

By the Committees on Appropriations; 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

309-2564-04

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.; removing a
9 scheduled repeal of provisions; providing for
10 licensure by endorsement of certain nurses
11 licensed in another state that is a member of
12 the Nurse Licensure Compact; amending s.
13 464.022, F.S.; providing that certain nurses
14 relocating to this state may perform nursing
15 services for a period of 120 days after
16 submitting application for licensure; amending
17 s. 1002.39, F.S.; revising eligibility
18 requirements for military dependents applying
19 for a John M. McKay Scholarship; requiring the
20 State Board of Education to adopt rules;
21 amending s. 1003.05, F.S.; directing the
22 Department of Education to assist in the
23 development of memoranda of agreement between
24 school districts and military installations;
25 providing that qualifying military dependents
26 receive priority admission to certain special
27 academic programs; creating s. 1008.221, F.S.;
28 providing for alternate assessments for the
29 grade 10 FCAT for certain military dependents;
30 amending s. 1009.21, F.S.; classifying
31 dependents of active duty members of the armed

1 forces and certain liaison officers and their
2 spouses and dependent children as residents for
3 tuition purposes; directing Workforce Florida,
4 Inc., to establish an employment advocacy and
5 assistance program targeting military spouses
6 and dependents; directing the Florida Housing
7 Finance Corporation to assess the housing needs
8 of Florida's military families; requiring a
9 report; providing an effective date.

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

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

15 295.01 Children of deceased or disabled veterans;
16 education.--

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

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

28 (b) Has been:

29 1. Determined by the United States Department of
30 Veterans Affairs or its predecessor to have a

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1 service-connected 100-percent total and permanent disability
2 rating for compensation;~~7~~

3 2. Determined to have a service-connected total and
4 permanent disability rating of 100 percent and is in receipt
5 of disability retirement pay from any branch of the United
6 States Armed Services;~~7~~or

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

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

16 445.007 Regional workforce boards; exemption from
17 public meetings law.--

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

1 region.Individuals serving as members of regional workforce
2 development boards or local WAGES coalitions, as of June 30,
3 2000, are eligible for appointment to regional workforce
4 boards, pursuant to this section. It is the intent of the
5 Legislature that, whenever possible and to the greatest extent
6 practicable, membership of a regional workforce board include
7 persons who are current or former recipients of welfare
8 transition assistance as defined in s. 445.002(3) or workforce
9 services as provided in s. 445.009(1), or that such persons be
10 included as ex officio members of the board or of committees
11 organized by the board. The importance of minority and gender
12 representation shall be considered when making appointments to
13 the board. If the regional workforce board enters into a
14 contract with an organization or individual represented on the
15 board of directors, the contract must be approved by a
16 two-thirds vote of the entire board, and the board member who
17 could benefit financially from the transaction must abstain
18 from voting on the contract. A board member must disclose any
19 such conflict in a manner that is consistent with the
20 procedures outlined in s. 112.3143.

21 Section 3. Subsection (1) of section 464.009, Florida
22 Statutes, is amended, present subsections (3), (4), and (5) of
23 that section are redesignated as subsections (4), (5), and
24 (6), respectively, and a new subsection (3) is added to that
25 section, to read:

26 464.009 Licensure by endorsement.--

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

1 (a) Holds a valid license to practice professional or
2 practical nursing in another state or territory of the United
3 States, provided that, when the applicant secured his or her
4 original license, the requirements for licensure were
5 substantially equivalent to or more stringent than those
6 existing in Florida at that time;

7 (b) Meets the qualifications for licensure in s.
8 464.008 and has successfully completed a state, regional, or
9 national examination which is substantially equivalent to or
10 more stringent than the examination given by the department;
11 or

12 (c) Has actively practiced nursing in another state,
13 jurisdiction, or territory of the United States for 2 of the
14 preceding 3 years without having his or her license acted
15 against by the licensing authority of any jurisdiction.
16 Applicants who become licensed pursuant to this paragraph must
17 complete within 6 months after licensure a Florida laws and
18 rules course that is approved by the board. Once the
19 department has received the results of the national criminal
20 history check and has determined that the applicant has no
21 criminal history, the appropriate license by endorsement shall
22 be issued to the applicant. ~~This paragraph is repealed July 1,~~
23 ~~2004, unless reenacted by the Legislature.~~

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.
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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 (b) of subsection (10) of section
17 1009.21, Florida Statutes, is amended, and paragraph (k) is
18 added to that subsection, to read:

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

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

25 (b) Active duty members of the Armed Services of the
26 United States and their spouses and dependents attending a
27 public community college or state university within 50 miles
28 of the military establishment where they are stationed, if
29 such military establishment is within a county contiguous to
30 Florida.

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

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

26 (2) Workforce Florida, Inc., shall establish an
27 employment advocacy and assistance program targeting military
28 spouses and dependents. This program shall deliver employment
29 assistance services through military family employment
30 advocates colocated within selected one-stop career centers.
31 Persons eligible for assistance through this program shall

1 include spouses and dependents of active-duty military
2 personnel, Florida National Guard members, and military
3 reservists.

4 (3) Military family employment advocates are
5 responsible for providing the following services and
6 activities:

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

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

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

15 (d) Assisting employment-seeking military family
16 members through job counseling, job search and placement
17 services, the dissemination of information on educational and
18 training programs, and the availability of support services.

19 (e) Other employment assistance services Workforce
20 Florida, Inc., deems necessary.

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

24 Section 10. The Florida Housing Finance Corporation
25 shall undertake an assessment of the needs of active duty
26 military personnel and their families living in Florida for
27 affordable housing. The needs assessment shall provide
28 information on the population characteristics of the service
29 personnel and their families having total gross incomes of up
30 to 80 percent of the local area's median income who are living
31 off base, including, but not limited to, the number of

1 households by family size, income, and current tenancy; the
2 condition of existing housing; and the availability of
3 homeowner and rental housing that is affordable to these
4 service personnel and their families. The corporation shall
5 report its findings and recommendations to the Governor, the
6 President of the Senate, the Speaker of the House of
7 Representatives, the Senate Minority Leader, and the House
8 Minority Leader by December 31, 2004.

9 Section 11. This act shall take effect upon becoming a
10 law.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 CS/CS/SB 1622

15 The committee substitute expands the provision under current
16 law allowing military personnel living just outside of Florida
17 to take advantage of higher education tuition benefits to also
18 include the dependents of such military personnel.
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