

1                                   A bill to be entitled  
2           An act relating to military affairs; creating  
3           s. 163.3175, F.S.; providing legislative  
4           findings on the compatibility of development  
5           with military installations; providing for the  
6           exchange of information relating to proposed  
7           land use decisions between counties and local  
8           governments and military installations;  
9           providing for responsive comments by the  
10          commanding officer or his or her designee;  
11          providing for the county or affected local  
12          government to take such comments into  
13          consideration; providing for a representative  
14          of the military installation to be an  
15          ex-officio, nonvoting member of the county's or  
16          local government's land planning or zoning  
17          board; encouraging the commanding officer to  
18          provide information on community planning  
19          assistance grants; providing definitions;  
20          amending s. 163.3177, F.S.; providing for the  
21          future land use plan element of comprehensive  
22          plans to include compatibility with military  
23          installations; requiring the inclusion of  
24          criteria; requiring local governments to update  
25          or amend their comprehensive plan by a certain  
26          date; providing for the coordination by the  
27          state land planning agency and the Department  
28          of Defense on compatibility issues for military  
29          installations; amending s. 163.3187, F.S.;  
30          providing that amendments to address  
31          compatibility or include criteria do not count

1 toward the limitation on frequency of amending  
2 comprehensive plans; amending s. 163.3191,  
3 F.S.; providing that evaluations of  
4 comprehensive plans include whether such  
5 criteria were successful in resolving land use  
6 compatibility uses with military installations;  
7 amending s. 288.980, F.S.; creating the Defense  
8 Infrastructure Grant Program; providing the  
9 purpose and for implementation of the program;  
10 amending s. 295.01, F.S.; revising certain  
11 requirements relating to scholarships for  
12 children of deceased veterans; amending s.  
13 443.101, F.S.; providing eligibility for  
14 unemployment compensation benefits for the  
15 spouses of a member of the military under  
16 certain circumstances beginning on a date  
17 certain; amending s. 445.007, F.S.; providing  
18 for the appointment of a military  
19 representative to certain regional workforce  
20 boards; amending s. 464.009, F.S.; removing a  
21 scheduled repeal of provisions; providing for  
22 licensure by endorsement of certain nurses  
23 licensed in another state that is a member of  
24 the Nurse Licensure Compact; amending s.  
25 464.022, F.S.; providing that certain nurses  
26 relocating to this state may perform nursing  
27 services for a period of 120 days after  
28 submitting application for licensure; amending  
29 s. 1002.39, F.S.; revising eligibility  
30 requirements for military dependents applying  
31 for a John M. McKay Scholarship; requiring the

1 State Board of Education to adopt rules;  
2 amending s. 1003.05, F.S.; directing the  
3 Department of Education to assist in the  
4 development of memoranda of agreement between  
5 school districts and military installations;  
6 providing that qualifying military dependents  
7 receive priority admission to certain special  
8 academic programs; creating s. 1008.221, F.S.;  
9 providing for alternate assessments for the  
10 grade 10 FCAT for certain military dependents;  
11 amending s. 1009.21, F.S.; classifying  
12 dependents of active duty members of the armed  
13 forces and certain liaison officers and their  
14 spouses and dependent children as residents for  
15 tuition purposes; directing Workforce Florida,  
16 Inc., to establish an employment advocacy and  
17 assistance program targeting military spouses  
18 and dependents; directing the Florida Housing  
19 Finance Corporation to assess the housing needs  
20 of Florida's military families; requiring a  
21 report; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Section 163.3175, Florida Statutes, is  
26 created to read:

27 163.3175 Legislative findings on compatibility of  
28 development with military installations; exchange of  
29 information between local governments and military  
30 installations.--  
31

1           (1) The Legislature finds that incompatible  
2 development of land close to military installations can  
3 adversely affect the ability of such an installation to carry  
4 out its mission. The Legislature further finds that such  
5 development also threatens the public safety because of the  
6 possibility of accidents occurring within the areas  
7 surrounding a military installation. In addition, the economic  
8 vitality of a community is affected when military operations  
9 and missions must relocate because of incompatible urban  
10 encroachment. Therefore, the Legislature finds it desirable  
11 for the local governments in the state to cooperate with  
12 military installations to encourage compatible land use, help  
13 prevent incompatible encroachment, and facilitate the  
14 continued presence of major military installations in this  
15 state.

16           (2) Each county in which a military installation is  
17 either wholly or partially located and each affected local  
18 government must transmit to the commanding officer of that  
19 installation information relating to proposed changes to  
20 comprehensive plans, plan amendments, and proposed changes to  
21 land development regulations which, if approved, would affect  
22 the intensity, density, or use of the land adjacent to or in  
23 close proximity to the military installation. Each county and  
24 affected local government shall provide the military  
25 installation an opportunity to review and comment on the  
26 proposed changes.

27           (3) The commanding officer or his or her designee may  
28 provide comments to the county or affected local government on  
29 the impact such proposed changes may have on the mission of  
30 the military installation. Such comments may include:

31

1       (a) If the installation has an airfield, whether such  
2 proposed changes will be incompatible with the safety and  
3 noise standards contained in the Air Installation Compatible  
4 Use Zone (AICUZ) adopted by the military installation for that  
5 airfield;

6       (b) Whether such changes are incompatible with the  
7 Installation Environmental Noise Management Program (IENMP) of  
8 the United States Army;

9       (c) Whether such changes are incompatible with the  
10 findings of a Joint Land Use Study (JLUS) for the area if one  
11 has been completed; and

12       (d) Whether the military installation's mission will  
13 be adversely affected by the proposed actions of the county or  
14 affected local government.

15       (4) The county or affected local government shall take  
16 into consideration any comments provided by the commanding  
17 officer or his or her designee when making such decision  
18 regarding comprehensive planning or land development  
19 regulation. The county or affected local government shall  
20 forward a copy of any such comments to the state land planning  
21 agency.

22       (5) To facilitate the exchange of information provided  
23 for in this section, a representative of a military  
24 installation acting on behalf of all military installations  
25 within that jurisdiction shall be included as an exofficio,  
26 nonvoting member of the county's or affected local  
27 government's land planning or zoning board.

28       (6) The commanding officer is encouraged to provide  
29 information about any community planning assistance grants  
30 that may be available to a county or affected local government  
31 through the federal Office of Economic Adjustment as an

1 incentive for communities to participate in a joint planning  
2 process that would facilitate the compatibility of community  
3 planning and the activities and mission of the military  
4 installation.

5 (7) As used in this section, the term:

6 (a) "Affected local government" means a municipality  
7 adjacent to or in close proximity to the military installation  
8 as determined by the state land planning agency.

9 (b) "Military installation" means a base, camp, post,  
10 station, airfield, yard, center, home port facility for any  
11 ship, or other land area under the jurisdiction of the  
12 Department of Defense, including any leased facility. Such  
13 term does not include any facility used primarily for civil  
14 works, rivers and harbors projects, or flood control projects.

15 Section 2. Paragraph (a) of subsection (6) and  
16 paragraph (1) of subsection (10) of section 163.3177, Florida  
17 Statutes, are amended to read:

18 163.3177 Required and optional elements of  
19 comprehensive plan; studies and surveys.--

20 (6) In addition to the requirements of subsections  
21 (1)-(5), the comprehensive plan shall include the following  
22 elements:

23 (a) A future land use plan element designating  
24 proposed future general distribution, location, and extent of  
25 the uses of land for residential uses, commercial uses,  
26 industry, agriculture, recreation, conservation, education,  
27 public buildings and grounds, other public facilities, and  
28 other categories of the public and private uses of land. Each  
29 future land use category must be defined in terms of uses  
30 included, and must include standards to be followed in the  
31 control and distribution of population densities and building

1 and structure intensities. The proposed distribution,  
2 location, and extent of the various categories of land use  
3 shall be shown on a land use map or map series which shall be  
4 supplemented by goals, policies, and measurable objectives.  
5 The future land use plan shall be based upon surveys, studies,  
6 and data regarding the area, including the amount of land  
7 required to accommodate anticipated growth; the projected  
8 population of the area; the character of undeveloped land; the  
9 availability of public services; the need for redevelopment,  
10 including the renewal of blighted areas and the elimination of  
11 nonconforming uses which are inconsistent with the character  
12 of the community; the compatibility of uses on lands adjacent  
13 to or closely proximate to military installations; and, in  
14 rural communities, the need for job creation, capital  
15 investment, and economic development that will strengthen and  
16 diversify the community's economy. The future land use plan  
17 may designate areas for future planned development use  
18 involving combinations of types of uses for which special  
19 regulations may be necessary to ensure development in accord  
20 with the principles and standards of the comprehensive plan  
21 and this act. The future land use plan element shall include  
22 criteria to be used to achieve the compatibility of adjacent  
23 or closely proximate lands with military installations. In  
24 addition, for rural communities, the amount of land designated  
25 for future planned industrial use shall be based upon surveys  
26 and studies that reflect the need for job creation, capital  
27 investment, and the necessity to strengthen and diversify the  
28 local economies, and shall not be limited solely by the  
29 projected population of the rural community. The future land  
30 use plan of a county may also designate areas for possible  
31 future municipal incorporation. The land use maps or map

1 series shall generally identify and depict historic district  
2 boundaries and shall designate historically significant  
3 properties meriting protection. The future land use element  
4 must clearly identify the land use categories in which public  
5 schools are an allowable use. When delineating the land use  
6 categories in which public schools are an allowable use, a  
7 local government shall include in the categories sufficient  
8 land proximate to residential development to meet the  
9 projected needs for schools in coordination with public school  
10 boards and may establish differing criteria for schools of  
11 different type or size. Each local government shall include  
12 lands contiguous to existing school sites, to the maximum  
13 extent possible, within the land use categories in which  
14 public schools are an allowable use. All comprehensive plans  
15 must comply with the school siting requirements of this  
16 paragraph no later than October 1, 1999. The failure by a  
17 local government to comply with these school siting  
18 requirements by October 1, 1999, will result in the  
19 prohibition of the local government's ability to amend the  
20 local comprehensive plan, except for plan amendments described  
21 in s. 163.3187(1)(b), until the school siting requirements are  
22 met. Amendments proposed by a local government for purposes of  
23 identifying the land use categories in which public schools  
24 are an allowable use or for adopting or amending the  
25 school-siting maps pursuant to s. 163.31776(3) are exempt from  
26 the limitation on the frequency of plan amendments contained  
27 in s. 163.3187. The future land use element shall include  
28 criteria that encourage the location of schools proximate to  
29 urban residential areas to the extent possible and shall  
30 require that the local government seek to collocate public  
31 facilities, such as parks, libraries, and community centers,



1 with schools to the extent possible and to encourage the use  
2 of elementary schools as focal points for neighborhoods. For  
3 schools serving predominantly rural counties, defined as a  
4 county with a population of 100,000 or fewer, an agricultural  
5 land use category shall be eligible for the location of public  
6 school facilities if the local comprehensive plan contains  
7 school siting criteria and the location is consistent with  
8 such criteria. Local governments required to update or amend  
9 their comprehensive plan to include criteria and address  
10 compatibility of adjacent or closely proximate lands with  
11 existing military installations in their future land use plan  
12 element shall transmit the update or amendment to the  
13 department by June 30, 2006.

14 (10) The Legislature recognizes the importance and  
15 significance of chapter 9J-5, Florida Administrative Code, the  
16 Minimum Criteria for Review of Local Government Comprehensive  
17 Plans and Determination of Compliance of the Department of  
18 Community Affairs that will be used to determine compliance of  
19 local comprehensive plans. The Legislature reserved unto  
20 itself the right to review chapter 9J-5, Florida  
21 Administrative Code, and to reject, modify, or take no action  
22 relative to this rule. Therefore, pursuant to subsection (9),  
23 the Legislature hereby has reviewed chapter 9J-5, Florida  
24 Administrative Code, and expresses the following legislative  
25 intent:

26 (1) The state land planning agency shall consider land  
27 use compatibility issues in the vicinity of all airports in  
28 coordination with the Department of Transportation and  
29 adjacent to or in close proximity to all military  
30 installations in coordination with the Department of Defense.  
31

1           Section 3. Paragraph (m) is added to subsection (1) of  
2 section 163.3187, Florida Statutes, to read:

3           163.3187 Amendment of adopted comprehensive plan.--

4           (1) Amendments to comprehensive plans adopted pursuant  
5 to this part may be made not more than two times during any  
6 calendar year, except:

7           (m) A comprehensive plan amendment that addresses  
8 criteria or compatibility of land uses adjacent to or in close  
9 proximity to military installations in a local government's  
10 future land use element does not count toward the limitation  
11 on the frequency of the plan amendments.

12          Section 4. Paragraph (n) is added to subsection (2) of  
13 section 163.3191, Florida Statutes, to read:

14          163.3191 Evaluation and appraisal of comprehensive  
15 plan.--

16          (2) The report shall present an evaluation and  
17 assessment of the comprehensive plan and shall contain  
18 appropriate statements to update the comprehensive plan,  
19 including, but not limited to, words, maps, illustrations, or  
20 other media, related to:

21          (n) An assessment of whether the criteria adopted  
22 pursuant to s. 163.3177(6)(a) was successful in achieving  
23 compatibility with military installations.

24          Section 5. Present subsections (4), (5), (6), (7), and  
25 (8) of section 288.980, Florida Statutes, are renumbered as  
26 subsections (5), (6), (7), (8), and (9), respectively, and a  
27 new subsection (4) is added to that section to read:

28          288.980 Military base retention; legislative intent;  
29 grants program.--

30          (4) The Defense Infrastructure Grant Program is  
31 created. The director of the Office of Tourism, Trade, and

1 Economic Development shall coordinate and implement this  
2 program, the purpose of which is to support local  
3 infrastructure projects deemed to have a positive impact on  
4 the military value of installations within the state. Funds  
5 are to be used for projects that benefit both the local  
6 community and the military installation. It is not the intent,  
7 however, to fund on-base military construction projects.  
8 Infrastructure projects to be funded under this program  
9 include, but are not limited to, those related to  
10 encroachment, transportation and access, utilities,  
11 communications, housing, environment, and security. Grant  
12 requests will be accepted only from economic development  
13 applicants serving in the official capacity of a governing  
14 board of a county, municipality, special district, or state  
15 agency that will have the authority to maintain the project  
16 upon completion. An applicant must represent a community or  
17 county in which a military installation is located. There is  
18 no limit as to the amount of any grant awarded to an  
19 applicant. A match by the county or local community may be  
20 required. The Office of Tourism, Trade, and Economic  
21 Development shall establish guidelines to implement the  
22 purpose of this subsection.

23 Section 6. Subsection (1) of section 295.01, Florida  
24 Statutes, is amended to read:

25 295.01 Children of deceased or disabled veterans;  
26 education.--

27 (1) It is hereby declared to be the policy of the  
28 state to provide educational opportunity at state expense for  
29 dependent children either of whose parents was a resident of  
30 the state at the time such parent entered the Armed Forces  
31 and:

1           (a) Died as a result of service-connected injuries,  
 2 disease, or disability sustained while on active duty; in that  
 3 ~~service or from injuries sustained or disease contracted~~  
 4 ~~during a period of wartime service as defined in s. 1.01(14)~~  
 5 ~~or has died since or may hereafter die from diseases or~~  
 6 ~~disability resulting from such war service,~~ or

7           (b) Has been:

8           1. Determined by the United States Department of  
 9 Veterans Affairs or its predecessor to have a  
 10 service-connected 100-percent total and permanent disability  
 11 rating for compensation;17

12           2. Determined to have a service-connected total and  
 13 permanent disability rating of 100 percent and is in receipt  
 14 of disability retirement pay from any branch of the United  
 15 States Armed Services;17 or

16           3. Issued a valid identification card by the  
 17 Department of Veterans' Affairs in accordance with s. 295.17,  
 18  
 19 when the parents of such children have been bona fide  
 20 residents of the state for 5 years next preceding their  
 21 application for the benefits hereof, and subject to the rules,  
 22 restrictions, and limitations hereof.

23           Section 7. Paragraph (a) of subsection (1) of section  
 24 443.101, Florida Statutes, is amended to read:

25           443.101 Disqualification for benefits.--An individual  
 26 shall be disqualified for benefits:

27           (1)(a) For the week in which he or she has voluntarily  
 28 left his or her work without good cause attributable to his or  
 29 her employing unit or in which the individual has been  
 30 discharged by his or her employing unit for misconduct  
 31 connected with his or her work, based on a finding by the

1 Agency for Workforce Innovation. As used in this paragraph,  
2 the term "work" means any work, whether full-time, part-time,  
3 or temporary.

4 1. Disqualification for voluntarily quitting continues  
5 for the full period of unemployment next ensuing after he or  
6 she has left his or her full-time, part-time, or temporary  
7 work voluntarily without good cause and until the individual  
8 has earned income equal to or in excess of 17 times his or her  
9 weekly benefit amount. As used in this subsection, the term  
10 "good cause" includes only that cause attributable to the  
11 employing unit or which consists of illness or disability of  
12 the individual requiring separation from his or her work. Any  
13 other disqualification may not be imposed. An individual is  
14 not disqualified under this subsection for voluntarily leaving  
15 temporary work to return immediately when called to work by  
16 the permanent employing unit that temporarily terminated his  
17 or her work within the previous 6 calendar months. For benefit  
18 years beginning on or after July 1, 2004, an individual is not  
19 disqualified under this subsection for voluntarily leaving  
20 work to relocate as a result of his or her military-connected  
21 spouse's permanent change of station orders, activation  
22 orders, or unit deployment orders.

23 2. Disqualification for being discharged for  
24 misconduct connected with his or her work continues for the  
25 full period of unemployment next ensuing after having been  
26 discharged and until the individual has become reemployed and  
27 has earned income of at least 17 times his or her weekly  
28 benefit amount and for not more than 52 weeks that immediately  
29 follow that week, as determined by the Agency for Workforce  
30 Innovation in each case according to the circumstances in each  
31 case or the seriousness of the misconduct, under the agency's

1 rules adopted for determinations of disqualification for  
2 benefits for misconduct.

3 Section 8. Subsection (1) of section 445.007, Florida  
4 Statutes, is amended to read:

5 445.007 Regional workforce boards; exemption from  
6 public meetings law.--

7 (1) One regional workforce board shall be appointed in  
8 each designated service delivery area and shall serve as the  
9 local workforce investment board pursuant to Pub. L. No.  
10 105-220. The membership of the board shall be consistent with  
11 Pub. L. No. 105-220, Title I, s. 117(b), and contain one  
12 representative from a nonpublic postsecondary educational  
13 institution that is an authorized individual training account  
14 provider within the region and confers certificates and  
15 diplomas, one representative from a nonpublic postsecondary  
16 educational institution that is an authorized individual  
17 training account provider within the region and confers  
18 degrees, and three representatives of organized labor. The  
19 board shall include one representative from a military  
20 installation if a military installation is located within the  
21 region. Individuals serving as members of regional workforce  
22 development boards or local WAGES coalitions, as of June 30,  
23 2000, are eligible for appointment to regional workforce  
24 boards, pursuant to this section. It is the intent of the  
25 Legislature that, whenever possible and to the greatest extent  
26 practicable, membership of a regional workforce board include  
27 persons who are current or former recipients of welfare  
28 transition assistance as defined in s. 445.002(3) or workforce  
29 services as provided in s. 445.009(1), or that such persons be  
30 included as ex officio members of the board or of committees  
31 organized by the board. The importance of minority and gender

1 representation shall be considered when making appointments to  
2 the board. If the regional workforce board enters into a  
3 contract with an organization or individual represented on the  
4 board of directors, the contract must be approved by a  
5 two-thirds vote of the entire board, and the board member who  
6 could benefit financially from the transaction must abstain  
7 from voting on the contract. A board member must disclose any  
8 such conflict in a manner that is consistent with the  
9 procedures outlined in s. 112.3143.

10 Section 9. Subsection (1) of section 464.009, Florida  
11 Statutes, is amended, present subsections (3), (4), and (5) of  
12 that section are redesignated as subsections (4), (5), and  
13 (6), respectively, and a new subsection (3) is added to that  
14 section, to read:

15 464.009 Licensure by endorsement.--

16 (1) The department shall issue the appropriate license  
17 by endorsement to practice professional or practical nursing  
18 to an applicant who, upon applying to the department and  
19 remitting a fee set by the board not to exceed \$100,  
20 demonstrates to the board that he or she:

21 (a) Holds a valid license to practice professional or  
22 practical nursing in another state or territory of the United  
23 States, provided that, when the applicant secured his or her  
24 original license, the requirements for licensure were  
25 substantially equivalent to or more stringent than those  
26 existing in Florida at that time;

27 (b) Meets the qualifications for licensure in s.  
28 464.008 and has successfully completed a state, regional, or  
29 national examination which is substantially equivalent to or  
30 more stringent than the examination given by the department;  
31 or

1           (c) Has actively practiced nursing in another state,  
2 jurisdiction, or territory of the United States for 2 of the  
3 preceding 3 years without having his or her license acted  
4 against by the licensing authority of any jurisdiction.  
5 Applicants who become licensed pursuant to this paragraph must  
6 complete within 6 months after licensure a Florida laws and  
7 rules course that is approved by the board. Once the  
8 department has received the results of the national criminal  
9 history check and has determined that the applicant has no  
10 criminal history, the appropriate license by endorsement shall  
11 be issued to the applicant. ~~This paragraph is repealed July 1,~~  
12 ~~2004, unless reenacted by the Legislature.~~

13           (3) An applicant for licensure by endorsement who is  
14 relocating to this state pursuant to his or her  
15 military-connected spouse's official military orders and who  
16 is licensed in another state that is a member of the Nurse  
17 Licensure Compact shall be deemed to have satisfied the  
18 requirements of subsection (1) and shall be issued a license  
19 by endorsement upon submission of the appropriate application  
20 and fees and completion of the criminal background check  
21 required under subsection (4).

22           Section 10. Subsection (8) of section 464.022, Florida  
23 Statutes, is amended to read:

24           464.022 Exceptions.--No provision of this part shall  
25 be construed to prohibit:

26           (8) Any nurse currently licensed in another state or  
27 territory of the United States from performing nursing  
28 services in this state for a period of 60 days after  
29 furnishing to the employer satisfactory evidence of current  
30 licensure in another state or territory and having submitted  
31 proper application and fees to the board for licensure prior



1 to employment. If the nurse licensed in another state or  
2 territory is relocating to this state pursuant to his or her  
3 military-connected spouse's official military orders, this  
4 period shall be 120 days after furnishing to the employer  
5 satisfactory evidence of current licensure in another state or  
6 territory and having submitted proper application and fees to  
7 the board for licensure prior to employment. The board may  
8 extend this time for administrative purposes when necessary.

9 Section 11. Subsections (2) and (8) of section  
10 1002.39, Florida Statutes, are amended to read:

11 1002.39 The John M. McKay Scholarships for Students  
12 with Disabilities Program.--There is established a program  
13 that is separate and distinct from the Opportunity Scholarship  
14 Program and is named the John M. McKay Scholarships for  
15 Students with Disabilities Program, pursuant to this section.

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

21 (a) By assigned school attendance area or by special  
22 assignment, the student has spent the prior school year in  
23 attendance at a Florida public school. Prior school year in  
24 attendance means that the student was enrolled and reported by  
25 a school district for funding during the preceding October and  
26 February Florida Education Finance Program surveys in  
27 kindergarten through grade 12. However, this paragraph does  
28 not apply to a dependent child of a member of the United  
29 States Armed Forces who transfers to a school in this state  
30 from out of state or from a foreign country pursuant to a  
31 parent's permanent change of station orders. A dependent child

1 of a member of the United States Armed Forces who transfers to  
2 a school in this state from out of state or from a foreign  
3 country pursuant to a parent's permanent change of station  
4 orders must meet all other eligibility requirements to  
5 participate in the program.

6 (b) The parent has obtained acceptance for admission  
7 of the student to a private school that is eligible for the  
8 program under subsection (4) and has notified the school  
9 district of the request for a scholarship at least 60 days  
10 prior to the date of the first scholarship payment. The  
11 parental notification must be through a communication directly  
12 to the district or through the Department of Education to the  
13 district in a manner that creates a written or electronic  
14 record of the notification and the date of receipt of the  
15 notification.

16  
17 This section does not apply to a student who is enrolled in a  
18 school operating for the purpose of providing educational  
19 services to youth in Department of Juvenile Justice commitment  
20 programs. For purposes of continuity of educational choice,  
21 the scholarship shall remain in force until the student  
22 returns to a public school or graduates from high school.  
23 However, at any time, the student's parent may remove the  
24 student from the private school and place the student in  
25 another private school that is eligible for the program under  
26 subsection (4) or in a public school as provided in subsection  
27 (3).

28 (8) RULES.--The State Board of Education shall ~~may~~  
29 adopt rules pursuant to ss. 120.536(1) and 120.54 to  
30 administer this section, including rules that school districts  
31 must use to expedite the development of a matrix of services

1 based on a current individual education plan from another  
2 state or a foreign country for a transferring student with a  
3 disability who is a dependent child of a member of the United  
4 States Armed Forces. The rules must identify the appropriate  
5 school district personnel who must complete the matrix of  
6 services. For purposes of these rules, a transferring  
7 student with a disability is one who was previously enrolled  
8 as a student with a disability in an out-of-state or an  
9 out-of-country public or private school or agency program and  
10 who is transferring from out of state or from a foreign  
11 country pursuant to a parent's permanent change of station  
12 orders. However, the inclusion of eligible private schools  
13 within options available to Florida public school students  
14 does not expand the regulatory authority of the state, its  
15 officers, or any school district to impose any additional  
16 regulation of private schools beyond those reasonably  
17 necessary to enforce requirements expressly set forth in this  
18 section.

19 Section 12. Subsection (2) of section 1003.05, Florida  
20 Statutes, is amended, and subsection (3) is added to that  
21 section to read:

22 1003.05 Assistance to transitioning students from  
23 military families.--

24 (2) The Department of Education shall facilitate the  
25 development and implementation of memoranda of agreement  
26 between school districts and military installations which  
27 address strategies for assisting students who are the children  
28 of active-duty military personnel in the transition to Florida  
29 schools. ~~identify its efforts and strategies for assisting~~  
30 ~~military connected students in transitioning to the Florida~~  
31 ~~school system, including the identification of acceptable~~

1 ~~equivalence for curriculum and graduation requirements, and~~  
2 ~~report its findings to the Governor, the President of the~~  
3 ~~Senate, and the Speaker of the House of Representatives by~~  
4 ~~October 1, 2003.~~

5 (3) Dependent children of active-duty military  
6 personnel who otherwise meet the eligibility criteria for  
7 special academic programs offered through public schools shall  
8 be given first preference for admission to such programs even  
9 if the program is being offered through a public school other  
10 than the school to which the student would generally be  
11 assigned and the school at which the program is being offered  
12 has reached its maximum enrollment. If such a program is  
13 offered through a public school other than the school to which  
14 the student would generally be assigned, the parent or  
15 guardian of the student must assume responsibility for  
16 transporting the student to that school. For purposes of this  
17 subsection special academic programs include charter schools,  
18 magnet schools, advanced studies programs, advanced placement,  
19 dual enrollment, and International Baccalaureate.

20 Section 13. Section 1008.221, Florida Statutes, is  
21 created to read:

22 1008.221 Dependent children of military personnel  
23 transferring to Florida schools; equivalencies for  
24 standardized tests.--A dependent child of a member of the  
25 United States Armed Forces who enters a public school at the  
26 12th grade from out of state or from a foreign country and  
27 provides satisfactory proof of attaining a score on an  
28 approved alternative assessment that is concordant to a  
29 passing score on the grade 10 FCAT shall satisfy the  
30 assessment requirement for a standard high school diploma as  
31

1 provided in s. 1003.43(5)(a). For purposes of this section,  
2 approved alternative assessments are the SAT and ACT.

3 Section 14. Paragraph (b) of subsection (10) of  
4 section 1009.21, Florida Statutes, is amended, and paragraph  
5 (k) is added to that subsection, to read:

6 1009.21 Determination of resident status for tuition  
7 purposes.--Students shall be classified as residents or  
8 nonresidents for the purpose of assessing tuition in community  
9 colleges and state universities.

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

12 (b) Active duty members of the Armed Services of the  
13 United States and their spouses and dependents attending a  
14 public community college or state university within 50 miles  
15 of the military establishment where they are stationed, if  
16 such military establishment is within a county contiguous to  
17 Florida.

18 (k) Active duty members of a foreign nation's military  
19 who are serving as liaison officers and are residing or  
20 stationed in this state, and their spouses and dependent  
21 children, attending a community college or state university  
22 within 50 miles of the military establishment where the  
23 foreign liaison officer is stationed.

24 Section 15. (1) The Legislature finds that military  
25 families are faced with a variety of challenges, including  
26 frequent relocations, recurring deployments, lengthy periods  
27 of separation, and heightened anxiety and uncertainty during  
28 periods of conflict. A military spouse's ability to gain job  
29 skills and maintain a career contributes to the financial  
30 well-being of the family, spouse satisfaction with military  
31 life, and military retention and readiness. Military spouses

1 are often required to terminate their employment in order to  
2 support their spouse's highly mobile military commitment. The  
3 unemployment rate for military spouses is approximately four  
4 times the civilian unemployment rate, and military spouse  
5 earnings are significantly lower than those of their  
6 comparably educated civilian peers. Recognizing the  
7 employment challenges faced by military spouses and the  
8 importance of military families to our communities and  
9 economy, the Legislature declares its intent to establish an  
10 employment advocacy and assistance program to serve Florida's  
11 military families.

12 (2) Workforce Florida, Inc., shall establish an  
13 employment advocacy and assistance program targeting military  
14 spouses and dependents. This program shall deliver employment  
15 assistance services through military family employment  
16 advocates colocated within selected one-stop career centers.  
17 Persons eligible for assistance through this program shall  
18 include spouses and dependents of active-duty military  
19 personnel, Florida National Guard members, and military  
20 reservists.

21 (3) Military family employment advocates are  
22 responsible for providing the following services and  
23 activities:

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

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

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

1           (d) Assisting employment-seeking military family  
2 members through job counseling, job search and placement  
3 services, the dissemination of information on educational and  
4 training programs, and the availability of support services.

5           (e) Other employment assistance services Workforce  
6 Florida, Inc., deems necessary.

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

10           Section 16. The Florida Housing Finance Corporation  
11 shall undertake an assessment of the needs of active duty  
12 military personnel and their families living in Florida for  
13 affordable housing. The needs assessment shall provide  
14 information on the population characteristics of the service  
15 personnel and their families having total gross incomes of up  
16 to 80 percent of the local area's median income who are living  
17 off base, including, but not limited to, the number of  
18 households by family size, income, and current tenancy; the  
19 condition of existing housing; and the availability of  
20 homeowner and rental housing that is affordable to these  
21 service personnel and their families. The corporation shall  
22 report its findings and recommendations to the Governor, the  
23 President of the Senate, the Speaker of the House of  
24 Representatives, the Senate Minority Leader, and the House  
25 Minority Leader by December 31, 2004.

26           Section 17. This act shall take effect upon becoming a  
27 law.