destruction of, or unnecessary damage to,
477 the instructional materials or for failure of the student to
478 return the instructional materials when directed by the school
479 principal or the teacher in charge, and shall pay for such loss,
480 destruction, or unnecessary damage as provided under s.
481 1006.28(4) ~~s. 1006.28(3)~~.

482 Section 7. This act shall take effect upon becoming a law.

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 1222

INTRODUCER: Senator Bradley

SUBJECT: School Grades

DATE: March 24, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Androff	Graf	ED	Favorable
2.			AED	
3.			AP	

I. Summary:

SB 1222 revises the number of students required to establish a school feeder pattern for a qualifying K-3 school from 60 percent of students to a majority of students scheduled to be assigned to the graded school.

The bill takes effect July 1, 2017.

II. Present Situation:

School grades provide an easily understandable way to measure the performance of a school.¹ Parents and the general public can use the school grade and its components to understand how well each school is serving its students.²

School Grades in Florida

Schools are graded using one of the following grades:³

- “A,” for schools making excellent progress – 62% or higher of total points.
- “B,” for schools making above average progress – 54% to 61% of total points.
- “C,” for schools making satisfactory progress – 41% to 53% of total points.
- “D,” for schools making less than satisfactory progress – 32% to 40% of total points.
- “F,” for schools failing to make adequate progress – 31% or less of total points.

The State Board of Education (SBE) must periodically review the school grading scale to determine if the scale should be adjusted upward to meet raised expectations and encourage

¹ Florida Department of Education, *2016 Preliminary School Grades Overview*, available at <http://schoolgrades.fldoe.org/pdf/1516/SchoolGradesOverview16.pdf>.

² *Id.*

³ Section 1008.34(2), F.S.; Rule 6A-1.09981, F.A.C.

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.⁴

Elementary School Grade Model (700 Points) ⁵		
English Language Arts (ELA)	Math	Science
Achievement (0% - 100%)	Achievement (0% - 100%)	Achievement (0% - 100%)
Learning Gains (0% - 100%)	Learning Gains (0% - 100%)	
Learning Gains of Low 25% (0% - 100%)	Learning Gains of Low 25% (0% - 100%)	

A school’s grade must include only those components for which at least 10 students have complete data. If a school does not meet the 10-student threshold for one component, it will receive a school grade based only on the remaining components.⁶

Feeder Pattern

A school that serves any combination of K-3 students and that does not receive a school grade as a result of its students not being tested, receives the school grade of a K-3 feeder pattern school determined by the Florida Department of Education (DOE) and verified by the district.⁷ A school feeder pattern exists if at least 60 percent of the students are scheduled to be assigned to the graded school.⁸ Under the feeder pattern, an ungraded school receives the grade of a feeder school.⁹

Feeder school status is first determined by identifying K-3 schools (schools that only serve students through grade 3) that have 60 percent of their students matriculate to a single school the following year.¹⁰ This is determined by identifying the actual school of enrollment. The DOE does not have information on the schools that the students are scheduled to attend.¹¹ Once the DOE identifies the feeder patterns, this information is sent to the districts for review and input. Districts may provide additional information that could result in a change to the feeder school list.¹² If a K-3 school receives a school grade, the school is removed from the feeder school list.¹³

⁴ Section 1008.34(3)(c)1., F.S.

⁵ Florida Department of Education, *2016 Preliminary School Grades Overview*, available at <http://schoolgrades.fldoe.org/pdf/1516/SchoolGradesOverview16.pdf>.

⁶ *Id.* at (3)(a).

⁷ Section 1008.34(3)(a)2., F.S.

⁸ *Id.*

⁹ *Id.*

¹⁰ Florida Department of Education, *HB 781 Analysis* (2017), at 2. HB 781 is substantively the same as SB 1222.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

During the 2015-2016 school year, there were 21 schools designated as K-3 feeder schools. Ten of these schools received Florida School Recognition Program Funds.¹⁴

The School Recognition Program was established to financially reward high-performance schools based on school grades.¹⁵ Under the program, schools that earn a school grade of “A,” improve at least one letter grade, or improve two or more letter grades and maintain the grade the following school year are eligible for an award as appropriated by the Legislature annually.¹⁶

For the 2016-2017 fiscal year, the Legislature appropriated approximately \$135 million for recognized schools at an amount of up to \$100 per student.¹⁷ School recognition awards may be used for nonrecurring bonuses to school faculty and staff, nonrecurring expenditures for educational equipment or materials, or for temporary personnel to assist the school in maintaining or improving student performance.¹⁸

III. Effect of Proposed Changes:

SB 1222 revises the number of students required to establish a school feeder pattern for a qualifying K-3 school from 60 percent of students to a majority of students scheduled to be assigned to the graded school.

Under the bill, a K-3 school would be designated a feeder pattern school if it does not receive a school grade and the majority of the students at that school are scheduled to be assigned to a specific graded school. Consequently, for example, if 51 percent of a K-3 school’s population is scheduled to attend a specific graded school, the K-3 school would be designated as a K-3 feeder pattern school and would receive the school grade of the graded school. A designated feeder pattern school may be eligible to receive Florida School Recognition Program funding. Additionally, a charter school that is an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds may be eligible to receive a charter school capital outlay funding allocation.¹⁹

The bill may increase the number of schools eligible to receive a school grade through the school grade feeder designation. In turn, this could increase the number of K-3 schools eligible to receive Florida School Recognition Program funding. According to the Department of Education, the change from 60 percent to a majority may result in one additional K-3 feeder school, based on 2015-2016 school year data.²⁰

The bill takes effect July 1, 2017.

¹⁴ Florida Department of Education, *HB 781 Analysis* (2017), at 2. HB 781 is substantively the same as SB 1222.

¹⁵ Florida Department of Education, *Evaluation and Reporting, Florida School Recognition Program, Frequently Asked Questions*, <http://www.fldoe.org/accountability/accountability-reporting/fl-school-recognition-program/FAQ.stml> (last visited Mar. 24, 2017).

¹⁶ Section 1008.36, F.S.

¹⁷ Specific Appropriation 9, s. 2, ch. 2016-66, L.O.F.

¹⁸ Section 1008.36, F.S.

¹⁹ See s. 1013.62(1)(a)1.c., F.S.

²⁰ Florida Department of Education, *HB 781 Analysis* (2017), at 2-3. HB 781 is substantively the same as SB 1222.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill's revision to the school feeder pattern requirement may result in additional prekindergarten through grade 3 schools being designated as feeder schools, which would allow the schools to qualify for the Florida School Recognition Program. According to the Florida Department of Education, in 2015-2016, ten of the schools that qualified for the Florida School Recognition Program were designated as feeder schools, receiving a total of \$515,756, or an average of \$51,576 per school.²¹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1008.34 of the Florida Statutes.

²¹ Florida Department of Education, *HB 781 Analysis* (2017), at 4. HB 781 is substantively the same as SB 1222.

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/2017

Meeting Date

SB 1222

Bill Number (if applicable)

Topic School Grading

Amendment Barcode (if applicable)

Name Bob Cerra

Job Title Governmental Consultant

Address 206 South Monroe Street, #104

Phone (850) 222-4428

Street

City

Tallahassee

FL

State

32301

Zip

Email bobcerra@comcast.net

Speaking: For Against Information

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

Representing North East Florida Educational Consortium

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.

By Senator Bradley

5-01028-17

20171222__

A bill to be entitled

An act relating to school grades; amending s. 1008.34, F.S.; providing that a school exhibits a feeder pattern for the purpose of designating school grades if at least a majority of its students are scheduled to be assigned to the graded school; providing an effective date.

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

Section 1. Paragraph (a) 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.—

(a) Each school must assess at least 95 percent of its eligible students, except as provided under s. 1008.341 for alternative schools. Each school shall receive a school grade based on the school's performance on the components listed in subparagraphs (b)1. and 2. If a school does not have at least 10 students with complete data for one or more of the components listed in subparagraphs (b)1. and 2., those components may not be used in calculating the school's grade.

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

Page 1 of 2

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

5-01028-17

20171222__

2. A school that serves any combination of students in kindergarten through grade 3 that does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least a majority ~~60 percent~~ of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school.

3. If a collocated school does not earn a school grade or school improvement rating for the performance of its students, the student performance data of all schools operating at the same facility must be aggregated to develop a school grade that will be assigned to all schools at that location. A collocated school is a school that has its own unique master school identification number, provides for the education of each of its enrolled students, and operates at the same facility as another school that has its own unique master school identification number and provides for the education of each of its enrolled students.

Section 2. This act shall take effect July 1, 2017.

Page 2 of 2

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

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 1290
 INTRODUCER: Senator Hutson
 SUBJECT: Career and Technical Education
 DATE: March 24, 2017 REVISED: _____

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

I. Summary:

SB 1290 establishes the “CAPE pathway” to mean a sequence of rigorous academic and career courses that lead to industry-recognized certificates or certification and to postsecondary certificates and degrees. Specifically, the bill:

- Requires, beginning with the 2020-2021 school year, each school district to develop at least one CAPE pathway in a regional area of high demand. Additionally, school districts must:
 - Provide students and their families with electronic access to the CAPE pathways offered by the school district.
 - Specify in the CAPE pathway the sequence of rigorous academic and career courses that lead toward industry-recognized certificates or certifications, and transition to a postsecondary certificate or a degree, and identify the occupation that corresponds to the coursework and certificate or certification.
 - Allow a parent to enroll his or her child in and transport such child to any school’s CAPE pathway in the school district, subject to class size requirements.
 - Ensure that each school within the school district has one career education program specialist to coordinate career programs.
 - Report, by November 1, 2019, on expected costs to develop a CAPE pathway; and annually by November 1, on CAPE pathway enrollment and success.
- Expands the goals of career and professional academies and career-themed courses to CAPE pathways; and adds to such goals the intent to provide students a map of required coursework to earn an industry-recognized certificate or certification or a postsecondary certificate or degree in this state.

The bill has no fiscal impact for the 2017-2018 fiscal year, however, the requirement that each school have a career education program specialist may increase costs to school districts to provide those staff in the 2020-2021 fiscal year; the costs are indeterminate at this time.

The bill takes effect on July 1, 2017.

II. Present Situation:

The federal government and the states provide support to develop and maintain high-quality career and technical education programs

Carl D. Perkins Career and Technical Education Act of 2006

The “Carl D. Perkins Career and Technical Education Act of 2006” (Perkins IV¹) is the principal source of federal funding to states for the improvement of secondary and postsecondary career and technical education (CTE)² programs.³ Perkins IV is intended to provide an increased focus on the academic achievement of CTE students, strengthen the connections between secondary and postsecondary education, and improve state and local accountability.⁴

Programs of Study

Each recipient of federal funds under Perkins IV must offer at least one program of study,⁵ which:⁶

- Incorporates secondary education and postsecondary education elements.
- Includes coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, nonduplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education.
- May include the opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits. and
- Leads to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree.

¹ The Smith-Hughes Act of 1917 was the first authorization for the federal funding of vocational education. Subsequent legislation for vocational education (now termed career and technical education) included the *Vocational Act of 1973* and the *Carl D. Perkins Vocational and Education Act of 1984* (Perkins I). Perkins was reauthorized as the *Carl D. Perkins Vocational and Applied Technology Act* (Perkins II) in 1990, the *Carl D. Perkins Vocational and Technical Education Act of 1998* (Perkins III), and the *Carl D. Perkins Career and Technical Education Act of 2006* (Perkins IV). Perkins Collaborative Resource Network, *Perkins Act*, <http://cte.ed.gov/legislation/about-perkins-iv> (last visited March 24, 2017).

² CTE is organized educational activities that offer a sequence of courses that provides individuals with the academic and technical knowledge and skills the individuals need to prepare for further education and for careers in current or emerging employment sectors. 20 U.S.C. 2301 et seq., Public Law 109-270, s 3(5)(A) and (B). CTE includes competency-based applied learning that contributes to student’s academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills. *Id.*

³ Office of Career, Technical, and Adult Education, *Perkins IV – Frequently Asked Questions*, <https://www2.ed.gov/about/offices/list/ovae/pi/cte/factsh/faq-080528.pdf> (last visited March 24, 2017).

⁴ U.S. Department of Education, *Carl D. Perkins Career and Technical Education Act of 2006*, <https://www2.ed.gov/policy/sectech/leg/perkins/index.html> (last visited March 24, 2017).

⁵ 20 U.S.C. 2301 et seq., Public Law 109-270, s. 134(b)(3)(A).

⁶ *Id.* at s. 122(c)(1)(A).

Programs of study were added into Perkins IV to more consistently and thoroughly connect secondary and postsecondary education, require integration of rigorous academic and technical instruction, and encourage the acquisition of postsecondary credits.⁷

Florida Programs of Study

Florida school districts and Florida College System institutions comply with program of study requirements under Perkins IV through criteria determined by the Department of Education (DOE),⁸ which requires programs of study to include, but is not limited to:⁹

- At least one articulation agreement.
- Local area need based on local economic conditions, a targeted or regional occupation list, or a recommendation by the local workforce advisory board.
- Content relating to one of Florida's 17 Career Clusters.¹⁰
- Relevant and rigorous locally required core academic courses as well as the rigorous CTE courses that prepare students for program-related certification exams and prepares students for postsecondary options.¹¹

Career and Technical Education in Florida

The purpose of career education in Florida is to enable students who complete career programs¹² to attain and sustain employment and realize economic self-sufficiency.¹³

⁷ Florida Department of Education, Career and Adult Education, *Programs of Study Question and Answers* <http://www.fldoe.org/core/fileparse.php/3/urlt/pos-qa.pdf> (last visited March 24, 2017).

⁸ 20 U.S.C. 2301 et seq., Public Law 109-270, s. 121(a)(4) authorizes the state agency adopt such procedures as the agency considers necessary to implement the activities of the act.

⁹ Florida Department of Education, Career and Adult Education, *Programs of Study Webinar*, available at <http://www.fldoe.org/core/fileparse.php/7521/urlt/1617RFA-ProgramStudyWebinar.pdf>.

¹⁰ Florida has defined 17 career clusters: Agriculture, Food & Natural Resources, Architecture & Construction, Arts, A/V Technology & Communication, Business, Management & Administration, Education & Training, Energy, Finance, Government & Public Administration, Health Science, Hospitality & Tourism, Human Services, Information Technology, Law, Public Safety & Security, Manufacturing, Marketing, Sales & Service, Engineering and Technology Education, and Transportation, Distribution & Logistics. Rule 6A-6.0571, F.A.C.

¹¹ Florida's programs of study are developed using a state-approved template, which incorporates the core elements described in 20 U.S.C. 2301 et seq., Public Law 109-270, s. 122(c)(1)(A)(i-iv). Florida Department of Education, *Programs of Study Question and Answers*, <http://www.fldoe.org/core/fileparse.php/3/urlt/pos-qa.pdf> (last visited March 24, 2017). The template describes, for the CTE program, the secondary coursework leading toward a certificate or industry certification, postsecondary options, sample career specialties, and articulation and dual enrollment opportunities. Florida Department of Education, *Template2017*, available at <http://www.fldoe.org/core/fileparse.php/7521/urlt/template2017-notes.doc>.

¹² A career certificate program is a course of study that leads to at least one occupational completion point. "Occupational completion point" means the occupational competencies that qualify a person to enter an occupation that is linked to a career and technical program. Section 1004.02(21), F.S. The program may also confer credit that may articulate with a diploma or career degree education program, if authorized by rules of the State Board of Education. *Id.* at (20).

¹³ Section 1004.92(1), F.S.

In 2007,¹⁴ the Florida Legislature passed the Career and Professional Education Act (CAPE Act) to:¹⁵

- 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.
- Provide state residents with access to high-wage and high-demand careers.

The CAPE Act requires that each district school board develop a three-year strategic plan to address and meet local and regional workforce demands.¹⁶ This plan must be developed in collaboration with a district's local workforce board and local postsecondary institutions to include, but not be limited to, course alignment to standards, courses leading toward industry certifications,¹⁷ postsecondary credit, and expanded offerings of integrated courses that combine academic content with technical skills.¹⁸

CAPE Academies and Career-Themed Courses

Career and professional academies were created in 2006¹⁹ and are defined as a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity.²⁰ Students completing career and professional academy programs must receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution approved to operate in the state.²¹

Career-themed courses are courses, or a series of courses, that lead to an industry certification identified on the Career and Professional Education (CAPE) Industry Certification Funding List.²² Career-themed courses have an industry-specific curriculum aligned directly to priority

¹⁴ Section 1, ch. 2007-216, L.O.F.

¹⁵ Section 1003.491(1), F.S.

¹⁶ Section 1003.491(2), F.S. The school district must collaborate with local workforce development boards, economic development agencies, and postsecondary institutions approved to operate in the state.

¹⁷ 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 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. Section 1003.492(2), F.S.

¹⁸ *Id.* at (2) and (3).

¹⁹ Section 27, ch. 2006-74, L.O.F.

²⁰ Section 1003.493(1)(a), F.S.

²¹ *Id.*

²² The CAPE Industry Certification Funding List is used to determine annual performance funding distributions to school districts or Florida College System institutions for students who complete specified career-themed courses, digital certificates or industry certifications. Section 1008.44(2), F.S. Included on the Funding List are CAPE Industry Certifications, CAPE Acceleration Industry Certifications, CAPE Digital Tool Certificates, and CAPE Innovation Courses. Rule 6A-6.0573, F.A.C.

workforce needs established by the local workforce development board or DEO. Students completing a career-themed course must be provided opportunities to earn postsecondary credit if the credit for the career-themed course can be articulated to a postsecondary institution approved to operate in the state.

The goals of a career and professional academy and career-themed courses are to:²³

- Increase student academic achievement and graduation rates through integrated academic and career curricula.
- Prepare graduating high school students to make appropriate choices relative to employment and future educational experiences.
- Focus on career preparation through rigorous academics and industry certification.
- Raise student aspiration and commitment to academic achievement and work ethics through relevant coursework.
- Promote acceleration mechanisms, such as dual enrollment or articulated credit, so that students may earn postsecondary credit while in high school.
- Support the state's economy by meeting industry needs for skilled employees in high-skill, high-wage, and high-demand occupations.

Public schools and school districts must offer career and professional academies,²⁴ school districts must offer at least two career-themed courses,²⁵ and secondary schools are encouraged to offer at least one career-themed course.²⁶ The Florida Virtual Schools is encouraged to develop and offer career-themed courses as appropriate.²⁷

CareerSource Florida, Inc.

CareerSource Florida, Inc., is a not-for-profit corporation that serves as Florida's state-level workforce investment board.²⁸ CareerSource Florida, Inc., is responsible for developing and implementing a 5-year plan for the statewide workforce system and collaborates with the Department of Economic Opportunity, Regional Workforce Boards,²⁹ and one-stop career centers³⁰ to ensure that workforce services provided are consistent with state and local plans.

²³ Section 1003.493(2), F.S.

²⁴ In academic year 2015-16, 1,807 high school career and professional academies were registered in Florida, and 1,097 (60.4 percent) of these academies reported student enrollments. Florida Department of Education, *Florida Career and Professional Education Act Enrollment and Performance Report, 2015-16, (December 2016)*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1516capepr.pdf> at 8.

²⁵ In academic year 2015-16, 6,442 unique career-themed courses were registered in Florida, with all of Florida's 67 school districts registering at least one career-themed course with the DOE. There were 379,668 students who were enrolled in at least one career-themed course. *Id.*

²⁶ Section 1003.493(1) and (2), F.S.

²⁷ *Id.*

²⁸ Section 445.004(5)(a), F.S. Prior to 2014, CareerSource Florida, Inc., was known as Workforce Florida, Inc.

²⁹ Regional Workforce Boards serve as local workforce investment boards and operate under a charter approved by CareerSource Florida, Inc. *See* ss. 445.007(1) and 445.004(11), F.S.

³⁰ One-stop career service centers provide Floridians access to workforce services, including job placement, career counseling, and skills training. *See* s. 445.009, F.S.

CareerSource Florida, Inc., also provides state-level policy, planning, performance evaluation, and oversight of the delivery of workforce services.³¹

III. Effect of Proposed Changes:

SB 1290 establishes the “CAPE pathway” to mean a sequence of rigorous academic and career courses that lead to industry-recognized certificates or certification and to postsecondary certificates and degrees. Specifically, the bill:

- Requires, beginning with the 2020-2021 school year, each school district to develop at least one CAPE pathway in a regional area of high demand. Additionally, school districts must:
 - Provide students and their families with electronic access to the CAPE pathways offered by the school district.
 - Specify in the CAPE pathway the sequence of rigorous academic and career courses that lead toward industry-recognized certificates or certifications, and transition to a postsecondary certificate or a degree, and identify the occupation that corresponds to the coursework and certificate or certification.
 - Allow a parent to enroll his or her child in and transport such child to any school’s CAPE pathway in the school district, subject to class size requirements.
 - Ensure that each school within the school district has one career education program specialist to coordinate career programs.
 - Report, by November 1, 2019, on expected costs to develop a CAPE pathway; and annually by November 1, on CAPE pathway enrollment and success.
- Expands the goals of career and professional academies and career-themed courses to CAPE pathways; and adds to such goals the intent to provide students a map of required coursework to earn an industry-recognized certificate or certification or a postsecondary certificate or degree in this state.

The bill requires school districts, to establish at least one CAPE pathway for high school students in the school district, to consult with local businesses and the local Florida College System institution. Additionally, the school district may evaluate an established program of study³² to determine if that program of study will meet the requirements of the bill. This may also require the school district to consult with technical centers and state universities in the area. However, the bill does not address such consultation.

Additionally, each CAPE pathway must be in an area of regional high demand, as determined by CareerSource Florida, Inc., and the regional boards. Currently, regional targeted occupations are identified by CareerSource Florida, Inc., the Department of Economic Opportunity, and regional workforce boards using labor market data and input from local industry. School districts may be required to evaluate those designated regional targeted occupations to establish CAPE pathways in areas of regional high demand.

The bill also requires school districts to allow a parent to enroll his or her child in and transport such child to participate in a CAPE pathway as long as that school has not reached capacity and

³¹ Section 445.003(2), F.S., and *see* s. 445.004, F.S.

³² *Supra*, note 7.

that any such enrollment would not cause a class to exceed the maximum class size.³³ While a student will be able to attend any school in Florida that has not reached capacity, the establishment of a CAPE pathway may prompt a student to choose and attend a specific school that offers a CAPE pathway of interest.

The requirement in the bill for each school within the district to have one career education program specialist who serves as the coordinator for career programs to develop, implement, and administer career education at that school. It is unclear if each school employs a career education specialist, or if one specialist may serve this function for multiple schools within a school district. This may require some school districts to add additional staff to perform these duties.

School districts are required to report, by November 1, 2019, to the Legislature on expected costs to develop a CAPE pathway. Once a CAPE pathway is established for the 2020-2021 school year, the school district must annually, by November 1, report to the Commissioner of Education:

- CAPE pathways offered in the school district.
- The number and percentage of students enrolled in each CAPE pathway during the current and prior school year.
- The number and percentage of high school graduates, for the prior school year, who completed the sequence of courses specified under the CAPE pathway which led to students earning one more industry recognized certificates or certification.

The map of required coursework may assist students to take courses purposefully toward an industry certification or postsecondary certificate or degree. Accordingly, the map may also assist with planning for higher education and preparing for future employment.

Additionally, the bill conforms cross references for career-themed courses with statutory provisions regarding the development of career-themed courses by school districts,³⁴ coordination with relevant and appropriate industry to prepare students for further education or employment,³⁵ inclusion of such courses in middle school,³⁶ and funding incentives to school districts for students who complete career-themed courses.³⁷

The bill takes effect on July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

³³ Section 1002.31, F.S., authorizes, beginning in the 2017-2018 school year, a parent from any school district in the state whose child is not subject to current expulsion or suspension to enroll his or her child in and transport his or her child to any public school, including charter schools, that has not reached capacity in the district, subject to the maximum class size pursuant to sec. 1, Art. IX, Fla. Const. and s. 1003.03, F.S.

³⁴ Section 1003.491(2), F.S.

³⁵ Section 1003.492(1), F.S.

³⁶ Section 1003.4935(1), F.S.

³⁷ Section 1011.62(1)(o)b., F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

SB 1290 has no fiscal impact for the 2017-2018 fiscal year, however, the requirement that each school have a career education program specialist may increase costs to school districts to provide those staff in the 2020-2021 fiscal year; the costs are indeterminate at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.493, 1003.491, 1003.492, 1003.4935, and 1011.62

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 1590

Bill Number (if applicable)

Topic Career + Technical Education

Amendment Barcode (if applicable)

Name Richard Watson

Job Title Legislative Counsel

Address P.O. Box 10638

Phone 850 222-0000

Tallahassee FL 32302

City State Zip

Email rick@watsonandassociates.com

Speaking: For Against Information

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

Representing Associated Builders & Contractors of FL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

By Senator Hutson

7-01024A-17

20171290__

A bill to be entitled

An act relating to career and technical education; amending s. 1003.493, F.S.; defining the term "CAPE pathway"; specifying goals for a CAPE pathway; requiring CareerSource Florida, Inc., to advise and offer technical assistance for CAPE pathways; requiring each school district, in consultation with local businesses and Florida College System institutions, to develop at least one CAPE pathway in a specified area by a specified school year; requiring each school district to submit a report on the expected costs of a CAPE pathway to the Legislature by a specified date; requiring each district school board to provide students and their parents with specified information regarding CAPE pathways; requiring an annual report to the Commissioner of Education by a specified date; authorizing parents to enroll their children in any school's CAPE pathway in the school district under certain circumstances; requiring each school to have a career education program specialist; amending ss. 1003.491, 1003.492, 1003.4935, and 1011.62, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Section 1003.493, Florida Statutes, is amended to read:
1003.493 Career and professional academies, ~~and~~ career-

Page 1 of 14

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

7-01024A-17

20171290__

themed courses, and CAPE pathways.-

(1) As used in this section, the term:

(a) "CAPE pathway" means a coherent, articulated sequence of rigorous academic and career courses which leads to one or more industry-recognized certificates or certification and transitions to a postsecondary certificate, an associate degree, or a baccalaureate degree at a public postsecondary educational institution in this state.

(b)~~(a)~~ A "Career and professional academy" means ~~is~~ a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity. Career and professional academies shall be offered by public schools and school districts. The Florida Virtual School is encouraged to develop and offer rigorous career and professional courses as appropriate. Students completing career and professional academy programs must receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution approved to operate in the state.

(c)~~(b)~~ A "Career-themed course" means ~~is~~ a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List pursuant to rules adopted by the State Board of Education. Career-themed courses have industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the

Page 2 of 14

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

7-01024A-17

20171290__

59 Department of Economic Opportunity. School districts shall offer
60 at least two career-themed courses, and each secondary school is
61 encouraged to offer at least one career-themed course. The
62 Florida Virtual School is encouraged to develop and offer
63 rigorous career-themed courses as appropriate. Students
64 completing a career-themed course must be provided opportunities
65 to earn postsecondary credit if the credit for the career-themed
66 course can be articulated to a postsecondary institution
67 approved to operate in the state.

68 (2) The goals of a career and professional academy, and
69 career-themed courses, and CAPE pathways are to:

70 (a) Increase student academic achievement and graduation
71 rates through integrated academic and career curricula.

72 (b) Prepare graduating high school students to make
73 appropriate choices relative to employment and future
74 educational experiences.

75 (c) Focus on career preparation through rigorous academics
76 and industry certification.

77 (d) Raise student aspiration and commitment to academic
78 achievement and work ethics through relevant coursework.

79 (e) Promote acceleration mechanisms, such as dual
80 enrollment or articulated credit, so that students may earn
81 postsecondary credit while in high school.

82 (f) Support the state's economy by meeting industry needs
83 for skilled employees in high-skill, high-wage, and high-demand
84 occupations.

85 (g) Provide students a map of the required coursework to
86 earn an industry-recognized certificate or certification and
87 transition to the workforce or to a postsecondary certificate,

7-01024A-17

20171290__

88 an associate degree, or a baccalaureate degree in this state.

89 (3) (a) Career-themed courses may be offered in any public
90 secondary school.

91 (b) Existing career education courses may serve as a
92 foundation for the creation of a career and professional
93 academy. A career and professional academy may be offered as one
94 of the following small learning communities:

95 1. A school-within-a-school career academy, as part of an
96 existing high school, that provides courses in one or more
97 occupational clusters. Students who attend the school are not
98 required to attend the academy.

99 2. A total school configuration that provides courses in
100 one or more occupational clusters. Every student who attends the
101 school also attends the academy.

102 (4) Each career and professional academy and secondary
103 school providing a career-themed course must:

104 (a) Provide a rigorous standards-based academic curriculum
105 integrated with a career curriculum; consider multiple styles of
106 student learning; promote learning by doing through application
107 and adaptation; maximize relevance of the subject matter;
108 enhance each student's capacity to excel; and include an
109 emphasis on work habits and work ethics.

110 (b) Include one or more partnerships with postsecondary
111 institutions, businesses, industry, employers, economic
112 development organizations, or other appropriate partners from
113 the local community. Such partnerships with postsecondary
114 institutions shall be delineated in articulation agreements and
115 include any career and professional academy courses or career-
116 themed courses that earn postsecondary credit. Such agreements

7-01024A-17 20171290__

117 may include articulation between the secondary school and public
 118 or private 2-year and 4-year postsecondary institutions and
 119 technical centers. The Department of Education, in consultation
 120 with the Board of Governors, shall establish a mechanism to
 121 ensure articulation and transfer of credits to postsecondary
 122 institutions in this state. Such partnerships must provide
 123 opportunities for:

- 124 1. Instruction from highly skilled professionals who
- 125 possess industry-certification credentials for courses they are
- 126 teaching.
- 127 2. Internships, externships, and on-the-job training.
- 128 3. A postsecondary degree, diploma, or certificate.
- 129 4. The highest available level of industry certification.
- 130 5. Maximum articulation of credits pursuant to s. 1007.23

131 upon program completion.

132 (c) Promote and provide opportunities for students enrolled
 133 in a career and professional academy or a career-themed course
 134 to attain, at minimum, the Florida Gold Seal Vocational Scholars
 135 award pursuant to s. 1009.536.

136 (d) Provide instruction in careers designated as high-
 137 skill, high-wage, and high-demand by the local workforce
 138 development board, the chamber of commerce, economic development
 139 agencies, or the Department of Economic Opportunity.

140 (e) Deliver academic content through instruction relevant
 141 to the career, including intensive reading and mathematics
 142 intervention required by s. 1003.4282, with an emphasis on
 143 strengthening reading for information skills.

144 (f) Offer applied courses that combine academic content
 145 with technical skills.

7-01024A-17 20171290__

146 (g) Provide instruction resulting in competency,
 147 certification, or credentials in workplace skills, including,
 148 but not limited to, communication skills, interpersonal skills,
 149 decisionmaking skills, the importance of attendance and
 150 timeliness in the work environment, and work ethics.

151 (5) All career courses offered in a career and professional
 152 academy and each career-themed course offered by a secondary
 153 school must lead to industry certification or college credit. If
 154 the passage rate on an industry certification examination that
 155 is associated with the career and professional academy or a
 156 career-themed course falls below 50 percent, the 3-year
 157 strategic plan must be amended to include specific strategies to
 158 improve the passage rate of the academy or career-themed course.

159 (6) CareerSource Florida, Inc., shall serve in an advisory
 160 role and offer technical assistance in the development and
 161 deployment of newly established career and professional
 162 academies, ~~and~~ career-themed courses, and CAPE pathways.

163 (7) Beginning with the 2020-2021 school year, each school
 164 district, in consultation with local businesses and the local
 165 Florida College System institution, shall develop at least one
 166 CAPE pathway in an area of regional high demand, as determined
 167 by CareerSource Florida, Inc., and the regional boards so that,
 168 at a minimum, students enrolled in high schools in the school
 169 district may participate in a CAPE pathway. By November 1, 2019,
 170 each school district must submit a report to the Legislature
 171 detailing the expected costs to develop a CAPE pathway. Each
 172 district school board must do all of the following:

- 173 (a) Provide students and their families with electronic
- 174 access to the CAPE pathways offered by the school district,

7-01024A-17 20171290__

175 which must specify the sequence of rigorous academic and career
 176 courses which leads to one or more industry-recognized
 177 certificates or certification pursuant to ss. 1003.492 and
 178 1008.44 and to transition to a postsecondary certificate, an
 179 associate degree, or a baccalaureate degree at a public
 180 postsecondary educational institution in this state. Each CAPE
 181 pathway must also identify the occupation that corresponds to
 182 the specified coursework and industry-recognized certificate or
 183 certification.

184 (b) Annually, by November 1, report to the Commissioner of
 185 Education:

186 1. The CAPE pathways offered by the school district;
 187 2. The number and percentage of students enrolled in each
 188 CAPE pathway during the current and prior school year; and
 189 3. The number and percentage of high school graduates, for
 190 the prior school year, who completed the sequence of courses
 191 specified under a CAPE pathway which led to such students
 192 earning one or more industry-recognized certificates or
 193 certification.

194 (c) Allow a parent from the school district to enroll his
 195 or her child in and transport his or her child to any school's
 196 CAPE pathway in the school district that has not reached
 197 capacity, subject to the maximum class size pursuant to s.
 198 1003.03 and s. 1, Art. IX of the State Constitution.

199 (d) Ensure that each school within the district has one
 200 career education program specialist who serves as the
 201 coordinator for career programs at the school and who is a
 202 resource to staff, focuses on best practices to enhance student
 203 achievement and career preparation, and has the following

7-01024A-17 20171290__

204 duties:

205 1. Assists in the coordination, evaluation, and revision,
 206 when necessary, of school district career education curriculum
 207 and career programs;

208 2. Assists teachers in methods of diagnosing student
 209 learning needs;

210 3. Assists teachers in planning, implementing, and
 211 evaluating instructional programs and activities to enhance
 212 student learning;

213 4. Models lessons for teachers, other staff, and
 214 administrators relative to assigned areas using technology
 215 expertise;

216 5. Administers assigned grants and ensures compliance with
 217 grant requirements;

218 6. Assists with textbooks and other instructional materials
 219 for adoption, selection, and training;

220 7. Develops Modified Occupation Completion Points plans for
 221 exceptional student education students; and

222 8. Guides career education students in their customized
 223 learning paths.

224 Section 2. Subsection (2) of section 1003.491, Florida
 225 Statutes, is amended to read:
 226 1003.491 Florida Career and Professional Education Act.—The
 227 Florida Career and Professional Education Act is created to
 228 provide a statewide planning partnership between the business
 229 and education communities in order to attract, expand, and
 230 retain targeted, high-value industry and to sustain a strong,
 231 knowledge-based economy.

232 (2) Each district school board shall develop, in

7-01024A-17 20171290__

233 collaboration with local workforce development boards, economic
 234 development agencies, and postsecondary institutions approved to
 235 operate in the state, a strategic 3-year plan to address and
 236 meet local and regional workforce demands. If involvement of a
 237 local workforce development board or an economic development
 238 agency in the strategic plan development is not feasible, the
 239 local school board, with the approval of the Department of
 240 Economic Opportunity, shall collaborate with the most
 241 appropriate regional business leadership board. Two or more
 242 school districts may collaborate in the development of the
 243 strategic plan and offer career-themed courses, as defined in s.
 244 1003.493(1) ~~s. 1003.493(1)(b)~~, or a career and professional
 245 academy as a joint venture. The strategic plan must describe in
 246 detail provisions for the efficient transportation of students,
 247 the maximum use of shared resources, access to courses aligned
 248 to state curriculum standards through virtual education
 249 providers legislatively authorized to provide part-time
 250 instruction to middle school students, and an objective review
 251 of proposed career and professional academy courses and other
 252 career-themed courses to determine if the courses will lead to
 253 the attainment of industry certifications included on the
 254 Industry Certified Funding List pursuant to rules adopted by the
 255 State Board of Education. Each strategic plan shall be reviewed,
 256 updated, and jointly approved every 3 years by the local school
 257 district, local workforce development boards, economic
 258 development agencies, and state-approved postsecondary
 259 institutions.

260 Section 3. Subsection (1) of section 1003.492, Florida
 261 Statutes, is amended to read:

Page 9 of 14

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

7-01024A-17 20171290__

262 1003.492 Industry-certified career education programs.-
 263 (1) Secondary schools offering career-themed courses, as
 264 defined in s. 1003.493(1) ~~s. 1003.493(1)(b)~~, and career and
 265 professional academies shall be coordinated with the relevant
 266 and appropriate industry to prepare a student for further
 267 education or for employment in that industry.
 268 Section 4. Subsection (1) of section 1003.4935, Florida
 269 Statutes, is amended to read:
 270 1003.4935 Middle grades career and professional academy
 271 courses and career-themed courses.-
 272 (1) Beginning with the 2011-2012 school year, each district
 273 school board, in collaboration with local workforce development
 274 boards, economic development agencies, and state-approved
 275 postsecondary institutions, shall include plans to implement a
 276 career and professional academy or a career-themed course, as
 277 defined in s. 1003.493(1) ~~s. 1003.493(1)(b)~~, in at least one
 278 middle school in the district as part of the strategic 3-year
 279 plan pursuant to s. 1003.491(2). The strategic plan must provide
 280 students the opportunity to transfer from a middle school career
 281 and professional academy or a career-themed course to a high
 282 school career and professional academy or a career-themed course
 283 currently operating within the school district. Students who
 284 complete a middle school career and professional academy or a
 285 career-themed course must have the opportunity to earn an
 286 industry certificate and high school credit and participate in
 287 career planning, job shadowing, and business leadership
 288 development activities.
 289 Section 5. Paragraph (o) of subsection (1) of section
 290 1011.62, Florida Statutes, is amended to read:

Page 10 of 14

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

7-01024A-17

20171290__

291 1011.62 Funds for operation of schools.—If the annual
 292 allocation from the Florida Education Finance Program to each
 293 district for operation of schools is not determined in the
 294 annual appropriations act or the substantive bill implementing
 295 the annual appropriations act, it shall be determined as
 296 follows:

297 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 298 OPERATION.—The following procedure shall be followed in
 299 determining the annual allocation to each district for
 300 operation:

301 (o) *Calculation of additional full-time equivalent*
 302 *membership based on successful completion of a career-themed*
 303 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*
 304 *courses with embedded CAPE industry certifications or CAPE*
 305 *Digital Tool certificates, and issuance of industry*
 306 *certification identified on the CAPE Industry Certification*
 307 *Funding List pursuant to rules adopted by the State Board of*
 308 *Education or CAPE Digital Tool certificates pursuant to s.*
 309 *1003.4203.—*

310 1.a. A value of 0.025 full-time equivalent student
 311 membership shall be calculated for CAPE Digital Tool
 312 certificates earned by students in elementary and middle school
 313 grades.

314 b. A value of 0.1 or 0.2 full-time equivalent student
 315 membership shall be calculated for each student who completes a
 316 course as defined in s. 1003.493(1)(c) ~~s. 1003.493(1)(b)~~ or
 317 courses with embedded CAPE industry certifications and who is
 318 issued an industry certification identified annually on the CAPE
 319 Industry Certification Funding List approved under rules adopted

Page 11 of 14

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

7-01024A-17

20171290__

320 by the State Board of Education. A value of 0.2 full-time
 321 equivalent membership shall be calculated for each student who
 322 is issued a CAPE industry certification that has a statewide
 323 articulation agreement for college credit approved by the State
 324 Board of Education. For CAPE industry certifications that do not
 325 articulate for college credit, the Department of Education shall
 326 assign a full-time equivalent value of 0.1 for each
 327 certification. Middle grades students who earn additional FTE
 328 membership for a CAPE Digital Tool certificate pursuant to sub-
 329 subparagraph a. may not use the previously funded examination to
 330 satisfy the requirements for earning an industry certification
 331 under this sub-subparagraph. Additional FTE membership for an
 332 elementary or middle grades student may not exceed 0.1 for
 333 certificates or certifications earned within the same fiscal
 334 year. The State Board of Education shall include the assigned
 335 values on the CAPE Industry Certification Funding List under
 336 rules adopted by the state board. Such value shall be added to
 337 the total full-time equivalent student membership for grades 6
 338 through 12 in the subsequent year. CAPE industry certifications
 339 earned through dual enrollment must be reported and funded
 340 pursuant to s. 1011.80. However, if a student earns a
 341 certification through a dual enrollment course and the
 342 certification is not a fundable certification on the
 343 postsecondary certification funding list, or the dual enrollment
 344 certification is earned as a result of an agreement between a
 345 school district and a nonpublic postsecondary institution, the
 346 bonus value shall be funded in the same manner as other nondual
 347 enrollment course industry certifications. In such cases, the
 348 school district may provide for an agreement between the high

Page 12 of 14

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

7-01024A-17 20171290__

349 school and the technical center, or the school district and the
 350 postsecondary institution may enter into an agreement for
 351 equitable distribution of the bonus funds.

352 c. A value of 0.3 full-time equivalent student membership
 353 shall be calculated for student completion of the courses and
 354 the embedded certifications identified on the CAPE Industry
 355 Certification Funding List and approved by the commissioner
 356 pursuant to ss. 1003.4203(5) (a) and 1008.44.

357 d. A value of 0.5 full-time equivalent student membership
 358 shall be calculated for CAPE Acceleration Industry
 359 Certifications that articulate for 15 to 29 college credit
 360 hours, and 1.0 full-time equivalent student membership shall be
 361 calculated for CAPE Acceleration Industry Certifications that
 362 articulate for 30 or more college credit hours pursuant to CAPE
 363 Acceleration Industry Certifications approved by the
 364 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

365 2. Each district must allocate at least 80 percent of the
 366 funds provided for CAPE industry certification, in accordance
 367 with this paragraph, to the program that generated the funds.
 368 This allocation may not be used to supplant funds provided for
 369 basic operation of the program.

370 3. For CAPE industry certifications earned in the 2013-2014
 371 school year and in subsequent years, the school district shall
 372 distribute to each classroom teacher who provided direct
 373 instruction toward the attainment of a CAPE industry
 374 certification that qualified for additional full-time equivalent
 375 membership under subparagraph 1.:

376 a. A bonus of \$25 for each student taught by a teacher who
 377 provided instruction in a course that led to the attainment of a

7-01024A-17 20171290__

378 CAPE industry certification on the CAPE Industry Certification
 379 Funding List with a weight of 0.1.

380 b. A bonus of \$50 for each student taught by a teacher who
 381 provided instruction in a course that led to the attainment of a
 382 CAPE industry certification on the CAPE Industry Certification
 383 Funding List with a weight of 0.2.

384 c. A bonus of \$75 for each student taught by a teacher who
 385 provided instruction in a course that led to the attainment of a
 386 CAPE industry certification on the CAPE Industry Certification
 387 Funding List with a weight of 0.3.

388 d. A bonus of \$100 for each student taught by a teacher who
 389 provided instruction in a course that led to the attainment of a
 390 CAPE industry certification on the CAPE Industry Certification
 391 Funding List with a weight of 0.5 or 1.0.

392 Bonuses awarded pursuant to this paragraph shall be provided to
 393 teachers who are employed by the district in the year in which
 394 the additional FTE membership calculation is included in the
 395 calculation. Bonuses shall be calculated based upon the
 396 associated weight of a CAPE industry certification on the CAPE
 397 Industry Certification Funding List for the year in which the
 398 certification is earned by the student. Any bonus awarded to a
 399 teacher under this paragraph may not exceed \$3,000 in any given
 400 school year and is in addition to any regular wage or other
 401 bonus the teacher received or is scheduled to receive.

402 Section 6. This act shall take effect July 1, 2017.
 403

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 1472

INTRODUCER: Senator Galvano

SUBJECT: Medicinal Cannabis Research and Education

DATE: March 24, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Androff	Graf	ED	Favorable
2.			AHS	
3.			AP	

I. Summary:

SB 1472 creates the Medicinal Cannabis Research and Education Act. Specifically, the bill:

- Establishes the Coalition for Medicinal Cannabis Research and Education (Coalition), within the H. Lee Moffitt Cancer Center and Research Institute, Inc. (MCCRI) and specifies the Coalition’s purpose, duties and administration;
- Creates the Medicinal Cannabis Research and Education Board (Board) to direct the Coalition’s operations, annually adopt the Medicinal Cannabis Research and Education Plan (Plan), and annually report to the Governor and Legislature;
- Installs a Coalition director to fulfill certain Board-specified duties; and
- Requires the MCCRI to allocate staff, information and assistance to assist the Board.

The bill takes effect July 1, 2017.

II. Present Situation:

In 2014,¹ the Legislature enacted the Compassionate Medical Cannabis Act (CMCA), which authorizes dispensing organizations (DO) approved by the Florida Department of Health (DOH) to manufacture, possess, sell, and dispense low-THC cannabis for medical use by patients suffering from cancer or a condition that chronically produces symptoms of seizures or several and persistent muscle spasms.² In 2015,³ the Legislature enacted the Right to Try Act (RTTA), which authorizes an eligible patient with a terminal condition to receive an investigational drug, biological product, or device, but did not address cannabis.⁴ In 2016,⁵ the Legislature passed

¹ Chapter 2014-157, L.O.F.

² Section 381.986, F.S.

³ Chapter 2015-107, L.O.F.

⁴ Section 499.0295, F.S.

⁵ Chapter 2016-123, L.O.F.

legislation that allows a patient with a terminal condition to use “medical cannabis” under the RTTA.⁶

The Office of Compassionate Use and Research on Low-THC Cannabis

The CMCA required the DOH to establish the Office of Compassionate Use (Office) under the direction of the deputy state health officer to administer the CMCA.⁷ The Office is authorized to enhance access to investigational new drugs for Florida patients through approved clinical treatment plans or studies by:⁸

- Creating a network of state universities and medical centers recognized for demonstrating excellence in patient-centered coordinated care for persons undergoing cancer treatment and therapy in this state;⁹
- Completing any necessary application to the United States Food and Drug Administration or pharmaceutical manufacturer to facilitate enhanced access to compassionate use for Florida patients; and
- Entering into agreements necessary to facilitate enhanced access to compassionate use for Florida patients.

The CMCA included several provisions related to research on low-THC cannabis and cannabidiol including:¹⁰

- Requiring physicians to submit quarterly patient treatment plans to the University of Florida College of Pharmacy (UFCP) for research on the safety and efficacy of low-THC cannabis;
- Authorizing state universities to perform research on cannabidiol and low-THC cannabis and exempting them from certain laws for such research purposes;
- Appropriating \$1 million to the James and Esther King Biomedical Research Program for research on cannabidiol and its effects on intractable childhood epilepsy.¹¹

The H. Lee Moffitt Cancer Center and Research Institute

The H. Lee Moffitt Cancer Center and Research Institute (MCCRI) at the University of South Florida (USF) is established as a statewide resource for basic and clinical research and multidisciplinary approaches to patient care.¹²

The sole mission of the MCCRI is to contribute to the prevention and cure of cancer.¹³ In 1999, the Moffitt Affiliate Network was established to further enhance the MCCRI’s ability to serve Florida communities by providing tertiary care, clinical trials, medical education, and community education and screening. This affiliate network consists of 14 hospitals located in Florida, one

⁶ Section 381.986, F.S.

⁷ Section 358.212, F.S.

⁸ *Id.*

⁹ *See s.* 381.925, F.S.

¹⁰ Section 381.986(b)(2)(e), F.S.

¹¹ Chapter 2014-157, L.O.F.

¹² Section 1004.43, F.S.

¹³ *See* Moffitt Cancer Center, <https://moffitt.org/> (last visited Mar 24, 2017); Moffitt Cancer Center, *Affiliate Hospitals*, <http://www.moffitt.org/Site.aspx?spid=5CE54FA5D8EE4D27A5BD6C496C99028D> (last visited Mar 24, 2017); Section 1004.43(5)(a), F.S.

hospital in Georgia, one hospital in Pennsylvania, and includes more than 400 community oncologists.¹⁴

The MCCRI is the only cancer research facility headquartered in Florida that is designated as a Comprehensive Cancer Center by the National Cancer Institute (NCI).¹⁵ The Mayo Clinic, which has a presence in Jacksonville, Florida, is also designated by the NCI as a comprehensive Cancer Center in Minnesota. According to the NCI, “the NCI-designated Cancer Centers are one of the anchors of the nation’s cancer research effort.”¹⁶

III. Effect of Proposed Changes:

SB 1472 creates the Medicinal Cannabis Research and Education Act. Specifically, the bill:

- Establishes the Coalition for Medicinal Cannabis Research and Education (Coalition) within the H. Lee Moffitt Cancer Center and Research Institute, Inc. (MCCRI) and provides that the Coalition’s purpose is to conduct rigorous scientific research, provide education, disseminate research, and to guide policy for the adoption of a statewide policy on ordering and dosing practices for the medicinal use of cannabis.
- Creates the Medicinal Cannabis Research and Education Board (Board) to direct the Coalition’s operations. Additionally, the bill specifies Board membership requirements and requires the Board to:
 - Advise the Board of Governors, the State Surgeon General, the Governor, and the Legislature with respect to medicinal cannabis research and education in Florida.
 - Explore methods of implementing and enforcing medicinal cannabis laws in relation to cancer control, research, treatment, and education.
 - Annually adopt a plan for medicinal cannabis research, known as the Medicinal Cannabis Research and Education Plan (Plan) in accordance with state law, and must include recommendations for the coordination and integration of medical, nursing, paramedical, community, and other resources connected with the treatment of debilitating medical conditions, research related to the treatment of such conditions, and education.
 - Issue an annual report, by February 15, to the Governor, the President of the Senate, and the Speaker of the House Representatives on research projects, community outreach initiatives, and future plans for the Coalition.
- Provides that the Coalition must be administered by a director who, subject to Board approval, must:
 - Propose a budget.
 - Foster the collaboration of scientists, researchers, and other appropriate personnel.
 - Identify and prioritize the Coalition’s research.
 - Prepare the Plan for submission to the Board.
 - Apply for grants to obtain funding for the Coalition’s research.
 - Perform other Board specified duties.
- Requires the MCCRI to allocate staff, information, and assistance to assist the Board.

¹⁴ See Moffitt Cancer Center, *Affiliate Hospitals*, <http://www.moffitt.org/Site.aspx?spid=5CE54FA5D8EE4D27A5BD6C496C99028D> (last visited Mar 24, 2017)

¹⁵ See Moffitt Cancer Center, *Frequently Asked Questions*, <https://www.moffitt.org/about-moffitt/frequently-asked-questions/> (last visited Mar 24, 2017).

¹⁶ See National Cancer Institute, *Mayo Clinic Cancer Center*, <https://www.cancer.gov/research/nci-role/cancer-centers/find/mayoclinic> (last visited Mar 24, 2017).

The bill may increase the amount of data available to support the determination of safe and effective dosages of marijuana for patients seeking relief from pain and other medical symptoms or specific illnesses, including cancer patients, patients suffering from refractory pain, and pediatric patients with refractory epilepsy.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1004.4351 of the Florida Statutes.

IX. Additional Information:

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

None.

- B. **Amendments:**

None.

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17

Meeting Date

1472

Bill Number (if applicable)

Topic Medical Cannabis Research

Amendment Barcode (if applicable)

Name Dr. Nagi Kumar, Moffitt Cancer Center

Job Title Senior Research Scientist

Address 12902 Magnolia

Phone 813-745-1520

Street

Tampa

City

FL

State

33612

Zip

Email Nagi.kumar@
moffitt.org

Speaking: For Against Information

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

Representing Moffitt Cancer Center

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)

Mch 17
Meeting Date

1472
Bill Number (if applicable)

Topic Medical ~~Q&A~~ Cannabis Research

Amendment Barcode (if applicable)

Name Barney Bishop

Job Title Pres & CEO

Address 204 S. Monroe
Street

Phone 850.510.9922

Fall 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 Fla. Smart Justice 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

1472
Bill Number (if applicable)

Topic Medical Cannabis Research

Amendment Barcode (if applicable)

Name Ron Watson

Job Title Lobbyist

Address 3738 Munden Way
Street
Tallahassee FL 32309
City State Zip

Phone 850 567-1202

Email watson.strategies@comcast.net

Speaking: For Against Information

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

Representing AH+Med

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

1472

Bill Number (if applicable)

Topic mmJ

Amendment Barcode (if applicable)

Name Joni James

Job Title Ex Director

Address ~~26~~ 1375 Cypress Ave

Phone 321 890 7302

Street

Melbourne FL 32935

City

State

Zip

Email jamesflorida@gmail.com

Speaking: For Against Information

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

Representing Florida Cannabis Action Network

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)

By Senator Galvano

21-00525A-17

20171472__

1 A bill to be entitled
 2 An act relating to medicinal cannabis research and
 3 education; creating s. 1004.4351, F.S.; providing a
 4 short title; providing legislative intent; defining
 5 terms; establishing the Coalition for Medicinal
 6 Cannabis Research and Education within the H. Lee
 7 Moffitt Cancer Center and Research Institute, Inc.;
 8 providing a purpose for the coalition; establishing
 9 the Medicinal Cannabis Research and Education Board to
 10 direct the operations of the coalition; providing for
 11 the appointment of board members; providing for terms
 12 of office, reimbursement for certain expenses, and the
 13 conduct of meetings of the board; authorizing the
 14 board to appoint a coalition director; prescribing the
 15 duties of the coalition director; requiring the board
 16 to advise specified entities and officials regarding
 17 medicinal cannabis research and education in this
 18 state; requiring the board to annually adopt a
 19 Medicinal Cannabis Research and Education Plan;
 20 providing requirements for the plan; requiring the
 21 board to issue an annual report to the Governor and
 22 the Legislature by a specified date; specifying
 23 responsibilities of the H. Lee Moffitt Cancer Center
 24 and Research Institute, Inc.; providing an effective
 25 date.
 26
 27 WHEREAS, cannabis, also known as marijuana, is produced
 28 from the cannabis plant, which produces a resin containing
 29 psychoactive compounds called cannabinoids, in addition to other

Page 1 of 6

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

21-00525A-17

20171472__

30 compounds found in plants, such as terpenes and flavonoids, and
 31 WHEREAS, cannabis is a controlled substance and is
 32 classified as a Schedule I agent, a drug with a high potential
 33 for abuse, with no scientific evidence for medical use, and
 34 WHEREAS, the United States Food and Drug Administration has
 35 not approved the use of cannabis as a treatment for any medical
 36 condition, and
 37 WHEREAS, clinical trials conducted on medicinal cannabis
 38 are limited, and researchers must file an Investigational New
 39 Drug application with the United States Food and Drug
 40 Administration, obtain a Schedule I license from the United
 41 States Drug Enforcement Administration, and obtain approval from
 42 the National Institute on Drug Abuse to conduct clinical drug
 43 research with cannabis in the United States, and
 44 WHEREAS, due to the limited number of clinical studies on
 45 the medicinal use of marijuana, there is little or no unbiased
 46 data available to support the determination of safe and
 47 effective dosages of marijuana for specific illnesses, and
 48 WHEREAS, a significant number of Americans are seeking
 49 relief from pain and other medical symptoms through the use of
 50 cannabis, including cancer patients, patients suffering from
 51 refractory pain, and pediatric patients with refractory
 52 epilepsy, and
 53 WHEREAS, the electorate of Florida has enshrined in the
 54 State Constitution the right to obtain and use marijuana for
 55 medicinal purposes, NOW, THEREFORE,
 56
 57 Be It Enacted by the Legislature of the State of Florida:
 58

Page 2 of 6

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

21-00525A-17

20171472__

59 Section 1. Section 1004.4351, Florida Statutes, is created
60 to read:

61 1004.4351 Medicinal cannabis research and education.—

62 (1) SHORT TITLE.—This section shall be known and may be
63 cited as the “Medicinal Cannabis Research and Education Act.”

64 (2) LEGISLATIVE INTENT.—The Legislature finds that:

65 (a) The present state of knowledge concerning the use of
66 cannabis to alleviate pain and treat illnesses is limited
67 because permission to perform clinical studies on cannabis is
68 difficult to obtain, with access to research-grade cannabis so
69 restricted that little or no unbiased studies have been
70 performed.

71 (b) Under the State Constitution, cannabis is available for
72 the treatment of certain debilitating medical conditions.

73 (c) Additional clinical studies are needed to ensure that
74 the residents of this state obtain the correct dosing,
75 formulation, route, modality, frequency, quantity, and quality
76 of cannabis for specific illnesses.

77 (d) An effective medicinal cannabis research and education
78 program would mobilize the scientific, educational, and medical
79 resources that presently exist in this state to determine the
80 appropriate and best use of cannabis to treat illness.

81 (3) DEFINITIONS.—As used in this section, unless the
82 context clearly indicates otherwise, the term:

83 (a) “Board” means the Medicinal Cannabis Research and
84 Education Board.

85 (b) “Coalition” means the Coalition for Medicinal Cannabis
86 Research and Education.

87 (c) “Marijuana” or “medicinal cannabis” has the same

21-00525A-17

20171472__

88 meaning as provided in s. 29, Art. X of the State Constitution.

89 (4) COALITION FOR MEDICINAL CANNABIS RESEARCH AND
90 EDUCATION.—

91 (a) There is established within the H. Lee Moffitt Cancer
92 Center and Research Institute, Inc., the Coalition for Medicinal
93 Cannabis Research and Education. The purpose of the coalition is
94 to conduct rigorous scientific research; provide education;
95 disseminate research; and to guide policy for the adoption of a
96 statewide policy on ordering and dosing practices for the
97 medicinal use of cannabis. The coalition shall be physically
98 located at the H. Lee Moffitt Cancer Center and Research
99 Institute, Inc.

100 (b) The Medicinal Cannabis Research and Education Board is
101 established to direct the operations of the coalition. The board
102 shall be composed of seven members appointed by the chief
103 executive officer of the H. Lee Moffitt Cancer Center and
104 Research Institute, Inc. Board members must have experience in a
105 variety of scientific and medical fields, including, but not
106 limited to, oncology, neurology, psychology, pediatrics,
107 nutrition, and addiction. Members shall be appointed to 4-year
108 terms and may be reappointed to serve additional terms. The
109 chair shall be elected by the board from among its members to
110 serve a 2-year term. The board shall meet no less than
111 semiannually, at the call of the chair or, in his or her absence
112 or incapacity, the vice chair. Four members constitute a quorum.
113 A majority vote of the members present is required for all
114 actions of the board. The board may prescribe, amend, and repeal
115 a charter governing the manner in which it conducts its
116 business. A board member shall serve without compensation but is

21-00525A-17 20171472__

117 entitled to be reimbursed for travel expenses by the coalition
 118 or the organization he or she represents in accordance with s.
 119 112.061.

120 (c) The coalition shall be administered by a coalition
 121 director who shall be appointed by and serve at the pleasure of
 122 the board. The coalition director shall, subject to the approval
 123 of the board:

124 1. Propose a budget for the coalition.

125 2. Foster the collaboration of scientists, researchers, and
 126 other appropriate personnel in accordance with the coalition's
 127 charter.

128 3. Identify and prioritize the research to be conducted by
 129 the coalition.

130 4. Prepare the Medicinal Cannabis Research and Education
 131 Plan for submission to the board.

132 5. Apply for grants to obtain funding for research
 133 conducted by the coalition.

134 6. Perform other duties as determined by the board.

135 (d) The board shall advise the Board of Governors, the
 136 State Surgeon General, the Governor, and the Legislature with
 137 respect to medicinal cannabis research and education in this
 138 state. The board shall explore methods of implementing and
 139 enforcing medicinal cannabis laws in relation to cancer control,
 140 research, treatment, and education.

141 (e) The board shall annually adopt a plan for medicinal
 142 cannabis research, known as the "Medicinal Cannabis Research and
 143 Education Plan," which must be in accordance with state law and
 144 coordinate with existing programs in this state. The plan must
 145 include recommendations for the coordination and integration of

21-00525A-17 20171472__

146 medical, nursing, paramedical, community, and other resources
 147 connected with the treatment of debilitating medical conditions,
 148 research related to the treatment of such medical conditions,
 149 and education.

150 (f) By February 15 of each year, the board shall issue a
 151 report to the Governor, the President of the Senate, and the
 152 Speaker of the House of Representatives on research projects,
 153 community outreach initiatives, and future plans for the
 154 coalition.

155 (5) RESPONSIBILITIES OF THE H. LEE MOFFITT CANCER CENTER
 156 AND RESEARCH INSTITUTE, INC.—The H. Lee Moffitt Cancer Center
 157 and Research Institute, Inc., shall allocate staff, information,
 158 and assistance, as the coalition's budget permits, to assist the
 159 board in fulfilling its responsibilities.

160 Section 2. This act shall take effect July 1, 2017.



FLORIDA DEPARTMENT OF
EDUCATION
fldoe.org

Florida Charter School Sector

Senate Education Committee

March 27, 2017

Presented by: Adam Miller, Executive Director
Office of Independent Education and Parental Choice
Florida Department of Education

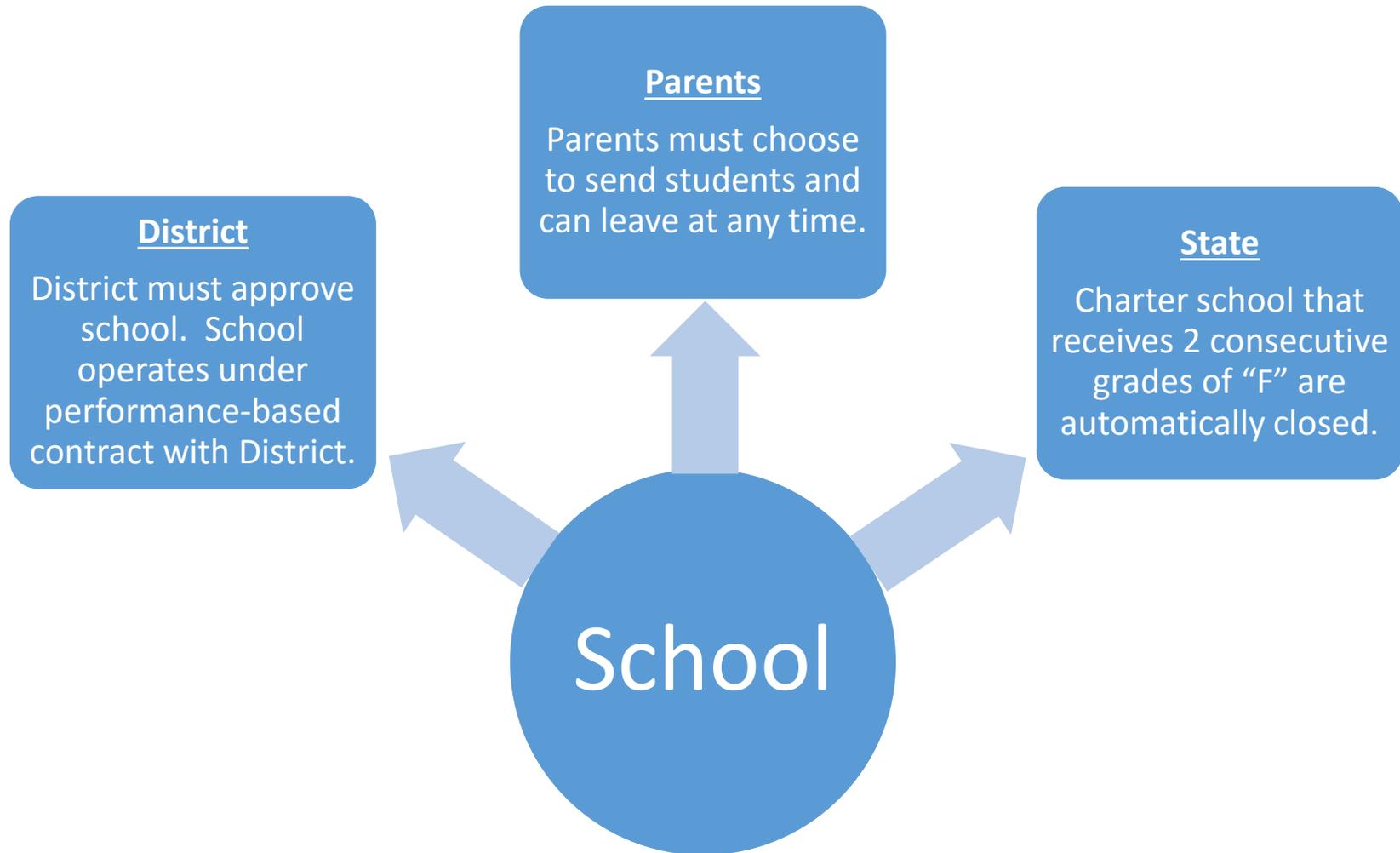
What is a Charter School?

- Is a Public School
- School of choice
- Governed by independent non-profit governing board
- Autonomy in exchange for increased accountability

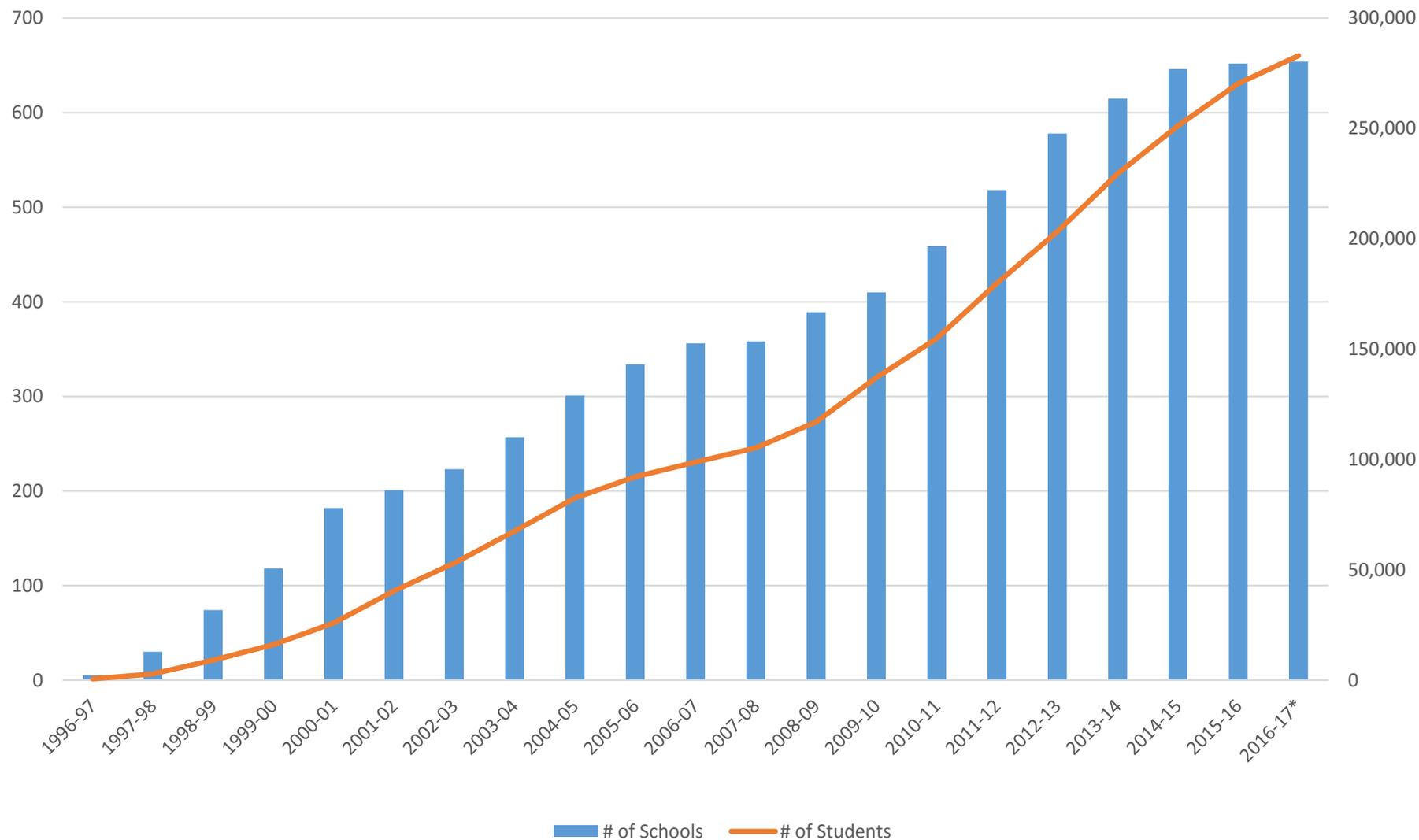
Charter School Autonomy

- Exempt from School Board policies
- Exempt from portions of Education Code
- Must abide by core requirements for all public schools, such as:
 - Florida Standards
 - State required assessments
 - School grades
 - Graduation requirements
 - Services to students with disabilities
 - Civil rights
 - Teacher certification, evaluation, salary schedules
 - Public records and meetings
 - Class size (measured at school-wide average)

Multi-Layered Accountability



Charter School Growth: 1995-2017



High-Performing vs. High-Impact

	High-Performing Charter School (s. 1002.331)	High-Impact Network
Unit of Analysis for Designation	School	All schools in network
Benefits apply to	School	Network and all schools created by network in critical-need areas
Criteria	<ul style="list-style-type: none"> • 2 Grades of A and nothing less than a B (last 3 years) • 3 Years of clean financial audits 	<ul style="list-style-type: none"> • Non-profit • Successfully operates a system of charter schools that <u>primarily serves economically disadvantaged students</u> • SBE will review all schools currently and previously operated by entity, including student demographics, and academic and financial performance, including: <ul style="list-style-type: none"> ○ School-wide and subgroup performance for most recent three years compared to all students in other schools and other schools serving similar student populations ○ May include: attendance and retention, graduation rates, college attendance and persistence, and other outcome measures • SBE will adopt rules
Term	Reassessed every year	Initial designation for 4 years, with renewals available

	High-Performing Charter School (s. 1002.331)	High-Impact Network
Administrative Fee	Reduced administrative fee paid to district: From 5% to 2%	Not addressed
Enrollment	May expand enrollment or grade levels notwithstanding contact	New schools created by network would determine enrollment and grade levels at time of application
Financial Reporting	Quarterly financial statements instead of monthly	Not addressed
Replication	High-performing school may submit an application to open a new school anywhere in the state, regardless of academic need . District may deny only if supported by clear and convincing evidence.	An entity designated as a high-impact system may submit a single charter application to open multiple schools in critical need areas . FDOE will develop a new model application for this application.
Federal Funds	Not addressed	<ul style="list-style-type: none"> • May be designated as a Local Education Agency (LEA) and receive all federal funds directly. <ul style="list-style-type: none"> ○ Title I ○ Title II ○ IDEA • Receive priority in Florida’s Charter School Program Grant (approx. \$800,000 start-up grant)
Facility Funds	Not addressed	Eligible to receive capital outlay funds in first year of operation instead of waiting until third year.

Turnaround Plan Options (TOP) for Districts

- Convert the school to a district-managed turnaround school;
- Reassign students to another school and monitor the progress of each reassigned student;
- Close the school and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness;
- Contract with an outside entity that has a demonstrated record of effectiveness to operate the school; or
- Implement a hybrid of turnaround options or other turnaround models that have a demonstrated record of effectiveness.

2016-17 TOP Implementers

- Cycle 1: 74 schools are implementing first option
 - Year 1: 69 schools
 - Year 2: 3 schools
 - Year 3: 2 schools (received waiver to implement 3rd year)

**Year 2 and 3 schools must improve to a C in 2017 or select new option*

- Cycle 2: 41 schools implementing second option
 - All are currently in Year 1 of a two-year plan
 - Must improve to a C by 2018 or select third option



www.FLDOE.org

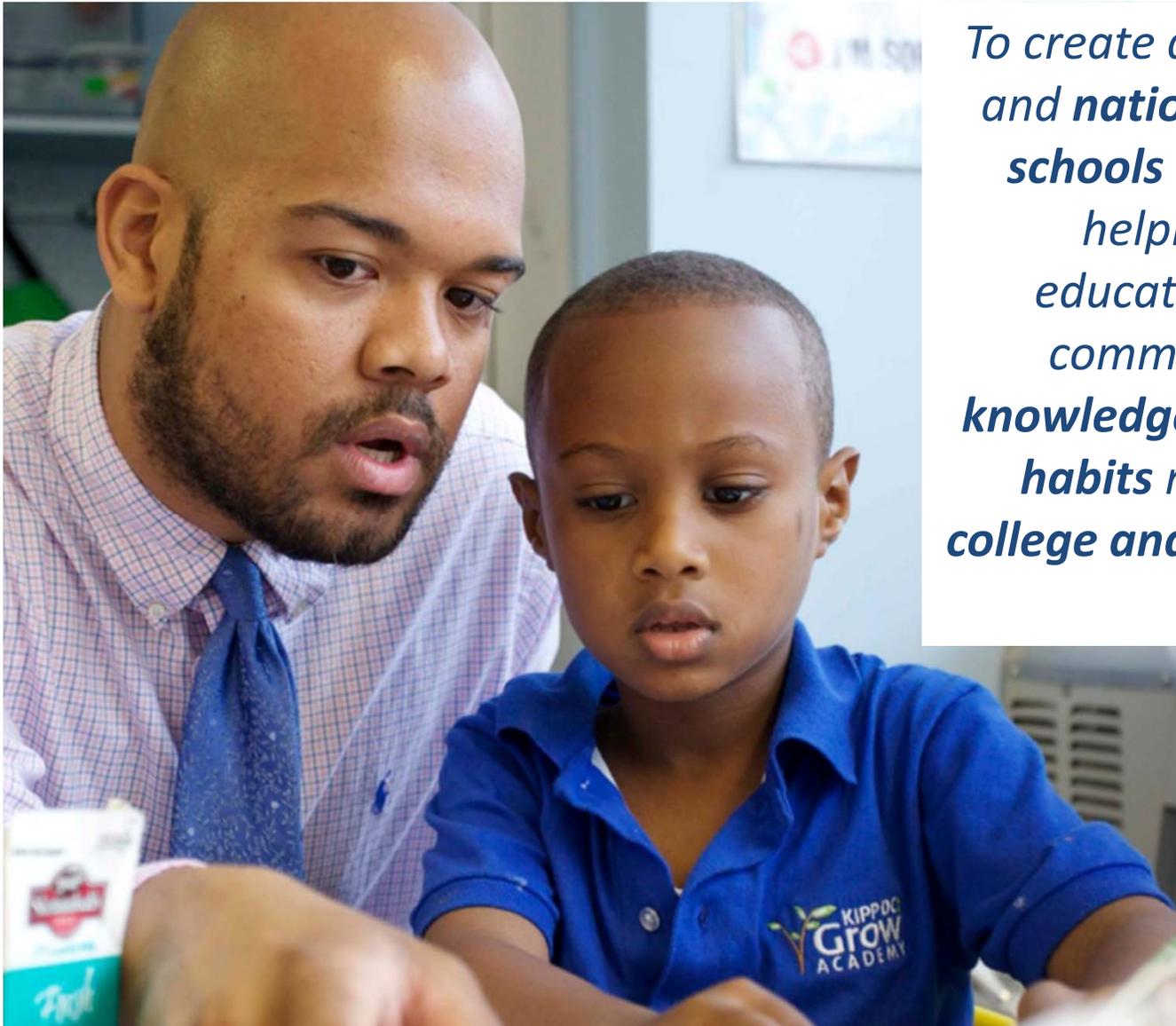


www.FLDOE.org

KIPP:

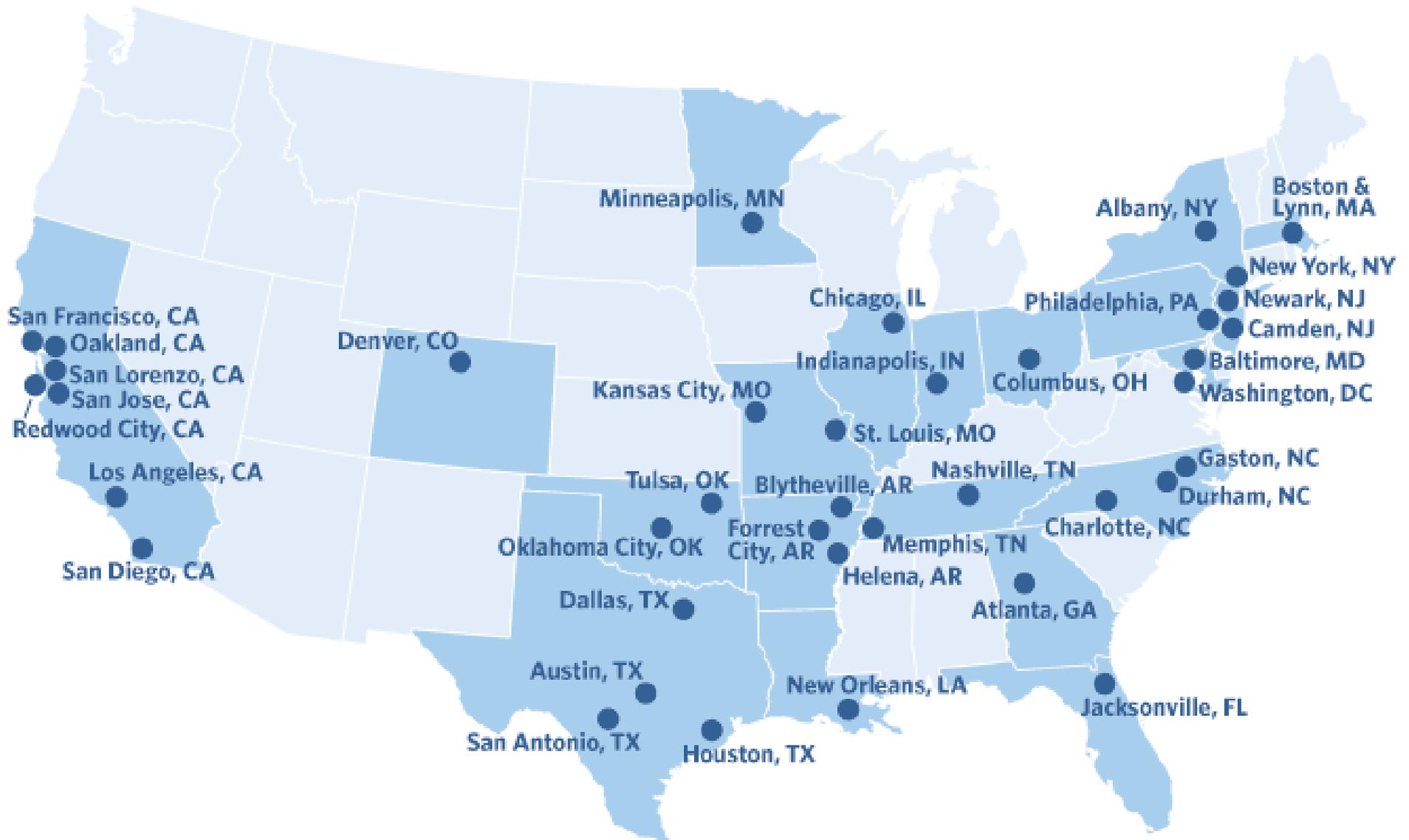


For over twenty years, our pursuit of our mission
has been unwavering



*To create a respected, influential,
and **national network of public
schools** that are successful in
helping students from
educationally underserved
communities develop the
**knowledge, skills, character, and
habits** needed to succeed in
**college and the competitive world
beyond***

Nearly 80,000 students in 200 KIPP elementary, middle and high schools are proving what's possible



A great education is the best path to a life of opportunity;
we aim to educate students from underserved communities

Number of Students

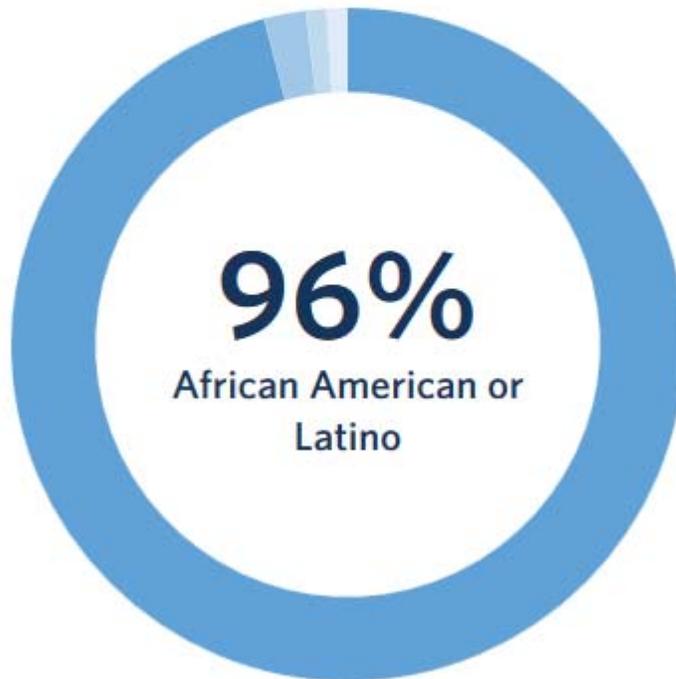
80,000

Number of Schools

200

Grades Served

PreK-12



88%

are eligible for Federal Free or
Reduced Price Lunch (FRPL)*

10%

receive special education
services**

17%

are designated as English
Language Learners (ELL)

In our country today, fewer than 1 in 10 children from low-income households will earn a college degree



70% of their peers coming from families in the top income quartile will earn a college degree

KIPP alumni are defying the odds

94%

have graduated from
high school

(5+ years after completing 8th grade)



82%

have matriculated
to college

(5+ years after completing 8th grade)



45% BA

51% BA/AA

have graduated from college

(10+ years after completing 8th grade)



National benchmarks for students from low-income families

72%

45%

9% BA

At present, 10,000 KIPP alumni are attending college



BROWN



MOREHOUSE
COLLEGE



UNIVERSITY OF
ARKANSAS



UF UNIVERSITY of
FLORIDA



MIAMI



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

DAVIDSON



Spelman College

UNIVERSITY of
HOUSTON

Duke
UNIVERSITY

Colby 

THE UNIVERSITY OF
TEXAS
— AT AUSTIN —

FRANKLIN & MARSHALL

SYRACUSE UNIVERSITY

Berkeley
UNIVERSITY OF CALIFORNIA



San José State
UNIVERSITY



Penn
UNIVERSITY of PENNSYLVANIA

KINGSBOROUGH



COMMUNITY COLLEGE

TEXAS A&M
UNIVERSITY®



MONTCLAIR STATE
UNIVERSITY

In each KIPP school, we are dedicated to providing KIPPsters a path to and through college

Great schools



Life of choice, opportunity and success



Where students are taught by **great teachers** and led by **great leaders**



The pillars of our school model are:



High expectations



Strength of character



**Highly effective teachers
and leaders**



**Safe, structured and
nurturing environments**



KIPP Through College

We will expand into new markets opportunistically



We evaluate five key factors to assess a new market:

Student need



Proven leadership



Supportive market for talent



Funding that enables financial sustainability



Strong charter freedoms

We will recommend expansion when we believe these factors align

Our students work hard – and in doing so, transform generations to come



Our students are reminding the country that there are no shortcuts to success, that hard work pays off for them...

...and this hard work will continue to impact the generations that follow

REIMAGINING

PUBLIC EDUCATION

IN THE SOUTH



RHS REPUBLIC
HIGH SCHOOL

TRAIL
BLAZERS

R

REPUBLIC
SCHOOLS

WHY WE'RE HERE

REPUBLIC SCHOOLS
REIMAGINING WHAT'S POSSIBLE 2

We lead public charter schools that have produced **staggering academic results** for kids.

We're not just catching our kids up. We're making a bet on the future by teaching them to **code**.

And we're doing it in the **South**, where the odds for students growing up in low-income communities are lower than anywhere else in the nation.

NASHVILLE

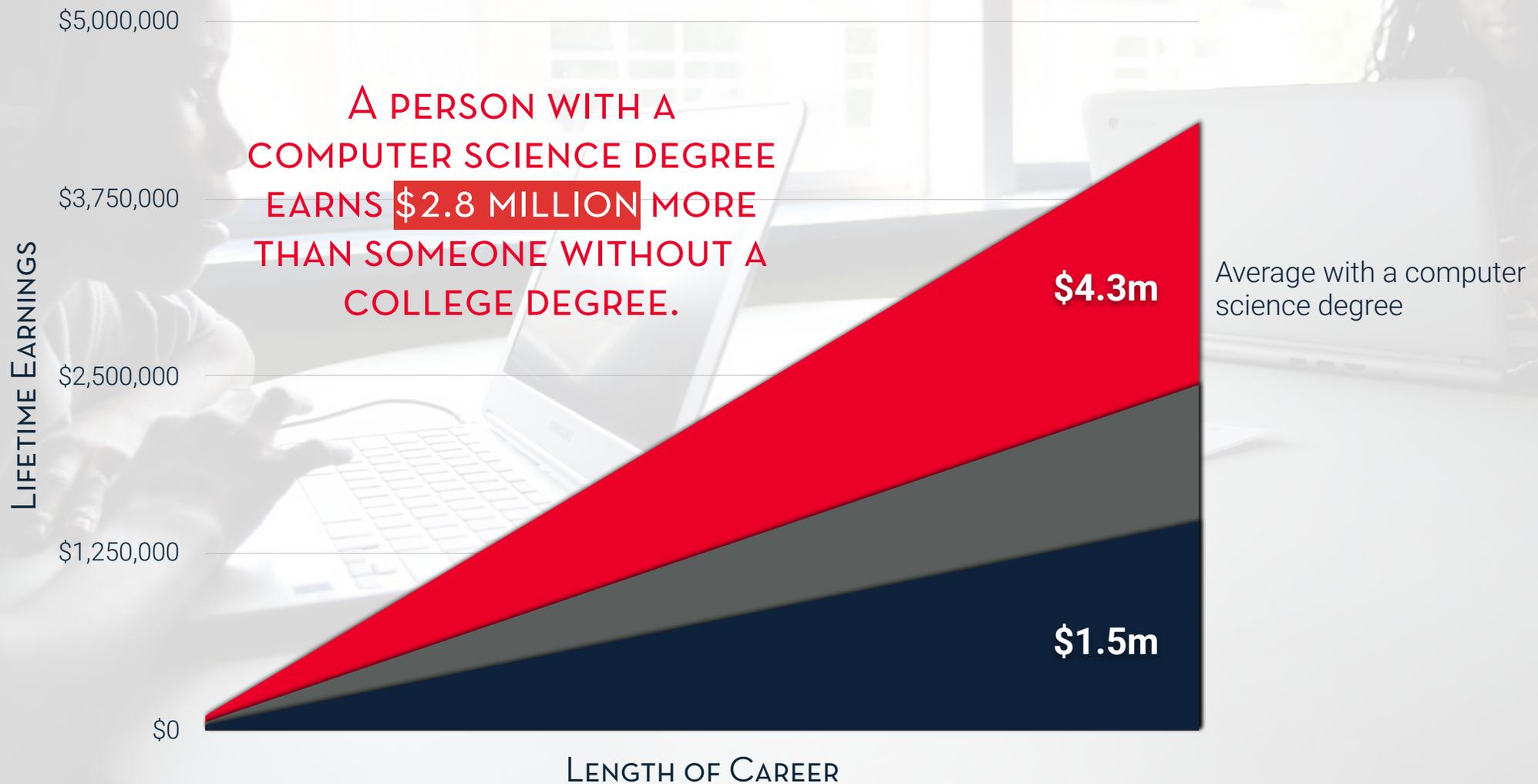
HISTORIC RESULTS

In 2014, Nashville Prep and Liberty scholars were in the **top 5%** in the state for growth and absolute performance. In 2015, Liberty earned this distinction for the **second year** in a row.

In 2015, RePublic's schools, on average, **outperformed the district and state** in every subject by double digits and RePublic 8th graders outperformed the city much more dramatically.

In 2015, Liberty and Nashville Prep were the **two highest performing open enrollment public schools** in Nashville for 8th grade Reading and Science.

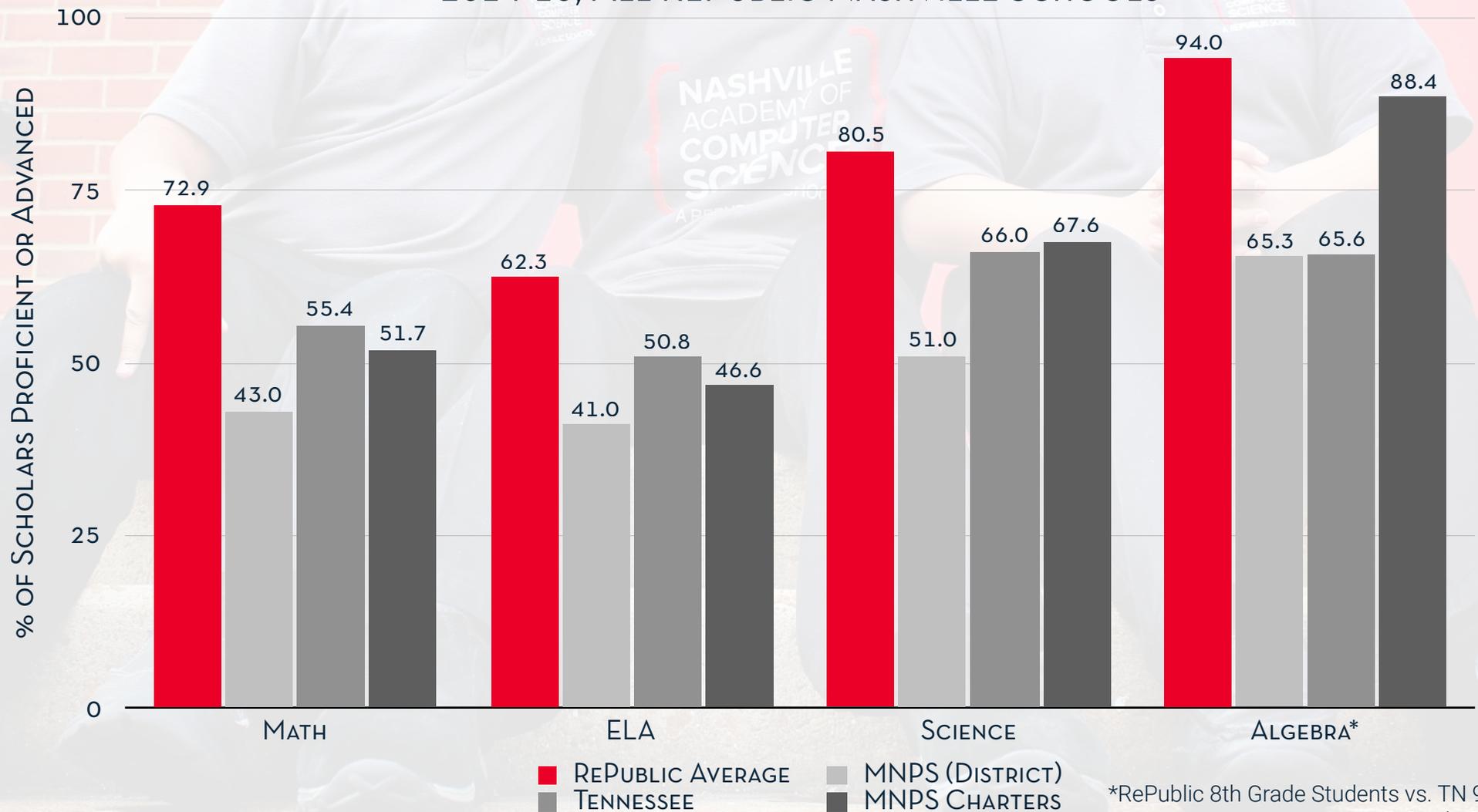
Learning to code builds creativity, problem-solving, and critical thinking skills. And it can **break** the cycle of poverty.



HISTORIC RESULTS

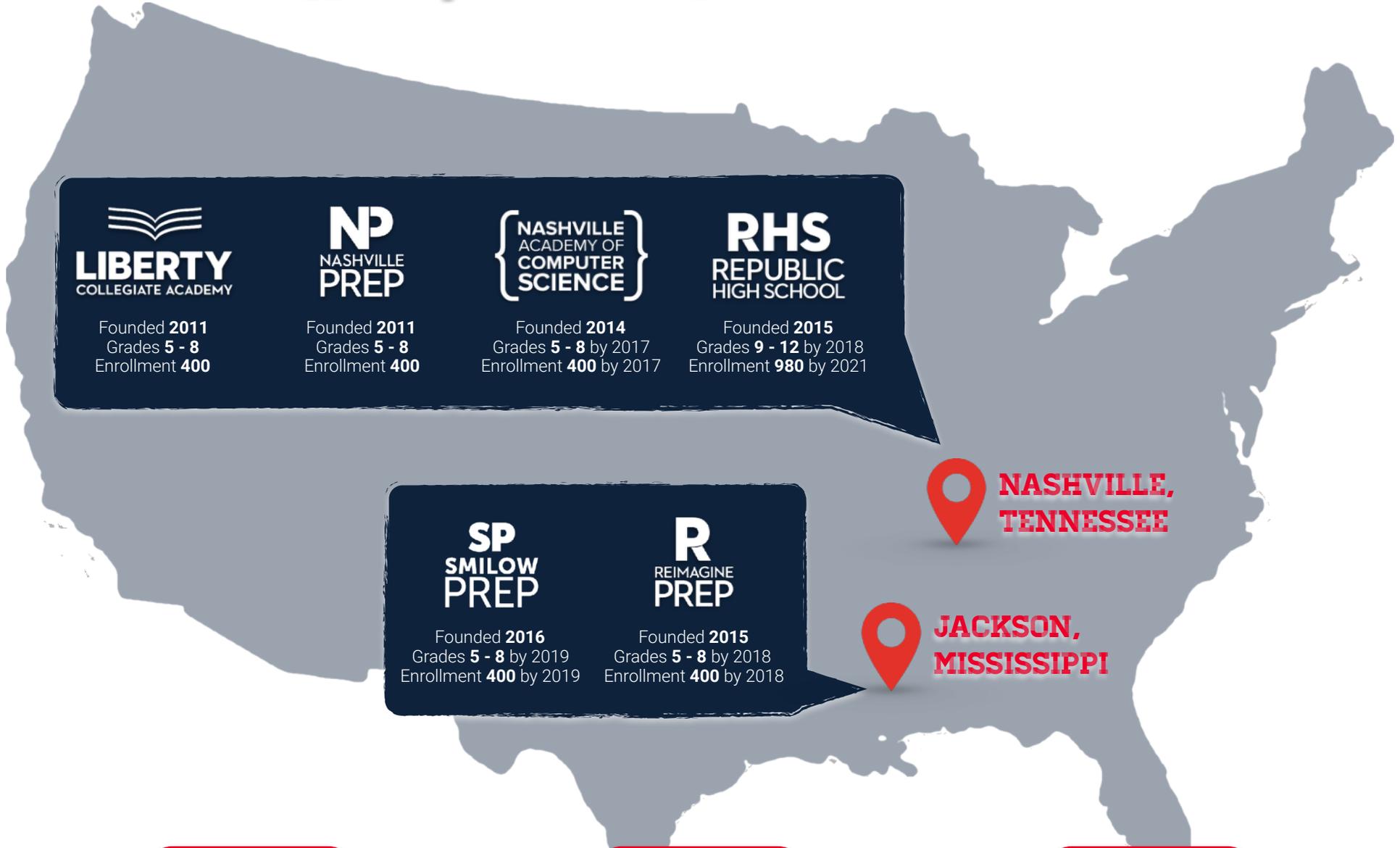
In 2014-15, RePublic's schools, on average, **outperformed** the district, state, and district charters in **all** tested subjects.

REPUBLIC ABSOLUTE PERFORMANCE V. DISTRICT, STATE, DISTRICT CHARTERS 2014-15, ALL REPUBLIC NASHVILLE SCHOOLS



*RePublic 8th Grade Students vs. TN 9th-12th Grade Students

REPUBLIC AT 40,000 FEET




LIBERTY
COLLEGIATE ACADEMY

Founded **2011**
Grades **5 - 8**
Enrollment **400**

NP
NASHVILLE
PREP

Founded **2011**
Grades **5 - 8**
Enrollment **400**

NASHVILLE
ACADEMY OF
COMPUTER
SCIENCE

Founded **2014**
Grades **5 - 8** by 2017
Enrollment **400** by 2017

RHS
REPUBLIC
HIGH SCHOOL

Founded **2015**
Grades **9 - 12** by 2018
Enrollment **980** by 2021

SP
SMILOW
PREP

Founded **2016**
Grades **5 - 8** by 2019
Enrollment **400** by 2019

R
REIMAGINE
PREP

Founded **2015**
Grades **5 - 8** by 2018
Enrollment **400** by 2018

 **NASHVILLE,
TENNESSEE**

 **JACKSON,
MISSISSIPPI**

82%
ECONOMICALLY
DISADVANTAGED

11%
STUDENTS WITH
DISABILITIES

95%
AFRICAN AMERICAN
& HISPANIC

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17
Meeting Date

N/A
Bill Number (if applicable)

N/A
Amendment Barcode (if applicable)

Topic Charter schools

Name Adam Miller

Job Title Director,

Address 325 W. Gaines street
Street

Phone 850-245-9633

Tallahassee FL 32399
City State Zip

Email Adam.miller@fldoe.org

Speaking: For Against Information

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

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17
Meeting Date

Bill Number (if applicable)

Topic Charter School Presentation

Amendment Barcode (if applicable)

Name Trisha Coad

Job Title National Director New Site

Development - KIPP Foundation

Address 909 Los Angeles Ave

Phone

Atlanta GA 30306
City State Zip

Email tcoad@kipp.org

Speaking: For Against Information

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

Representing KIPP Foundation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Kate Cooper

Job Title Director of Growth & Advancement - RePublic Schools

Address 1265 Melwood Place

Phone 703-577-3828

Jackson MS 39206
City State Zip

Email c.cooper@republiccharter
schools.org

Speaking: For Against Information

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

Representing RePublic 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.

WORKSHOP: SCHOOL CHOICE

ISSUE	SB	DESCRIPTION
CHARTER SCHOOLS		
1. High-Impact Designation	<ul style="list-style-type: none"> • 796 by Bean • 1362 by Broxson 	<ul style="list-style-type: none"> • (796) Creates High-Impact Charter Management Organization designation to serve a critical need area; specifies eligibility requirements and benefits. • (1362) Creates High-Impact Charter Network designation to serve a critical need area specified in law; specifies eligibility requirements and benefits.
2. Administration and Funding	<ul style="list-style-type: none"> • 538 by Clemens • 796 by Bean • 696 by Baxley • 1362 by Broxson 	<ul style="list-style-type: none"> • (538) Modifies application process to require that a charter school demonstrate that it meets a specific need that the school district does not, or is unable to, meet and to require a charter school to share the results of innovative methods and best practices. • (796) Requires the Department of Education (DOE) to provide technical assistance to school districts for allocation of federal funds to charter schools using an appropriate methodology. • (696) Authorizes a charter school to enter into financial arrangements to secure funds and pledge and encumber its assets; revises funding obligations and authority of district school boards; modifies a charter school sponsor's duties. • (1362) Deletes requirement that DOE compare student performance data of charter schools and traditional schools within a school district.
HOME EDUCATION PROGRAM		
3. Administration	<ul style="list-style-type: none"> • 1556 by Lee 	<ul style="list-style-type: none"> • (1556) Revises home education program administration related to student attendance and reporting requirements; prohibits school districts from requiring additional information from parents.
VIRTUAL INSTRUCTION		
4. Eligibility Requirements	<ul style="list-style-type: none"> • 692 by Baxley • 868 by Baxley 	<ul style="list-style-type: none"> • (692) Deletes student eligibility criteria for participation in K-12 virtual instruction; deletes obsolete reporting requirement for the Florida Virtual School (FLVS). • (868) Repeals student eligibility criteria for participation in K-12 virtual instruction; authorizes DOE Commissioner to approve statewide dual enrollment articulation agreement with FLVS.
K-12 SCHOLARSHIPS and FINANCIAL ASSISTANCE		
5. Gardiner Scholarship	<ul style="list-style-type: none"> • 902 by Simmons 	<ul style="list-style-type: none"> • (902) Expands student eligibility criteria for Gardiner scholarship; expands authorized uses of program funds; appropriates \$200 m. in recurring general revenue funds for Gardiner Scholarships and \$6 m. recurring general revenue funds for administration by scholarship-funding organization.
6. Florida Tax Credit Scholarship	<ul style="list-style-type: none"> • 1314 by Grimsley 	<ul style="list-style-type: none"> • (1314) Allows a dependent child of a parent or guardian who is a member of the U.S. Armed Forces to apply for the Florida Tax Credit Scholarship at any time; increases award amount; revises program requirements.
7. Education Savings Account	<ul style="list-style-type: none"> • 1572 by Bean 	<ul style="list-style-type: none"> • (1572) Creates Education Savings Account Program; specifies eligibility criteria for students and educational institutions; responsibilities for parents and students, educational institutions, DOE, commissioner, Chief Financial Officer, and financial institutions; and administration requirements.
INTERSCHOLASTIC ATHLETICS		
8. Student Participation	<ul style="list-style-type: none"> • 1302 by Gibson • 1586 by Garcia 	<ul style="list-style-type: none"> • (1302) Allows a private school student enrolled in a non-FHSAA member private school to participate in interscholastic or intrascholastic sport at a public school that the student could choose to attend pursuant to controlled open enrollment. • (1586) Requires the preparticipation physical evaluation form to advise a student to complete an electrocardiogram assessment.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17
Meeting Date

SB692
Bill Number (if applicable)

Topic SB692

Amendment Barcode (if applicable)

Name Mary Stacy

Job Title Director

Address 113 S. Monroe St. #101

Phone 850 391 0421

Tallahassee FL 32301
City State Zip

Email info@FCSBM.org

Speaking: For Against Information

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

Representing Florida Coalition of School Bd Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-27-17
Meeting Date

692
Bill Number (if applicable)

Topic 692

Amendment Barcode (if applicable)

Name Nancy Stacy

Job Title Director

Address 113 S. Monroe St. #101
Street

Phone 850-391-0421

Tallahassee FL 32301
City State Zip

Email info@FCSBM.org

Speaking: For Against Information

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

Representing Florida Coalition of School Bd Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

692

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Amber Kelly

Job Title Director of Policy & Communications

Address 4853 S. Orange Avenue

Phone (407) 418-0250

Street

Orlando

City

FL

State

32806

Zip

Email _____

Speaking: For Against Information

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

Representing FL Family Action

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-27-17

Meeting Date

692

Bill Number (if applicable)

Topic Student Eligibility for K-12 virtual instruction

Amendment Barcode (if applicable)

Name Holly Sagues

Job Title Exec. Director Gov. Affairs

Address Florida Virtual School

Phone 321-695-1073

Street

Orlando

FL

32835

Email hsagues@flvs.net

City

State

Zip

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
APPEARANCE RECORD

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

3/27/17
Meeting Date

SR 692
Bill Number (if applicable)

Topic K-12 Virtual Education

Amendment Barcode (if applicable)

Name Debbie Northam

Job Title Advocacy Director

Address 215 S Monroe St

Phone _____

Street

Tall, Fla

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing Founder of 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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/28/17.
Meeting Date

SB 796.
Bill Number (if applicable)

Topic SB 796. Charters

Amendment Barcode (if applicable)

Name Alexandra Dominguez

Job Title Senior Advocacy Associate

Address 215 S. Monroe St
Street

Phone 782-955-7155

Tallahassee FL 32301
City State Zip

Email alexandra@excelmed.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.

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-27-17

Meeting Date

868

Bill Number (if applicable)

Topic Educational Options & Services

Amendment Barcode (if applicable)

Name Natahi King

Job Title VP

Address 235 W Brandon Blvd #64D

Phone 813 924 8218

Street

Brandon FL 335111

City

State

Zip

Email natahi@natahi.com

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

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

Representing The Diversity Initiative

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

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

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

8B868
Bill Number (if applicable)

Topic Education Options / Sec. 1+2 Workers' Comp

Amendment Barcode (if applicable)

Name Margaret J. Hooper

Job Title Public Policy Director

Address 124 Marriott Dr. #203
Street

Phone (850) 922-6703

Tallahassee FL 32301
City State Zip

Email Margaret.D@fddc.org

Speaking: For Against Information

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

Representing FL Developmental Disability Council

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

902

Bill Number (if applicable)

Topic SB 902-0

Amendment Barcode (if applicable)

Name Sara Clements

Job Title Director of External Affairs

Address 1901 Wilmerton Rd #180

Phone 727-451-9811

Street

Clearwater

FL

33762

Email sclements@sufs.org

City

State

Zip

Speaking: For Against Information

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

Representing Step Up For Students

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

SB 902
Bill Number (if applicable)

Topic Gardiner Scholarship

Amendment Barcode (if applicable)

Name Shan Goff

Job Title Asst. Policy Director

Address 215 S Monroe Street

Phone 544-6128

Tul Fla 32201
City State Zip

Email shan@excelined.com

Speaking: For Against Information

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

Representing Founder 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 902

Bill Number (if applicable)

Topic Gardiner Scholarship Program

Amendment Barcode (if applicable)

Name James Herzog

Job Title Associate Director for Education

Address 201 W Park Ave
Street

Phone (850) 222-3803

Tallahassee FL 32301
City State Zip

Email jherzog@flaccb.org

Speaking: For Against Information

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

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

3-27-17

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

902

Meeting Date

Bill Number (if applicable)

Topic GARDINER SCHOLARSHIP

Amendment Barcode (if applicable)

Name JEANNE BOGGS

Job Title PARENT

Address 1709 COUNTRY CLUB DR

Phone 850.567.7325

Street

TALLAHASSEE FL 32301

Email jeanne.m.boggs@gmail.com

City

State

Zip

Speaking: For Against Information

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

Representing MYSELF

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)

3-27-17
Meeting Date

902
Bill Number (if applicable)

Topic 902

Amendment Barcode (if applicable)

Name Nancy Stacy Stacy

Job Title Director

Address 113 S. Monroe St #101

Phone 850-391-0421

Street

Tallahassee FL 32301

City

State

Zip

Email info@FCSBM.org

Speaking: For Against Information

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

Representing Florida Coalition of School Bd Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

902

Bill Number (if applicable)

Topic Gardiner Expansion

Amendment Barcode (if applicable)

Name Jennifer Wilnot

Job Title private citizen

Address 2030 Doan Dr

Phone 850 204 4505

Street

Tallahassee

City

FL

State

32308

Zip

Email jeni.wilnot@gmail.com

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/27/17

Meeting Date

SB902

Bill Number (if applicable)

Topic SB 902

Amendment Barcode (if applicable)

Name Nancy Stacy

Job Title Director

Address 113 S Monroe St #101

Phone 850-391-0424

Street

Tallahassee

FL

32301

City

State

Zip

Email info@FCSBM.org

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing FL Coalition of School Bd Members

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)

3/27/17
Meeting Date

1314
Bill Number (if applicable)

Topic Florida Tax Credit Scholarships Amendment Barcode (if applicable)

Name James Mosteller

Job Title Advocacy Associate

Address 415 S Monroe St.
Street

Phone 850-727-3712

Tallahassee FL 32301
City State Zip

Email James.m@excelnfla.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.

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17

Meeting Date

SB 1314

Bill Number (if applicable)

Topic Educational Options

Amendment Barcode (if applicable)

Name James Herzog

Job Title Associate Director for Education

Address 201 W Park Ave

Street

Phone (850) 222-3803

Tallahassee FL 32301

City

State

Zip

Email jherzog@flaccb.org

Speaking: For Against Information

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

Representing Florida Conference of Catholic Bishops

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)

3/27/17
Meeting Date

1314
Bill Number (if applicable)

Topic SB 1314

Amendment Barcode (if applicable)

Name Sara Clements

Job Title Director of External Affairs

Address 1901 Ulmerton Rd #180
Street

Phone 727-451-9811

Clearwater FL 33762
City State Zip

Email sclements@sufs.org

Speaking: For Against Information

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

Representing Step Up For Students

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

03/27/2017

Meeting Date

1314

Bill Number (if applicable)

Topic Florida Tax Credit Scholarship

Amendment Barcode (if applicable)

Name Alyson Hochstedler

Job Title _____

Address 1003 Harbert St

Phone 850-933-5755

Street

Tallahassee

FL

32303

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing Self

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)

3/27/17
Meeting Date

SB1314
Bill Number (if applicable)

Topic SB1314

Amendment Barcode (if applicable)

Name Nancy Stacy

Job Title Director

Address 113 S Monroe St. #101

Phone 850-391-0421

Tallahassee FL 32301
City State Zip

Email info@FC5BM.org

Speaking: For Against Information

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

Representing Fl. Coalition of School Bd Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

Meeting Date

Bill Number (if applicable)

Topic Fla Tax ^{Credit} Scholarship

Amendment Barcode (if applicable)

Name Soand Copeland

Job Title Director of Admissions + Public Relations - Trinity

Address 706 E Broward St

Phone (850) 222-0444 ^{Catholic}

Street

City

Tallahassee FL

State

Zip

Email copelandsoand@trinitycatholic.org

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing Trinity Catholic School

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

James Herzog Assoc Dir of Ed - Florida Conference of Catholic Bishops

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/27/17
Meeting Date

1314
Bill Number (if applicable)

Topic 1314 Amendment Barcode (if applicable)

Name Nancy Stacy (Marion County School Bd. ~~Member~~ Member)

Job Title Director

Address 113 S. Monroe St. #101 Phone 850-391-0421

Tallahassee, FL 32301
City State Zip

Email info@FCSBM.org

Speaking: For Against Information

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

Representing Florida Coalition of School Bd Members

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.

By Senator Clemens

31-00354-17

2017538__

1 A bill to be entitled
 2 An act relating to charter schools; amending s.
 3 1002.33, F.S.; requiring applicants for charter status
 4 to demonstrate that they meet certain needs that the
 5 local school district does not, or is unable to, meet;
 6 authorizing a charter school to share the results of
 7 innovative methods and best practices with the school
 8 district; providing an effective date.
 9
 10 Be It Enacted by the Legislature of the State of Florida:
 11
 12 Section 1. Subsection (2) of section 1002.33, Florida
 13 Statutes, is amended to read:
 14 1002.33 Charter schools.—
 15 (2) GUIDING PRINCIPLES; PURPOSE.—In order to obtain charter
 16 status, an applicant must clearly demonstrate that it meets a
 17 specific instructional need or a need for additional educational
 18 facilities as defined in s. 1013.01 which the local school
 19 district does not, or is unable to, meet. Accordingly, each
 20 charter school in this state:
 21 (a) ~~Charter schools in Florida~~ Shall be guided by the
 22 following principles:
 23 1. Meet high standards of student achievement while
 24 providing flexibility to parents ~~flexibility~~ to choose among
 25 diverse educational opportunities within the state's public
 26 school system.
 27 2. Promote enhanced academic success and financial
 28 efficiency by aligning responsibility with accountability.
 29 3. Provide parents with sufficient information as to ~~on~~
 30 whether their child is reading at grade level and is gaining
 31 ~~whether the child gains~~ at least a year's worth of learning for
 32 every year spent in the charter school.

Page 1 of 2

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

31-00354-17

2017538__

33 (b) ~~Charter schools~~ Shall fulfill the following purposes:
 34 1. Improve student learning and academic achievement.
 35 2. Increase learning opportunities for all students, with
 36 special emphasis on low-performing students and reading.
 37 3. Encourage the use of innovative learning methods.
 38 4. Require the measurement of learning outcomes.
 39 (c) ~~Charter schools~~ May fulfill the following purposes:
 40 1. Create innovative measurement tools.
 41 2. Provide rigorous competition within the public school
 42 district to stimulate continual improvement in all public
 43 schools.
 44 3. Expand the capacity of the public school system.
 45 4. Mitigate the educational impact of ~~created by~~ the
 46 development of new residential dwelling units.
 47 5. Create new professional opportunities for teachers,
 48 including ownership of the learning program at the school site.
 49 6. Share the results of innovative methods and best
 50 practices with the school district.
 51 Section 2. This act shall take effect July 1, 2017.

Page 2 of 2

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

By Senator Baxley

12-00379A-17

2017692__

A bill to be entitled

An act relating to student eligibility for K-12 virtual instruction; amending s. 1002.37, F.S.; revising eligibility requirements for specified students to receive part-time instruction at the Florida Virtual School; removing provisions requiring the Auditor General to conduct an operational audit of the Florida Virtual School; amending s. 1002.455, F.S.; authorizing all students, including home education and private school students, to participate in specified virtual instruction options; deleting the eligibility criteria for a student to participate in virtual instruction; amending s. 1003.4282, F.S.; revising the options that a district school board or charter school governing board may offer for a student to satisfy certain online course requirements; amending ss. 1002.33, 1002.45, 1003.498, and 1011.62, F.S.; conforming provisions and cross-references to changes made by the act; providing an effective date.

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

Section 1. Paragraph (a) of subsection (8) and subsection (11) of section 1002.37, Florida Statutes, are amended to read:
1002.37 The Florida Virtual School.-

(8) (a) The Florida Virtual School may provide full-time and part-time instruction for students in kindergarten through grade 12. ~~To receive part time instruction in kindergarten through grade 5, a student must meet at least one of the eligibility criteria in s. 1002.455(2).~~

~~(11) The Auditor General shall conduct an operational audit of the Florida Virtual School, including Florida Virtual School~~

Page 1 of 7

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

12-00379A-17

2017692__

~~Global. The scope of the audit shall include, but not be limited to, the administration of responsibilities relating to personnel, procurement and contracting; revenue production; school funds, including internal funds; student enrollment records; franchise agreements; information technology utilization, assets, and security; performance measures and standards; and accountability. The final report on the audit shall be submitted to the President of the Senate and the Speaker of the House of Representatives no later than January 31, 2014.~~

Section 2. Section 1002.455, Florida Statutes, is amended to read:

1002.455 Student eligibility for K-12 virtual instruction.-

~~(1) All students, including home education and private school students, are eligible to participate in any of the following A student may participate in virtual instruction in the school district in which he or she resides if the student meets the eligibility criteria in subsection (2).~~

~~(2) A student is eligible to participate in virtual instruction if:~~

~~(a) The student spent the prior school year in attendance at a public school in the state and was enrolled and reported by the school district for funding during October and February for purposes of the Florida Education Finance Program surveys;~~

~~(b) The student is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to a permanent change of station order;~~

~~(c) The student was enrolled during the prior school year~~

Page 2 of 7

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

12-00379A-17 2017692__

62 in a virtual instruction program under s. 1002.45 or a full-time
 63 Florida Virtual School program under s. 1002.37(8)(a);
 64 ~~(d) The student has a sibling who is currently enrolled in~~
 65 ~~a virtual instruction program and the sibling was enrolled in~~
 66 ~~that program at the end of the prior school year;~~
 67 ~~(e) The student is eligible to enter kindergarten or first~~
 68 ~~grade; or~~
 69 ~~(f) The student is eligible to enter grades 2 through 5 and~~
 70 ~~is enrolled full-time in a school district virtual instruction~~
 71 ~~program, virtual charter school, or the Florida Virtual School.~~
 72 ~~(3) The virtual instruction options for which this~~
 73 ~~eligibility section applies include:~~
 74 ~~(1)(a) School district operated part-time or full-time~~
 75 ~~kindergarten through grade 12 virtual instruction programs under~~
 76 ~~s. 1002.45(1)(b) for students enrolled in the school district.~~
 77 ~~(2)(b) Full-time virtual charter school instruction~~
 78 ~~authorized under s. 1002.33.~~
 79 ~~(3)(e) Virtual courses offered in the course code directory~~
 80 ~~to students within the school district or to students in other~~
 81 ~~school districts throughout the state pursuant to s. 1003.498.~~
 82 (4) Florida Virtual School instructional services
 83 authorized under s. 1002.37.
 84 Section 3. Paragraph (b) of subsection (4) of section
 85 1003.4282, Florida Statutes, is amended to read:
 86 1003.4282 Requirements for a standard high school diploma.-
 87 (4) ONLINE COURSE REQUIREMENT.-At least one course within
 88 the 24 credits required under this section must be completed
 89 through online learning.
 90 (b) A district school board or a charter school governing

12-00379A-17 2017692__

91 board, as applicable, may allow a student ~~offer students the~~
 92 ~~following options~~ to satisfy the online course requirements of
 93 this subsection by completing:-
 94 1. ~~Completion of a course in which the a student earns a~~
 95 ~~nationally recognized industry certification in information~~
 96 ~~technology that is identified on the CAPE Industry Certification~~
 97 ~~Funding List pursuant to s. 1008.44 or passing passage of the~~
 98 ~~information technology certification examination without~~
 99 ~~enrolling enrollment in or completing completion of the~~
 100 ~~corresponding course or courses, as applicable.~~
 101 2. ~~Passage of an online content assessment, without~~
 102 ~~enrollment in or completion of the corresponding course or~~
 103 ~~courses, as applicable, by which the student demonstrates skills~~
 104 ~~and competency in locating information and applying technology~~
 105 ~~for instructional purposes.~~
 106
 107 For purposes of this subsection, a school district may not
 108 require a student to take the online course outside the school
 109 day or in addition to a student's courses for a given semester.
 110 This subsection does not apply to a student who has an
 111 individual education plan under s. 1003.57 which indicates that
 112 an online course would be inappropriate or to an out-of-state
 113 transfer student who is enrolled in a Florida high school and
 114 has 1 academic year or less remaining in high school.
 115 Section 4. Subsection (1) of section 1002.33, Florida
 116 Statutes, is amended to read:
 117 1002.33 Charter schools.-
 118 (1) AUTHORIZATION.-Charter schools shall be part of the
 119 state's program of public education. All charter schools in

12-00379A-17

2017692__

120 Florida are public schools. A charter school may be formed by
 121 creating a new school or converting an existing public school to
 122 charter status. A charter school may operate a virtual charter
 123 school pursuant to s. 1002.45(1)(d) to provide full-time online
 124 instruction to ~~eligible~~ students, pursuant to s. 1002.455, in
 125 kindergarten through grade 12. An existing charter school that
 126 is seeking to become a virtual charter school must amend its
 127 charter or submit a new application pursuant to subsection (6)
 128 to become a virtual charter school. A virtual charter school is
 129 subject to the requirements of this section; however, a virtual
 130 charter school is exempt from subsections (18) and (19),
 131 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
 132 s. 1003.03. A public school may not use the term charter in its
 133 name unless it has been approved under this section.

134 Section 5. Subsection (5) of section 1002.45, Florida
 135 Statutes, is amended to read:

136 1002.45 Virtual instruction programs.—

137 (5) STUDENT ELIGIBILITY.—A student may enroll in a virtual
 138 instruction program provided by the school district or by a
 139 virtual charter school operated in the district in which he or
 140 she resides ~~if the student meets eligibility requirements for~~
 141 ~~virtual instruction~~ pursuant to s. 1002.455.

142 Section 6. Subsection (2) of section 1003.498, Florida
 143 Statutes, is amended to read:

144 1003.498 School district virtual course offerings.—

145 (2) School districts may offer virtual courses for students
 146 enrolled in the school district. These courses must be
 147 identified in the course code directory. Students ~~who meet the~~
 148 ~~eligibility requirements of s. 1002.455~~ may participate in these

12-00379A-17

2017692__

149 virtual course offerings pursuant to s. 1002.455.

150 (a) Any ~~eligible~~ student who is enrolled in a school
 151 district may register and enroll in an online course offered by
 152 his or her school district.

153 (b)1. Any ~~eligible~~ student who is enrolled in a school
 154 district may register and enroll in an online course offered by
 155 any other school district in the state. The school district in
 156 which the student completes the course shall report the
 157 student's completion of that course for funding pursuant to s.
 158 1011.61(1)(c)1.b.(VI), and the home school district shall not
 159 report the student for funding for that course.

160 2. The full-time equivalent student membership calculated
 161 under this subsection is subject to the requirements in s.
 162 1011.61(4). The Department of Education shall establish
 163 procedures to enable interdistrict coordination for the delivery
 164 and funding of this online option.

165 Section 7. Subsection (11) of section 1011.62, Florida
 166 Statutes, is amended to read:

167 1011.62 Funds for operation of schools.—If the annual
 168 allocation from the Florida Education Finance Program to each
 169 district for operation of schools is not determined in the
 170 annual appropriations act or the substantive bill implementing
 171 the annual appropriations act, it shall be determined as
 172 follows:

173 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 174 annually provide in the Florida Education Finance Program a
 175 virtual education contribution. The amount of the virtual
 176 education contribution shall be the difference between the
 177 amount per FTE established in the General Appropriations Act for

12-00379A-17

2017692__

178 virtual education and the amount per FTE for each district and
179 the Florida Virtual School, which may be calculated by taking
180 the sum of the base FEFP allocation, the discretionary local
181 effort, the state-funded discretionary contribution, the
182 discretionary millage compression supplement, the research-based
183 reading instruction allocation, and the instructional materials
184 allocation, and then dividing by the total unweighted FTE. This
185 difference shall be multiplied by the virtual education
186 unweighted FTE for programs and options identified in s.
187 1002.455 ~~s. 1002.455(3)~~ and the Florida Virtual School and its
188 franchises to equal the virtual education contribution and shall
189 be included as a separate allocation in the funding formula.

190 Section 8. This act shall take effect July 1, 2017.

By Senator Baxley

12-00758-17

2017696__

1 A bill to be entitled
 2 An act relating to charter schools; amending s.
 3 1002.33, F.S.; requiring a sponsor to honor
 4 irrevocable instructions by a charter school to
 5 deposit certain funds; providing that certain sponsor
 6 policies and charter contract provisions are void and
 7 unenforceable; providing legislative intent; requiring
 8 a sponsor to honor security interests, liens, and
 9 encumbrances on charter school property, including
 10 security interests and liens on public funds, before
 11 it reverts to the sponsor; authorizing a charter
 12 school to enter into certain financial arrangements;
 13 providing for liberal construction; providing that a
 14 charter school that pledges or assigns future payment
 15 of its funding is not pledging the credit or taxing
 16 power of the state or a school district; providing an
 17 exception to the requirement that a district school
 18 board make timely and efficient payment and
 19 reimbursement to a charter school; requiring that a
 20 district school board issue payment within a specified
 21 period after receiving funds distributed through the
 22 Florida Education Finance Program; providing an
 23 effective date.

24
 25 Be It Enacted by the Legislature of the State of Florida:

26
 27 Section 1. Paragraph (b) of subsection (5), paragraph (e)
 28 of subsection (8), subsection (14), and paragraph (e) of
 29 subsection (17) of section 1002.33, Florida Statutes, are
 30 amended to read:

31 1002.33 Charter schools.-
 32 (5) SPONSOR; DUTIES.-

Page 1 of 9

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

12-00758-17

2017696__

33 (b) *Sponsor duties.*-
 34 1.a. The sponsor shall monitor and review the charter
 35 school in its progress toward the goals established in the
 36 charter.
 37 b. The sponsor shall monitor the revenues and expenditures
 38 of the charter school and perform the duties provided in s.
 39 1002.345.
 40 c. The sponsor may approve a charter for a charter school
 41 before the applicant has identified space, equipment, or
 42 personnel, if the applicant indicates approval is necessary for
 43 it to raise working funds.
 44 d. The sponsor shall not apply its policies to a charter
 45 school unless mutually agreed to by both the sponsor and the
 46 charter school. If the sponsor subsequently amends any agreed-
 47 upon sponsor policy, the version of the policy in effect at the
 48 time of the execution of the charter, or any subsequent
 49 modification thereof, shall remain in effect and the sponsor may
 50 not hold the charter school responsible for any provision of a
 51 newly revised policy until the revised policy is mutually agreed
 52 upon.
 53 e. The sponsor shall ensure that the charter is innovative
 54 and consistent with the state education goals established by s.
 55 1000.03(5).
 56 f. The sponsor shall ensure that the charter school
 57 participates in the state's education accountability system. If
 58 a charter school falls short of performance measures included in
 59 the approved charter, the sponsor shall report such shortcomings
 60 to the Department of Education.
 61 g. The sponsor shall not be liable for civil damages under

Page 2 of 9

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

12-00758-17

2017696__

62 state law for personal injury, property damage, or death
63 resulting from an act or omission of an officer, employee,
64 agent, or governing body of the charter school.

65 h. The sponsor shall not be liable for civil damages under
66 state law for any employment actions taken by an officer,
67 employee, agent, or governing body of the charter school.

68 i. The sponsor's duties to monitor the charter school shall
69 not constitute the basis for a private cause of action.

70 j. The sponsor shall not impose additional reporting
71 requirements on a charter school without providing reasonable
72 and specific justification in writing to the charter school.

73 k. The sponsor shall submit an annual report to the
74 Department of Education in a web-based format to be determined
75 by the department.

76 (I) The report shall include the following information:

77 (A) The number of draft applications received on or before
78 May 1 and each applicant's contact information.

79 (B) The number of final applications received on or before
80 August 1 and each applicant's contact information.

81 (C) The date each application was approved, denied, or
82 withdrawn.

83 (D) The date each final contract was executed.

84 (II) Beginning August 31, 2013, and each year thereafter,
85 the sponsor shall submit to the department the information for
86 the applications submitted the previous year.

87 (III) The department shall compile an annual report, by
88 district, and post the report on its website by November 1 of
89 each year.

90 l. The sponsor shall honor irrevocable instructions by a

12-00758-17

2017696__

91 charter school to deposit funds due to the charter school
92 pursuant to subsection (17). Any sponsor policy or provision in
93 a charter contract that conflicts with this sub-subparagraph is
94 void and unenforceable. It is the intent of the Legislature that
95 charter schools be authorized to enter into financial
96 arrangements that are consistent with this sub-subparagraph and
97 the guiding principles described in subsection (2).

98 2. Immunity for the sponsor of a charter school under
99 subparagraph 1. applies only with respect to acts or omissions
100 not under the sponsor's direct authority as described in this
101 section.

102 3. This paragraph does not waive a district school board's
103 sovereign immunity.

104 4. A Florida College System institution may work with the
105 school district or school districts in its designated service
106 area to develop charter schools that offer secondary education.
107 These charter schools must include an option for students to
108 receive an associate degree upon high school graduation. If a
109 Florida College System institution operates an approved teacher
110 preparation program under s. 1004.04 or s. 1004.85, the
111 institution may operate no more than one charter school that
112 serves students in kindergarten through grade 12. In
113 kindergarten through grade 8, the charter school shall implement
114 innovative blended learning instructional models in which, for a
115 given course, a student learns in part through online delivery
116 of content and instruction with some element of student control
117 over time, place, path, or pace and in part at a supervised
118 brick-and-mortar location away from home. A student in a blended
119 learning course must be a full-time student of the charter

12-00758-17

2017696__

120 school and receive the online instruction in a classroom setting
 121 at the charter school. District school boards shall cooperate
 122 with and assist the Florida College System institution on the
 123 charter application. Florida College System institution
 124 applications for charter schools are not subject to the time
 125 deadlines outlined in subsection (6) and may be approved by the
 126 district school board at any time during the year. Florida
 127 College System institutions may not report FTE for any students
 128 who receive FTE funding through the Florida Education Finance
 129 Program.

130 5. A school district may enter into nonexclusive interlocal
 131 agreements with federal and state agencies, counties,
 132 municipalities, and other governmental entities that operate
 133 within the geographical borders of the school district to act on
 134 behalf of such governmental entities in the inspection,
 135 issuance, and other necessary activities for all necessary
 136 permits, licenses, and other permissions that a charter school
 137 needs in order for development, construction, or operation. A
 138 charter school may use, but may not be required to use, a school
 139 district for these services. The interlocal agreement must
 140 include, but need not be limited to, the identification of fees
 141 that charter schools will be charged for such services. The fees
 142 must consist of the governmental entity's fees plus a fee for
 143 the school district to recover no more than actual costs for
 144 providing such services. These services and fees are not
 145 included within the services to be provided pursuant to
 146 subsection (20).

147 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

148 (e) When a charter is not renewed or is terminated, the

12-00758-17

2017696__

149 school shall be dissolved under the provisions of law under
 150 which the school was organized, and any unencumbered public
 151 funds, except for capital outlay funds and federal charter
 152 school program grant funds, from the charter school shall revert
 153 to the sponsor. Capital outlay funds provided pursuant to s.
 154 1013.62 and federal charter school program grant funds that are
 155 unencumbered shall revert to the department to be redistributed
 156 among eligible charter schools. In the event a charter school is
 157 dissolved or is otherwise terminated, all district school board
 158 property and improvements, furnishings, and equipment purchased
 159 with public funds shall automatically revert to full ownership
 160 by the district school board, subject to complete satisfaction
 161 of any lawful liens or encumbrances. Any unencumbered public
 162 funds from the charter school, district school board property
 163 and improvements, furnishings, and equipment purchased with
 164 public funds, or financial or other records pertaining to the
 165 charter school, in the possession of any person, entity, or
 166 holding company, other than the charter school, shall be held in
 167 trust upon the district school board's request, until any appeal
 168 status is resolved. The sponsor shall honor any lawful security
 169 interests, liens, and encumbrances on property, including
 170 security interests and liens on public funds, held by a charter
 171 school before such property reverts to the sponsor.

172 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS; INDEMNIFICATION
 173 OF THE STATE AND SCHOOL DISTRICT; CREDIT OR TAXING POWER NOT TO
 174 BE PLEDGED.—

175 (a) In addition to the powers prescribed in s. 617.0302,
 176 and notwithstanding any other provision of law, a charter school
 177 authorized in this section may enter into arrangements to borrow

12-00758-17

2017696__

178 or otherwise secure funds and to assign, pledge, and encumber
 179 its assets consistent with s. 617.0302(7). This paragraph shall
 180 be liberally construed.

181 (b) Any arrangement entered into to borrow or otherwise
 182 secure funds for a charter school authorized in this section
 183 from a source other than the state or a school district shall
 184 indemnify the state and the school district from any and all
 185 liability, including, but not limited to, financial
 186 responsibility for the payment of the principal or interest. Any
 187 loans, bonds, or other financial agreements are not obligations
 188 of the state or the school district but are obligations of the
 189 charter school authority and are payable solely from the sources
 190 of funds pledged by such agreement. The credit or taxing power
 191 of the state or the school district shall not be pledged and no
 192 debts shall be payable out of any moneys except those of the
 193 legal entity in possession of a valid charter approved by a
 194 district school board pursuant to this section. A charter school
 195 that pledges or assigns the future payment of its funding is not
 196 deemed to be pledging the credit or taxing power of the state or
 197 a school district. This paragraph does not relieve the sponsor
 198 of its obligations to fund a charter school pursuant to this
 199 section or to honor any lawful security interests, liens, and
 200 encumbrances on property, including security interests and liens
 201 on public funds, held by the charter school in accordance with
 202 paragraph (8) (e).

203 (17) FUNDING.—Students enrolled in a charter school,
 204 regardless of the sponsorship, shall be funded as if they are in
 205 a basic program or a special program, the same as students
 206 enrolled in other public schools in the school district. Funding

12-00758-17

2017696__

207 for a charter lab school shall be as provided in s. 1002.32.

208 (e) District school boards shall make timely and efficient
 209 payment and reimbursement to charter schools, including
 210 processing paperwork required to access special state and
 211 federal funding for which they may be eligible, unless a charter
 212 school's contract has been terminated and the charter school has
 213 failed to file a timely appeal pursuant to subsection (8).

214 Payments of funds under paragraph (b) shall be made monthly or
 215 twice a month, beginning with the start of the district school
 216 board's fiscal year. Each payment shall be one-twelfth, or one
 217 twenty-fourth, as applicable, of the total state and local funds
 218 described in paragraph (b) and adjusted as set forth therein.
 219 For the first 2 years of a charter school's operation, if a
 220 minimum of 75 percent of the projected enrollment is entered
 221 into the sponsor's student information system by the first day
 222 of the current month, the district school board shall distribute
 223 funds to the school for the months of July through October based
 224 on the projected full-time equivalent student membership of the
 225 charter school as submitted in the approved application. If less
 226 than 75 percent of the projected enrollment is entered into the
 227 sponsor's student information system by the first day of the
 228 current month, the sponsor shall base payments on the actual
 229 number of student enrollment entered into the sponsor's student
 230 information system. Thereafter, the results of full-time
 231 equivalent student membership surveys shall be used in adjusting
 232 the amount of funds distributed monthly to the charter school
 233 for the remainder of the fiscal year. The payments shall be
 234 issued no later than 10 working days after the district school
 235 board receives a distribution of state or federal funds,

12-00758-17

2017696__

236 including funds distributed through the Florida Education
237 Finance Program pursuant to s. 1011.66, or the date the payment
238 is due pursuant to this subsection. If a warrant for payment is
239 not issued within 10 working days after receipt of funding by
240 the district school board, the school district shall pay to the
241 charter school, in addition to the amount of the scheduled
242 disbursement, interest at a rate of 1 percent per month
243 calculated on a daily basis on the unpaid balance from the
244 expiration of the 10 working days until such time as the warrant
245 is issued. The district school board may not delay payment to a
246 charter school of any portion of the funds provided in paragraph
247 (b) based on the timing of receipt of local funds by the
248 district school board.

249 Section 2. This act shall take effect July 1, 2017.

By Senator Bean

4-00439-17

2017796__

1 A bill to be entitled
 2 An act relating to charter schools; amending s.
 3 1002.33, F.S.; revising charter school contract and
 4 funding requirements; creating s. 1002.333, F.S.;
 5 defining terms; authorizing certain entities to apply
 6 for designation as a High-Impact Charter Management
 7 Organization; requiring the State Board of Education
 8 to adopt rules; providing criteria for an initial and
 9 renewal designation; providing that the charter school
 10 may receive charter school capital outlay; authorizing
 11 certain administrative fees to be waived under certain
 12 conditions; requiring the Department of Education to
 13 give priority to certain charter schools applying for
 14 specified grants; amending s. 1013.62, F.S.; revising
 15 the standards that a charter school must meet to be
 16 eligible for a funding allocation; providing an
 17 effective date.

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

21 Section 1. Paragraph (n) of subsection (9) and paragraph
 22 (c) of subsection (17) of section 1002.33, Florida Statutes, are
 23 amended to read:

24 1002.33 Charter schools.—

25 (9) CHARTER SCHOOL REQUIREMENTS.—

26 (n)1. The director and a representative of the governing
 27 board of a charter school that has earned a grade of "D" or "F"
 28 pursuant to s. 1008.34 shall appear before the sponsor to
 29 present information concerning each contract component having
 30 noted deficiencies. The director and a representative of the
 31 governing board shall submit to the sponsor for approval a
 32 school improvement plan to raise student performance. Upon

Page 1 of 10

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

4-00439-17

2017796__

33 approval by the sponsor, the charter school shall begin
 34 implementation of the school improvement plan. The department
 35 shall offer technical assistance and training to the charter
 36 school and its governing board and establish guidelines for
 37 developing, submitting, and approving such plans.

38 2.a. If a charter school earns three consecutive grades of
 39 "D," two consecutive grades of "D" followed by a grade of "F,"
 40 or two nonconsecutive grades of "F" within a 3-year period, the
 41 charter school governing board shall choose one of the following
 42 corrective actions:

43 (I) Contract for educational services to be provided
 44 directly to students, instructional personnel, and school
 45 administrators, as prescribed in state board rule;

46 (II) Contract with an outside entity that has a
 47 demonstrated record of effectiveness to operate the school;

48 (III) Reorganize the school under a new director or
 49 principal who is authorized to hire new staff; or

50 (IV) Voluntarily close the charter school.

51 b. The charter school must implement the corrective action
 52 in the school year following receipt of a third consecutive
 53 grade of "D," a grade of "F" following two consecutive grades of
 54 "D," or a second nonconsecutive grade of "F" within a 3-year
 55 period.

56 c. The sponsor may annually waive a corrective action if it
 57 determines that the charter school is likely to improve a letter
 58 grade if additional time is provided to implement the
 59 intervention and support strategies prescribed by the school
 60 improvement plan. Notwithstanding this sub-subparagraph, a
 61 charter school that earns a second consecutive grade of "F" is

Page 2 of 10

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

4-00439-17

2017796__

62 subject to subparagraph 4.

63 d. A charter school is no longer required to implement a
64 corrective action if it improves by at least one letter grade.
65 However, the charter school must continue to implement
66 strategies identified in the school improvement plan. The
67 sponsor must annually review implementation of the school
68 improvement plan to monitor the school's continued improvement
69 pursuant to subparagraph 5.

70 e. A charter school implementing a corrective action that
71 does not improve by at least one letter grade after 2 full
72 school years of implementing the corrective action must select a
73 different corrective action. Implementation of the new
74 corrective action must begin in the school year following the
75 implementation period of the existing corrective action, unless
76 the sponsor determines that the charter school is likely to
77 improve a letter grade if additional time is provided to
78 implement the existing corrective action. Notwithstanding this
79 sub-subparagraph, a charter school that earns a second
80 consecutive grade of "F" while implementing a corrective action
81 is subject to subparagraph 4.

82 3. A charter school with a grade of "D" or "F" which that
83 improves by at least one letter grade must continue to implement
84 the strategies identified in the school improvement plan. The
85 sponsor must annually review implementation of the school
86 improvement plan to monitor the school's continued improvement
87 pursuant to subparagraph 5.

88 4. A charter school's charter contract is automatically
89 terminated if the school earns two consecutive grades of "F"
90 after all school grade appeals are final unless:

Page 3 of 10

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

4-00439-17

2017796__

91 a. The charter school is established to turn around the
92 performance of a district public school pursuant to s.
93 1008.33(4)(b)3. Such charter schools shall be governed by s.
94 1008.33;

95 b. The charter school is designated under s. 1002.333 as a
96 High-Impact Charter Management Organization to serve a critical
97 need area or serves a student population the majority of which
98 resides in a school zone served by a district public school that
99 earned a grade of "F" in the year before the charter school
100 opened and the charter school earns at least a grade of "D" in
101 its third year of operation. The exception provided under this
102 sub-subparagraph does not apply to a charter school in its
103 fourth year of operation and thereafter; or

104 c. The state board grants the charter school a waiver of
105 termination. The charter school must request the waiver within
106 15 days after the department's official release of school
107 grades. The state board may waive termination if the charter
108 school demonstrates that the Learning Gains of its students on
109 statewide assessments are comparable to or better than the
110 Learning Gains of similarly situated students enrolled in nearby
111 district public schools. The waiver is valid for 1 year and may
112 only be granted once. Charter schools that have been in
113 operation for more than 5 years are not eligible for a waiver
114 under this sub-subparagraph.

115
116 The sponsor shall notify the charter school's governing board,
117 the charter school principal, and the department in writing when
118 a charter contract is terminated under this subparagraph. The
119 letter of termination must meet the requirements of paragraph

Page 4 of 10

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

4-00439-17

2017796__

120 (8) (c). A charter terminated under this subparagraph must follow
 121 the procedures for dissolution and reversion of public funds
 122 pursuant to paragraphs (8) (e)-(g) and (9) (o).

123 5. The director and a representative of the governing board
 124 of a graded charter school that has implemented a school
 125 improvement plan under this paragraph shall appear before the
 126 sponsor at least once a year to present information regarding
 127 the progress of intervention and support strategies implemented
 128 by the school pursuant to the school improvement plan and
 129 corrective actions, if applicable. The sponsor shall communicate
 130 at the meeting, and in writing to the director, the services
 131 provided to the school to help the school address its
 132 deficiencies.

133 6. Notwithstanding any provision of this paragraph except
 134 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
 135 at any time pursuant to subsection (8).

136 (17) FUNDING.—Students enrolled in a charter school,
 137 regardless of the sponsorship, shall be funded as if they are in
 138 a basic program or a special program, the same as students
 139 enrolled in other public schools in the school district. Funding
 140 for a charter lab school shall be as provided in s. 1002.32.

141 (c) If the district school board is providing programs or
 142 services to students funded by federal funds, any eligible
 143 students enrolled in charter schools in the school district
 144 shall be provided federal funds for the same level of service
 145 provided students in the schools operated by the district school
 146 board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all
 147 charter schools shall receive all federal funding for which the
 148 school is otherwise eligible, including Title I funding, not

Page 5 of 10

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

4-00439-17

2017796__

149 later than 5 months after the charter school first opens and
 150 within 5 months after any subsequent expansion of enrollment.
 151 Unless otherwise mutually agreed to by the charter school and
 152 its sponsor, and consistent with state and federal rules and
 153 regulations governing the use and disbursement of federal funds,
 154 the sponsor shall reimburse the charter school on a monthly
 155 basis for all invoices submitted by the charter school for
 156 federal funds available to the sponsor for the benefit of the
 157 charter school, the charter school's students, and the charter
 158 school's students as public school students in the school
 159 district. Such federal funds include, but are not limited to,
 160 Title I, Title II, and Individuals with Disabilities Education
 161 Act (IDEA) funds. The department shall provide school districts
 162 with technical assistance to ensure the federal funds are
 163 allocated to charter schools using an appropriate methodology.
 164 To receive timely reimbursement for an invoice, the charter
 165 school must submit the invoice to the sponsor at least 30 days
 166 before the monthly date of reimbursement set by the sponsor. In
 167 order to be reimbursed, any expenditures made by the charter
 168 school must comply with all applicable state rules and federal
 169 regulations, including, but not limited to, the applicable
 170 federal Office of Management and Budget Circulars; the federal
 171 Education Department General Administrative Regulations; and
 172 program-specific statutes, rules, and regulations. Such funds
 173 may not be made available to the charter school until a plan is
 174 submitted to the sponsor for approval of the use of the funds in
 175 accordance with applicable federal requirements. The sponsor has
 176 30 days to review and approve any plan submitted pursuant to
 177 this paragraph.

Page 6 of 10

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

4-00439-17 2017796__

178 Section 2. Section 1002.333, Florida Statutes, is created
 179 to read:

180 1002.333 High-Impact Charter Management Organization.—
 181 (1) As used in this section, the term:
 182 (a) “Critical need area” means an area designated as such
 183 by the Legislature or an area that is served by one or more
 184 public schools that are subject to the turnaround options
 185 specified in s. 1008.33(4) (b).
 186 (b) “Entity” means a nonprofit organization with tax exempt
 187 status under s. 501(c) (3) of the Internal Revenue Code which is
 188 authorized by law to operate a public charter school.
 189 (2) An entity that successfully operates a system of
 190 charter schools which primarily serves educationally
 191 disadvantaged students who are eligible for free or reduced-
 192 price lunch under the Richard B. Russell National School Lunch
 193 Act, may apply to the State Board of Education for status as a
 194 High-Impact Charter Management Organization.
 195 (3) The State Board of Education shall adopt rules
 196 prescribing the process and criteria for the initial designation
 197 and renewal designation of a High-Impact Charter Management
 198 Organization. The criteria for initial designation must include
 199 a review of the data from all schools currently and previously
 200 operated by the entity during the past 3 years and the
 201 comparison of student-level data to the data of similar students
 202 in other schools. The initial designation period may not exceed
 203 5 years. The criteria for initial and renewal designation must
 204 include, but need not be limited to, all of the following:
 205 (a) Student demographic and achievement data, including
 206 performance on statewide assessments and nationally norm-

4-00439-17 2017796__

207 referenced assessments.
 208 (b) Student attendance, promotion, retention, and
 209 graduation rates.
 210 (c) Other student outcome data, such as college attendance
 211 rates and completion rates.
 212 (d) Annual finance statements and audits.
 213 (4) An entity that is designated as a High-Impact Charter
 214 Management Organization may:
 215 (a) Submit an application to a local school board pursuant
 216 to s. 1002.33 to establish and operate charter schools in
 217 critical need areas;
 218 (b) Take the actions described in s. 1002.331(2); and
 219 (c) Notwithstanding the criteria in s. 1002.33(25), be
 220 designated as a local educational agency for the purpose of
 221 receiving federal funds.
 222 (5) Notwithstanding s. 1013.62(1)(a), a charter school
 223 operated by a High-Impact Charter Management Organization is
 224 eligible to receive charter school capital outlay.
 225 (6) The administrative fee provided for in s.
 226 1002.33(20) (a)2. shall be waived for a charter school
 227 established by a High-Impact Charter Management Organization in
 228 a critical need area if the entity maintains its status as a
 229 High-Impact Charter Management Organization.
 230 (7) The department shall give priority to charter schools
 231 operated by a High-Impact Charter Management Organization in the
 232 department’s Public Charter School Grant Program competitions.
 233 Such priority treatment may be provided only for a new charter
 234 school that will operate in a critical need area.
 235 (8) If an entity seeks status renewal, the State Board of

4-00439-17 2017796__

236 Education shall review the academic and financial performance of
 237 the charter schools established in critical need areas
 238 consistent with subsection (3).

239 (9) The State Board of Education shall adopt rules under
 240 ss. 120.536(1) and 120.54 to administer this section.

241 Section 3. Paragraph (a) of subsection (1) of section
 242 1013.62, Florida Statutes, is amended to read:

243 1013.62 Charter schools capital outlay funding.-

244 (1) In each year in which funds are appropriated for
 245 charter school capital outlay purposes, the Commissioner of
 246 Education shall allocate the funds among eligible charter
 247 schools as specified in this section.

248 (a) To be eligible for a funding allocation, a charter
 249 school must:

250 1.a. Have been in operation for 2 or more years;

251 b. Be governed by a governing board established in the
 252 state for 3 or more years which operates both charter schools
 253 and conversion charter schools within the state;

254 c. Be an expanded feeder chain of a charter school within
 255 the same school district that is currently receiving charter
 256 school capital outlay funds;

257 d. Have been accredited by the Commission on Schools of the
 258 Southern Association of Colleges and Schools; or

259 e. Serve students in facilities that are provided by a
 260 business partner for a charter school-in-the-workplace pursuant
 261 to s. 1002.33(15) (b).

262 2. Have an annual audit that does not reveal any of the
 263 financial emergency conditions provided in s. 218.503(1) for the
 264 most recent fiscal year for which such audit results are

4-00439-17 2017796__

265 available.

266 ~~3. Have satisfactory student achievement based on state~~
 267 ~~accountability standards applicable to the charter school.~~

268 3.4. Have received final approval from its sponsor pursuant
 269 to s. 1002.33 for operation during that fiscal year.

270 ~~4.5.~~ Serve students in facilities that are not provided by
 271 the charter school's sponsor.

272 Section 4. This act shall take effect July 1, 2017.

By Senator Baxley

12-00905-17

2017868__

1 A bill to be entitled
 2 An act relating to educational options and services;
 3 amending s. 413.011, F.S.; providing that a
 4 participant in an adult or youth work experience
 5 activity in the Division of Blind Services is
 6 considered an employee of the state for workers'
 7 compensation coverage; creating s. 413.209, F.S.;
 8 providing that a participant in an adult or youth work
 9 experience activity in vocational rehabilitation
 10 programs is considered an employee of the state for
 11 workers' compensation coverage; amending ss. 1002.37
 12 and 1002.45, F.S.; revising student eligibility
 13 requirements for the Florida Virtual School and
 14 virtual instruction programs; repealing s. 1002.455,
 15 F.S., relating to student eligibility for K-12 virtual
 16 instruction; amending s. 1003.4282, F.S.; specifying
 17 diploma designation and work experience options
 18 available for a student with a disability; amending s.
 19 1003.52, F.S.; revising the type of programs and
 20 participants served in Department of Juvenile Justice
 21 education programs; amending s. 1004.015, F.S.;
 22 revising the membership of the Higher Education
 23 Coordinating Council; amending s. 1004.04, F.S.;
 24 requiring an institution that seeks initial approval
 25 after a specified date to offer a graduate-level
 26 teacher preparation program to offer students certain
 27 options; amending s. 1007.27, F.S.; requiring Advanced
 28 International Certificate of Education Program and
 29 International General Certificate of Secondary
 30 Education Program courses that a student may receive
 31 credit for to be specified in the statewide
 32 articulation agreement; amending s. 1007.271, F.S.;

Page 1 of 14

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

12-00905-17

2017868__

33 specifying that career dual enrollment is an option
 34 for students to earn career certificates leading to
 35 industry certifications; expanding the rulemaking
 36 authority of the State Board of Education; authorizing
 37 the Commissioner of Education to approve a statewide
 38 dual enrollment articulation agreement for the Florida
 39 Virtual School; amending ss. 1002.33, 1003.498, and
 40 1011.62, F.S.; conforming provisions to changes made
 41 by the act; providing an effective date.
 42

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

43
 44 Section 1. Subsection (2) of section 413.011, Florida
 45 Statutes, is amended to read:

46 413.011 Division of Blind Services, legislative policy,
 47 intent; internal organizational structure and powers;
 48 Rehabilitation Council for the Blind.—

49 (2) PROGRAM OF SERVICES.—

50 (a) It is the intent of the Legislature to establish a
 51 coordinated program of services which will be available to
 52 individuals throughout this state who are blind. The program
 53 must be designed to maximize employment opportunities for such
 54 individuals and to increase their independence and self-
 55 sufficiency.

56 (b) A participant in an adult or youth work experience
 57 activity that is administered under this section shall be deemed
 58 an employee of the state for purposes of workers' compensation
 59 coverage. In determining the average weekly wage, all
 60 remuneration received from the employer must be considered a
 61

Page 2 of 14

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

12-00905-17

2017868

62 gratuity, and the participant is not entitled to any benefits
 63 otherwise payable under s. 440.15, regardless of whether the
 64 participant may be receiving wages and remuneration from other
 65 employment with another employer and regardless of his or her
 66 future wage-earning capacity.

67 Section 2. Section 413.209, Florida Statutes, is created to
 68 read:

69 413.209 Workers' compensation coverage for customers in an
 70 adult or youth work experience.—A participant in an adult or
 71 youth work experience activity that is administered under this
 72 part shall be deemed an employee of the state for purposes of
 73 workers' compensation coverage. In determining the average
 74 weekly wage, all remuneration received from the employer must be
 75 considered a gratuity, and the participant is not entitled to
 76 any benefits otherwise payable under s. 440.15, regardless of
 77 whether the participant may be receiving wages and remuneration
 78 from other employment with another employer and regardless of
 79 his or her future wage-earning capacity.

80 Section 3. Subsection (8) of section 1002.37, Florida
 81 Statutes, is amended to read:

82 1002.37 The Florida Virtual School.—

83 (8) (a) The Florida Virtual School may provide full-time and
 84 part-time instruction for students in kindergarten through grade
 85 12. ~~To receive part-time instruction in kindergarten through~~
 86 ~~grade 5, a student must meet at least one of the eligibility~~
 87 ~~criteria in s. 1002.455(2).~~

88 (b) For students receiving part-time instruction ~~in~~
 89 ~~kindergarten through grade 5~~ and students receiving full-time
 90 ~~instruction in kindergarten through grade 12~~ from the Florida

Page 3 of 14

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

12-00905-17

2017868

91 Virtual School, the full-time equivalent student enrollment
 92 calculated under this subsection is subject to the requirements
 93 in s. 1011.61(4).

94 Section 4. Subsection (5) of section 1002.45, Florida
 95 Statutes, is amended to read:

96 1002.45 Virtual instruction programs.—

97 (5) STUDENT ELIGIBILITY.—A student may enroll in a full-
 98 time or part-time virtual instruction program in kindergarten
 99 through grade 12 which is provided by the school district or by
 100 a virtual charter school operated in the district in which he or
 101 she resides if the student meets eligibility requirements for
 102 virtual instruction pursuant to s. 1002.455.

103 Section 5. Section 1002.455, Florida Statutes, is repealed.

104 Section 6. Paragraphs (a), (b), and (c) of subsection (10)
 105 of section 1003.4282, Florida Statutes, are amended to read:

106 1003.4282 Requirements for a standard high school diploma.—

107 (10) STUDENTS WITH DISABILITIES.—Beginning with students
 108 entering grade 9 in the 2014-2015 school year, this subsection
 109 applies to a student with a disability.

110 (a) A parent of the student with a disability shall, in
 111 collaboration with the individual education plan (IEP) team
 112 during the transition planning process pursuant to s. 1003.5716,
 113 declare an intent for the student to graduate from high school
 114 with ~~either~~ a standard high school diploma. The student must
 115 also be offered the option to pursue a scholar or merit
 116 designation pursuant to s. 1003.4285 ~~or a certificate of~~
 117 ~~completion. A student with a disability who does not satisfy the~~
 118 ~~standard high school diploma requirements pursuant to this~~
 119 ~~section shall be awarded a certificate of completion.~~

Page 4 of 14

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

12-00905-17

2017868__

120 (b) The following options, in addition to the other options
 121 specified in this section, may be used to satisfy the standard
 122 high school diploma requirements, as specified in the student's
 123 individual education plan:

124 1. For a student with a disability for whom the IEP team
 125 has determined that the Florida Alternate Assessment is the most
 126 appropriate measure of the student's skills:

127 a. A combination of course substitutions, assessments,
 128 industry certifications, other acceleration options, or
 129 occupational completion points appropriate to the student's
 130 unique skills and abilities that meet the criteria established
 131 by State Board of Education rule.

132 b. A portfolio of quantifiable evidence that documents a
 133 student's mastery of academic standards through rigorous metrics
 134 established by State Board of Education rule. A portfolio may
 135 include, but is not limited to, documentation of work
 136 experience, internships, community service, and postsecondary
 137 credit.

138 2. For a student with a disability for whom the IEP team
 139 has determined that mastery of academic and employment
 140 competencies is the most appropriate way for a student to
 141 demonstrate his or her skills:

142 a. Documented completion of the minimum high school
 143 graduation requirements, including the number of course credits
 144 prescribed by rules of the State Board of Education.

145 ~~b. Documented achievement of all annual goals and short-~~
 146 ~~term objectives for academic and employment competencies,~~
 147 ~~industry certifications, and occupational completion points~~
 148 ~~specified in the student's transition plan. The documentation~~

Page 5 of 14

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

12-00905-17

2017868__

149 ~~must be verified by the IEP team.~~

150 ~~b.e.~~ Documented successful employment for the number of
 151 hours per week specified in the student's employment transition
 152 plan, for the equivalent of 1 semester, and payment of a minimum
 153 wage in compliance with the requirements of the federal Fair
 154 Labor Standards Act or documented work experience in a
 155 structured work-study, internship, or preapprenticeship program
 156 for the number of hours per week specified in the student's
 157 employment transition plan, for the equivalent of 1 semester.

158 ~~c.d.~~ Documented mastery of the academic and employment
 159 competencies, industry certifications, and occupational
 160 completion points specified in the student's transition plan.
 161 The documentation must be verified by the IEP team, the
 162 employer, and the teacher. The transition plan must be developed
 163 and signed by the student, parent, teacher, and employer before
 164 placement in employment and must identify the following:

165 (I) The expected academic and employment competencies,
 166 industry certifications, and occupational completion points;

167 (II) The criteria for determining and certifying mastery of
 168 the competencies;

169 (III) The work schedule and the minimum number of hours to
 170 be worked per week; and

171 (IV) A description of the supervision to be provided by the
 172 school district.

173 3. Any change to the high school graduation option
 174 specified in the student's IEP must be approved by the parent
 175 and is subject to verification for appropriateness by an
 176 independent reviewer selected by the parent as provided in s.
 177 1003.572.

Page 6 of 14

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

12-00905-17

2017868__

178 (c) A student with a disability who meets the standard high
 179 school diploma requirements in this subsection ~~section~~ may defer
 180 the receipt of a standard high school diploma if the student:

181 1. Has an individual education plan that prescribes special
 182 education, transition planning, transition services, or related
 183 services through age 21; and

184 2. Is enrolled in accelerated college credit instruction
 185 pursuant to s. 1007.27, industry certification courses that lead
 186 to college credit, a collegiate high school program, courses
 187 necessary to satisfy the Scholar designation requirements, or a
 188 structured work-study, internship, or preapprenticeship program.

189

190 The State Board of Education shall adopt rules under ss.
 191 120.536(1) and 120.54 to implement this subsection, including
 192 rules that establish the minimum requirements for students
 193 described in this subsection to earn a standard high school
 194 diploma. The State Board of Education shall adopt emergency
 195 rules pursuant to ss. 120.536(1) and 120.54.

196 Section 7. Subsections (5) and (7) of section 1003.52,
 197 Florida Statutes, are amended to read:

198 1003.52 Educational services in Department of Juvenile
 199 Justice programs.—

200 (5) The educational program must ~~shall~~ provide instruction
 201 based on each student's individualized transition plan, assessed
 202 educational needs, and the education programs available in the
 203 school district in which the student will return. Depending on
 204 the student's needs, educational programming may consist of
 205 remedial courses, academic courses required for grade
 206 advancement, CAPE courses, high school equivalency examination

Page 7 of 14

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

12-00905-17

2017868__

207 preparation, or exceptional student education curricula and
 208 related services which support the transition goals and reentry
 209 and which may lead to completion of the requirements for receipt
 210 of a high school diploma or its equivalent. Prevention and day
 211 treatment juvenile justice education programs, at a minimum,
 212 shall provide career readiness and exploration opportunities as
 213 well as truancy and dropout prevention intervention services.
 214 Residential juvenile justice education programs with a
 215 contracted minimum length of stay of 9 months shall provide CAPE
 216 courses that lead to preapprentice certifications and industry
 217 certifications. Programs with contracted lengths of stay of less
 218 than 9 months may provide career education courses that lead to
 219 preapprentice certifications and CAPE industry certifications.
 220 If the duration of a detention program is less than 40 days, the
 221 educational component may be limited to tutorial remediation
 222 activities, career employability skills instruction, education
 223 counseling, and transition services that prepare students for a
 224 return to school, the community, and their home settings based
 225 on the students' needs.

226 (7) An individualized progress monitoring plan shall be
 227 developed for all students ~~not classified as exceptional~~
 228 ~~education students~~ upon entry in a juvenile justice education
 229 program and upon reentry in the school district. These plans
 230 shall address academic, literacy, and career and technical
 231 skills and shall include provisions for intensive remedial
 232 instruction in the areas of weakness.

233 Section 8. Present paragraphs (d) through (i) of subsection
 234 (2) of section 1004.015, Florida Statutes, are redesignated as
 235 paragraphs (e) through (j), respectively, and a new paragraph

Page 8 of 14

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

12-00905-17

2017868__

236 (d) is added to that subsection, to read:
 237 1004.015 Higher Education Coordinating Council.—
 238 (2) Members of the council shall include:
 239 (d) The Chancellor of Career and Adult Education.
 240 Section 9. Present paragraph (c) of subsection (3) of
 241 section 1004.04, Florida Statutes, is redesignated as paragraph
 242 (d), and a new paragraph (c) is added to that subsection, to
 243 read:
 244 1004.04 Public accountability and state approval for
 245 teacher preparation programs.—
 246 (3) INITIAL STATE PROGRAM APPROVAL.—
 247 (c) Beginning July 1, 2017, an institution that seeks
 248 initial approval to offer only a graduate-level teacher
 249 preparation program in an educator certification area that does
 250 not require a graduate-level degree shall provide students an
 251 option to complete the initial preparation program at the
 252 bachelor's level. An existing state-approved program must also
 253 meet this requirement when it seeks continued approval pursuant
 254 to subsection (4).
 255 Section 10. Subsection (8) of section 1007.27, Florida
 256 Statutes, is amended to read:
 257 1007.27 Articulated acceleration mechanisms.—
 258 (8) The Advanced International Certificate of Education
 259 Program and the International General Certificate of Secondary
 260 Education (pre-AICE) Program shall be the curricula in which
 261 eligible secondary students are enrolled in programs of study
 262 offered through the Advanced International Certificate of
 263 Education Program or the International General Certificate of
 264 Secondary Education (pre-AICE) Program administered by the

Page 9 of 14

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

12-00905-17

2017868__

265 University of Cambridge Local Examinations Syndicate. The State
 266 Board of Education and the Board of Governors shall specify in
 267 the statewide articulation agreement required by s. 1007.23(1)
 268 the cutoff scores and Advanced International Certificate of
 269 Education examinations which will be used to grant postsecondary
 270 credit at Florida College System institutions and universities.
 271 Any changes to the cutoff scores, which changes have the effect
 272 of raising the required cutoff score or of changing the Advanced
 273 International Certification of Education examinations which will
 274 be used to grant postsecondary credit, shall apply to students
 275 taking Advanced International Certificate of Education
 276 examinations after such changes are adopted by the State Board
 277 of Education and the Board of Governors. Students shall be
 278 awarded a maximum of 30 semester credit hours pursuant to this
 279 subsection. The specific course for which a student may receive
 280 such credit shall be specified in the statewide articulation
 281 agreement required by s. 1007.23(1) ~~determined by the Florida~~
 282 College System institution or university that accepts the
 283 student for admission. Students enrolled in either program of
 284 study pursuant to this subsection shall be exempt from the
 285 payment of any fees for administration of the examinations
 286 regardless of whether the student achieves a passing score on
 287 the examination.
 288 Section 11. Subsections (1), (7), and (12) of section
 289 1007.271, Florida Statutes, are amended, and subsection (26) is
 290 added to that section, to read:
 291 1007.271 Dual enrollment programs.—
 292 (1) The dual enrollment program is the enrollment of an
 293 eligible secondary student or home education student in a

Page 10 of 14

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

12-00905-17 2017868__

294 postsecondary course creditable toward high school completion
 295 and a career certificate leading to an industry certification or
 296 an associate or baccalaureate degree as specified by State Board
 297 of Education rule. A student who is enrolled in postsecondary
 298 instruction that is not creditable toward a high school diploma
 299 may not be classified as a dual enrollment student.

300 (7) Career dual enrollment shall be provided as a
 301 curricular option for secondary students to pursue in order to
 302 earn career certificates leading to industry certifications
 303 adopted pursuant to s. 1008.44, which count as credits toward
 304 the high school diploma. ~~Career dual enrollment shall be~~
 305 ~~available for secondary students seeking a degree and industry~~
 306 ~~certification through a career education program or course.~~

307 (12) The State Board of Education shall adopt rules
 308 necessary to administer this section, including rules related to
 309 student eligibility and participation, courses and programs,
 310 funding, and articulation agreements for any dual enrollment
 311 ~~programs involving requirements for high school graduation.~~

312 (26) The Commissioner of Education may approve a statewide
 313 dual enrollment articulation agreement for the Florida Virtual
 314 School to enroll Florida Virtual School full-time students at a
 315 postsecondary institution eligible to participate in the dual
 316 enrollment program pursuant to s. 1011.62(1)(i).

317 Section 12. Subsection (1) of section 1002.33, Florida
 318 Statutes, is amended to read:

319 1002.33 Charter schools.—

320 (1) AUTHORIZATION.—Charter schools shall be part of the
 321 state's program of public education. All charter schools in
 322 Florida are public schools. A charter school may be formed by

12-00905-17 2017868__

323 creating a new school or converting an existing public school to
 324 charter status. A charter school may operate a virtual charter
 325 school pursuant to s. 1002.45(1)(d) to provide full-time online
 326 instruction to eligible students, ~~pursuant to s. 1002.455,~~ in
 327 kindergarten through grade 12. An existing charter school that
 328 is seeking to become a virtual charter school must amend its
 329 charter or submit a new application pursuant to subsection (6)
 330 to become a virtual charter school. A virtual charter school is
 331 subject to the requirements of this section; however, a virtual
 332 charter school is exempt from subsections (18) and (19),
 333 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
 334 s. 1003.03. A public school may not use the term charter in its
 335 name unless it has been approved under this section.

336 Section 13. Subsection (2) of section 1003.498, Florida
 337 Statutes, is amended to read:

338 1003.498 School district virtual course offerings.—

339 (2) School districts may offer virtual courses for students
 340 enrolled in the school district. These courses must be
 341 identified in the course code directory. ~~Students who meet the~~
 342 ~~eligibility requirements of s. 1002.455 may participate in these~~
 343 ~~virtual course offerings.~~

344 (a) Any eligible student who is enrolled in a school
 345 district may register and enroll in an online course offered by
 346 his or her school district.

347 (b)1. Any eligible student who is enrolled in a school
 348 district may register and enroll in an online course offered by
 349 any other school district in the state. The school district in
 350 which the student completes the course shall report the
 351 student's completion of that course for funding pursuant to s.

12-00905-17 2017868__

352 1011.61(1)(c)1.b.(VI), and the home school district may ~~shall~~
 353 not report the student for funding for that course.

354 2. The full-time equivalent student membership calculated
 355 under this subsection is subject to the requirements in s.
 356 1011.61(4). The Department of Education shall establish
 357 procedures to enable interdistrict coordination for the delivery
 358 and funding of this online option.

359 Section 14. Subsection (11) of section 1011.62, Florida
 360 Statutes, is amended to read:

361 1011.62 Funds for operation of schools.—If the annual
 362 allocation from the Florida Education Finance Program to each
 363 district for operation of schools is not determined in the
 364 annual appropriations act or the substantive bill implementing
 365 the annual appropriations act, it shall be determined as
 366 follows:

367 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 368 annually provide in the Florida Education Finance Program a
 369 virtual education contribution. The amount of the virtual
 370 education contribution shall be the difference between the
 371 amount per FTE established in the General Appropriations Act for
 372 virtual education and the amount per FTE for each district and
 373 the Florida Virtual School, which may be calculated by taking
 374 the sum of the base FEFP allocation, the discretionary local
 375 effort, the state-funded discretionary contribution, the
 376 discretionary millage compression supplement, the research-based
 377 reading instruction allocation, and the instructional materials
 378 allocation, and then dividing by the total unweighted FTE. This
 379 difference shall be multiplied by the virtual education
 380 unweighted FTE for school district-operated part-time and full-

Page 13 of 14

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

12-00905-17 2017868__

381 time virtual instruction programs, full-time virtual charter
 382 school programs, virtual courses offered, ~~programs and options~~
 383 ~~identified in s. 1002.455(3)~~ and the Florida Virtual School and
 384 its franchises to equal the virtual education contribution and
 385 shall be included as a separate allocation in the funding
 386 formula.

387 Section 15. This act shall take effect July 1, 2017.

Page 14 of 14

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

By Senator Simmons

9-00468B-17

2017902__

A bill to be entitled

An act relating to the Gardiner Scholarship Program; amending s. 1002.385, F.S.; redefining the terms "disability" and "IEP"; revising program eligibility requirements; prohibiting a student who is enrolled in the Florida School for the Deaf and the Blind from being eligible for the program; authorizing a parent to select certain additional specialized services; revising the date upon which certain private schools must submit a required report; specifying that certain actions of the private school are a basis for program ineligibility; revising funding calculation requirements; providing an appropriation; providing an effective date.

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

Section 1. Paragraphs (d) and (h) of subsection (2) and paragraph (a) of subsection (3) of section 1002.385, Florida Statutes, are amended, paragraph (e) is added to subsection (4) of that section, and paragraph (c) of subsection (5) and subsections (8) and (13) of that section are amended, to read:

1002.385 The Gardiner Scholarship.—

(2) DEFINITIONS.—As used in this section, the term:

(d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down

Page 1 of 9

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

9-00468B-17

2017902__

syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23) (a); muscular dystrophy; ~~and~~ Williams syndrome; a rare disease or condition, as defined by the Orphan Drug Act of 1983, Pub. L. No. 97-414; anaphylaxis; or identification as orthopedically impaired, deaf, visually impaired, hospital or homebound, dual sensory impaired, traumatic brain injured, or other health impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts.

(h) "IEP" means individual education plan, regardless of whether the plan has been reviewed or revised within the last 12 months.

(3) PROGRAM ELIGIBILITY.—A parent of a student with a disability may request and receive from the state a Gardiner Scholarship for the purposes specified in subsection (5) if:

(a) The student:

1. Is a resident of this state;
2. Is 3 or 4 years of age on or before September 1 of the year in which the student applies for program participation or is eligible to enroll in kindergarten through grade 12 in a public school in this state;
3. Has a disability as defined in paragraph (2) (d) or is 5 years of age or older and has previously been identified as a high-risk child, as defined in s. 393.063(23) (a); and
4. Is the subject of an IEP written in accordance with rules of the State Board of Education or with the applicable

Page 2 of 9

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

9-00468B-17

2017902__

59 rules of another state or has received a diagnosis of a
 60 disability from a physician who is licensed under chapter 458 or
 61 chapter 459, ~~or~~ a psychologist who is licensed under chapter
 62 490, or a physician who holds an active license issued by
 63 another state or territory of the United States, the District of
 64 Columbia, or the Commonwealth of Puerto Rico.

65 (4) PROGRAM PROHIBITIONS.—A student is not eligible for the
 66 program if he or she is:

67 (e) Enrolled in the Florida School for the Deaf and the
 68 Blind.

69 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
 70 used to meet the individual educational needs of an eligible
 71 student and may be spent for the following purposes:

72 (c) Specialized services by approved providers that are
 73 selected by the parent. These specialized services may include,
 74 but are not limited to:

75 1. Applied behavior analysis services as provided in ss.
 76 627.6686 and 641.31098.

77 2. Services provided by speech-language pathologists as
 78 defined in s. 468.1125.

79 3. Occupational therapy services as defined in s. 468.203.

80 4. Services provided by physical therapists as defined in
 81 s. 486.021.

82 5. Services provided by listening and spoken language
 83 specialists and an appropriate acoustical environment for a
 84 child who is deaf or hard of hearing and who has received an
 85 implant or assistive hearing device.

86 6. Services provided by a therapist who is certified by the
 87 Certification Board for Music Therapists or who has credentials

9-00468B-17

2017902__

88 from the Art Therapy Credentials Board.

89 7. Services provided at a center that is a member of the
 90 Professional Association of Therapeutic Horsemanship
 91 International.
 92

93 A provider of any services receiving payments pursuant to this
 94 subsection may not share, refund, or rebate any moneys from the
 95 Gardiner Scholarship with the parent or participating student in
 96 any manner.

97 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
 98 private school may be sectarian or nonsectarian and shall:

99 (a) Comply with all requirements for private schools
 100 participating in state school choice scholarship programs
 101 pursuant to s. 1002.421.

102 (b) Provide to the organization, upon request, all
 103 documentation required for the student's participation,
 104 including the private school's and student's fee schedules.

105 (c) Be academically accountable to the parent for meeting
 106 the educational needs of the student by:

107 1. At a minimum, annually providing to the parent a written
 108 explanation of the student's progress.

109 2. Annually administering or making provision for students
 110 participating in the program in grades 3 through 10 to take one
 111 of the nationally norm-referenced tests identified by the
 112 Department of Education or the statewide assessments pursuant to
 113 s. 1008.22. Students with disabilities for whom standardized
 114 testing is not appropriate are exempt from this requirement. A
 115 participating private school shall report a student's scores to
 116 the parent.

9-00468B-17

2017902__

117 3. Cooperating with the scholarship student whose parent
118 chooses to have the student participate in the statewide
119 assessments pursuant to s. 1008.22 or, if a private school
120 chooses to offer the statewide assessments, administering the
121 assessments at the school.

122 a. A participating private school may choose to offer and
123 administer the statewide assessments to all students who attend
124 the private school in grades 3 through 10.

125 b. A participating private school shall submit a request in
126 writing to the Department of Education by March 1 of each year
127 in order to administer the statewide assessments in the
128 subsequent school year.

129 (d) Employ or contract with teachers who have regular and
130 direct contact with each student receiving a scholarship under
131 this section at the school's physical location.

132 (e) Annually contract with an independent certified public
133 accountant to perform the agreed-upon procedures developed under
134 s. 1002.395(6)(o) and produce a report of the results if the
135 private school receives more than \$250,000 in funds from
136 scholarships awarded under this section in the 2014-2015 state
137 fiscal year or a state fiscal year thereafter. A private school
138 subject to this paragraph must submit the report by September
139 15, 2015, and annually thereafter by August 15 to the
140 organization that awarded the majority of the school's
141 scholarship funds. The agreed-upon procedures must be conducted
142 in accordance with attestation standards established by the
143 American Institute of Certified Public Accountants.

144 ~~If The inability of~~ a private school is unable to meet the
145

9-00468B-17

2017902__

146 requirements of this subsection or has in consecutive years had
147 material exceptions listed in its agreed-upon procedures
148 reports, there is ~~constitutes~~ a basis for the ineligibility of
149 the private school to participate in the program as determined
150 by the commissioner.

151 (13) FUNDING AND PAYMENT.—

152 (a)1. The maximum funding amount granted for an eligible
153 student with a disability, pursuant to subsection (3), shall be
154 equivalent to the base student allocation in the Florida
155 Education Finance Program multiplied by the appropriate cost
156 factor for the educational program that ~~which~~ would have been
157 provided for the student in the district school to which he or
158 she would have been assigned, multiplied by the district cost
159 differential.

160 2. In addition, an amount equivalent to a share of the
161 guaranteed allocation for exceptional students in the Florida
162 Education Finance Program shall be determined and added to the
163 amount in subparagraph 1. The calculation shall be based on the
164 methodology and the data used to calculate the guaranteed
165 allocation for exceptional students for each district in chapter
166 2000-166, Laws of Florida. Except as provided in subparagraph
167 3., the calculation shall be based on the student's grade, the
168 matrix level of services, and the difference between the 2000-
169 2001 basic program and the appropriate level of services cost
170 factor, multiplied by the 2000-2001 base student allocation and
171 the 2000-2001 district cost differential for the sending
172 district. The calculated amount must also include an amount
173 equivalent to the per-student share of supplemental academic
174 instruction funds, instructional materials funds, technology

9-00468B-17

2017902__

175 funds, and other categorical funds as provided in the General
176 Appropriations Act.

177 3. ~~Except as otherwise provided in subsection (7),~~ The
178 calculation for a student ~~all students~~ participating in the
179 program shall be based on the student's matrix level of
180 services. The funding for a student without a matrix of services
181 shall be based on the matrix that assigns the student to support
182 Level III of services. If a parent chooses to request and
183 receive a matrix of services from the school district, when the
184 school district completes the matrix, the amount of the payment
185 shall be adjusted as needed.

186 (b) The amount of the awarded funds shall be 90 percent of
187 the calculated amount. One hundred percent of the funds
188 appropriated for the program shall be released to the department
189 at the beginning of the first quarter of each fiscal year.

190 (c) Upon notification from the organization that a parent
191 has filed a final verification document pursuant to paragraph
192 (3) (b) or upon notification from the organization that a 3- or
193 4-year-old child's application has been approved for the
194 program, the department shall release the student's scholarship
195 funds to the organization to be deposited into the student's
196 account.

197 (d) For initial eligibility for the program, students
198 determined eligible by the organization for a Gardiner
199 Scholarship by:

200 1. September 1 shall receive 100 percent of the total
201 awarded funds.

202 2. November 1 shall receive 75 percent of the total awarded
203 funds.

Page 7 of 9

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

9-00468B-17

2017902__

204 3. February 1 shall receive 50 percent of the total awarded
205 funds.

206 4. April 1 shall receive 25 percent of the total awarded
207 funds.

208 (e) A student who is 3 years of age or older after
209 September 1 and who the organization has determined is eligible
210 for a Gardiner Scholarship may receive a prorated scholarship
211 consistent with paragraph (c).

212 (f) ~~(e)~~ Accrued interest in the student's account is in
213 addition to, and not part of, the awarded funds. Program funds
214 include both the awarded funds and accrued interest.

215 (g) ~~(f)~~ The organization may develop a system for payment of
216 benefits by funds transfer, including, but not limited to, debit
217 cards, electronic payment cards, or any other means of payment
218 that the department deems to be commercially viable or cost-
219 effective. A student's scholarship award may not be reduced for
220 debit card or electronic payment fees. Commodities or services
221 related to the development of such a system shall be procured by
222 competitive solicitation unless they are purchased from a state
223 term contract pursuant to s. 287.056.

224 (h) ~~(g)~~ In addition to funds appropriated for scholarship
225 awards and subject to a separate, specific legislative
226 appropriation, an organization may receive an amount equivalent
227 to not more than 3 percent of the amount of each scholarship
228 award from state funds for administrative expenses if the
229 organization has operated as a nonprofit entity for at least the
230 preceding 3 fiscal years and did not have any findings of
231 material weakness or material noncompliance in its most recent
232 audit under s. 1002.395(6) (m). Such administrative expenses must

Page 8 of 9

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

9-00468B-17

2017902__

233 be reasonable and necessary for the organization's management
234 and distribution of scholarships under this section. Funds
235 authorized under this paragraph may not be used for lobbying or
236 political activity or expenses related to lobbying or political
237 activity. An organization may not charge an application fee for
238 a scholarship. Administrative expenses may not be deducted from
239 funds appropriated for scholarship awards.

240 ~~(i)(h)~~ Moneys received pursuant to this section do not
241 constitute taxable income to the qualified student or parent of
242 the qualified student.

243 Section 2. For the 2017-2018 fiscal year, the sum of \$200
244 million in recurring funds from the General Revenue Fund is
245 appropriated to the Department of Education for scholarship
246 awards under the Gardiner Scholarship Program. In addition to
247 the funds appropriated for the scholarship awards, the sum of \$6
248 million in recurring funds from the General Revenue Fund is
249 appropriated to the Department of Education for each
250 scholarship-funding organization's reasonable and necessary
251 administrative expenses to manage and distribute scholarship
252 awards under the program; however, the amount paid to each
253 scholarship-funding organization may not exceed 3 percent of the
254 amount of each scholarship award.

255 Section 3. This act shall take effect July 1, 2017.

By Senator Gibson

6-01135A-17

20171302__

1 A bill to be entitled
 2 An act relating to private school student
 3 participation in extracurricular activities; amending
 4 s. 1006.15, F.S.; revising the eligibility
 5 requirements for certain private school students to
 6 participate in interscholastic or intrascholastic
 7 sports at specified public schools; providing an
 8 effective date.

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

11 Section 1. Paragraph (a) of subsection (8) of section
 12 1006.15, Florida Statutes, is amended to read:

14 1006.15 Student standards for participation in
 15 interscholastic and intrascholastic extracurricular student
 16 activities; regulation.—

17 (8) (a) The Florida High School Athletic Association
 18 (FHSAA), in cooperation with each district school board, shall
 19 facilitate a program in which a middle school or high school
 20 student who attends a private school shall be eligible to
 21 participate in an interscholastic or intrascholastic sport at a
 22 public high school, a public middle school, or a 6-12 public
 23 school to which the student would be assigned according to
 24 district school board attendance area policies or which the
 25 student could choose to attend pursuant to s. 1002.31 ~~that is~~
 26 ~~zoned for the physical address at which the student resides~~ if:

- 27 1. The private school in which the student is enrolled is
- 28 not a member of the FHSAA.
- 29 2. The private school student meets the guidelines for the

Page 1 of 2

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

6-01135A-17

20171302__

30 conduct of the program established by the FHSAA's board of
 31 directors and the district school board. At a minimum, such
 32 guidelines shall provide:

33 a. A deadline for each sport by which the private school
 34 student's parents must register with the public school in
 35 writing their intent for their child to participate at that
 36 school in the sport.

37 b. Requirements for a private school student to
 38 participate, including, but not limited to, meeting the same
 39 standards of eligibility, acceptance, behavior, educational
 40 progress, and performance which apply to other students
 41 participating in interscholastic or intrascholastic sports at a
 42 public school or FHSAA member private school.

43 Section 2. This act shall take effect July 1, 2017.

Page 2 of 2

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

By Senator Grimsley

26-00935A-17

20171314__

1 A bill to be entitled
 2 An act relating to educational options; amending s.
 3 1002.395, F.S.; specifying the Department of
 4 Education's duty to approve or deny an application for
 5 the Florida Tax Credit Scholarship Program within a
 6 specified time; specifying the department's duties
 7 regarding the carryforward tax credit; requiring an
 8 eligible nonprofit scholarship-funding organization to
 9 allow certain dependent children to apply for a
 10 scholarship at any time; revising parent and student
 11 responsibilities for program participation; revising
 12 the date upon which certain private schools must
 13 submit a required report; specifying that certain
 14 actions of the private school are a basis for program
 15 ineligibility; authorizing the Learning Systems
 16 Institute to receive compensation for research under
 17 certain circumstances; revising the calculation of a
 18 scholarship award; increasing the limit of a
 19 scholarship award for certain students; revising
 20 payment method options; amending s. 1012.98, F.S.;
 21 authorizing specified eligible nonprofit scholarship-
 22 funding organizations to develop a professional
 23 development system; providing an effective date.
 24
 25 Be It Enacted by the Legislature of the State of Florida:
 26
 27 Section 1. Paragraph (b) of subsection (5) of section
 28 1002.395, Florida Statutes, is amended, present paragraph (f) of
 29 that subsection is redesignated as paragraph (g) and a new

Page 1 of 11

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

26-00935A-17

20171314__

30 paragraph (f) is added to that subsection, and paragraph (h) of
 31 subsection (6), paragraph (f) of subsection (7), subsection (8),
 32 paragraph (j) of subsection (9), and paragraphs (a) and (b) of
 33 subsection (12) of that section are amended, to read:
 34 1002.395 Florida Tax Credit Scholarship Program.—
 35 (5) SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS.—
 36 (b) A taxpayer may submit an application to the department
 37 for a tax credit or credits under one or more of s. 211.0251, s.
 38 212.1831, s. 220.1875, s. 561.1211, or s. 624.51055.
 39 1. The taxpayer shall specify in the application each tax
 40 for which the taxpayer requests a credit and the applicable
 41 taxable year for a credit under s. 220.1875 or s. 624.51055 or
 42 the applicable state fiscal year for a credit under s. 211.0251,
 43 s. 212.1831, or s. 561.1211. The department shall approve tax
 44 credits on a first-come, first-served basis and must obtain the
 45 division's approval before approving a tax credit under s.
 46 561.1211.
 47 2. Within 10 days after approving or denying an
 48 application, the department shall provide a copy of its approval
 49 or denial letter to the eligible nonprofit scholarship-funding
 50 organization specified by the taxpayer in the application.
 51 (f) Within 10 days after approving or denying an
 52 application for a carryforward tax credit under paragraph (c),
 53 the conveyance, transfer, or assignment of a tax credit under
 54 paragraph (d), or the rescindment of a tax credit under
 55 paragraph (e), the department shall provide a copy of its
 56 approval or denial letter to the eligible nonprofit scholarship-
 57 funding organization specified by the taxpayer in the
 58 application. The department shall also include the eligible

Page 2 of 11

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

26-00935A-17 20171314__

59 nonprofit scholarship-funding organization specified by the
60 taxpayer in the application on all letters or correspondence of
61 acknowledgment for tax credits under s. 212.1831.

62 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
63 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
64 organization:

65 (h) Must allow a student in foster care, ~~or~~ out-of-home
66 care, or who is a dependent child of a parent or guardian who is
67 a member of the United States Armed Forces, to apply for a
68 scholarship at any time.

69 Information and documentation provided to the Department of
70 Education and the Auditor General relating to the identity of a
71 taxpayer that provides an eligible contribution under this
72 section shall remain confidential at all times in accordance
73 with s. 213.053.

74 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
75 PARTICIPATION.—

76 (f) Upon receipt of a scholarship warrant from the eligible
77 nonprofit scholarship-funding organization, the parent to whom
78 the warrant is made must restrictively endorse the warrant to
79 the private school for deposit into the account of the private
80 school. If payments are made by funds transfer, the parent must
81 approve each payment before the scholarship funds may be
82 deposited. The parent may not designate any entity or individual
83 associated with the participating private school as the parent's
84 attorney in fact to endorse a scholarship warrant or approve a
85 funds transfer. A participant who fails to comply with this
86 paragraph forfeits the scholarship.
87

Page 3 of 11

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

26-00935A-17 20171314__

88 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
89 private school may be sectarian or nonsectarian and must:

90 (a) Comply with all requirements for private schools
91 participating in state school choice scholarship programs
92 pursuant to s. 1002.421.

93 (b) Provide to the eligible nonprofit scholarship-funding
94 organization, upon request, all documentation required for the
95 student's participation, including the private school's and
96 student's fee schedules.

97 (c) Be academically accountable to the parent for meeting
98 the educational needs of the student by:

99 1. At a minimum, annually providing to the parent a written
100 explanation of the student's progress.

101 2. Annually administering or making provision for students
102 participating in the scholarship program in grades 3 through 10
103 to take one of the nationally norm-referenced tests identified
104 by the Department of Education or the statewide assessments
105 pursuant to s. 1008.22. Students with disabilities for whom
106 standardized testing is not appropriate are exempt from this
107 requirement. A participating private school must report a
108 student's scores to the parent. A participating private school
109 must annually report by August 15 the scores of all
110 participating students to the Learning System Institute
111 described in paragraph (9)(j).

112 3. Cooperating with the scholarship student whose parent
113 chooses to have the student participate in the statewide
114 assessments pursuant to s. 1008.22 or, if a private school
115 chooses to offer the statewide assessments, administering the
116 assessments at the school.

Page 4 of 11

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

26-00935A-17

20171314__

117 a. A participating private school may choose to offer and
 118 administer the statewide assessments to all students who attend
 119 the private school in grades 3 through 10.

120 b. A participating private school must submit a request in
 121 writing to the Department of Education by March 1 of each year
 122 in order to administer the statewide assessments in the
 123 subsequent school year.

124 (d) Employ or contract with teachers who have regular and
 125 direct contact with each student receiving a scholarship under
 126 this section at the school's physical location.

127 (e) Annually contract with an independent certified public
 128 accountant to perform the agreed-upon procedures developed under
 129 paragraph (6) (c) and produce a report of the results if the
 130 private school receives more than \$250,000 in funds from
 131 scholarships awarded under this section in the 2010-2011 state
 132 fiscal year or a state fiscal year thereafter. A private school
 133 subject to this paragraph must submit the report by each August
 134 15 by September 15, 2011, and annually thereafter to the
 135 scholarship-funding organization that awarded the majority of
 136 the school's scholarship funds. The agreed-upon procedures must
 137 be conducted in accordance with attestation standards
 138 established by the American Institute of Certified Public
 139 Accountants.

140
 141 The inability of a private school to meet the requirements of
 142 this subsection, or the listing of material exceptions in its
 143 agreed-upon procedures reports, constitutes ~~shall constitute~~ a
 144 basis for the ineligibility of the private school to participate
 145 in the scholarship program as determined by the Department of

Page 5 of 11

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

26-00935A-17

20171314__

146 Education.

147 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
 148 Education shall:

149 (j) Issue a project grant award to the Learning System
 150 Institute at the Florida State University, to which
 151 participating private schools must report the scores of
 152 participating students on the nationally norm-referenced tests
 153 or the statewide assessments administered by the private school
 154 in grades 3 through 10. The project term is 2 years, and the
 155 amount of the project is up to \$500,000 per year. The Learning
 156 Systems Institute may be compensated for additional research as
 157 determined through the project grant award process. The project
 158 grant award must be reissued in 2-year intervals in accordance
 159 with this paragraph.

160 1. The Learning System Institute must annually report to
 161 the Department of Education on the student performance of
 162 participating students and any additional research included in
 163 the project grant award issued by the Department of Education:

164 a. On a statewide basis. The report shall also include, to
 165 the extent possible, a comparison of scholarship students'
 166 performance to the statewide student performance of public
 167 school students with socioeconomic backgrounds similar to those
 168 of students participating in the scholarship program. To
 169 minimize costs and reduce time required for the Learning System
 170 Institute's analysis and evaluation, the Department of Education
 171 shall coordinate with the Learning System Institute to provide
 172 data to the Learning System Institute in order to conduct
 173 analyses of matched students from public school assessment data
 174 and calculate control group student performance using an agreed-

Page 6 of 11

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

26-00935A-17

20171314__

175 upon methodology with the Learning System Institute; and
 176 b. On an individual school basis. The annual report must
 177 include student performance for each participating private
 178 school in which at least 51 percent of the total enrolled
 179 students in the private school participated in the Florida Tax
 180 Credit Scholarship Program in the prior school year. The report
 181 shall be according to each participating private school, and for
 182 participating students, in which there are at least 30
 183 participating students who have scores for tests administered.
 184 If the Learning System Institute determines that the 30-
 185 participating-student cell size may be reduced without
 186 disclosing personally identifiable information, as described in
 187 34 C.F.R. s. 99.12, of a participating student, the Learning
 188 System Institute may reduce the participating-student cell size,
 189 but the cell size must not be reduced to less than 10
 190 participating students. The department shall provide each
 191 private school's prior school year's student enrollment
 192 information to the Learning System Institute no later than June
 193 15 of each year, or as requested by the Learning System
 194 Institute.

195 2. The sharing and reporting of student performance data
 196 under this paragraph must be in accordance with requirements of
 197 ss. 1002.22 and 1002.221 and 20 U.S.C. s. 1232g, the Family
 198 Educational Rights and Privacy Act, and the applicable rules and
 199 regulations issued pursuant thereto, and shall be for the ~~sole~~
 200 purpose of research and creating the annual report required by
 201 subparagraph 1. All parties must preserve the confidentiality of
 202 such information as required by law. The annual report must not
 203 disaggregate data to a level that will identify individual

Page 7 of 11

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

26-00935A-17

20171314__

204 participating schools, except as required under sub-subparagraph
 205 1.b., or disclose the academic level of individual students.
 206 3. The annual report required by subparagraph 1. shall be
 207 published by the Department of Education on its website.
 208 (12) SCHOLARSHIP AMOUNT AND PAYMENT.—
 209 (a) Except as provided in subparagraph 2., the amount of a
 210 scholarship provided to any student for any single school year
 211 by an eligible nonprofit scholarship-funding organization from
 212 eligible contributions shall be for total costs authorized under
 213 paragraph (6) (d), not to exceed annual limits, which shall be
 214 determined as follows:

215 1.a. For a scholarship awarded to a student enrolled in an
 216 eligible private school, the limit shall be determined as a
 217 percentage by multiplying the unweighted FTE funding amount in
 218 that state fiscal year by the percentage used to determine the
 219 limit in the prior state fiscal year. However, in each state
 220 fiscal year that the tax credit cap amount increases pursuant to
 221 paragraph (5) (a), the prior year percentage shall be increased
 222 by 4 percentage points and the increased percentage shall be
 223 used to determine the limit for that state fiscal year. If the
 224 percentage so calculated reaches 80 percent in a state fiscal
 225 year, no further increase in the percentage is allowed and the
 226 limit shall be 80 percent of the unweighted FTE funding amount
 227 for that state fiscal year and thereafter. Beginning in the
 228 2016-2017 state fiscal year, the amount of a scholarship awarded
 229 to a student enrolled in an eligible private school shall be
 230 equal to 82 percent of the unweighted FTE funding amount for
 231 that state fiscal year and thereafter as follows:
 232 (I) Eighty-eight percent for a student enrolled in

Page 8 of 11

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

26-00935A-17 20171314__
 233 kindergarten through grade 5.
 234 (II) Ninety-two percent for a student enrolled in grade 6,
 235 grade 7, or grade 8.
 236 (III) Ninety-six percent for a student enrolled in grades 9
 237 through 12.
 238 b. For a scholarship awarded to a student enrolled in a
 239 Florida public school that is located outside the district in
 240 which the student resides or in a lab school as defined in s.
 241 1002.32, the limit shall be \$750 ~~\$500~~.
 242 2. The annual limit for a scholarship under sub-
 243 subparagraph 1.a. shall be reduced by:
 244 a. Twenty-five percent if the student's household income
 245 level is equal to or greater than 200 percent, but less than 215
 246 percent, of the federal poverty level.
 247 b. Fifty percent if the student's household income level is
 248 equal to or greater than 215 percent, but equal to or less than
 249 230 percent, of the federal poverty level.
 250 3. For the 2016-2017 state fiscal year and thereafter, the
 251 annual limit for a scholarship under sub-subparagraph 1.a. shall
 252 be reduced by:
 253 a. Twelve percent if the student's household income level
 254 is greater than or equal to 200 percent, but less than 215
 255 percent, of the federal poverty level.
 256 b. Twenty-six percent if the student's household income
 257 level is greater than or equal to 215 percent, but less than 230
 258 percent, of the federal poverty level.
 259 c. Forty percent if the student's household income level is
 260 greater than or equal to 230 percent, but less than 245 percent,
 261 of the federal poverty level.

26-00935A-17 20171314__
 262 d. Fifty percent if the student's household income level is
 263 greater than or equal to 245 percent, but less than or equal to
 264 260 percent, of the federal poverty level.
 265 (b) Payment of the scholarship by the eligible nonprofit
 266 scholarship-funding organization shall be by individual warrant
 267 made payable to the student's parent or by funds transfer,
 268 including, but not limited to, debit card, electronic payment
 269 card, or any other means of payment that the department deems to
 270 be commercially viable or cost-effective. A student's
 271 scholarship award may not be reduced for debit card or
 272 electronic payment fees. If the payment is made by warrant
 273 ~~parent chooses that his or her child attend an eligible private~~
 274 ~~school,~~ the warrant must be delivered by the eligible nonprofit
 275 scholarship-funding organization to the private school of the
 276 parent's choice, and the parent shall restrictively endorse the
 277 warrant to the private school. An eligible nonprofit
 278 scholarship-funding organization shall ensure that the parent to
 279 whom the warrant is made restrictively endorsed the warrant to
 280 the private school for deposit into the account of the private
 281 school or that the parent has approved a funds transfer before
 282 any scholarship funds are deposited.
 283 Section 2. Subsection (6) of section 1012.98, Florida
 284 Statutes, is amended to read:
 285 1012.98 School Community Professional Development Act.—
 286 (6) An organization of private schools or consortium of
 287 charter schools which has no fewer than 10 member schools in
 288 this state, or an eligible nonprofit scholarship-funding
 289 organization as defined in s. 1002.395, which publishes and
 290 files with the Department of Education copies of its standards,

26-00935A-17

20171314__

291 and the member schools of which comply with the provisions of
292 part II of chapter 1003, relating to compulsory school
293 attendance, may also develop a professional development system
294 that includes a master plan for inservice activities. The system
295 and inservice plan must be submitted to the commissioner for
296 approval pursuant to state board rules.

297 Section 3. This act shall take effect July 1, 2017.

By Senator Broxson

1-00608-17

20171362__

1 A bill to be entitled
 2 An act relating to K-12 education; amending s.
 3 1002.33, F.S.; removing a requirement that the
 4 Department of Education compare certain charter school
 5 student performance data to certain traditional public
 6 schools; removing notice requirements relating to such
 7 charter school performance data; removing a
 8 requirement that the State Board of Education adopt
 9 rules to administer such notice requirements; creating
 10 s. 1002.333, F.S.; defining terms; authorizing certain
 11 entities to apply to the State Board of Education for
 12 designation as a High-Impact Charter Network;
 13 requiring the state board to adopt rules; providing
 14 criteria for an initial and renewal designation;
 15 providing the period during which an initial
 16 designation is valid; authorizing entities designated
 17 as High-Impact Charter Networks to establish and
 18 operate charter schools under certain circumstances;
 19 authorizing entities with the designation to submit an
 20 application to establish and operate charter schools;
 21 providing that charter schools operated by designated
 22 entities are eligible to receive charter school
 23 capital outlay; requiring the department to give
 24 priority to certain charter schools applying for
 25 specified grants; requiring the governing board of an
 26 entity designated as a High-Impact Charter Network to
 27 be considered a local educational agency for receiving
 28 federal funds, under certain conditions; providing for
 29 rulemaking; amending s. 1007.35, F.S.; revising the

Page 1 of 9

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

1-00608-17

20171362__

30 exams each public high school is required to
 31 administer to all enrolled 10th grade students to
 32 include the preliminary ACT, rather than the ACT
 33 Aspire; amending s. 1008.34, F.S.; clarifying
 34 accountability requirements for collocated schools;
 35 providing an effective date.
 36

37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. Paragraph (b) of subsection (21) of section
 40 1002.33, Florida Statutes, is amended to read:

41 1002.33 Charter schools.—

42 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

43 (b)1. The Department of Education shall report to each
 44 charter school receiving a school grade pursuant to s. 1008.34
 45 or a school improvement rating pursuant to s. 1008.341 the
 46 school's student assessment data.

47 2. The charter school shall report the information in
 48 subparagraph 1. to each parent of a student at the charter
 49 school, the parent of a child on a waiting list for the charter
 50 school, the district in which the charter school is located, and
 51 the governing board of the charter school. This paragraph does
 52 not abrogate the provisions of s. 1002.22, relating to student
 53 records, or the requirements of 20 U.S.C. s. 1232g, the Family
 54 Educational Rights and Privacy Act.

55 ~~3.a. Pursuant to this paragraph, the Department of~~
 56 ~~Education shall compare the charter school student performance~~
 57 ~~data for each charter school in subparagraph 1. with the student~~
 58 ~~performance data in traditional public schools in the district~~

Page 2 of 9

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

1-00608-17 20171362__

59 ~~in which the charter school is located and other charter schools~~
60 ~~in the state. For alternative charter schools, the department~~
61 ~~shall compare the student performance data described in this~~
62 ~~paragraph with all alternative schools in the state. The~~
63 ~~comparative data shall be provided by the following grade~~
64 ~~groupings:~~

65 ~~(I) Grades 3 through 5;~~

66 ~~(II) Grades 6 through 8; and~~

67 ~~(III) Grades 9 through 11.~~

68 b. Each charter school shall provide the information
69 specified in this paragraph on its Internet website and also
70 provide notice to the public at large in a manner provided by
71 the rules of the State Board of Education. The State Board of
72 Education shall adopt rules to administer the notice
73 requirements of this subparagraph pursuant to ss. 120.536(1) and
74 120.54. The website shall include, through links or actual
75 content, other information related to school performance.

76 Section 2. Section 1002.333, Florida Statutes, is created
77 to read:

78 1002.333 High-Impact Charter Network.—

79 (1) As used in this section, the term:

80 (a) "Critical need area" means an area that is served by
81 one or more nonalternative, traditional public schools that
82 received a school grade of "D" or "F" pursuant to s. 1008.34 in
83 4 of the last 5 years or whose school district is required to
84 implement a turnaround option pursuant to s. 1008.33(4) (b).

85 (b) "Entity" means a nonprofit organization with tax-exempt
86 status under s. 501(c) (3) of the Internal Revenue Code which is
87 authorized by law to operate a public charter school.

1-00608-17 20171362__

88 (2) An entity that successfully operates a system of
89 charter schools which primarily serves educationally
90 disadvantaged students who are eligible for free or reduced-
91 price school lunches under the National School Lunch Act may
92 apply to the State Board of Education for designation as a High-
93 Impact Charter Network. The state board shall adopt rules
94 prescribing a review process for determining whether the entity
95 meets the requirements for the designation as a High-Impact
96 Charter Network under this section. The review process:

97 (a) Must include student demographic information and a
98 review of all schools currently and previously operated by the
99 entity, including school-level financial performances and
100 schoolwide and subgroup performance on all statewide assessments
101 for the most recent 3 years as compared to all students in other
102 schools at the same grade level and as compared with other
103 schools serving similar demographics of students.

104 (b) May include student performance on nationally norm-
105 referenced tests, attendance and retention rates, graduation
106 rates, college attendance rates, college persistence rates, and
107 other outcome measures as determined by the state board.

108 (3) The initial High-Impact Charter Network status
109 designation is valid for up to 4 years. If an entity seeks
110 status renewal, the state board shall review the academic and
111 financial performance of the charter schools established in
112 critical need areas consistent with the process described in
113 subsection (2).

114 (4) An entity that is designated as a High-Impact Charter
115 Network pursuant to this section may submit an application to a
116 district school board pursuant to s. 1002.33 to establish and

1-00608-17 20171362__

117 operate charter schools in critical need areas or, under s.
 118 1008.33(4)(b)3., charter schools as turnaround options for
 119 schools that earn a grade of "F" in the school district.
 120 Notwithstanding s. 1013.62(1)(a), a charter school operated by a
 121 High-Impact Charter Network in a critical need area is eligible
 122 to receive charter school capital outlay.

123 (5) The department shall give priority to charter schools
 124 operated by a High-Impact Charter Network in the department's
 125 Florida Public Charter Schools Grant Program competitions. Such
 126 priority treatment may be provided only for a new charter school
 127 that will operate in a critical need area.

128 (6) Notwithstanding the criteria in s. 1002.33(25), the
 129 governing board of an entity designated as a High-Impact Charter
 130 Network shall be designated as a local educational agency for
 131 the purposes of receiving federal funds if the governing board
 132 has adopted and filed a resolution with its sponsoring district
 133 school board and the department. The resolution must contain
 134 provisions indicating that the governing board accepts the full
 135 responsibility for all local educational agency requirements and
 136 that the charter schools for which the governing board will
 137 perform local education agency responsibilities are all located
 138 in the same county.

139 (7) The State Board of Education shall adopt rules to
 140 administer this section.

141 Section 3. Subsection (5), paragraph (j) of subsection (6),
 142 and paragraph (a) of subsection (8) of section 1007.35, Florida
 143 Statutes, are amended to read:

144 1007.35 Florida Partnership for Minority and
 145 Underrepresented Student Achievement.-

1-00608-17 20171362__

146 (5) Each public high school, including, but not limited to,
 147 schools and alternative sites and centers of the Department of
 148 Juvenile Justice, shall provide for the administration of the
 149 Preliminary SAT/National Merit Scholarship Qualifying Test
 150 (PSAT/NMSQT), or the preliminary ACT ~~Aspire~~ to all enrolled 10th
 151 grade students. However, a written notice shall be provided to
 152 each parent which must ~~that shall~~ include the opportunity to
 153 exempt his or her child from taking the PSAT/NMSQT or the
 154 preliminary ACT ~~Aspire~~.

155 (a) Test results will provide each high school with a
 156 database of student assessment data which certified school
 157 counselors will use to identify students who are prepared or who
 158 need additional work to be prepared to enroll and be successful
 159 in AP courses or other advanced high school courses.

160 (b) Funding for the PSAT/NMSQT or the preliminary ACT
 161 Aspire for all 10th grade students shall be contingent upon
 162 annual funding in the General Appropriations Act.

163 (c) Public school districts must choose either the
 164 PSAT/NMSQT or the preliminary ACT ~~Aspire~~ for districtwide
 165 administration.

166 (6) The partnership shall:

167 (j) Provide information to students, parents, teachers,
 168 counselors, administrators, districts, Florida College System
 169 institutions, and state universities regarding PSAT/NMSQT or the
 170 preliminary ACT ~~Aspire~~ administration, including, but not
 171 limited to:

172 1. Test administration dates and times.
 173 2. That participation in the PSAT/NMSQT or the preliminary
 174 ACT ~~Aspire~~ is open to all 10th grade students.

1-00608-17

20171362__

175 3. The value of such tests in providing diagnostic feedback
176 on student skills.

177 4. The value of student scores in predicting the
178 probability of success on AP or other advanced course
179 examinations.

180 (8) (a) By September 30 of each year, the partnership shall
181 submit to the department a report that contains an evaluation of
182 the effectiveness of the delivered services and activities.
183 Activities and services must be evaluated on their effectiveness
184 at raising student achievement and increasing the number of AP
185 or other advanced course examinations in low-performing middle
186 and high schools. Other indicators that must be addressed in the
187 evaluation report include the number of middle and high school
188 teachers trained; the effectiveness of the training; measures of
189 postsecondary readiness of the students affected by the program;
190 levels of participation in 10th grade PSAT/NMSQT or the
191 preliminary ACT Aspire testing; and measures of student, parent,
192 and teacher awareness of and satisfaction with the services of
193 the partnership.

194 Section 4. Paragraph (a) of subsection (3) of section
195 1008.34, Florida Statutes, is amended to read:

196 1008.34 School grading system; school report cards;
197 district grade.—

198 (3) DESIGNATION OF SCHOOL GRADES.—

199 (a) Each school must assess at least 95 percent of its
200 eligible students, except as provided under s. 1008.341 for
201 alternative schools. Each school shall receive a school grade
202 based on the school's performance on the components listed in
203 subparagraphs (b)1. and 2. If a school does not have at least 10

1-00608-17

20171362__

204 students with complete data for one or more of the components
205 listed in subparagraphs (b)1. and 2., those components may not
206 be used in calculating the school's grade.

207 1. An alternative school may choose to receive a school
208 grade under this section or a school improvement rating under s.
209 1008.341. For charter schools that meet the definition of an
210 alternative school pursuant to State Board of Education rule,
211 the decision to receive a school grade is the decision of the
212 charter school governing board.

213 2. A school that serves any combination of students in
214 kindergarten through grade 3 that does not receive a school
215 grade because its students are not tested and included in the
216 school grading system shall receive the school grade designation
217 of a K-3 feeder pattern school identified by the Department of
218 Education and verified by the school district. A school feeder
219 pattern exists if at least 60 percent of the students in the
220 school serving a combination of students in kindergarten through
221 grade 3 are scheduled to be assigned to the graded school.

222 3. If a collocated school does not earn a school grade or
223 school improvement rating for the performance of its students,
224 the student performance data of all schools operating at the
225 same facility must be aggregated to develop a school grade, or a
226 school improvement rating if all schools at the site are
227 eligible for a school improvement rating and do not elect to be
228 graded, which ~~that~~ will be assigned to all schools at that
229 location. A collocated school is a school that has its own
230 unique master school identification number, provides for the
231 education of each of its enrolled students, and operates at the
232 same facility as another school that has its own unique master

1-00608-17

20171362__

233 school identification number and provides for the education of
234 each of its enrolled students.

235 Section 5. This act shall take effect July 1, 2017.

By Senator Lee

20-00990B-17

20171556__

1 A bill to be entitled
 2 An act relating to education; amending s. 1002.41,
 3 F.S.; prohibiting a district school board from
 4 requiring any additional information or verification
 5 from a home education program parent under certain
 6 circumstances; authorizing a school district to
 7 provide home education program students with access to
 8 certain courses and programs offered by the school
 9 district; requiring reporting by the school district
 10 and funding through the Florida Education Finance
 11 Program; requiring that home education program
 12 students be provided access to certain certifications
 13 and assessments offered by the school district;
 14 amending s. 1003.21, F.S.; providing an exception for
 15 certain children from the age verification
 16 requirements for school attendance; amending s.
 17 1003.27, F.S.; requiring a school and school district
 18 to comply with specified provisions before instituting
 19 criminal prosecution against certain parents relating
 20 to compulsory school attendance; prohibiting the
 21 Department of Highway Safety and Motor Vehicles from
 22 issuing a driver license or learner's driver license
 23 to minor students who fail to satisfy compulsory
 24 school attendance requirements; amending s. 1007.271,
 25 F.S.; exempting dual enrollment students from paying
 26 technology fees; prohibiting dual enrollment course
 27 and program limitations for home education students
 28 from exceeding limitations for other students;
 29 providing an exemption from the grade point average

Page 1 of 9

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

20-00990B-17

20171556__

30 requirement for initial enrollment in a dual
 31 enrollment program for certain home education
 32 students; providing an effective date.
 33

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

35
 36 Section 1. Paragraph (a) of subsection (1) of section
 37 1002.41, Florida Statutes, is amended, and subsections (11) and
 38 (12) are added to that section, to read:

39 1002.41 Home education programs.—

40 (1) A "home education program" is defined in s. 1002.01.
 41 The parent is not required to hold a valid regular Florida
 42 teaching certificate.

43 (a) The parent shall notify the district school
 44 superintendent of the county in which the parent resides of her
 45 or his intent to establish and maintain a home education
 46 program. The notice must ~~shall~~ be in writing, signed by the
 47 parent, and must ~~shall~~ include the full legal names, addresses,
 48 and birthdates of all children who shall be enrolled as students
 49 in the home education program. The district may not require any
 50 additional information or verification from the parent unless
 51 the student chooses to participate in a publicly funded program
 52 or service. The notice must ~~shall~~ be filed in the district
 53 school superintendent's office within 30 days after ~~of~~ the
 54 establishment of the home education program. The parent shall
 55 file a written notice of termination of the home education
 56 program ~~shall be filed~~ in the district school superintendent's
 57 office within 30 days after such ~~said~~ termination.

58 (11) A school district may provide access to career and

Page 2 of 9

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

20-00990B-17

20171556__

59 technical courses and programs for a home education program
 60 student who enrolls in a public school solely for the career and
 61 technical courses or programs. The school district providing the
 62 career and technical courses and programs shall report each
 63 student as a full-time equivalent student in the class and in a
 64 manner prescribed by the department, and funding shall be
 65 provided through the Florida Education Finance Program pursuant
 66 to s. 1011.62.

67 (12) Industry certifications, national assessments, and
 68 statewide, standardized assessments offered by the school
 69 district shall be available to home education program students.
 70 Each school district shall notify home education program
 71 students of the available certifications and assessments; the
 72 date, time, and locations for the administration of each
 73 certification and assessment; and the deadline for notifying the
 74 school district of the student's intent to participate and the
 75 student's preferred location.

76 Section 2. Subsection (4) of section 1003.21, Florida
 77 Statutes, is amended to read:

78 1003.21 School attendance.—

79 (4) Before admitting a child to kindergarten, the principal
 80 shall require evidence that the child has attained the age at
 81 which he or she should be admitted in accordance with the
 82 provisions of subparagraph (1)(a)2. The district school
 83 superintendent may require evidence of the age of any child whom
 84 he or she believes to be within the limits of compulsory
 85 attendance as provided for by law, except those meeting regular
 86 attendance as defined by s. 1003.01(13)(b)-(e). If the first
 87 prescribed evidence is not available, the next evidence

Page 3 of 9

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

20-00990B-17

20171556__

88 obtainable in the order set forth below shall be accepted:

89 (a) A duly attested transcript of the child's birth record
 90 filed according to law with a public officer charged with the
 91 duty of recording births;

92 (b) A duly attested transcript of a certificate of baptism
 93 showing the date of birth and place of baptism of the child,
 94 accompanied by an affidavit sworn to by the parent;

95 (c) An insurance policy on the child's life that has been
 96 in force for at least 2 years;

97 (d) A bona fide contemporary religious record of the
 98 child's birth accompanied by an affidavit sworn to by the
 99 parent;

100 (e) A passport or certificate of arrival in the United
 101 States showing the age of the child;

102 (f) A transcript of record of age shown in the child's
 103 school record of at least 4 years prior to application, stating
 104 date of birth; or

105 (g) If none of these evidences can be produced, an
 106 affidavit of age sworn to by the parent, accompanied by a
 107 certificate of age signed by a public health officer or by a
 108 public school physician, or, if these are not available in the
 109 county, by a licensed practicing physician designated by the
 110 district school board, which states that the health officer or
 111 physician has examined the child and believes that the age as
 112 stated in the affidavit is substantially correct. Children and
 113 youths who are experiencing homelessness and children who are
 114 known to the department, as defined in s. 39.0016, shall be
 115 given temporary exemption from this section for 30 school days.

116 Section 3. Subsection (2) of section 1003.27, Florida

Page 4 of 9

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

20-00990B-17

20171556__

117 Statutes, is amended to read:

118 1003.27 Court procedure and penalties.—The court procedure
119 and penalties for the enforcement of the provisions of this
120 part, relating to compulsory school attendance, shall be as
121 follows:

122 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

123 (a) In each case of nonenrollment or of nonattendance upon
124 the part of a student who is required to attend some school,
125 when no valid reason for such nonenrollment or nonattendance is
126 found, the district school superintendent shall institute a
127 criminal prosecution against the student's parent. However,
128 criminal prosecution may not be instituted against the student's
129 parent until the school and school district have complied with
130 s. 1003.26.

131 (b) Each public school principal or the principal's
132 designee shall notify the district school board of each minor
133 student under its jurisdiction who accumulates 15 unexcused
134 absences in a period of 90 calendar days. ~~Each designee of the~~
135 ~~governing body of each private school, and each parent whose~~
136 ~~child is enrolled in a home education program, may provide the~~
137 ~~Department of Highway Safety and Motor Vehicles with the legal~~
138 ~~name, sex, date of birth, and social security number of each~~
139 ~~minor student under his or her jurisdiction who fails to satisfy~~
140 ~~relevant attendance requirements and who fails to otherwise~~
141 ~~satisfy the requirements of s. 322.091.~~ The district school
142 superintendent must provide the Department of Highway Safety and
143 Motor Vehicles the legal name, sex, date of birth, and social
144 security number of each minor student who has been reported
145 under this paragraph and who fails to otherwise satisfy the

Page 5 of 9

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

20-00990B-17

20171556__

146 requirements of s. 322.091. The Department of Highway Safety and
147 Motor Vehicles may not issue a driver license or learner's
148 driver license to, and shall suspend any previously issued
149 driver license or learner's driver license of, any such minor
150 student, pursuant to the provisions of s. 322.091.

151 (c) Each designee of the governing body of each private
152 school and each parent whose child is enrolled in a home
153 education program may provide the Department of Highway Safety
154 and Motor Vehicles with the legal name, sex, date of birth, and
155 social security number of each minor student under his or her
156 jurisdiction who fails to satisfy relevant attendance
157 requirements and who fails to otherwise satisfy the requirements
158 of s. 322.091. The Department of Highway Safety and Motor
159 Vehicles may not issue a driver license or learner's driver
160 license to, and shall suspend any previously issued driver
161 license or learner's driver license of, any such minor student,
162 pursuant to s. 322.091.

163 Section 4. Subsections (2), (10), and (11), paragraph (b)
164 of subsection (13), and subsection (16) of section 1007.271,
165 Florida Statutes, are amended to read:

166 1007.271 Dual enrollment programs.—

167 (2) For the purpose of this section, an eligible secondary
168 student is a student who is enrolled in any of grades 6 through
169 12 in a Florida public school or in a Florida private school
170 that is in compliance with s. 1002.42(2) and provides a
171 secondary curriculum pursuant to s. 1003.4282. A student
172 students who is are eligible for dual enrollment pursuant to
173 this section may enroll in dual enrollment courses conducted
174 during school hours, after school hours, and during the summer

Page 6 of 9

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

20-00990B-17

20171556__

175 term. However, if the student is projected to graduate from high
 176 school before the scheduled completion date of a postsecondary
 177 course, the student may not register for that course through
 178 dual enrollment. The student may apply to the postsecondary
 179 institution and pay the required registration, tuition, and fees
 180 if the student meets the postsecondary institution's admissions
 181 requirements under s. 1007.263. Instructional time for dual
 182 enrollment may vary from 900 hours; however, the full-time
 183 equivalent student membership value is ~~shall be~~ subject to the
 184 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
 185 enrollment student is exempt from the payment of registration,
 186 tuition, technology, and laboratory fees. Applied academics for
 187 adult education instruction, developmental education, and other
 188 forms of precollegiate instruction, as well as physical
 189 education courses that focus on the physical execution of a
 190 skill rather than the intellectual attributes of the activity,
 191 are ineligible for inclusion in the dual enrollment program.
 192 Recreation and leisure studies courses shall be evaluated
 193 individually in the same manner as physical education courses
 194 for potential inclusion in the program.

195 (10) Early admission is a form of dual enrollment through
 196 which an eligible secondary student enrolls ~~students enroll~~ in a
 197 postsecondary institution on a full-time basis in courses that
 198 are creditable toward the high school diploma and the associate
 199 or baccalaureate degree. A student must enroll in a minimum of
 200 12 college credit hours per semester or the equivalent to
 201 participate in the early admission program; however, a student
 202 may not be required to enroll in more than 15 college credit
 203 hours per semester or the equivalent. A student ~~Students~~

Page 7 of 9

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

20-00990B-17

20171556__

204 enrolled pursuant to this subsection is ~~are~~ exempt from the
 205 payment of registration, tuition, technology, and laboratory
 206 fees.

207 (11) Career early admission is a form of career dual
 208 enrollment through which an eligible secondary student enrolls
 209 ~~students enroll~~ full time in a career center or a Florida
 210 College System institution in postsecondary programs leading to
 211 industry certifications, as listed in the CAPE Postsecondary
 212 Industry Certification Funding List pursuant to s. 1008.44,
 213 which are creditable toward the high school diploma and the
 214 certificate or associate degree. Participation in the career
 215 early admission program is limited to students who have
 216 completed a minimum of 4 semesters of full-time secondary
 217 enrollment, including studies undertaken in ~~the ninth~~ grade 9. A
 218 student ~~Students~~ enrolled pursuant to this section is ~~are~~ exempt
 219 from the payment of registration, tuition, technology, and
 220 laboratory fees.

221 (13)

222 (b) Each postsecondary institution eligible to participate
 223 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
 224 enter into a home education articulation agreement with each
 225 home education student seeking enrollment in a dual enrollment
 226 course and the student's parent. By August 1 of each year, the
 227 eligible postsecondary institution shall complete and submit the
 228 home education articulation agreement to the Department of
 229 Education. The home education articulation agreement must
 230 include, at a minimum:

231 1. A delineation of courses and programs available to
 232 dually enrolled home education students. Courses and programs

Page 8 of 9

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

20-00990B-17

20171556__

233 may be added, revised, or deleted at any time by the
234 postsecondary institution. Any course or program limitations may
235 not exceed the limitations for other dually enrolled students.

236 2. The initial and continued eligibility requirements for
237 home education student participation, not to exceed those
238 required of other dually enrolled students. A high school grade
239 point average may not be required for home education students
240 who meet the minimum score on a common placement test adopted by
241 the State Board of Education which indicates that the student is
242 ready for college-level coursework; however, home education
243 student eligibility requirements for continued enrollment in
244 college credit dual enrollment courses must include the
245 maintenance of the minimum postsecondary grade point average
246 established by the postsecondary institution.

247 3. The student's responsibilities for providing his or her
248 own instructional materials and transportation.

249 4. A copy of the statement on transfer guarantees developed
250 by the Department of Education under subsection (15).

251 (16) Public school, private school, or home education
252 program students who meet the eligibility requirements of this
253 section and who choose to participate in dual enrollment
254 programs are exempt from the payment of registration, tuition,
255 technology, and laboratory fees.

256 Section 5. This act shall take effect July 1, 2017.

By Senator Bean

4-01781-17

20171572__

1 A bill to be entitled
 2 An act relating to the Education Savings Account
 3 Program; creating s. 1002.387, F.S.; defining terms;
 4 specifying criteria for student eligibility and
 5 student ineligibility for the program; authorizing a
 6 parent to direct a financial institution trustee of
 7 his or her child's account to use funds for specified
 8 costs of attending specified private schools or
 9 programs, for participating in a dual enrollment
 10 program, or to make a contribution to the child's
 11 college savings plan or to a contract under the
 12 Stanley G. Tate Florida Prepaid College Program;
 13 requiring a financial institution to transfer an
 14 account to another participating financial institution
 15 upon the request of a parent as provided by the Chief
 16 Financial Officer by rule; providing for the
 17 distribution of unspent program funds; requiring a
 18 parent to apply for the program to the Department of
 19 Education; specifying responsibilities of a parent or
 20 student for using funds in an account to attend a
 21 private school or private virtual school; requiring
 22 certain students to take norm-referenced tests
 23 required by the department; specifying
 24 responsibilities of a parent or student for using
 25 funds in an account to hire a private tutor or private
 26 tutoring program and for participating in a dual
 27 enrollment program; specifying eligibility criteria
 28 for private schools, private tutors, private tutoring
 29 programs, and private postsecondary institutions to

Page 1 of 24

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

4-01781-17

20171572__

30 participate in the program; providing that all public
 31 postsecondary institutions are eligible to participate
 32 in the program; providing duties of the department;
 33 requiring the department to process student
 34 applications, submit a list of eligible institutions
 35 to participating financial institutions, notify the
 36 financial institutions of students approved to
 37 participate in the program, and submit a report to the
 38 Governor and the Legislature by specified dates;
 39 providing duties of the Chief Financial Officer;
 40 requiring the Chief Financial Officer to provide a
 41 list of participating financial institutions to the
 42 department by a specified date each year and to make
 43 payments to the accounts of participating students in
 44 specified situations; providing obligations of
 45 financial institutions; limiting the fees that may be
 46 charged by a financial institution for its services
 47 under the program; requiring a financial institution
 48 to make timely quarterly payments directly to a
 49 private school, private tutor, private tutoring
 50 program, or postsecondary institution or to a selected
 51 college savings plan or the Stanley G. Tate Florida
 52 Prepaid College Program; requiring a financial
 53 institution to notify the department of the identity
 54 of certain students at specified dates; requiring a
 55 financial institution to annually notify the Chief
 56 Financial Officer of its intent to continue to
 57 participate in, or intent to withdraw from, the
 58 program; requiring a financial institution to provide

Page 2 of 24

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

4-01781-17

20171572__

59 advance notice to the Chief Financial Officer and
 60 parents of students participating in the program
 61 before withdrawing from the program; specifying
 62 criteria and procedures by which the Commissioner of
 63 Education may deny, suspend, or revoke a private
 64 school's participation in the program; specifying
 65 procedures by which a private school may challenge the
 66 decision of the commissioner to deny, suspend, or
 67 revoke the school's participation in the program;
 68 requiring the director of the Division of
 69 Administrative Hearings to expedite a hearing in
 70 certain situations; authorizing the commissioner to
 71 order participating financial institutions to
 72 immediately suspend payments from a student's account
 73 to a participating private school under certain
 74 circumstances; providing for appeal against a payment
 75 suspension; authorizing the Office of Inspector
 76 General of the department to release otherwise
 77 confidential student information under certain
 78 circumstances involving allegations of fraudulent
 79 activity under the program; specifying a formula to be
 80 used in determining the amount of annual payments made
 81 to a student's account under the program; providing
 82 for the random selection of applicants to the program
 83 who are attending a home education program or a
 84 private school; providing a calculation to determine
 85 the number of such students who may participate in the
 86 program; authorizing the Legislative Budget Commission
 87 to transfer funds in excess of amounts required to

4-01781-17

20171572__

88 fully fund the accounts of all participating students
 89 to the Florida Education Finance Program; requiring
 90 the department and the Department of Financial
 91 Services to develop an agreement to assist in the
 92 administration of the program; requiring the State
 93 Board of Education to adopt rules for the Department
 94 of Education and the commissioner to administer the
 95 program; requiring the Chief Financial Officer to
 96 adopt rules to administer its responsibilities under
 97 the program; providing for the enrollment period and
 98 for the number of eligible students for the 2017-2018
 99 school year; requiring the department to randomly
 100 select participating students in specified situations;
 101 authorizing the state board to adopt emergency rules
 102 for the department and the commissioner to implement
 103 the program; providing an effective date.

104
 105 WHEREAS, the Legislature finds that it has a duty to
 106 provide for a high-quality education for all children residing
 107 in this state, and

108 WHEREAS, the Legislature finds that it has a duty to
 109 provide for the establishment, maintenance, and operation of
 110 institutions of higher learning, and

111 WHEREAS, a high-quality education for children is
 112 facilitated by parents' involvement in educational choices for
 113 their children, competition among schools and other learning
 114 environments, and the measurement and evaluation of student
 115 learning gains, and

116 WHEREAS, the Legislature finds that competition between

4-01781-17 20171572__

117 public schools and private schools will enhance the quality of
 118 education at public schools by encouraging innovation,
 119 flexibility, and efficiency, and
 120 WHEREAS, providing a child with an opportunity to attend a
 121 public school or with funds to pay for private schooling or
 122 tutoring enables the child to access the high-quality education
 123 best suited for his or her specific needs, and
 124 WHEREAS, the Legislature finds that, under the right to
 125 religious freedom in the State Constitution, the state may not
 126 prohibit a person from using private funds to pay the cost of
 127 private schooling or tutoring at an institution having any
 128 religious affiliation, NOW, THEREFORE,
 129
 130 Be It Enacted by the Legislature of the State of Florida:
 131
 132 Section 1. Section 1002.387, Florida Statutes, is created
 133 to read:
 134 1002.387 Education Savings Account Program.-
 135 (1) DEFINITIONS.-As used in this section, the term:
 136 (a) "Account" means an education savings account belonging
 137 to a student who is participating in, or who participated in,
 138 the program. Funds in an account are private funds.
 139 (b) "College savings plan" means a qualified tuition plan
 140 under s. 529 of the Internal Revenue Code which allows the
 141 establishment of an account for a beneficiary for the purpose of
 142 paying the beneficiary's eligible college expenses.
 143 (c) "Department" means the Department of Education.
 144 (d) "Eligible private postsecondary institution" means a
 145 private postsecondary institution that is a member of the

4-01781-17 20171572__

146 Independent Colleges and Universities of Florida and is located
 147 in this state.
 148 (e) "Eligible private school" means a private school that
 149 offers an education to students in kindergarten through grade
 150 12, is located in this state, and meets the requirements in
 151 subsection (6).
 152 (f) "Financial institution" has the same meaning as defined
 153 in s. 655.005.
 154 (g) "Program" means the Education Savings Account Program.
 155 (2) ELIGIBLE STUDENTS.-
 156 (a) A student is eligible to receive funds under the
 157 program if the student resides in this state and:
 158 1. Is eligible to enter kindergarten or first grade;
 159 2. Is the sibling of a student who participates in the
 160 program and who resides in the same household;
 161 3. Was counted as a full-time equivalent student during the
 162 previous state fiscal year for purposes of state per-student
 163 funding; or
 164 4. Attends a home education program or a private school and
 165 was randomly selected to participate in the program pursuant to
 166 subsection (13).
 167 (b) A student remains eligible for the program until he or
 168 she graduates from high school and as long as the student does
 169 not enroll in a public school, a charter school, or a virtual
 170 instruction program, excluding the Florida Virtual School, which
 171 receives state funding as a result of the student's
 172 participation.
 173 (3) INELIGIBLE STUDENTS.-A student may not participate in
 174 the program if he or she:

4-01781-17 20171572__

- 175 (a) Is enrolled in a school operating to provide
 176 educational services to youth in a commitment program for the
 177 Department of Juvenile Justice;
 178 (b) Participates in a virtual school, correspondence
 179 school, or distance learning program that receives state funding
 180 for the student's participation;
 181 (c) Is enrolled in the Florida School for the Deaf and the
 182 Blind; or
 183 (d) Is receiving an educational scholarship pursuant to
 184 chapter 1002.
 185 (4) PARENT AND STUDENT OPTIONS.-
 186 (a) A parent may direct a financial institution trustee of
 187 his or her child's account to use the funds in such account, in
 188 whole or in combination, to:
 189 1. Pay the tuition and fees for the child to attend an
 190 eligible private school;
 191 2. Pay the tuition and fees for the child to attend an
 192 eligible private virtual school;
 193 3. Pay a private tutor or private tutoring program
 194 qualified under s. 1002.43 for supplemental educational
 195 services;
 196 4. Pay the cost of tuition, books, or fees for the child to
 197 enroll in a dual enrollment program at a public postsecondary
 198 institution;
 199 5. Pay the cost of tuition, books, or fees for the child to
 200 enroll in a dual enrollment program at an eligible private
 201 postsecondary institution;
 202 6. Contribute to the child's college savings plan; or
 203 7. Make a payment toward the purchase of a contract under

Page 7 of 24

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

4-01781-17 20171572__

- 204 the Stanley G. Tate Florida Prepaid College Program in s.
 205 1009.98.
 206 (b) A parent may direct the trustee to transfer the account
 207 to another financial institution participating in the program as
 208 provided by the Chief Financial Officer by rule.
 209 (c) Within 3 months after his or her child graduates from
 210 high school or no longer participates in the program, a parent
 211 may direct the trustee to donate any unspent funds in the
 212 account to any private school, private virtual school, private
 213 tutor, private tutoring program, or public or private
 214 postsecondary institution identified in subparagraphs (a)1.-
 215 (a)5. or to the school district for the county in which the
 216 child last resided before the child's participation in the
 217 program was terminated. If a parent fails to identify an
 218 institution to which the trustee must donate the funds, the
 219 trustee must donate the funds to the school district for the
 220 county in which the child last resided before the child's
 221 participation in the program was terminated.
 222 (5) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 223 PARTICIPATION.-
 224 (a) A parent must annually apply to the department on
 225 behalf of his or her child during the annual enrollment period.
 226 As part of the enrollment, the parent must identify the
 227 educational option chosen to meet the compulsory attendance
 228 requirements of state law whether through attendance at a
 229 private school or private virtual school, enrollment in a home
 230 education program under s. 1002.41, or a private tutoring
 231 program under s. 1002.43.
 232 (b)1. If a parent elects for his or her child to attend an

Page 8 of 24

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

4-01781-17 20171572__

233 eligible private school or private virtual school, the parent or
 234 the child must:

235 a. Select an eligible private school or private virtual
 236 school and apply for admission;

237 b. Inform the child's school district when the parent
 238 withdraws the child to attend the private school or private
 239 virtual school;

240 c. Remain in attendance in the selected school throughout
 241 the school year unless excused by the school for illness or
 242 other good cause;

243 d. Comply with the school's published policies;

244 e. Ensure that the child participating in the program takes
 245 the nationally norm-referenced tests administered by the school
 246 which are required by the department. The parent may also choose
 247 to have the child participate in a statewide assessment pursuant
 248 to s. 1008.22. If the parent requests that the child take a
 249 statewide assessment, the parent is responsible for transporting
 250 the child to the testing site designated by the school district;
 251 and

252 f. Pay the balance of the school's tuition and fees in
 253 excess of the funds in the child's account.

254 2. A parent who chooses to comply with the compulsory
 255 attendance requirements by enrolling his or her child in a
 256 private school or private virtual school may also choose to
 257 enroll the child in a dual enrollment program through a public
 258 postsecondary institution or an eligible private postsecondary
 259 institution and use funds from the child's account for such
 260 purpose. The parent and child must register and apply for
 261 admission during the institution's registration or application

4-01781-17 20171572__

262 period and are responsible for paying the balance of tuition and
 263 fees which is not covered by payments from the child's account.

264 (c)1. If a parent elects for his or her child to
 265 participate in a home education program, the parent and child
 266 must comply with s. 1002.41.

267 2. A parent who chooses to comply with the compulsory
 268 attendance requirements by enrolling his or her child in a home
 269 education program may also choose to enroll the child in a dual
 270 enrollment program through a public postsecondary institution or
 271 an eligible private postsecondary institution and use funds from
 272 the child's account for such purpose. The parent and child must
 273 register and apply for admission during the institution's
 274 registration or application period and are responsible for
 275 paying the balance of tuition and fees which is not covered by
 276 payments from the child's account.

277 (d)1. If a parent elects for his or her child to receive an
 278 education from an eligible private tutor or private tutoring
 279 program, the parent and the child must comply with this chapter.

280 2. A parent who chooses to comply with the compulsory
 281 attendance requirements through the use of a private tutor or
 282 private tutoring program may also choose to enroll his or her
 283 child in a dual enrollment program through a public
 284 postsecondary institution or an eligible private postsecondary
 285 institution and use funds from the child's account for such
 286 purpose. The parent and child must register and apply for
 287 admission during the institution's registration or application
 288 period and are responsible for paying the balance of tuition and
 289 fees which is not covered by payments from the child's account.

290 (e) If a parent elects to use any portion of his or her

4-01781-17 20171572__

291 child's account as payment for private tutoring through an
 292 eligible supplemental educational services provider, the parent
 293 is responsible for payments to the provider which are not
 294 covered by the child's account.

295 (f) If a parent elects for his or her child to participate
 296 in dual enrollment at a public postsecondary institution or an
 297 eligible private postsecondary institution, the parent or the
 298 child must:

299 1. Register and apply for admission during the
 300 institution's registration or application period.

301 2. Inform the child's school district when the parent
 302 withdraws the child to attend the postsecondary institution.

303 3. Remain in attendance in the postsecondary institution
 304 throughout the school year unless excused by the institution for
 305 illness or other good cause.

306 4. Comply with the institution's published policies.

307 5. Pay the balance of the postsecondary institution's
 308 tuition and fees in excess of the funds in the child's account.

309 (g) If a parent elects to use any of the funds in his or
 310 her child's account to make a contribution to a college savings
 311 plan, the parent must comply with all federal and state laws
 312 related to contributions to a college savings plan.

313 (h) If a parent elects to use any of the funds in his or
 314 her child's account toward the purchase of a contract under the
 315 Stanley G. Tate Florida Prepaid College Program, the parent must
 316 comply with all rules and requirements of the program and is
 317 responsible for payments in excess of the funds in the account.

318
 319 A child may return to the public school system at any time and

4-01781-17 20171572__

320 quarterly payments to the child's account shall cease. The
 321 parent of a child who chooses to return to the public school
 322 system is responsible for the payment of any outstanding balance
 323 owed to the private school, private virtual school, private
 324 tutor, private tutoring program, public postsecondary
 325 institution, or private postsecondary education institution
 326 which was in excess of the funds in the account when payments to
 327 the account ceased.

328 (6) EDUCATIONAL INSTITUTION ELIGIBILITY AND OBLIGATIONS.-
 329 (a) A private school is eligible to participate in the
 330 program, whether sectarian or nonsectarian, if the school:

331 1. Is accredited by the Southern Association of Colleges
 332 and Schools or is eligible to participate in the Florida Tax
 333 Credit Scholarship Program or the John M. McKay Scholarships for
 334 Students with Disabilities Program; and

335 2. Complies with rules adopted by the State Board of
 336 Education for participation in the program.

337 (b) A private virtual school is eligible to participate in
 338 the program, whether sectarian or nonsectarian, if the school:

339 1. Is approved by the department to participate in the
 340 school district virtual instruction program under s. 1002.43;
 341 and

342 2. Complies with rules adopted by the State Board of
 343 Education for participation in the program.

344 (c) A private tutor or private tutoring program is eligible
 345 to participate in the program if the private tutor or private
 346 tutoring program:

347 1. Is qualified under s. 1002.43;
 348 2. Complies with rules adopted by the State Board of

4-01781-17

20171572__

349 Education for participation in the program; and

350 3. Is a supplemental educational services provider under
 351 the federal Elementary and Secondary Education Act.

352 (d) All public postsecondary institutions are eligible to
 353 participate in the program and must comply with rules adopted by
 354 the State Board of Education for participation in the program.

355 (e) A private postsecondary institution is eligible to
 356 participate in the program, whether sectarian or nonsectarian,
 357 if the institution is a member of the Independent Colleges and
 358 Universities of Florida and complies with rules adopted by the
 359 State Board of Education for participation in the program.

360 (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
 361 Education shall:

362 (a) Establish an annual enrollment period and a process in
 363 which a parent may apply to enroll his or her child in the
 364 program. The enrollment period must begin by January 1 and end
 365 by March 1 before the school year in which funding for the
 366 child's account is sought. All applications must be processed by
 367 May 1 of each year.

368 (b) Randomly select students attending a home education
 369 program or private school who are eligible under subparagraph

370 (2) (a) 4. to participate in the program if the appropriation to
 371 the program is sufficient to fully fund the accounts of all
 372 other applicants but is insufficient to fully fund the accounts
 373 of all applicants who are attending a home education program or
 374 private school.

375 (c) Annually verify the eligibility of private schools,
 376 private virtual schools, private tutors, private tutoring
 377 programs, and postsecondary institutions to participate in the

4-01781-17

20171572__

378 program and publish a list of eligible schools, tutors, tutoring
 379 programs, and postsecondary institutions.

380 (d) Annually, by March 15, submit to participating
 381 financial institutions a list of eligible private schools,
 382 private virtual schools, private tutors, private tutoring
 383 programs, and private postsecondary institutions.

384 (e) Notify participating financial institutions of students
 385 who are approved to participate in the program. The notice must
 386 be made annually, by May 1, after the department processes all
 387 applications to participate in the program.

388 (f) Establish a toll-free hotline that provides parents and
 389 private schools with information on the program.

390 (g) Establish a process by which a person may notify the
 391 department of any violation of laws or rules relating to
 392 participation in the program. The department shall conduct an
 393 inquiry of all signed, written, and legally sufficient
 394 complaints that allege a violation of this section, or must make
 395 a referral to the appropriate agency for an investigation. A
 396 complaint is legally sufficient if it states ultimate facts
 397 showing that this section or a rule adopted under this section
 398 has been violated.

399 (h) Require participating private schools and private
 400 virtual schools to annually certify compliance with the
 401 requirements of the program. The certification must be made in a
 402 sworn and notarized statement by the head of the private school.

403 (i) Compare the list of students participating in the
 404 program with the public school enrollment lists to avoid
 405 duplicate payments.

406 (j) Maintain a list of nationally norm-referenced tests

4-01781-17 20171572__

407 identified by the department which must be administered by a
 408 participating private school or private virtual school to
 409 students participating in the program. The tests must meet
 410 industry standards of quality under rules of the State Board of
 411 Education.

412 (k) Select an independent research organization, which may
 413 be a public or private entity or university, to which
 414 participating private schools and private virtual schools must
 415 report the scores of participating students on the nationally
 416 norm-referenced tests administered by the schools in grades 3
 417 through 10.

418 1. The independent research organization must annually
 419 issue a report to the department which includes:

420 a. The year-to-year learning gains of students in the
 421 program;

422 b. To the extent possible, a comparison of the learning
 423 gains of students in the program to the statewide learning gains
 424 of public school students having backgrounds similar to those of
 425 the students in the program. In order to minimize the costs and
 426 time that the independent research organization requires for
 427 analysis and evaluation, the department shall conduct analyses
 428 of assessment data from matched students in public schools and
 429 shall calculate learning gains of control groups using a
 430 methodology outlined in the contract with the independent
 431 research organization; and

432 c. The aggregate year-to-year learning gains of students in
 433 the program in each participating private school in which there
 434 are at least 30 participating students having scores for tests
 435 for 2 consecutive years at that private school.

4-01781-17 20171572__

436 2. The sharing and reporting of the learning gains of
 437 students pursuant to this paragraph must be in accordance with
 438 s. 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy
 439 Act, and may be for the sole purpose of creating the annual
 440 report required by subparagraph 1. The department and the
 441 independent research organization shall preserve the
 442 confidentiality of such information as required by law. The
 443 organization may not disaggregate data in its annual report to a
 444 level that will identify individual participating schools,
 445 except as required under sub-subparagraph 1.c., or disclose the
 446 academic level of individual students.

447 3. The department shall publish the annual report on its
 448 website.

449 (l) Conduct random site visits to private schools, private
 450 tutors, private tutoring programs, and private postsecondary
 451 institutions participating in the program. During a site visit,
 452 the department may conduct only activities to verify the
 453 information reported by the schools concerning the enrollment
 454 and attendance of students, the credentials of teachers, and the
 455 results of criminal history record checks of teachers.

456 (m) Annually, by December 15, submit a report to the
 457 Governor, the President of the Senate, and the Speaker of the
 458 House of Representatives describing the implementation of
 459 accountability mechanisms for the program; identifying any
 460 violations of a law or rule governing the program concerning the
 461 enrollment and attendance of students, the credentials of
 462 teachers, or the background screening of teachers; and
 463 describing the corrective actions taken by the department
 464 relating to violations of a law or rule governing the program.

4-01781-17

20171572__

- 465 (8) CHIEF FINANCIAL OFFICER OBLIGATIONS.—The Chief
 466 Financial Officer shall:
- 467 (a) Process applications from financial institutions
 468 applying to participate in the program.
- 469 (b) Provide a list of participating financial institutions
 470 to the department by March 1 of each year.
- 471 (c) Conduct random audits of financial institutions
 472 participating in the program to ensure compliance with this
 473 section.
- 474 (d) Revoke the eligibility of a financial institution that
 475 fails to comply with its obligations under this section.
- 476 (e) Upon notice from the department, make payments to the
 477 accounts of participating students in four equal installments by
 478 September 1, November 1, February 1, and April 1.
- 479 (9) OBLIGATIONS OF FINANCIAL INSTITUTIONS.—
- 480 (a) A financial institution must apply to the Chief
 481 Financial Officer for approval to participate in the program.
 482 The Chief Financial Officer must approve the application of a
 483 financial institution if the institution agrees to do all of the
 484 following:
- 485 1. Serve as a trustee of the funds in a student's account.
 486 2. Limit its fees imposed on each account to 3 percent or
 487 less of each payment it makes from an account.
- 488 3. Make timely quarterly payments directly to the eligible
 489 private school, private virtual school, private tutor, private
 490 tutoring program, or eligible private postsecondary institution
 491 selected by the parent. The amount of the quarterly payment to
 492 these institutions may not exceed:
- 493 a. The amount of the state quarterly payment to the

Page 17 of 24

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

4-01781-17

20171572__

- 494 financial institution, less the financial institution's fees; or
 495 b. The reported tuition and fee schedule provided to the
 496 department for the educational institution.
- 497 4. Make timely quarterly payments directly to a public
 498 postsecondary institution selected by the parent for the payment
 499 of books, tuition, and fees charged for a student's
 500 participation in a dual enrollment program. The amount of the
 501 quarterly payment to these institutions may not exceed:
- 502 a. The amount of the state quarterly payment to the
 503 financial institution, less the financial institution's fees; or
 504 b. The full cost of books, tuition, and fees charged for
 505 the student's participation in the dual enrollment program.
- 506 5. Make timely quarterly payments directly to the selected
 507 college savings plan or the Stanley G. Tate Florida Prepaid
 508 College Program. The amount of such quarterly payment may not
 509 exceed the amount of the state quarterly payment to the
 510 financial institution, less the financial institution's fees.
- 511 6. Notify the department by February 1, July 1, September
 512 1, and December 1 of the identity of students who have accounts
 513 with the institution under this section.
- 514 (b) A participating financial institution must annually
 515 notify the Chief Financial Officer of its intent to continue
 516 participating in or its intent to withdraw from the program. A
 517 financial institution must provide 180 days' notice to the Chief
 518 Financial Officer and to the parents of students having an
 519 account at the institution before it may withdraw from the
 520 program. The institution must also transfer each account to
 521 another participating institution selected by a parent or to
 522 another participating institution randomly selected by the Chief

Page 18 of 24

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

4-01781-17 20171572__

523 Financial Officer if the parent fails to make a timely
 524 selection.

525 (10) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—
 526 (a)1. The Commissioner of Education shall deny, suspend, or
 527 revoke the participation of a private school, private virtual
 528 school, private tutor, or private tutoring program in the
 529 program if the commissioner determines that the school, tutor,
 530 or tutoring program has failed to comply with this section or
 531 the rules of the department adopted under this section. However,
 532 if the noncompliance is correctable within a reasonable amount
 533 of time and the health, safety, or welfare of the students is
 534 not threatened, the commissioner may issue a notice of
 535 noncompliance that shall provide the school, tutor, or tutoring
 536 program with a timeframe within which to show evidence of
 537 compliance before action may be taken to suspend or revoke the
 538 school's, tutor's, or tutoring program's participation in the
 539 program.

540 2. The commissioner may deny, suspend, or revoke a private
 541 school's participation in the program if the commissioner
 542 determines that an owner or operator of the private school is
 543 operating or has operated an educational institution in this
 544 state or another state in a manner that is contrary to the
 545 health, safety, or welfare of the public. In making this
 546 determination, the commissioner may consider factors including,
 547 but not limited to, acts or omissions by the owner or operator
 548 which led to a previous denial or revocation of participation in
 549 an education scholarship program or an education savings account
 550 program; an owner's or operator's failure to reimburse a
 551 student's account for funds improperly received or retained by a

4-01781-17 20171572__

552 school; imposition of a prior criminal or civil administrative
 553 sanction related to an owner's or operator's management or
 554 operation of an educational institution; or the existence of
 555 other types of criminal proceedings in which the owner or
 556 operator was found guilty of, regardless of adjudication, or
 557 entered a plea of nolo contendere or guilty to any offense
 558 involving fraud, deceit, dishonesty, or moral turpitude.

559 (b) The commissioner's determination to deny, suspend, or
 560 revoke a private school's participation in the program is
 561 subject to the following:

562 1. The department must notify the private school of the
 563 proposed action in writing by certified mail and regular mail to
 564 the private school's address of record with the department. The
 565 notice shall state the reasons for the proposed action and
 566 notice of the timelines and procedures set forth in this
 567 paragraph.

568 2. The private school that is adversely affected by the
 569 proposed action has 15 days after receipt of the notice of
 570 proposed action to file with the clerk of the department a
 571 request for a proceeding pursuant to ss. 120.569 and 120.57. If
 572 the private school is entitled to a hearing under s. 120.57(1),
 573 the department shall forward the request to the Division of
 574 Administrative Hearings.

575 3. Upon receipt of a request for a proceeding referred
 576 pursuant to this paragraph, the director of the Division of
 577 Administrative Hearings shall expedite the hearing and assign an
 578 administrative law judge who shall commence a hearing within 30
 579 days after the receipt of the formal written request from the
 580 department and enter a recommended order within 30 days after

4-01781-17 20171572__

581 the hearing or within 30 days after receipt of the hearing
 582 transcript, whichever is later. Each party may submit written
 583 exceptions to the recommended order within 10 days after the
 584 recommended order is entered. The department shall enter a final
 585 order within 30 days after the entry of the recommended order.
 586 The provisions of this subparagraph may be waived upon
 587 stipulation by all parties.

588 (c) The commissioner may order participating financial
 589 institutions to suspend payment of funds from accounts to a
 590 private school if the commissioner finds that probable cause of
 591 any of the following exists:

592 1. An imminent threat to the health, safety, and welfare of
 593 a student; or

594 2. Fraudulent activity on the part of the private school.

595

596 The commissioner's order suspending payment pursuant to this
 597 paragraph may be appealed pursuant to the same procedures and
 598 timelines as the notice of proposed action set forth in
 599 paragraph (b).

600 (11) AUTHORIZED RELEASE OF CONFIDENTIAL INFORMATION.—
 601 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
 602 activity relating to participation in the program, the Office of
 603 Inspector General of the department may release personally
 604 identifiable records or reports of students to the following
 605 persons or organizations:

606 (a) A court of competent jurisdiction in compliance with an
 607 order of that court or the attorney of record in accordance with
 608 a lawfully issued subpoena, consistent with the Family
 609 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

4-01781-17 20171572__

610 (b) A person or entity authorized by a court of competent
 611 jurisdiction in compliance with an order of that court or the
 612 attorney of record pursuant to a lawfully issued subpoena,
 613 consistent with the Family Educational Rights and Privacy Act,
 614 20 U.S.C. s. 1232g.

615 (c) A person, entity, or authority issuing a subpoena for
 616 law enforcement purposes if the court or other issuing agency
 617 has ordered that the existence or the contents of the subpoena
 618 or the information furnished in response to the subpoena not be
 619 disclosed, consistent with the Family Educational Rights and
 620 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

621 (12) EDUCATION SAVINGS ACCOUNT AMOUNT.—The total amount of
 622 payments to a participating student's account for a single
 623 school year shall be equal to 40 percent of the base student
 624 allocation under the Florida Education Finance Program
 625 multiplied by the appropriate cost factor for the educational
 626 program that would have been provided for the student in the
 627 district school to which he or she was assigned, multiplied by
 628 the district cost differential plus the per-student share of
 629 instructional materials funds and other categorical funds as
 630 appropriated in the General Appropriations Act.

631 (13) RANDOM SELECTION OF PROGRAM PARTICIPANTS.—By April 1
 632 of each year, the department shall randomly select applicants to
 633 participate in the program who are in home education programs
 634 and private schools and who did not participate in the program
 635 during the prior school year. The number of spaces available for
 636 these students shall equal the number of students who enrolled
 637 in the program during the annual enrollment period and were
 638 counted as full-time equivalent students at a public school

4-01781-17 20171572__

639 during the previous state fiscal year for purposes of state per-
 640 student funding. For purposes of this calculation, the number of
 641 new participants in the program who were public school students
 642 does not include kindergarten and first grade students and
 643 siblings of other students participating in the program.
 644 (14) LEGISLATIVE BUDGET COMMISSION.—Each quarter the
 645 Legislative Budget Commission may transfer any funds
 646 appropriated for the program in excess of amounts required to
 647 fully fund the accounts of all participating students to the
 648 Florida Education Finance Program.
 649 (15) ADMINISTRATION; RULES.—
 650 (a) The department and the Department of Financial Services
 651 shall develop a cooperative agreement to assist in the
 652 administration of this section.
 653 (b) The State Board of Education shall adopt rules
 654 necessary for the department and the Commissioner of Education
 655 to administer this section, including rules relating to the
 656 establishment of the enrollment period, enrollment forms, and
 657 reporting requirements for financial institutions and schools.
 658 (c) The Chief Financial Officer shall adopt rules necessary
 659 to administer this section, including rules relating to the
 660 eligibility and auditing of participating financial
 661 institutions.
 662 Section 2. Enrollment period for the 2017-2018 school
 663 year.—
 664 (1) Notwithstanding s. 1002.387(7), Florida Statutes, the
 665 enrollment period to participate in the Education Savings
 666 Account Program for the 2017-2018 school year is July 1 through
 667 July 31. The number of students who may participate is limited

4-01781-17 20171572__

668 to the number of participants specified in the General
 669 Appropriations Act.
 670 (2) Notwithstanding s. 1002.387(2), Florida Statutes, the
 671 students eligible to participate in the Education Savings
 672 Account Program during the 2017-2018 school year are limited to
 673 students identified in s. 1002.387(2)a.1. and 3., Florida
 674 Statutes.
 675 (3) If the Department of Education receives more
 676 applications for eligible students during the enrollment period
 677 for the 2017-2018 school year than the number specified in the
 678 General Appropriations Act, the department shall randomly select
 679 the students who may participate in the program.
 680 (4) (a) The State Board of Education may adopt emergency
 681 rules for the department and the Commissioner of Education to
 682 implement the program.
 683 (b) The Chief Financial Officer may adopt emergency rules
 684 to implement the program.
 685 Section 3. This act shall take effect upon becoming a law.

By Senator Garcia

36-01567A-17

20171586__

1 A bill to be entitled
 2 An act relating to student eligibility for
 3 interscholastic athletic competition; amending s.
 4 1006.20, F.S.; revising requirements for the bylaws of
 5 the Florida High School Athletic Association governing
 6 student eligibility to participate in interscholastic
 7 athletic competition; revising the information that
 8 must be included on the preparticipation physical
 9 evaluation form; providing an effective date.
 10
 11 Be It Enacted by the Legislature of the State of Florida:
 12
 13 Section 1. Paragraph (c) of subsection (2) of section
 14 1006.20, Florida Statutes, is amended to read:
 15 1006.20 Athletics in public K-12 schools.—
 16 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—
 17 (c) The FHSAA shall adopt bylaws that require all students
 18 participating in interscholastic athletic competition or who are
 19 candidates for an interscholastic athletic team to
 20 satisfactorily pass a medical evaluation each year before ~~prior~~
 21 to participating in interscholastic athletic competition or
 22 engaging in any practice, tryout, workout, or other physical
 23 activity associated with the student's candidacy for an
 24 interscholastic athletic team. A practitioner licensed under
 25 chapter 458, chapter 459, or chapter 460 or certified under s.
 26 464.012 who is in good standing with his or her professional
 27 regulatory board shall administer this ~~Such~~ medical evaluation
 28 ~~may be administered only by a practitioner licensed under~~
 29 ~~chapter 458, chapter 459, chapter 460, or s. 464.012, and in~~

Page 1 of 3

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

36-01567A-17

20171586__

30 ~~good standing with the practitioner's regulatory board.~~ The
 31 bylaws must ~~shall~~ establish requirements for eliciting a
 32 student's medical history and performing the medical evaluation
 33 required under this paragraph, which must ~~shall~~ include a
 34 physical assessment of the student's physical capabilities to
 35 participate in interscholastic athletic competition as contained
 36 in a uniform preparticipation physical evaluation and history
 37 form. The evaluation form must ~~shall~~ incorporate the
 38 recommendations of the American Heart Association for
 39 participation cardiovascular screening and must ~~shall~~ provide a
 40 place for the signature of the practitioner performing the
 41 evaluation with an attestation that each examination procedure
 42 listed on the form was performed by the practitioner or by
 43 someone under the direct supervision of the practitioner. The
 44 form must ~~shall~~ also contain a place for the practitioner to
 45 indicate if a referral to another practitioner was made in lieu
 46 of completion of a certain examination procedure. The form must
 47 ~~shall~~ provide a place for the practitioner to whom the student
 48 was referred to complete the remaining sections and attest to
 49 that portion of the examination. The preparticipation physical
 50 evaluation form must contain information that advises a student
 51 ~~shall advise students~~ to complete a cardiovascular assessment,
 52 including an electrocardiogram. The preparticipation physical
 53 evaluation form must also ~~and shall~~ include information
 54 concerning alternative cardiovascular evaluation and diagnostic
 55 tests. Results of such medical evaluation must be provided to
 56 the school. A student is not eligible to participate, as
 57 provided in s. 1006.15(3), in any interscholastic athletic
 58 competition or engage in any practice, tryout, workout, or other

Page 2 of 3

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

36-01567A-17

20171586__

59 physical activity associated with the student's candidacy for an
60 interscholastic athletic team until the results of the medical
61 evaluation have been received and approved by the school.

62 Section 2. This act shall take effect July 1, 2017.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Education, *Chair*
Regulated Industries, *Vice Chair*
Appropriations Subcommittee on the Environment
and Natural Resources
Health Policy
Transportation

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR DOROTHY L. HUKILL

14th District

March 24, 2017

The Honorable Joe Negron
President
The Florida Senate
Suite 409 Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear President Negron:

This letter will serve as my formal request to be excused from the Senate Committee on Education meeting scheduled for Monday, March 27, 2017. I am making this request due to a medical condition that restricts my ability to travel.

As chair of the committee and pursuant to Rule 2.25, I am designating Senator Wilton Simpson as acting chair for this meeting. I will continue to work with committee staff on all other matters related to my role as chair of this committee.

Sincerely,

Dorothy L. Hukill
Chair, Senate Committee on Education

cc: The Honorable Wilton Simpson, State Senator, District 10
The Honorable Debbie Mayfield, Vice Chair, Senate Committee on Education
The Honorable Lizbeth Benacquisto, Chair, Senate Committee on Rules
Shruti Graf, Staff Director, Senate Committee on Education
John Phelps, Staff Director, Senate Committee on Rules

REPLY TO:

- 209 Dunlawton Avenue, Unit 17, Port Orange, Florida 32127 (386) 304-7630 FAX: (888) 263-3818
- 406 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5014

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Committee on Education

Judge:

Started: 3/27/2017 1:32:53 PM

Ends: 3/27/2017 3:30:34 PM

Length: 01:57:42

1:32:52 PM Meeting called to order
1:32:53 PM Sen. Simpson is in the Chair
1:33:14 PM Quorum is present
1:33:20 PM Sen. Hukill is excused
1:33:28 PM Pledge of Allegiance
1:33:50 PM Chairman
1:33:59 PM Tab 8 - SB 1290 Sen. Hutson
1:35:09 PM Richard Watson, Legislative Counsel, Associated Builders and Contractors of FL
1:35:19 PM Sen. Hutson waives to close
1:35:25 PM Roll Call on SB 1290 - Favorable
1:35:56 PM Tab 5 - SB 978 Sen. Powell
1:36:36 PM Late filed Amendment # 728964 by Sen. Powell
1:36:53 PM Chairman
1:36:58 PM Sen. Powell waives close
1:37:03 PM Late filed Amendment is adopted
1:37:07 PM Back on bill as amended
1:37:22 PM Andrew Watt, Palm Beach school district, waives in support
1:37:32 PM Sen. Powell waives to close
1:37:38 PM Roll Call on CS/SB 978 - favorable
1:38:23 PM Tab 3 -SB 782 by Sen. Mayfield
1:38:44 PM Chair
1:39:05 PM Nancy Lawther, Florida PTA, waives against
1:39:07 PM Mark Landreth, Sr. Director, Gov. Relations, American Heart Association, waives in opposition
1:39:23 PM Fely Curvo, Ph.D, Partner Curve and Associates, SHAPE, speak against
1:40:53 PM Laurie Cox, SHAPE, speaking against
1:42:16 PM Senator Thurston, question of Laurie
1:42:45 PM Laurie Cox in response
1:43:54 PM Sen. Mayfield to close
1:45:22 PM Roll Call on SB 782 - favorable
1:45:52 PM Tab 9 - SB 1472 by Sen. Galvano
1:46:47 PM Sen. Thurston question of sponsor
1:48:03 PM Sen. Galvano in response
1:48:11 PM Sen. Thurston
1:48:27 PM Sen. Galvano
1:48:33 PM Chair
1:48:42 PM Jodi James, Fla. Cannabis Action Network, waives in support
1:48:45 PM Ron Watson, Lobbyist, Alt Med, waives in support
1:49:05 PM Barney Bishop, Fla. Smart Justice Alliance speaking in support
1:50:50 PM Dr. Nazi Komar, Senior Research Scientist, Moffitt Cancer Center, speaking for the bill
1:53:49 PM Sen. Thurston
1:54:12 PM Dr. Komar in response
1:54:24 PM Sen. Thurston
1:54:47 PM Dr. Komar
1:54:55 PM Sen. Thurston
1:55:31 PM Dr. Komar
1:56:12 PM Sen. Thurston
1:58:14 PM Sen. Stewart
1:58:23 PM Dr. Komar
1:58:27 PM Sen. Lee
1:59:36 PM Sen. Thurston
2:00:32 PM Sen. Galvano to close
2:01:58 PM Roll Call on SB 1472 - Favorable

2:02:26 PM Tab 1 - CS/SB 328 by Sen. Grimsely
2:03:26 PM Chair
2:03:53 PM Carrie Graham, DeVry Univ. waives in support
2:03:55 PM Alisa LaPolt, Lobbyist, Fla. Nurses Association, waives in support
2:03:57 PM Martha DeCastro, VP for Nursing, Fla. Hospital Association, waives in support
2:03:59 PM Chair
2:04:01 PM Roll Call on CS/SB 328 - Favorable
2:05:20 PM Tab 6 - SB 1210 by Sen. Lee
2:05:34 PM Sen. Lee to explain procedure
2:06:04 PM Late filed Amendment # 833208 no objection
2:06:17 PM Sen. Lee to explain amendment
2:08:46 PM Chair
2:09:15 PM Sen. Thurston question of sponsor
2:10:02 PM Sen. Lee in response
2:10:34 PM Sen. Thurston
2:11:01 PM Sen. Lee
2:11:11 PM Chair
2:12:18 PM Amendment- to- Amendment #554964 by Sen. Lee
2:13:47 PM Chair
2:14:05 PM Sen. waives to close on amendment to amendment
2:14:16 PM Amendment to Amendment is adopted
2:14:20 PM Amendment #834124 by Sen. Lee
2:15:13 PM Chair
2:15:28 PM Sen. Lee to close on amendment- to- amendment
2:15:39 PM Amendment is adopted
2:15:42 PM Back on bill as amended
2:15:56 PM Sen. Thurston
2:16:38 PM Sen. Lee
2:17:54 PM Sen. Thurston
2:20:27 PM Sen. Lee
2:20:52 PM Chair
2:20:59 PM Sen. Stewart
2:21:23 PM Sen. Lee
2:21:43 PM Sen. Stewart
2:23:42 PM Nancy Stacy, Fla. Coalition of School Board Members, waives in support
2:23:45 PM Hamilton Boone, Fla. Citizens Alliance, speaking for bill
2:27:36 PM Janet McDonald, Flagler Co. School Board, speaking for bill
2:35:58 PM Sen. Thurston
2:36:59 PM Janet McDonald
2:38:15 PM Sen, Thurston
2:38:26 PM Janet McDonald
2:39:50 PM Sen. Thurston
2:39:56 PM Janet McDonald
2:41:16 PM Dennis McDonald, FLCA
2:44:00 PM Ed Wilson, Florida Citizens Alliance, speaking for the bill
2:46:26 PM Sen. Farmer
2:47:27 PM Ed Wilson
2:48:28 PM Keith O Flaugh, FLCA
2:50:35 PM Sen. Farmer
2:50:41 PM Keith O Flaugh, FLCA
2:53:17 PM Bob Root, American Patriot News, waives in support of bill
2:53:41 PM Velinda Root, Florida Citizen Alliance, waives in support
2:54:09 PM Sen. Mayfield
2:54:48 PM Sen. Farmer
2:55:46 PM Sen. Lee to close on amendment
2:56:54 PM Roll Call on CS/SB 1210 - Favorable
2:57:20 PM Tab 7 - SB 1222 by Sen. Bradley
2:58:40 PM Bob Cerra, NE Fla. Ed. Consortium, waives in support
2:59:08 PM Roll call - SB 1222- Favorable
2:59:18 PM Tab 2- SB 668 - Sen. Bean
3:00:15 PM Amendment # 744338 by Sen. Bean -
3:00:41 PM Dr. Ed Moore, ICUF, waives in support of amendment

3:00:50 PM Sen. Bean waives to close
3:00:55 PM Amendment is adopted
3:01:12 PM Carrie Graham, Legislative Assistant for Bob Harris, DeVry University, waives in support
3:01:20 PM Janet Owen, VP Gov. Affairs, Univ. of North FL, waives in support
3:01:27 PM Kathleen Daly, AVP, Univ. Relations, FSU, waives in support
3:01:32 PM Sen. Bean waives to close on the amendment
3:01:33 PM Amendment adopted
3:01:34 PM Stephen Shiver, AIF, waives in support
3:01:35 PM Brian Logan, Dir. Leg. Affairs, Fla. Board of Governors, waives in support
3:01:37 PM Roll Call on CS/SB 668 - favorable
3:02:13 PM Tab 4 - SB 926 by Sen. Flores
3:02:25 PM Sen. Lee - TP of 926 - roll call - by vote the bill is TP'd
3:02:29 PM Roll call for TP of SB 926 - Favorable
3:03:52 PM Tab 10- Presentation on Charter Schools, Adam Miller, Executive Director, Office of Independent Education and Parental Choice, FDOE
3:10:28 PM Sen. Thurston
3:11:04 PM Adam in response
3:11:11 PM Sen. Thurston
3:11:18 PM Adam in response
3:11:32 PM Sen. Thurston
3:12:52 PM Adam in response
3:12:55 PM Sen. Thurston
3:18:06 PM Trisha Coad, National Director, New Site Development, KIPP Foundation, Presentation
3:22:06 PM Sen. Mayfield in Chair
3:22:08 PM WORKSHOP BILLS
3:22:20 PM Tab 19 - SB 1362 by Sen. Broxson
3:23:55 PM Tab 21 - SB 1572 by Sen. Bean
3:24:47 PM Tab 11 - SB 538 - by Sen. Clemmons
3:26:09 PM Tab 20- SB 1556 by Sen. Lee
3:27:25 PM Tab18- SB 1314 Sen. Grimsley
3:27:52 PM Tab 17 -SB 1302 Sen. Gibson
3:28:23 PM Tab 16 - SB 902 Sen. Simmons
3:28:53 PM Tab 12 - SB 692 Sen. Baxley
3:29:20 PM Tab 12 - SB 692 by Sen. Baxley
3:29:33 PM Tab 15 - SB 868 by Sen. Baxley
3:30:01 PM Tab 22 - SB 1586 Sen. Garcia
3:30:21 PM Sen. Lee moves to adjourn