

THE FLORIDA SENATE
2019 SUMMARY OF LEGISLATION PASSED
Committee on Education

CS/SB 7070 — K-12 Education

by Appropriations Committee; Education Committee; and Senator Diaz

The bill establishes and modifies K-12 education programs to support students and families, public schools, and teachers. The bill expands educational choice and opportunity for low-income families, supports public schools by expanding student support services and reducing regulations, and benefits teachers by removing teacher certification barriers and providing incentive awards.

Family Empowerment Scholarship Program

The bill establishes the Family Empowerment Scholarship Program (FES) for up to 18,000 students on a first-come, first-served basis, beginning in the 2019-2020 school year, to expand educational opportunities for children of families with limited financial resources. The bill provides that:

- The FES is funded through the Florida Education Finance Program (FEFP).
- The FES is administered by the Department of Education (DOE), with the household income verification of students conducted by an eligible scholarship-funding organization (SFO).
- The calculated scholarship amount for a student must be 95 percent of the funds per FTE in the FEFP for a student in the basic program plus a per FTE share of funds for all categorical programs, except for the Exceptional Student Education Guaranteed Allocation, based upon the grade level and school district in which the student was assigned.
- Beginning in the 2020-2021 school year, the number of students participating in the scholarship program may annually increase by 0.25 percent of the state's total public school student enrollment.

The bill specifies that a student is initially eligible for an FES if the student is:

- Eligible to enroll in kindergarten or has spent the prior school year in attendance at a public school; and
- On the direct certification list or the student's household income does not exceed 300 percent of the federal poverty level, with priority given to students whose household income levels do not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care; or
- Currently placed, or during the previous fiscal year was placed, in foster care or in out-of-home care, regardless of the student's household income-level.

The bill also outlines the terms of the scholarship; scholarship prohibitions; private school eligibility and obligations; responsibilities of school districts, SFOs, and the DOE; and parent and student responsibilities for participating in the program.

Other State Scholarship Programs

The bill modifies the scholarship award amounts for the Florida Tax Credit Scholarship Program (FTC) and the Hope Scholarship Program to align with the award amount under the FES.

The bill also modifies the obligations of SFOs related to the FTC, Hope, and Gardiner Scholarship Programs.

Best and Brightest Teacher and Principal Programs

The Best and Brightest Teacher Program is revised to authorize three types of awards – recruitment, retention and recognition – each with distinct criteria for determining eligibility. The bill removes a teacher’s performance on the SAT or ACT as a factor in determining eligibility for the award and establishes the following best and brightest teacher awards:

- Recruitment awards for newly hired teachers who are a content expert, based on criteria established by the department, in mathematics, science, computer science, reading, or civics.
- Retention awards for teachers rated as “highly effective” or “effective” the preceding year, and currently teaching in a school that has demonstrated specified academic improvement.
- Recognition awards for teachers and instructional personnel rated as “highly effective” or “effective” and selected by the school principal based on performance criteria and policies adopted by the district school board.

A principal is eligible for a Best and Brightest Principal Program award if he or she has served as school principal at his or her school for at least 4 consecutive school years, including the current school year, and the school has demonstrated specified academic improvement.

The award amounts for these programs are established annually by the Legislature in the General Appropriations Act.

Funds for the Operation of Schools

The bill:

- Establishes the Turnaround School Supplemental Services Allocation within the FEFP to provide funding to traditional public schools in, or exiting, turnaround status. The allocation provides funds to help district-managed turnaround schools offer wraparound services to improve the academic and community welfare of students and families.
- Includes the Florida Best and Brightest Teacher and Principal Allocation within the FEFP.

Teacher Certification

The bill modifies teacher certification requirements by:

- Specifying that the criterion related to the demonstration of general knowledge mastery as part of the eligibility to seek certification applies only to an individual who serves as a classroom teacher.
- Eliminating the requirement that individuals teaching under a temporary certificate must demonstrate mastery of general knowledge within 1 calendar year of the date of employment.
- Requiring a school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination to provide information regarding the availability of specified state-level and district-level supports and instruction.
- Requiring the state board rule regarding certification fees to specify an initial examination fee for first-time test takers and a reduced retake fee for the full battery of subtests and each subtest of an examination.

Educational Facilities

The bill provides school districts additional flexibility for constructing educational facilities. Specifically, the bill:

- Includes the funds generated by a 1.5-mill levy of ad valorem property taxes with the existing funds a district can use for capital outlay for educational facilities without a survey recommendation.
- Allows a district school board to adopt a resolution through a majority vote, rather than a supermajority vote, to implement exceptions to the educational facilities construction requirements, and removes the requirement that the board conduct a cost-benefit analysis prior to voting on the resolution.
- Requires the Office of Economic and Demographic Research (EDR), in conjunction with the DOE, to review and revise the cost per student station limits and to select an industry-recognized construction index to replace the currently-used Consumer Price Index.
- Eliminates restrictions and sanctions on district school boards related to educational facilities construction.

Schools of Hope Program

The bill modifies the Schools of Hope Program by:

- Authorizing a School of Hope to use state funds for costs associated with initial leasing of a facility and providing that recoverable assets revert to the district school board if the School of Hope is dissolved or otherwise terminated.
- Changing the definition of a “persistently low-performing school” to mean a school that has earned a grade lower than a “C” in at least three of the previous five years, and has not earned a grade of “B” or higher in the most recent two years.
- Authorizing a School of Hope to locate within, or serve students residing in, a Florida Opportunity Zone. The bill defines Florida Opportunity Zone to mean a population census tract that has been designated by the United States Department of the Treasury as a Qualified Opportunity Zone.

Community Schools

The bill establishes the Community School Grant Program (program) to fund and support the planning and implementation of community school programs. The program is intended to improve student success and well-being by engaging and supporting parents and community organizations in their effort to positively impact student learning and development. The bill specifies that a community school model is a school service model developed by the Center for Community Schools at the University of Central Florida (center) which utilizes long-term partnerships among a school district, community organization, a university or college, and a health care provider to implement programs to address student, family, and community needs during and outside of the school day. Funding for the program is subject to legislative appropriation.

Charter Schools

The bill clarifies that a charter between the sponsor and charter school may include a provision requiring the charter school be held responsible for costs, including, but not limited to, mediation, damages, and attorney fees, incurred by the school district associated with complaints to the Office of Civil Rights or the Equal Employment Opportunity Commission.

If approved by the Governor, these provisions take effect July 1, 2019, except as otherwise expressly provided in this act.

Vote: Senate 23-17; House 76-39