

HB 1339

2004

1 A bill to be entitled

2 An act relating to military families; amending s. 295.01,
3 F.S.; revising certain requirements relating to
4 scholarships for children of deceased veterans; amending
5 s. 445.007, F.S.; providing for the appointment of a
6 military representative to certain regional workforce
7 boards; amending s. 464.009, F.S.; providing for licensure
8 by endorsement of certain nurses licensed in another state
9 that is a member of the Nurse Licensure Compact; amending
10 s. 464.022, F.S.; providing that certain nurses relocating
11 to this state may perform nursing services for a period of
12 120 days after submitting application for licensure;
13 amending s. 1002.39, F.S.; revising eligibility
14 requirements for military dependents applying for a John
15 M. McKay Scholarship; amending s. 1003.05, F.S.; directing
16 the Department of Education to assist in the development
17 of memoranda of agreement between school districts and
18 military installations; creating s. 1008.221, F.S.;
19 providing for alternate assessments for the grade 10 FCAT
20 for certain military dependents; amending s. 1009.21,
21 F.S.; classifying certain liaison officers and their
22 spouses and dependent children as residents for tuition
23 purposes; directing Workforce Florida, Inc., to establish
24 an employment advocacy and assistance program targeting
25 military spouses and dependents; directing the Florida
26 Housing Finance Corporation to assess the housing needs of
27 Florida's military families; requiring a report; providing
28 an effective date.

29

HB 1339

2004

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

31

32 Section 1. Subsection (1) of section 295.01, Florida
 33 Statutes, is amended to read:

34 295.01 Children of deceased or disabled veterans;
 35 education.--

36 (1) It is hereby declared to be the policy of the state to
 37 provide educational opportunity at state expense for dependent
 38 children either of whose parents was a resident of the state at
 39 the time such parent entered the Armed Forces and:

40 (a) Died while on active duty as a result of service-
 41 connected injuries, disease, or disability; in that service or
 42 from injuries sustained or disease contracted during a period of
 43 wartime service as defined in s. 1.01(14) or has died since or
 44 may hereafter die from diseases or disability resulting from
 45 such war service, or

46 (b) Has been:

47 1. Determined by the United States Department of Veterans
 48 Affairs or its predecessor to have a service-connected 100-
 49 percent total and permanent disability rating for compensation;7

50 2. Determined to have a service-connected total and
 51 permanent disability rating of 100 percent and is in receipt of
 52 disability retirement pay from any branch of the United States
 53 Armed Services;7 or

54 3. Issued a valid identification card by the Department of
 55 Veterans' Affairs in accordance with s. 295.17,

56

57 when the parents of such children have been bona fide residents
 58 of the state for 5 years next preceding their application for

HB 1339

2004

59 the benefits hereof, and subject to the rules, restrictions, and
60 limitations hereof.

61 Section 2. Subsection (1) of section 445.007, Florida
62 Statutes, is amended to read:

63 445.007 Regional workforce boards; exemption from public
64 meetings law.--

65 (1) One regional workforce board shall be appointed in
66 each designated service delivery area and shall serve as the
67 local workforce investment board pursuant to Pub. L. No. 105-
68 220. The membership of the board shall be consistent with Pub.
69 L. No. 105-220, Title I, s. 117(b), and contain one
70 representative from a nonpublic postsecondary educational
71 institution that is an authorized individual training account
72 provider within the region and confers certificates and
73 diplomas, one representative from a nonpublic postsecondary
74 educational institution that is an authorized individual
75 training account provider within the region and confers degrees,
76 and three representatives of organized labor. The board shall
77 include one representative from a military installation if a
78 military installation is located within the region. Individuals
79 serving as members of regional workforce development boards or
80 local WAGES coalitions, as of June 30, 2000, are eligible for
81 appointment to regional workforce boards, pursuant to this
82 section. It is the intent of the Legislature that, whenever
83 possible and to the greatest extent practicable, membership of a
84 regional workforce board include persons who are current or
85 former recipients of welfare transition assistance as defined in
86 s. 445.002(3) or workforce services as provided in s.
87 445.009(1), or that such persons be included as ex officio

HB 1339

2004

88 members of the board or of committees organized by the board.
 89 The importance of minority and gender representation shall be
 90 considered when making appointments to the board. If the
 91 regional workforce board enters into a contract with an
 92 organization or individual represented on the board of
 93 directors, the contract must be approved by a two-thirds vote of
 94 the entire board, and the board member who could benefit
 95 financially from the transaction must abstain from voting on the
 96 contract. A board member must disclose any such conflict in a
 97 manner that is consistent with the procedures outlined in s.
 98 112.3143.

99 Section 3. Present subsections (3), (4), and (5) of
 100 section 464.009, Florida Statutes, are redesignated as
 101 subsections (4), (5), and (6), respectively, and a new
 102 subsection (3) is added to that section to read:

103 464.009 Licensure by endorsement.--

104 (3) An applicant for licensure by endorsement who is
 105 relocating to this state pursuant to his or her military-
 106 connected spouse's official military orders and who is licensed
 107 in another state that is a member of the Nurse Licensure Compact
 108 shall be deemed to have satisfied the requirements of subsection
 109 (1) and shall be issued a license by endorsement upon submission
 110 of the appropriate application and fees and completion of the
 111 criminal background check required under subsection (4).

112 Section 4. Subsection (8) of section 464.022, Florida
 113 Statutes, is amended to read:

114 464.022 Exceptions.--No provision of this part shall be
 115 construed to prohibit:

HB 1339

2004

116 (8) Any nurse currently licensed in another state or
 117 territory of the United States from performing nursing services
 118 in this state for a period of 60 days after furnishing to the
 119 employer satisfactory evidence of current licensure in another
 120 state or territory and having submitted proper application and
 121 fees to the board for licensure prior to employment. If the
 122 nurse licensed in another state or territory is relocating to
 123 this state pursuant to his or her military-connected spouse's
 124 official military orders, this period shall be 120 days after
 125 furnishing to the employer satisfactory evidence of current
 126 licensure in another state or territory and having submitted
 127 proper application and fees to the board for licensure prior to
 128 employment. The board may extend this time for administrative
 129 purposes when necessary.

130 Section 5. Subsection (2) of section 1002.39, Florida
 131 Statutes, is amended to read:

132 1002.39 The John M. McKay Scholarships for Students with
 133 Disabilities Program.--There is established a program that is
 134 separate and distinct from the Opportunity Scholarship Program
 135 and is named the John M. McKay Scholarships for Students with
 136 Disabilities Program, pursuant to this section.

137 (2) SCHOLARSHIP ELIGIBILITY.--The parent of a public
 138 school student with a disability who is dissatisfied with the
 139 student's progress may request and receive from the state a John
 140 M. McKay Scholarship for the child to enroll in and attend a
 141 private school in accordance with this section if:

142 (a) By assigned school attendance area or by special
 143 assignment, the student has spent the prior school year in
 144 attendance at a Florida public school. Prior school year in

HB 1339

2004

145 attendance means that the student was enrolled and reported by a
 146 school district for funding during the preceding October and
 147 February Florida Education Finance Program surveys in
 148 kindergarten through grade 12. However, this paragraph does not
 149 apply to a dependent child of a member of the United States
 150 Armed Forces who transfers to a school in this state from out of
 151 state or from a foreign country pursuant to a parent's permanent
 152 change of station orders.

153 (b) The parent has obtained acceptance for admission of
 154 the student to a private school that is eligible for the program
 155 under subsection (4) and has notified the school district of the
 156 request for a scholarship at least 60 days prior to the date of
 157 the first scholarship payment. The parental notification must be
 158 through a communication directly to the district or through the
 159 Department of Education to the district in a manner that creates
 160 a written or electronic record of the notification and the date
 161 of receipt of the notification.

162
 163 This section does not apply to a student who is enrolled in a
 164 school operating for the purpose of providing educational
 165 services to youth in Department of Juvenile Justice commitment
 166 programs. For purposes of continuity of educational choice, the
 167 scholarship shall remain in force until the student returns to a
 168 public school or graduates from high school. However, at any
 169 time, the student's parent may remove the student from the
 170 private school and place the student in another private school
 171 that is eligible for the program under subsection (4) or in a
 172 public school as provided in subsection (3).

HB 1339

2004

173 Section 6. Subsection (2) of section 1003.05, Florida
 174 Statutes, is amended to read:

175 1003.05 Assistance to transitioning students from military
 176 families.--

177 (2) The Department of Education shall facilitate the
 178 development and implementation of memoranda of agreement between
 179 school districts and military installations which address
 180 strategies for assisting military students in the transition to
 181 Florida schools. ~~identify its efforts and strategies for~~
 182 ~~assisting military-connected students in transitioning to the~~
 183 ~~Florida school system, including the identification of~~
 184 ~~acceptable equivalence for curriculum and graduation~~
 185 ~~requirements, and report its findings to the Governor, the~~
 186 ~~President of the Senate, and the Speaker of the House of~~
 187 ~~Representatives by October 1, 2003.~~

188 Section 7. Section 1008.221, Florida Statutes, is created
 189 to read:

190 1008.221 Dependent children of military personnel
 191 transferring to Florida schools; equivalencies for standardized
 192 tests.--A dependent child of a member of the United States Armed
 193 Forces who enters a public school at the 12th grade from out of
 194 state or from a foreign country and provides satisfactory proof
 195 of attaining a score on an approved alternative assessment that
 196 is concordant to a passing score on the grade 10 FCAT shall
 197 satisfy the assessment requirement for a standard high school
 198 diploma as provided in s. 1003.43(5)(a). For purposes of this
 199 section, approved alternative assessments are the SAT and ACT.

200 Section 8. Paragraph (k) is added to subsection (10) of
 201 section 1009.21, Florida Statutes, to read:

HB 1339

2004

202 1009.21 Determination of resident status for tuition
 203 purposes.--Students shall be classified as residents or
 204 nonresidents for the purpose of assessing tuition in community
 205 colleges and state universities.

206 (10) The following persons shall be classified as
 207 residents for tuition purposes:

208 (k) Active duty members of a foreign nation's military who
 209 are serving as liaison officers and are residing or stationed in
 210 this state, and their spouses and dependent children, attending
 211 a community college or state university within 50 miles of the
 212 military establishment where the foreign liaison officer is
 213 stationed.

214 Section 9. (1) The Legislature finds that military
 215 families are faced with a variety of challenges, including
 216 frequent relocations, recurring deployments, lengthy periods of
 217 separation, and heightened anxiety and uncertainty during
 218 periods of conflict. A military spouse's ability to gain job
 219 skills and maintain a career contributes to the financial well-
 220 being of the family, spouse satisfaction with military life, and
 221 military retention and readiness. Military spouses are often
 222 required to terminate their employment in order to support their
 223 spouse's highly mobile military commitment. The unemployment
 224 rate for military spouses is approximately four times the
 225 civilian unemployment rate, and military spouse earnings are
 226 significantly lower than those of their comparably educated
 227 civilian peers. Recognizing the employment challenges faced by
 228 military spouses and the importance of military families to our
 229 communities and economy, the Legislature declares its intent to

HB 1339

2004

230 establish an employment advocacy and assistance program to serve
231 Florida's military families.

232 (2) Workforce Florida, Inc., shall establish an employment
233 advocacy and assistance program targeting military spouses and
234 dependents. This program shall deliver employment assistance
235 services through military family employment advocates colocated
236 within selected one-stop career centers. Persons eligible for
237 assistance through this program shall include spouses and
238 dependents of active-duty military personnel, Florida National
239 Guard members, and military reservists.

240 (3) Military family employment advocates are responsible
241 for providing the following services and activities:

242 (a) Coordination of employment assistance services through
243 military base family support centers, Florida's one-stop career
244 centers, and veteran-support organizations.

245 (b) Training to one-stop career center managers and staff
246 on the unique employment needs and skills of military family
247 members.

248 (c) Promoting and marketing the benefits of employing
249 military family members to prospective employers.

250 (d) Assisting employment-seeking military family members
251 through job counseling, job search and placement services, the
252 dissemination of information on educational and training
253 programs, and the availability of support services.

254 (e) Other employment assistance services Workforce
255 Florida, Inc., deems necessary.

256 (4) Workforce Florida, Inc., may enter into agreements
257 with public and private entities to provide services authorized
258 under this section.

HB 1339

2004

259 Section 10. The Florida Housing Finance Corporation shall
260 undertake an assessment of the needs of active duty military
261 personnel and their families living in Florida for affordable
262 housing. The needs assessment shall provide information on the
263 population characteristics of the service personnel and their
264 families having total gross incomes of up to 80 percent of the
265 local area's median income who are living off base, including,
266 but not limited to, the number of households by family size,
267 income, and current tenancy; the condition of existing housing;
268 and the availability of homeowner and rental housing that is
269 affordable to these service personnel and their families. The
270 corporation shall report its findings and recommendations to the
271 Governor, the President of the Senate, the Speaker of the House
272 of Representatives, the Senate Minority Leader, and the House
273 Minority Leader by December 31, 2004.

274 Section 11. This act shall take effect upon becoming a
275 law.