

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

317-2294-04

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          providing that qualifying military dependents  
25          receive priority admission to certain special  
26          academic programs; creating s. 1008.221, F.S.;  
27          providing for alternate assessments for the  
28          grade 10 FCAT for certain military dependents;  
29          amending s. 1009.21, F.S.; classifying certain  
30          liaison officers and their spouses and  
31          dependent children as residents for tuition

1           purposes; directing Workforce Florida, Inc., to  
2           establish an employment advocacy and assistance  
3           program targeting military spouses and  
4           dependents; directing the Florida Housing  
5           Finance Corporation to assess the housing needs  
6           of Florida's military families; requiring a  
7           report; providing an effective date.  
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9   Be It Enacted by the Legislature of the State of Florida:

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

13           295.01 Children of deceased or disabled veterans;  
14   education.--

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

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

26           (b) Has been:

27           1. Determined by the United States Department of  
28   Veterans Affairs or its predecessor to have a  
29   service-connected 100-percent total and permanent disability  
30   rating for compensation;7  
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1           2. Determined to have a service-connected total and  
2 permanent disability rating of 100 percent and is in receipt  
3 of disability retirement pay from any branch of the United  
4 States Armed Services;~~or~~

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

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8 when the parents of such children have been bona fide  
9 residents of the state for 5 years next preceding their  
10 application for the benefits hereof, and subject to the rules,  
11 restrictions, and limitations hereof.

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

14           445.007 Regional workforce boards; exemption from  
15 public meetings law.--

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

1 2000, are eligible for appointment to regional workforce  
2 boards, pursuant to this section. It is the intent of the  
3 Legislature that, whenever possible and to the greatest extent  
4 practicable, membership of a regional workforce board include  
5 persons who are current or former recipients of welfare  
6 transition assistance as defined in s. 445.002(3) or workforce  
7 services as provided in s. 445.009(1), or that such persons be  
8 included as ex officio members of the board or of committees  
9 organized by the board. The importance of minority and gender  
10 representation shall be considered when making appointments to  
11 the board. If the regional workforce board enters into a  
12 contract with an organization or individual represented on the  
13 board of directors, the contract must be approved by a  
14 two-thirds vote of the entire board, and the board member who  
15 could benefit financially from the transaction must abstain  
16 from voting on the contract. A board member must disclose any  
17 such conflict in a manner that is consistent with the  
18 procedures outlined in s. 112.3143.

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

23 464.009 Licensure by endorsement.--

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

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

5 464.022 Exceptions.--No provision of this part shall  
6 be construed to prohibit:

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

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

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

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

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

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

29  
30 This section does not apply to a student who is enrolled in a  
31 school operating for the purpose of providing educational

1 services to youth in Department of Juvenile Justice commitment  
2 programs. For purposes of continuity of educational choice,  
3 the scholarship shall remain in force until the student  
4 returns to a public school or graduates from high school.  
5 However, at any time, the student's parent may remove the  
6 student from the private school and place the student in  
7 another private school that is eligible for the program under  
8 subsection (4) or in a public school as provided in subsection  
9 (3).

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

1           Section 6. Subsection (2) of section 1003.05, Florida  
2 Statutes, is amended, and subsection (3) is added to that  
3 section to read:

4           1003.05 Assistance to transitioning students from  
5 military families.--

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

18           (3) Dependent children of active-duty military  
19 personnel who otherwise meet the eligibility criteria for  
20 special academic programs offered through public schools shall  
21 be given first preference for admission to such programs even  
22 if the program is being offered through a public school other  
23 than the school to which the student would generally be  
24 assigned and the school at which the program is being offered  
25 has reached its maximum enrollment. If such a program is  
26 offered through a public school other than the school to which  
27 the student would generally be assigned, the parent or  
28 guardian of the student must assume responsibility for  
29 transporting the student to that school. For purposes of this  
30 subsection special academic programs include charter schools,  
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1 magnet schools, advanced studies programs, advanced placement,  
2 dual enrollment, and International Baccalaureate.

3 Section 7. Section 1008.221, Florida Statutes, is  
4 created to read:

5 1008.221 Dependent children of military personnel  
6 transferring to Florida schools; equivalencies for  
7 standardized tests.--A dependent child of a member of the  
8 United States Armed Forces who enters a public school at the  
9 12th grade from out of state or from a foreign country and  
10 provides satisfactory proof of attaining a score on an  
11 approved alternative assessment that is concordant to a  
12 passing score on the grade 10 FCAT shall satisfy the  
13 assessment requirement for a standard high school diploma as  
14 provided in s. 1003.43(5)(a). For purposes of this section,  
15 approved alternative assessments are the SAT and ACT.

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

18 1009.21 Determination of resident status for tuition  
19 purposes.--Students shall be classified as residents or  
20 nonresidents for the purpose of assessing tuition in community  
21 colleges and state universities.

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

24 (k) Active duty members of a foreign nation's military  
25 who are serving as liaison officers and are residing or  
26 stationed in this state, and their spouses and dependent  
27 children, attending a community college or state university  
28 within 50 miles of the military establishment where the  
29 foreign liaison officer is stationed.

30 Section 9. (1) The Legislature finds that military  
31 families are faced with a variety of challenges, including

1 frequent relocations, recurring deployments, lengthy periods  
2 of separation, and heightened anxiety and uncertainty during  
3 periods of conflict. A military spouse's ability to gain job  
4 skills and maintain a career contributes to the financial  
5 well-being of the family, spouse satisfaction with military  
6 life, and military retention and readiness. Military spouses  
7 are often required to terminate their employment in order to  
8 support their spouse's highly mobile military commitment. The  
9 unemployment rate for military spouses is approximately four  
10 times the civilian unemployment rate, and military spouse  
11 earnings are significantly lower than those of their  
12 comparably educated civilian peers. Recognizing the  
13 employment challenges faced by military spouses and the  
14 importance of military families to our communities and  
15 economy, the Legislature declares its intent to establish an  
16 employment advocacy and assistance program to serve Florida's  
17 military families.

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

27 (3) Military family employment advocates are  
28 responsible for providing the following services and  
29 activities:  
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1           (a) Coordination of employment assistance services  
2 through military base family support centers, Florida's  
3 one-stop career centers, and veteran-support organizations.

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

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

9           (d) Assisting employment-seeking military family  
10 members through job counseling, job search and placement  
11 services, the dissemination of information on educational and  
12 training programs, and the availability of support services.

13           (e) Other employment assistance services Workforce  
14 Florida, Inc., deems necessary.

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

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

1 Representatives, the Senate Minority Leader, and the House  
2 Minority Leader by December 31, 2004.

3           Section 11. This act shall take effect upon becoming a  
4 law.

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6                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
7   COMMITTEE SUBSTITUTE FOR  
8   CS for Senate 1622

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9 The Committee Substitute requires dependent children of  
10 active-duty military personnel who otherwise meet the  
11 eligibility criteria for special academic programs offered  
12 through public schools to be given first preference for  
13 admission to such programs. Special academic programs, for  
14 purposes of this preference, include charter schools, magnet  
15 schools, advanced studies programs, advanced placement, dual  
16 enrollment, and International Baccalaureate.

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