

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

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BILL: SB 1214

INTRODUCER: Senator Altman

SUBJECT: School-aged Dependents of Military Personnel

DATE: March 23, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	<b>Favorable</b>
2.			ED	
3.			BC	
4.				
5.				
6.				

**I. Summary:**

This bill amends s. 1003.05, F.S., to allow a military student the option of remaining at the school he or she currently attends if a local school board adjusts school zones, which requires attendance at a different school for that military student.

This bill provides an effective date of July 1, 2011.

This bill substantially amends section 1003.05 of the Florida Statutes.

**II. Present Situation:**

**Military Presence in Florida**

The United States currently has 1.4 million people serving in the armed forces, over 23 million veterans living in the U.S., and over 200 military installations in 46 states, the District of Columbia, and Puerto Rico. In addition, there are more than 400,000 National Guard members throughout the 50 states, the District of Columbia, and commonwealths and territories. The military operations of the United States touch every state in some manner.<sup>1</sup> In Florida, there are 22 military bases, over 58,000 active duty military personnel, and over 37,000 Reserve and National Guard personnel.<sup>2</sup>

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<sup>1</sup> National Conference of State Legislatures, *Military Personnel, Veterans and Their Families*, available at: <http://www.ncsl.org/default.aspx?TabID=123&tabs=858,137,1160#858> (Last visited on March 19, 2011).

<sup>2</sup> Telephone interview with Col. Rocky McPherson, USMC, Director of Military and Defense Programs, Enterprise Florida, by professional staff of the Senate Health Regulation Committee on March 10, 2011. See bill analysis for CS/SB 1228. Available at:

Military families often face frequent moves and these moves can add unique challenges for children transitioning from school to school. According to the Council of State Governments, the average military student<sup>3</sup> faces transition challenges more than twice during high school, and most military children will have six to nine different school systems in their lives from kindergarten to 12th grade.<sup>4</sup> With more than half of all military personnel supporting families, the challenges of reassignment and long deployments are key considerations when making long-term life choices for military children and include the following:<sup>5</sup>

- Transfer of records;
- Course sequencing;
- Graduation requirements;
- Exclusion from extracurricular activities;
- Redundant or missed entrance/exit tests;
- Kindergarten and first grade entrance age variations; and
- Power of custodial parents while parents are deployed.

As of January 9, 2011, there were 30,603 children of military families<sup>6</sup> in the Florida public school system. The counties with the highest concentration of military children include:

- Duval (5,490)
- Okaloosa (4,477)
- Hillsborough (3,994)
- Brevard (3,084)
- Clay (3,056)
- Santa Rosa (2,353)
- Bay (2,187)<sup>7</sup>

### **Florida's Efforts to Assist Transitioning Military Students**

While the majority of programs and benefits for soldiers and veterans are administered by the federal government, states and state legislatures are playing an increasingly larger role in military issues. With many active duty military members and National Guard and Reservists, and their families, facing multiple deployments, state policymakers are creating benefits and programs designed to assist both the military personnel and their families.<sup>8</sup>

#### *Interstate Compact on Educational Opportunity for Military Children*

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<http://www.flsenate.gov/Session/Bill/2011/1228/Analyses/3O3FkyRsXygSZhdQ7z3DZSiNroI=%7C7/Public/Bills/1200-1299/1228/Analysis/2011s1228.hr.PDF>

<sup>3</sup> Section 1003.05, F.S., provides that the term "military student" refers to school-aged dependents of military personnel.

<sup>4</sup> Council of State Governments, *See*

[http://www.csg.org/programs/policyprograms/NCIC/interstatecompact\\_militarychildren\\_edop.aspx](http://www.csg.org/programs/policyprograms/NCIC/interstatecompact_militarychildren_edop.aspx), last viewed on March 20, 2011.

<sup>5</sup> *Id.*

<sup>6</sup> "Children of military families" means school-aged children, enrolled in kindergarten through 12<sup>th</sup> grade, in the household of an active-duty member pursuant to s. 1000.36, F.S., (the Interstate Compact on Educational Opportunity for Military Children).

<sup>7</sup> Data received from an information request from the Florida Department of Education by professional staff of the Senate Military Affairs, Space, and Domestic Security Committee. March 21, 2011.

<sup>8</sup> *Supra* fn. 1.

The State of Florida, along with 34 other states, has enacted the Interstate Compact on Educational Opportunity for Military Children (compact).<sup>9</sup> The purpose of the compact is to enable member states to uniformly address educational transition issues faced by military families, including eligibility, enrollment, placement, and graduation.<sup>10</sup>

*Section 1003.05, Florida Statutes – Assistance to transitioning students from military families*  
Section 1003.05(1), F.S., provides that the Legislature recognizes the challenges faced by military students and requires the Florida Department of Education (department) to assist in the transition of high school military students by:

- Improving the timely transfer of records;
- Developing systems to ease student transition during the first 2 weeks of enrollment;
- Promoting practices which foster access to extracurricular programs;
- Establish procedures to lessen the adverse impact of moves;
- Encourage or continue partnerships between military bases and school systems;
- Providing services for transitioning students when applying to and finding funding for postsecondary study; and
- Providing other assistance as identified by the department, school, and military personnel.

The department is further required to facilitate the development and implementation of memoranda of agreement between school districts and military installations which address strategies for assisting students who are children of active duty military personnel in the transition to Florida schools.

Finally, s. 1003.05(3), F.S., provides children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools first preference for admission to such programs even if the program is being offered through a public school other than school to which the student would generally be assigned.

### **School District Attendance Zoning**

Section 1001.41(6), F.S., provides each district school board the authority to assign students to schools within a district.<sup>11</sup> Therefore, school district attendance zoning is performed at the local level and each school district composes its own policies relating to school attendance zoning.

### **III. Effect of Proposed Changes:**

This bill amends s. 1003.05, F.S., to allow a military student the option of remaining at the school he or she currently attends if a local school board adjusts school zones, which requires attendance at a different school for that military student.

This bill provides an effective date of July 1, 2011.

### **Other Potential Implications**

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<sup>9</sup> Section 1000.36, F.S.

<sup>10</sup> Council of State Governments. Military Moves. Available at: <http://www.csg.org/knowledgecenter/docs/sn0802MilitaryMoves.pdf>. Site last accessed March 22, 2011.

<sup>11</sup> Section 1001.30, F.S., provides that each county shall constitute a school district.

This bill may cause difficulties for school districts to comply with class size requirements, as well as pose transportation challenges for a student who chooses to remain at the current school where no transportation would be provided for that student. In addition, school districts would need to establish a process to provide notice to a military student about a school district rezoning and the student's option to remain at the current school.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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