

By the Committees on Education; Military and Veterans' Affairs, Base Protection, and Spaceports; and Senators Fasano, Clary, Crist, Siplin, Lynn, Wasserman Schultz, Haridopolos, Miller and Bullard

304-2135-04

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

1 targeting military spouses and dependents;  
2 directing the Florida Housing Finance  
3 Corporation to assess the housing needs of  
4 Florida's military families; requiring a  
5 report; providing an effective date.  
6

7 Be It Enacted by the Legislature of the State of Florida:  
8

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

11 295.01 Children of deceased or disabled veterans;  
12 education.--

13 (1) It is hereby declared to be the policy of the  
14 state to provide educational opportunity at state expense for  
15 dependent children either of whose parents was a resident of  
16 the state at the time such parent entered the Armed Forces  
17 and:

18 (a) Died as a result of service-connected injuries,  
19 disease, or disability sustained while on active duty;~~in that~~  
20 ~~service or from injuries sustained or disease contracted~~  
21 ~~during a period of wartime service as defined in s. 1.01(14)~~  
22 ~~or has died since or may hereafter die from diseases or~~  
23 ~~disability resulting from such war service, or~~

24 (b) Has been:

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

29 2. Determined to have a service-connected total and  
30 permanent disability rating of 100 percent and is in receipt  
31

1 of disability retirement pay from any branch of the United  
2 States Armed Services;<sup>7</sup>or

3 3. Issued a valid identification card by the  
4 Department of Veterans' Affairs in accordance with s. 295.17,  
5  
6 when the parents of such children have been bona fide  
7 residents of the state for 5 years next preceding their  
8 application for the benefits hereof, and subject to the rules,  
9 restrictions, and limitations hereof.

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

12 445.007 Regional workforce boards; exemption from  
13 public meetings law.--

14 (1) One regional workforce board shall be appointed in  
15 each designated service delivery area and shall serve as the  
16 local workforce investment board pursuant to Pub. L. No.  
17 105-220. The membership of the board shall be consistent with  
18 Pub. L. No. 105-220, Title I, s. 117(b), and contain one  
19 representative from a nonpublic postsecondary educational  
20 institution that is an authorized individual training account  
21 provider within the region and confers certificates and  
22 diplomas, one representative from a nonpublic postsecondary  
23 educational institution that is an authorized individual  
24 training account provider within the region and confers  
25 degrees, and three representatives of organized labor. The  
26 board shall include one representative from a military  
27 installation if a military installation is located within the  
28 region. Individuals serving as members of regional workforce  
29 development boards or local WAGES coalitions, as of June 30,  
30 2000, are eligible for appointment to regional workforce  
31 boards, pursuant to this section. It is the intent of the

1 Legislature that, whenever possible and to the greatest extent  
2 practicable, membership of a regional workforce board include  
3 persons who are current or former recipients of welfare  
4 transition assistance as defined in s. 445.002(3) or workforce  
5 services as provided in s. 445.009(1), or that such persons be  
6 included as ex officio members of the board or of committees  
7 organized by the board. The importance of minority and gender  
8 representation shall be considered when making appointments to  
9 the board. If the regional workforce board enters into a  
10 contract with an organization or individual represented on the  
11 board of directors, the contract must be approved by a  
12 two-thirds vote of the entire board, and the board member who  
13 could benefit financially from the transaction must abstain  
14 from voting on the contract. A board member must disclose any  
15 such conflict in a manner that is consistent with the  
16 procedures outlined in s. 112.3143.

17 Section 3. Present subsections (3), (4), and (5) of  
18 section 464.009, Florida Statutes, are redesignated as  
19 subsections (4), (5), and (6), respectively, and a new  
20 subsection (3) is added to that section to read:

21 464.009 Licensure by endorsement.--

22 (3) An applicant for licensure by endorsement who is  
23 relocating to this state pursuant to his or her  
24 military-connected spouse's official military orders and who  
25 is licensed in another state that is a member of the Nurse  
26 Licensure Compact shall be deemed to have satisfied the  
27 requirements of subsection (1) and shall be issued a license  
28 by endorsement upon submission of the appropriate application  
29 and fees and completion of the criminal background check  
30 required under subsection (4).

31

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

3           464.022 Exceptions.--No provision of this part shall  
4 be construed to prohibit:

5           (8) Any nurse currently licensed in another state or  
6 territory of the United States from performing nursing  
7 services in this state for a period of 60 days after  
8 furnishing to the employer satisfactory evidence of current  
9 licensure in another state or territory and having submitted  
10 proper application and fees to the board for licensure prior  
11 to employment. If the nurse licensed in another state or  
12 territory is relocating to this state pursuant to his or her  
13 military-connected spouse's official military orders, this  
14 period shall be 120 days after furnishing to the employer  
15 satisfactory evidence of current licensure in another state or  
16 territory and having submitted proper application and fees to  
17 the board for licensure prior to employment. The board may  
18 extend this time for administrative purposes when necessary.

19           Section 5. Subsections (2) and (8) of section 1002.39,  
20 Florida Statutes, are amended to read:

21           1002.39 The John M. McKay Scholarships for Students  
22 with Disabilities Program.--There is established a program  
23 that is separate and distinct from the Opportunity Scholarship  
24 Program and is named the John M. McKay Scholarships for  
25 Students with Disabilities Program, pursuant to this section.

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

31

1 (a) By assigned school attendance area or by special  
2 assignment, the student has spent the prior school year in  
3 attendance at a Florida public school. Prior school year in  
4 attendance means that the student was enrolled and reported by  
5 a school district for funding during the preceding October and  
6 February Florida Education Finance Program surveys in  
7 kindergarten through grade 12. However, this paragraph does  
8 not apply to a dependent child of a member of the United  
9 States Armed Forces who transfers to a school in this state  
10 from out of state or from a foreign country pursuant to a  
11 parent's permanent change of station orders. A dependent child  
12 of a member of the United States Armed Forces who transfers to  
13 a school in this state from out of state or from a foreign  
14 country pursuant to a parent's permanent change of station  
15 orders must meet all other eligibility requirements to  
16 participate in the program.

17 (b) The parent has obtained acceptance for admission  
18 of the student to a private school that is eligible for the  
19 program under subsection (4) and has notified the school  
20 district of the request for a scholarship at least 60 days  
21 prior to the date of the first scholarship payment. The  
22 parental notification must be through a communication directly  
23 to the district or through the Department of Education to the  
24 district in a manner that creates a written or electronic  
25 record of the notification and the date of receipt of the  
26 notification.

27  
28 This section does not apply to a student who is enrolled in a  
29 school operating for the purpose of providing educational  
30 services to youth in Department of Juvenile Justice commitment  
31 programs. For purposes of continuity of educational choice,

1 the scholarship shall remain in force until the student  
2 returns to a public school or graduates from high school.  
3 However, at any time, the student's parent may remove the  
4 student from the private school and place the student in  
5 another private school that is eligible for the program under  
6 subsection (4) or in a public school as provided in subsection  
7 (3).

8 (8) RULES.--The State Board of Education shall ~~may~~  
9 adopt rules pursuant to ss. 120.536(1) and 120.54 to  
10 administer this section, including rules that school districts  
11 must use to expedite the development of a matrix of services  
12 based on a current individual education plan from another  
13 state or a foreign country for a transferring student with a  
14 disability who is a dependent child of a member of the United  
15 States Armed Forces. The rules must identify the appropriate  
16 school district personnel who must complete the matrix of  
17 services. For purposes of these rules, a transferring  
18 student with a disability is one who was previously enrolled  
19 as a student with a disability in an out-of-state or an  
20 out-of-country public or private school or agency program and  
21 who is transferring from out of state or from a foreign  
22 country pursuant to a parent's permanent change of station  
23 orders. However, the inclusion of eligible private schools  
24 within options available to Florida public school students  
25 does not expand the regulatory authority of the state, its  
26 officers, or any school district to impose any additional  
27 regulation of private schools beyond those reasonably  
28 necessary to enforce requirements expressly set forth in this  
29 section.

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

1           1003.05 Assistance to transitioning students from  
2 military families.--

3           (2) The Department of Education shall facilitate the  
4 development and implementation of memoranda of agreement  
5 between school districts and military installations which  
6 address strategies for assisting military students in the  
7 transition to Florida schools.~~identify its efforts and~~  
8 ~~strategies for assisting military-connected students in~~  
9 ~~transitioning to the Florida school system, including the~~  
10 ~~identification of acceptable equivalence for curriculum and~~  
11 ~~graduation requirements, and report its findings to the~~  
12 ~~Governor, the President of the Senate, and the Speaker of the~~  
13 ~~House of Representatives by October 1, 2003.~~

14           Section 7. Section 1008.221, Florida Statutes, is  
15 created to read:

16           1008.221 Dependent children of military personnel  
17 transferring to Florida schools; equivalencies for  
18 standardized tests.--A dependent child of a member of the  
19 United States Armed Forces who enters a public school at the  
20 12th grade from out of state or from a foreign country and  
21 provides satisfactory proof of attaining a score on an  
22 approved alternative assessment that is concordant to a  
23 passing score on the grade 10 FCAT shall satisfy the  
24 assessment requirement for a standard high school diploma as  
25 provided in s. 1003.43(5)(a). For purposes of this section,  
26 approved alternative assessments are the SAT and ACT.

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

29           1009.21 Determination of resident status for tuition  
30 purposes.--Students shall be classified as residents or  
31



1 nonresidents for the purpose of assessing tuition in community  
2 colleges and state universities.

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

5 (k) Active duty members of a foreign nation's military  
6 who are serving as liaison officers and are residing or  
7 stationed in this state, and their spouses and dependent  
8 children, attending a community college or state university  
9 within 50 miles of the military establishment where the  
10 foreign liaison officer is stationed.

11 Section 9. (1) The Legislature finds that military  
12 families are faced with a variety of challenges, including  
13 frequent relocations, recurring deployments, lengthy periods  
14 of separation, and heightened anxiety and uncertainty during  
15 periods of conflict. A military spouse's ability to gain job  
16 skills and maintain a career contributes to the financial  
17 well-being of the family, spouse satisfaction with military  
18 life, and military retention and readiness. Military spouses  
19 are often required to terminate their employment in order to  
20 support their spouse's highly mobile military commitment. The  
21 unemployment rate for military spouses is approximately four  
22 times the civilian unemployment rate, and military spouse  
23 earnings are significantly lower than those of their  
24 comparably educated civilian peers. Recognizing the  
25 employment challenges faced by military spouses and the  
26 importance of military families to our communities and  
27 economy, the Legislature declares its intent to establish an  
28 employment advocacy and assistance program to serve Florida's  
29 military families.

30 (2) Workforce Florida, Inc., shall establish an  
31 employment advocacy and assistance program targeting military

1 spouses and dependents. This program shall deliver employment  
2 assistance services through military family employment  
3 advocates colocated within selected one-stop career centers.  
4 Persons eligible for assistance through this program shall  
5 include spouses and dependents of active-duty military  
6 personnel, Florida National Guard members, and military  
7 reservists.

8 (3) Military family employment advocates are  
9 responsible for providing the following services and  
10 activities:

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

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

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

19 (d) Assisting employment-seeking military family  
20 members through job counseling, job search and placement  
21 services, the dissemination of information on educational and  
22 training programs, and the availability of support services.

23 (e) Other employment assistance services Workforce  
24 Florida, Inc., deems necessary.

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

28 Section 10. The Florida Housing Finance Corporation  
29 shall undertake an assessment of the needs of active duty  
30 military personnel and their families living in Florida for  
31 affordable housing. The needs assessment shall provide

1 information on the population characteristics of the service  
2 personnel and their families having total gross incomes of up  
3 to 80 percent of the local area's median income who are living  
4 off base, including, but not limited to, the number of  
5 households by family size, income, and current tenancy; the  
6 condition of existing housing; and the availability of  
7 homeowner and rental housing that is affordable to these  
8 service personnel and their families. The corporation shall  
9 report its findings and recommendations to the Governor, the  
10 President of the Senate, the Speaker of the House of  
11 Representatives, the Senate Minority Leader, and the House  
12 Minority Leader by December 31, 2004.

13 Section 11. This act shall take effect upon becoming a  
14 law.

15

16 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
17 COMMITTEE SUBSTITUTE FOR  
18 Senate Bill 1622

19

19 The Committee Substitute revises eligibility requirements for  
20 military dependents applying for a John M. McKay Scholarship  
21 to include dependents whose parent died as a result of  
22 conditions arising from active duty service.

23

23 The Committee Substitute clarifies that the waiver provided in  
24 the Committee Substitute only applies to the requirement to  
25 have attended a Florida public school in the prior year and  
26 the student still must meet all other eligibility  
27 requirements.

28

28 The Committee Substitute requires the State Board of Education  
29 to adopt rules to expedite the development of a matrix of  
30 services. The adopted rules must identify the personnel who  
31 must complete the matrix.

32

32 The Committee Substitute defines the term "transferring  
33 student with a disability" for rulemaking purposes.

34

35

36

37