

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.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 948

INTRODUCER: Appropriations Committee (Recommended by Appropriations Subcommittee on Education); Higher Education Committee; and Senator Gaetz

SUBJECT: Education

DATE: April 23, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Scott</u>	<u>Klebacha</u>	<u>HE</u>	<u>Fav/CS</u>
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend: Fav/CS</u>
3.	<u>Sikes</u>	<u>Kynoch</u>	<u>AP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 948 updates and establishes numerous public K-12 and postsecondary education statutes relating to Florida digital classrooms, apprenticeships, public school funding and policy issues, state requirements for educational facilities, extracurricular activities, dual enrollment, public postsecondary systems missions and roles, postsecondary affordability, postsecondary performance-based incentive funding models, a Rapid Response Education and Training Program, educator liability insurance, and the Florida Best and Brightest Teacher Scholarship Program.

Florida Digital Classrooms

The bill provides a mechanism for comparing the status of digital readiness of school districts and public schools, which is independently verified, based on technology infrastructure standards identified by the Agency for State Technology (Agency), or a contracted organization. The digital readiness of school districts must be assessed using a digital readiness scorecard and uniform definitions of technology infrastructure components established by the Department of Education (DOE) in consultation with the Agency.

Apprenticeships

The bill updates definitions, authorizes the appointment of independent public members to the State Apprenticeship Advisory Council, and revises the criteria for an apprenticeable occupation. The bill also creates the Florida Apprenticeship Grant (FLAG) Program to provide competitive grants to career centers, charter technical career centers and Florida College System (FCS) institutions for the purpose of expanding existing programs and establishing new apprenticeship programs.

Public School Funding and Policy Issues.

The bill modifies the Florida Education Finance Program (FEFP) funding formula by:

- Extending and expanding the requirement of providing an additional hour of intensive reading instruction to students enrolled in the 300 lowest-performing elementary schools.
- Authorizing performance funding for a career and professional education (CAPE) industry certification earned through a dual enrollment course.
- Establishing two new tiers of bonuses and raises the maximum annual bonus for CAPE industry certification teachers.
- Increasing the discretionary millage compression supplement above the state average.
- Revising the formula for calculating the sparsity supplement.
- Revising the formula for calculating the virtual education contribution.
- Creating the federally connected student supplement.

The bill also:

- Clarifies that annual license fees, maintenance fees, and lease agreements for enterprise resource software are allowable uses of local capital improvement funds.
- Provides audit protection for teachers under the Florida Teacher Classroom Supply Assistance Program by requiring teachers to provide the school district with receipts for the expenditure of the funds and to return to the district school board any funds for which there are undocumented expenditures.
- Authorizes a district school board to adopt policies for standard student attire.
- Requires the DOE to administer an educator liability insurance program.
- Requires public school instruction on the events surrounding the terrorist attacks occurring on September 11, 2001, and the impact of those events on the nation.
- Provides an exemption for the performance of students with excessive absences from counting against a teacher's performance evaluation.
- Allows district school boards to implement exceptions to educational facilities construction requirements with a supermajority vote.
Modifies dual enrollment requirements and policies, especially those related to home education and private school students

Performance-Based Funding

The bill establishes the State University System and Florida College System Performance-Based Incentive funding models based on metrics adopted by the Board of Governors and the State Board of Education (State Board), respectively.

Rapid Response Education and Training Program

The bill creates the Rapid Response Education and Training Program (Program) within the Complete Florida Plus Program to recruit and retain employees through industry-specific education and training. The bill:

- Specifies the responsibilities of the Program.
- Requires the DOE to evaluate and report on the effectiveness of the Program.
- Requires the DOE to develop standards.
- Requires the State Board to adopt rules.

Florida Best and Brightest Teacher Scholarship Program

The bill creates the Florida Best and Brightest Teacher Scholarship Program (Scholarship Program) to award teachers who demonstrate a high level of academic achievement, authorizes funding for the Scholarship Program, and, and, for teachers other than first-year teachers, have been evaluated as highly effective.

The Senate's Fiscal Year 2015-2016 proposed General Appropriations Bill, SB 2500, appropriates a total of \$90 million for the additional hour of intensive reading instruction through the Supplemental Academic Instruction (SAI) and the Research-Based Reading Instruction Allocation categoricals in the FEFP. The increase in the discretionary millage supplement is funded at \$34 million and the federally connected student supplement categorical is funded at \$12.4 million. The State University System and Florida College System Performance-Based Incentive funding models are funded at \$400 million and \$60 million respectively. The Rapid Response Education and Training Program is funded at \$19.2 million.

The Florida Best and Brightest Program and the educator liability insurance program, which do not have an appropriation in SB 2500, have an estimated cost of \$45.5 million and \$1.2 million respectively for the 2015-2016 fiscal year.

The bill provides an effective date of July 1, 2015.

II. Present Situation:

Florida Digital Classrooms Allocation

In 2014, the Legislature elevated policy and funding for technology-enhanced classroom teaching and learning by creating the Florida digital classrooms allocation (allocation) to support efforts and strategies of school districts and public schools in integrating technology into classroom instruction to improve student performance outcomes.¹ In response to the 2014 legislation that created the allocation,² the Department of Education (DOE or department)

¹ Section 1011.62(12)(a), F.S.

² Sections 5 and 27, ch. 2014-56, L.O.F.

adopted a Strategic Technology Plan establishing the general parameters for digital classrooms which are used by the by the district school boards to adopt their district digital classrooms plan.³ For the 2014-2015 fiscal year, the Legislature appropriated \$40 million to school districts to support digital classrooms.⁴ A minimum of \$250,000 was provided to each school district and the remaining balance was allocated based on each district's share of the state's total unweighted student enrollment.⁵

State Digital Classrooms Plan

The Office of Technology and Information Services, within the DOE, is responsible for developing a 5-year strategic plan (state plan) that must:⁶

- Describe how technology will be integrated into classroom teaching and learning to improve student performance outcomes and prepare students to be digital learners.
- Establish minimum technology requirements that include specifications for hardware, software, devices, networking, security, and bandwidth capacity and guidelines for the ratio of students per device.
- Establish minimum requirements for professional development opportunities and training to assist district instructional personnel staff with integrating technology into classroom teaching.
- Identify the types of digital tools and resources that can assist district instructional personnel and staff in management, assessment, and monitoring of student learning and performance.

The DOE must update the state plan annually by January 1st.⁷

Technology Integration Matrix

To assist with integrating technology into curriculum, the DOE has prepared a Technology Integration Matrix (TIM)⁸ for teachers to use technology to enhance learning by:⁹

- Providing a framework for defining and evaluating technology integration;
- Setting a clear vision for effective teaching with technology;
- Giving teachers and administrators a common language for setting goals; and

³ Florida Department of Education, *FDOE Digital Classrooms Plan*, <http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml> (last visited March 6, 2015); see ss. 1001.20(4) and 1011.62(12)(b), F.S. The Department of Education has provided to school districts, technical assistance memo and guidance document regarding digital classrooms. Florida Department of Education, *Digital Classrooms Plan (DCP) and Allocation*, <http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml> (last visited March 9, 2015).

⁴ Specific Appropriation 96, s. 2, ch. 2014-51, LO.F.

⁵ *Id.*

⁶ Section 1001.20(4)(a)1., F.S.

⁷ Section 1001.20(4)(a)1., F.S.

⁸ Florida Department of Education, *Presentation to the Florida Senate Appropriations Subcommittee on Education* (March 4, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_2873.pdf, at 115 of 120.

⁹ Florida Department of Education, *The Technology Integration Matrix*, <http://fcit.usf.edu/matrix/index.php> (last visited March 10, 2015). The five interdependent characteristics of meaningful learning environments are: active, constructive, goal directed (i.e., reflective), authentic, and collaborative. The five levels of technology integration (i.e., entry, adoption, adaptation, infusion, and transformation) with each of the five characteristics of meaningful learning environments. Together, the five levels of technology integration and the five characteristics of meaningful learning environments create a matrix of 25 cells to set a clear vision for effective teaching with technology. Florida Department of Education, *The Technology Integration Matrix* (March 9, 2015), available at <http://fcit.usf.edu/matrix/matrix.php>.

- Helping target professional development resources effectively.

District Digital Classrooms Plan

The 2014 legislation required each district school board to adopt a district digital classrooms plan (DCP) that meets the unique needs of students, schools, and personnel and submit the district DCP to the DOE for approval.¹⁰ By permitting the customization of district digital classrooms plan to meet local needs, the legislation promoted local control of targeted and purposeful technology enhancements in Florida's classrooms. At a minimum, the district DCPs must be updated annually to include the following:¹¹

- Measurable student performance outcomes, including the outcomes for students with disabilities.
- Digital learning and technology infrastructure purchases and operational activities including, but not limited to, connectivity, broadband access, wireless capacity, internet speed, and data security, all of which must meet or exceed the minimum requirements and protocols established by the department.
- Professional development purchases and operational activities including, but not limited to, using technology in the classroom and improving digital literacy and competency.
- Digital tool purchases and operational activities including, but not limited to, competency-based credentials that measure and demonstrate digital competency and certifications; third-party assessments that demonstrate acquired knowledge and use of digital applications; and devices that meet or exceed the minimum requirements and protocols established by the department.
- Online assessment-related purchases and operational activities including, but not limited to, expanding the capacity to administer assessments and compatibility with minimum assessment requirements and protocols established by the department.

Each district superintendent must certify to the Commissioner of Education (commissioner) that “the district school board has approved a comprehensive district digital classrooms plan that supports the fidelity of implementation of the Florida digital classrooms allocation.”¹² In addition, each district's DCP must include a formal verification of the district superintendent's approval of the DCP for each charter school in the district.¹³ The DOE must approve the DCPs before distributing the allocation funds to the school districts.¹⁴

For the 2014-2015 school year, the deadline for submitting district DCPs was October 1, 2014.¹⁵ All 67 district school boards have submitted their district DCP and the DOE has approved all district DCPs.¹⁶ For the 2015-2016 school year and each year thereafter, the district school boards must submit their district DCPs annually by March 1.¹⁷

¹⁰ Section 1011.62(12)(b), F.S.

¹¹ *Id.*

¹² Section 1011.62(12)(c), F.S.

¹³ Section 1011.62(12)(b)5(c), F.S.

¹⁴ *Id.*

¹⁵ Section 1011.62(12)(b), F.S.

¹⁶ Florida Department of Education, *Approved Districts' Digital Classroom Plans*, <http://www.fldoe.org/about-us/division-of-technology-info-services/dcp.shtml> (last visited March 6, 2015).

¹⁷ Section 1011.62(12)(b), F.S.

In addition to submitting DCPs, beginning in the 2015-2016 fiscal year, each district school board must report to the department its use of allocation funds and student performance outcomes.¹⁸ The department may contract with an independent third-party entity to conduct an annual independent verification of the district's use of allocation funds in accordance with the district's DCP.¹⁹ If an independent third-party verification is not conducted, the Auditor General must, during scheduled operational audits of school districts, verify compliance of the use of allocation funds in accordance with the district's DCP.²⁰

Annually, by October 1, beginning in the 2015-2016 fiscal year, the commissioner must provide to the Governor, President of the Senate, and Speaker of the House of Representatives, a summary of each district's use of funds, student performance outcomes, and progress toward meeting statutory requirements and timelines.²¹

Apprenticeship Programs

Registered Apprenticeship (RA) “connects job seekers looking to learn new skills with employers looking for qualified workers, resulting in a workforce with industry-driven training and employers with a competitive edge.”²²

Federal Program Requirements

The United States Congress enacted the National Apprenticeship Act (also known as the Fitzgerald Act in honor of its author, Congressman William J. Fitzgerald)²³ in 1937.²⁴ Following the passage of the act, RA programs consisted mainly of manufacturing, construction, and utilities industries.²⁵ Since 1937, RA programs have grown to 24,000 programs providing education and training to approximately 400,000 apprentices in emerging and high-growth sectors such as energy conservation, health care, and information technology, in addition to traditional industries such as manufacturing and construction.²⁶ “As the need for skilled workers increases and our economy faces greater global competition, RA continues to be a competitive advantage for all parties—individuals, businesses, labor management organizations, education, the workforce investment system and government. For these reasons, [the Employment and Training Administration, U.S. Department of Labor] issued revised regulations that increase program flexibility to better serve the needs of today's apprentices and program sponsors.”²⁷

¹⁸ Section 1011.62(12)(e), F.S.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² U.S. Department of Labor, *Apprentices*, <http://www.doleta.gov/oa/apprentices.cfm> (last visited March 2, 2015).

²³ U.S. Department of Labor, *Workforce System Results* (Sep. 30, 2012), available at <http://www.doleta.gov/Farmworker/pdf/workforceSystemResultsSept2012.pdf>, at 4 of 38.

²⁴ U.S. Department of Labor, *Registered Apprenticeship*, <http://www.doleta.gov/oa/history.cfm> (last visited March 2, 2015); see 29 U.S.C., s. 50.

²⁵ U.S. Department of Labor, *Registered Apprenticeship*, <http://www.doleta.gov/oa/history.cfm> (last visited March 2, 2015).

²⁶ *Id.*

²⁷ *Id.* “These revised regulations published, on October 29, 2008, update Title 29 CFR, part 29 and provide a framework that supports an enhanced, modernized apprenticeship system.” U.S. Department of Labor, *Regulations*, <http://www.doleta.gov/oa/regulations.cfm> (last visited March 2, 2015).

For apprentices and program sponsors, the regulations:²⁸

- Incorporate technology-based learning;
- Provide additional pathways to certification;
- Introduce interim credentials;
- Improve registration and review process;
- Update the reciprocal registration provision; and
- Introduce provisional registration.

For State Apprenticeship Agencies (SSAs), the regulations:²⁹

- Increase linkages with the workforce investment system;
- Redefine the roles and responsibilities of SSAs and State Apprenticeship Councils (SACs);
- Establish a process for continued recognition; and
- Increase flexibility for location of an SSA.

For the U.S. Department of Labor, the regulations:³⁰

- Enhance program accountability; and
- Ensure national conformity with federal apprenticeship legislation and regulations.

Registered apprenticeship program sponsors (i.e., employers, employer associations, and labor management organizations)³¹ identify the minimum qualifications to apply into their apprenticeship program.³² An individual must be at least 16 years of age to be an apprentice.³³ In hazardous occupations, individuals must generally be 18 years of age.³⁴ Program sponsors may also identify additional minimum qualifications and credentials to apply (e.g., education, ability to physically perform the essential functions of the occupation, and proof of age). All applicants are required to meet the minimum qualifications. Additional qualification standards, such as fair aptitude tests and interviews, school grades, and previous work experience may be identified.³⁵ Apprenticeship programs range from 1 year to 6 years, but the majority are 4 years in length.³⁶ During the program, the apprentice receives both structured, on-the-job learning and related classroom instruction.³⁷ For each year of the apprenticeship, the apprentice typically receives 2,000 hours of on-the-job learning and a recommended minimum of 144 hours of related classroom instruction.³⁸

²⁸ U.S. Department of Labor, *Apprenticeship Final Rule Fact Sheet*, available at http://www.doleta.gov/oa/pdf/Apprenticeship_Final_Fact_Sheet.pdf, at 1-2 of 4.

²⁹ U.S. Department of Labor, *Apprenticeship Final Rule Fact Sheet*, available at http://www.doleta.gov/oa/pdf/Apprenticeship_Final_Fact_Sheet.pdf, at 2-3 of 4.

³⁰ U.S. Department of Labor, *Apprenticeship Final Rule Fact Sheet*, available at http://www.doleta.gov/oa/pdf/Apprenticeship_Final_Fact_Sheet.pdf, at 3 of 4.

³¹ Registered Apprenticeship program sponsors vary from small, privately owned businesses to national employer and industry associations. There are nearly 29,000 sponsors representing more than 250,000 employers, such as UPS, the United States Military Apprenticeship Program, Werner Enterprises, and CVS/pharmacy. U.S. Department of Labor, *Apprentices*, <http://www.doleta.gov/oa/apprentices.cfm> (last visited March 2, 2015).

³² U.S. Department of Labor, *Apprentices*, <http://www.doleta.gov/oa/apprentices.cfm> (last visited March 2, 2015).

³³ *Id.*

³⁴ U.S. Department of Labor, *Apprentices*, <http://www.doleta.gov/oa/apprentices.cfm> (last visited March 2, 2015).

³⁵ *Id.*

³⁶ U.S. Department of Labor, *Apprentices*, <http://www.doleta.gov/oa/apprentices.cfm> (last visited March 2, 2015).

³⁷ *Id.*

³⁸ *Id.*

State Law

Florida law provides educational and training opportunities, in the form of apprenticeship and preapprenticeship programs, to prepare individuals for trades, occupations, and professions suited to their abilities.³⁹

An apprenticeship program means “an organized course of instruction, registered and approved by the department, which course shall contain all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices⁴⁰ including such matters as the requirements for a written apprenticeship agreement.”⁴¹ A preapprenticeship program means “an organized course of instruction in the public school system or elsewhere, which course is designed to prepare a person 16 years of age or older to become an apprentice and which course is approved by and registered with the department and sponsored by a registered apprenticeship program.”⁴²

The DOE is responsible for administering, facilitating, and supervising registered apprenticeship programs (e.g., developing and encouraging apprenticeship programs, cooperating with and assisting apprenticeship sponsors to develop apprenticeship standards and training requirements, monitoring RA programs, investigating complaints regarding failure to meet the standards⁴³ established by the department, and canceling registration of programs that fail to comply with the standards and policies of the department).⁴⁴

Additionally, the department, the district school boards, and the community college district boards of trustees must work together with existing apprenticeship programs so that individuals

³⁹ Section 446.011(1), F.S.

⁴⁰ An apprentice means “a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journeyman craftsmen, which training should be combined with properly coordinated studies of technical and supplementary subjects, and who has entered into a written agreement, which may be cited as an apprentice agreement, with a registered apprenticeship sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee.” Section 446.021(2), F.S. A journeyman means “a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.” Section 446.021(4), F.S. An apprenticeable occupation is a skilled trade which possesses all of the characteristics that are specified in law (e.g., customarily learned in a practical way through a structures, systemic program of on-the-job, supervised training and involves manual, mechanical, or technical skills and knowledge which require a minimum of 2,000 hours of work and training, which hours are excluded from the time spent at related instruction). Section 446.092, F.S.

⁴¹ Section 446.021(6), F.S. An apprenticeship agreement may not operate to invalidate any apprenticeship provision in a collective agreement between employers and employees which establishes higher apprenticeship standards. Section 446.081(1), F.S.

⁴² Section 446.021(5), F.S.

⁴³ The Department of Education (DOE or department) is responsible for developing apprenticeship and preapprenticeship uniform minimum standards for the apprenticeable trades and assisting district school boards and community college district boards of trustees in developing preapprenticeship programs. Sections 446.011(2), 446.032, and 446.052, F.S. Uniform minimum preapprenticeship standards means “the minimum requirements established uniformly for each craft under which a preapprenticeship program is administered and includes standards for admission, training goals, training objectives, curriculum outlines, objective standards to measure successful completion of the preapprenticeship program, and the percentage of credit which may be given to preapprenticeship graduates upon acceptance into the apprenticeship program.” Section 446.021(8), F.S.

⁴⁴ Section 446.041, F.S.

completing the preapprenticeship programs may be able to receive credit towards completing a registered apprenticeship program.⁴⁵

The State Apprenticeship Advisory Council (Council) advises the department on matters related to apprenticeship.⁴⁶ The Council is comprised of 10 voting members appointed by the Governor and two ex officio nonvoting members.⁴⁷ The Commissioner of Education (commissioner) or the commissioner's designee must serve ex officio as chair of the Council, but may not vote.⁴⁸ Two public members who are knowledgeable about registered apprenticeship and apprenticeable occupations are appointed by the Governor to the Council.⁴⁹ One of the public members must be recommended by joint organizations and one must be recommended by nonjoint organizations.⁵⁰

State Requirements for Educational Facilities

The Florida Building Commission (commission) adopts the State Requirements for Educational Facilities (SREF) within the Florida Building Code (FBC), which governs the planning and construction of public educational and ancillary plants.⁵¹ The State Fire Marshal adopts standards for public school fire safety within the Florida Fire Prevention Code (FFPC).⁵²

The construction of public educational facilities⁵³ and ancillary plants by a district school board must conform to the FBC, FFPC, and the Florida Accessibility Code for Building Construction⁵⁴ (FACBC).⁵⁵ Collectively, the FBC, FFPC, and FACBC form the uniform building code for public educational facilities construction and ensure that such facilities are a safe, secure, sanitary, and accessible learning environment for all students, and that the structures will perform efficiently over their expected life cycles.⁵⁶ The requirements preempt local codes and local amendments to the FBC.⁵⁷

⁴⁵ Section 446.052(3), F.S.

⁴⁶ Section 446.045(2)(a), F.S.

⁴⁷ *Id.*

⁴⁸ Section 446.045(2)(b), F.S.

⁴⁹ *Id.*

⁵⁰ *Id.* A "joint organization" means an apprenticeship sponsor who participates in a collective bargaining agreement. Section 446.045(1)(a), F.S. A "nonjoint organization" means an apprenticeship sponsor who does not participate in a collective bargaining agreement. *Id.* at (1)(b).

⁵¹ Sections 553.73 and 1013.37(1), F.S.; rule 6A-2.0010, F.A.C.; and section 423, FBC. The 2014 *State Requirements for Educational Facilities* (effective November 1, 2014) are available at

<http://www.fldoe.org/core/fileparse.php/7738/urlt/srefrule14.pdf>. See Florida Department of Education, Office of Educational Facilities, *2015 Agency Bill Analysis* (March 5, 2015) at 3; on file with the Committee on Education Pre-K – 12.

⁵² Sections 381.006(16), 1013.03(6), and 1013.37(1) and (4), F.S. and section 443, FBC.

⁵³ Educational facilities" is defined as the buildings and equipment, structures, and special educational use areas that are built, installed, or established to serve primarily the educational purposes and secondarily the social and recreational purposes of the community and which may lawfully be used as authorized by the Florida Statutes and approved by boards. Section 1013.01(6), F.S.

⁵⁴ The federal Americans with Disabilities Act Standards for Accessible Design, and related regulations in 28 C.F.R. parts 35 and 36 and 49 C.F.R. part 37, are adopted by the Florida Building Commission. Sections 553.503 and 553.73(1)(b), F.S.

⁵⁵ The ancillary plants are exempt from other state building codes; county, municipal, or other local amendments to the FBC and local amendments to the FFPC; building permits, and assessments of fees for building permits; ordinances; road closures; and impact fees or service availability fees. Section 1013.371(1)(a), F.S. See also Florida Department of Education, Office of Educational Facilities, *2015 Agency Bill Analysis* (March 5, 2015) at 3; on file with the Committee on Education Pre-K – 12.

⁵⁶ Florida Department of Education, Office of Educational Facilities, *2015 Agency Bill Analysis* (March 5, 2015) at 3; on file with the Committee on Education Pre-K – 12.

⁵⁷ The enforcement of construction regulations governing public schools districts is conducted by personnel and contract providers who are certified to perform plan reviews and inspections. Section 553.80(1)(e) and (6), F.S. See also Florida

The SREF specifies standards including, but not limited to:⁵⁸

- Interior walls;⁵⁹
- Walks, roads, drives, and parking areas;⁶⁰
- Covered walks,⁶¹ and
- Site lighting.⁶²

Proposed Construction, Renovation, or Remodeling Plans

Review by the District School Board

Before the commencement of the construction, renovation, or remodeling of any educational or ancillary plants, a district school board must review the construction plans, including any related documents.⁶³ In reviewing the plans, the district school board must consider, including but not limited to:⁶⁴

- The need for the new facility.
- The energy efficiency and conservation of design.
- Life-cycle cost considerations.
- The proposed construction cost per gross square foot.
- Plans for future expansion.
- The type of construction.
- Sanitary provisions.
- The design to accommodate physically handicapped persons.
- Conformity with the FBC and FFPC standards.

Approval by the District School Board

Before approving any construction plans, a district school board must ensure that the plans comply with the applicable standards of the FBC and the FFPC.⁶⁵ For each proposed new facility and each proposed new addition, exceeding 2,500 square feet, the district school board must

Department of Education, Office of Educational Facilities, *2015 Agency Bill Analysis* (March 5, 2015) at 3; on file with the Committee on Education Pre-K – 12.

⁵⁸ Section 423 of the FBC contains the State Requirements for Educational Facilities (SREF). However, the Florida Building Code has been redrafted and section 423 will be renumbered as section 453. *The Florida Building Code, Draft Building Chapters*, 5th Edition (2014) is available at

http://ecodes.biz/ecodes_support/free_resources/14FloridaDraft/Building/14FL_Building_Draft.html (last visited March 24, 2015).

⁵⁹ Interior nonload-bearing wood studs or partitions may not be used in permanent educational and auxiliary facilities or relocatable buildings. Section 423.8.3.1.1, FBC.

⁶⁰ Walks, roads, drives, and parking areas on educational and ancillary sites must be paved. Roads, drives, and parking areas shall be in compliance with Department of Transportation (DOT) road specifications and striped in compliance with DOT paint specifications. All paved areas must have positive drainage. Section 423.10.2, FBC.

⁶¹ All buildings in K-12 educational facilities must be connected by paved walks and accessible under continuous roof cover. New relocatable classroom buildings must be connected to permanent buildings by paved covered walks where applicable. Section 423.10.2.1, FBC.

⁶² Design, construction, and installation of exterior security lighting for educational and ancillary facilities must be provided for auto, bus, and service drives and loading areas; parking areas; building perimeter; and covered and connector walks between buildings and between buildings and parking. Section 423.10.3, FBC.

⁶³ Section 1013.37(2)(a) and (b), F.S.

⁶⁴ Section 1013.37(2)(b), F.S.

⁶⁵ Sections 1013.37(2), 1013.371(1)(c), and 1013.38(4)(a), F.S.

submit a copy of the plans⁶⁶ to the county, municipality, or independent special fire control district providing fire protection services to the facility for review at no charge.⁶⁷ Upon determining that the construction plans comply with the applicable standards, the district school board may approve the plans and construction may begin on the facilities.⁶⁸

Waivers or Variances

The State Constitution prohibits the enactment of any special act or general law of local application that proposes to amend, alter, or contravene the provisions of the SREF.⁶⁹ Legislative intent is that building officials, local enforcement agencies, and the commission interpret the FBC in a manner that protects the public safety, health, and welfare at the most reasonable cost.⁷⁰

The Florida Building Commission (commission) is not authorized to accept a petition for and may not grant any waiver⁷¹ or variance⁷² from the requirements of the FBC.⁷³ However, the commission is required to adopt criteria and procedures for granting alternative means of compliance with the FBC standards, or local amendments to the FBC, for enforcement by local governments, local enforcement districts, or other entities authorized by law to enforce the FBC.⁷⁴

Upon a determination by the commission of unnecessary, unreasonable, or extreme economic hardship, provided the waiver does not violate federal accessibility laws and regulations, the commission must grant an applicant's request for waiver.⁷⁵

If planned or actual construction of a facility deviates from the standards, a district school board must, at a public hearing, quantify and compare the costs of constructing the facility with the proposed deviations and in compliance with the adopted standards and the FBC, and explain the reason for the proposed deviations.⁷⁶

⁶⁶ Such site plans are exempt from all other state building codes; local amendments to the FBC and FFPC; local ordinances; building permits, including related fees; road closures; and impact fees or service availability fees. Sections 1013.371(1)(a) and 1013.38(1)(b), F.S.

⁶⁷ Section 1013.38(1)(a) and (b), F.S.

⁶⁸ Sections 1013.37(2)(a) and 1013.38(4)(a), F.S.

⁶⁹ Section 1013.37(5), F.S. The enactment of a special law or general law of local application is prohibited if pertaining to a subject prohibited by general law. Art. III, s. 11(a)(21), Fla. Const.

⁷⁰ Section 553.775(1), F.S.

⁷¹ "Waiver" means a decision by an agency to apply all or part of a rule to a person who is subject to the rule. Any waiver must conform to the standards for waivers outlined in the Administrative Procedure Act and in the uniform rulemaking procedures. Section 120.52(22), F.S. (definition of "waiver"); Section 120.54, F.S. (rulemaking procedure).

⁷² "Variance" means a decision by an agency to grant a modification to all or part of the literal requirements of an agency rule to a person who is subject to the rule. Any variance must conform to the standards for variances outlined in the Administrative Procedure Act and in the uniform rulemaking procedures. Section 120.52(21), F.S. (definition of "variance"); Section 120.54, F.S. (rulemaking procedure).

⁷³ Sections 120.80(16)(a) and (b) and 553.512(1), F.S.

⁷⁴ Section 120.80(16)(b), F.S. Each local government and each code enforcement agency with statutory authority must regulate building construction and enforce the FBC standards. Section 553.513, F.S.

⁷⁵ Section 553.512(1), F.S. Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20 percent of the cost of the alteration to the primary function area. 28 C.F.R. s. 36.403(f)(1)

⁷⁶ Section 1013.371(2), F.S.

Florida Education Finance Program (FEFP)

Intensive Reading Instruction

A school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment is required to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year in those schools.⁷⁷ Funds for this program are designated in the Supplemental Academic Instruction and the Research-Based Reading Instruction Allocation categoricals in the FEFP within the General Appropriations Act (GAA).⁷⁸

Dual Enrollment Industry Certification Funding

In 2007, the Legislature created the Florida Career and Professional Education (CAPE) Act to:⁷⁹

- Improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities;
- Provide rigorous and relevant career-themed courses⁸⁰ that articulate to postsecondary-level coursework and lead to industry certification⁸¹;
- Support local and regional economic development;
- Respond to Florida’s critical workforce needs; and
- Provide state residents with access to high-wage and high-demand careers.

The State Board of Education (SBE or State Board) adopts by rule, the list of industry certifications that are eligible for funding through the Florida Education Finance Program (FEFP).⁸² The list of industry certifications approved by Workforce Florida, Inc., and the DOE, called the Industry Certification Funding List, is updated annually.⁸³ Industry certifications on the “Gold Standard Career Pathways” list, which is incorporated by reference in SBE rule,⁸⁴ articulate to Associate in Applied Science and Associate in Science degree programs and are a subset of the Industry Certification Funding List.⁸⁵

Performance funding for a CAPE industry certification earned through dual enrollment is allocated to the Florida College System institution or district career center providing the

⁷⁷ Section 1011.62(1)(f) and (9), F.S.

⁷⁸ Chapter 2014-51, L.O.F.

⁷⁹ Section 1003.491(1), F.S.

⁸⁰ A “career-themed course” is a course, or a course in a series of courses, that leads to an industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the State Board of Education. Career-themed courses have industry-specific curriculum aligned directly to priority workforce needs established by the regional workforce board or the Department of Economic Opportunity. Section 1003.493(1)(b), F.S.

⁸¹ Through third-party assessments called industry certifications, students demonstrate competency to perform specific industry-endorsed and -recognized skills and abilities required to perform particular jobs. Sections 1003.4203(8)(b) and 1003.492(2), F.S.

⁸² Sections 1008.44 and 1003.492, F.S.

⁸³ Section 1003.492(2), F.S.

⁸⁴ Rule 6A-10.0401, F.A.C.

⁸⁵ Florida Department of Education, *Process for Establishing Gold Standard Career Pathways Industry Certification to AAS/AS Degree Statewide Articulation Agreements*, available at <http://www.fldoe.org/workforce/dwdframe/pdf/GSCPICprocess.pdf>.

instruction only if the industry certification is eligible for funding on the Postsecondary Industry Certification Funding List approved by the State Board.⁸⁶

Bonus Funding

Bonus funding is authorized for school districts and for teachers if a student earns a qualifying score on the following examinations and certifications: International Baccalaureate (IB) examinations; Advanced International Certificate of Education (AICE) examinations; Advance Placement (AP) examinations; and CAPE industry certifications.⁸⁷

School District Bonus Funding

School district bonus funding is awarded as follows:⁸⁸

- 0.16 full-time equivalent (FTE) bonus funding for every qualifying score earned on an IB or AP examination or full-credit AICE examination.
- 0.8 FTE bonus funding for every qualifying score earned on a half-credit AICE examination.
- 0.1, 0.2, 0.3, 0.5, or 1.0 FTE for CAPE industry certifications.

Teacher Bonus Funding

Teacher bonus funding is awarded for IB, AICE, and AP examinations, and CAPE industry certifications.⁸⁹ For IB examinations, a bonus in the amount of \$50 is awarded for each student taught by the IB teacher who receives a qualifying score on the IB examination.⁹⁰ An additional bonus of \$500 is awarded to each IB teacher in a school designated with a grade of “D” or “F” who has at least one student earning a qualifying score on the IB examination.⁹¹ IB bonuses must not exceed \$2,000 given to a teacher in any given school year. However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher’s course earn a qualifying score in a school designated with a grade of “A,” “B,” or “C”; or if at least 25 percent of the students enrolled in a teacher’s course earn a qualifying score in a school designated with a grade of “D” or “F.”⁹²

For AICE examinations, a bonus in the amount of \$50 is awarded for each student taught by the AICE teacher in each full-credit AICE course who receives a qualifying score on the AICE examination.⁹³ A bonus in the amount of \$25 is awarded for each student taught by the AICE teacher in each half-credit AICE course who receives a qualifying score on the AICE examination.⁹⁴ An additional bonus of \$500 is awarded to each AICE teacher in a school designated with a grade of “D” or “F” who has at least one student earning a qualifying score on the full-credit AICE examination, or \$250 is awarded each to teachers of half-credit AICE classes in a school designated with a grade of “D” or “F” which has at least one student earning a

⁸⁶ Section 1011.80, F.S.

⁸⁷ Section 1011.62(1)(l)-(o), F.S.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Id.*

qualifying score on the half-credit AICE examination.⁹⁵ AICE bonuses must not exceed \$2,000 given to a teacher in any given school year.⁹⁶

For AP examinations, a bonus in the amount of \$50 is awarded for each student taught by the AP teacher who receives a qualifying score on the AP examination.⁹⁷ An additional bonus of \$500 is awarded to each AP teacher in a school designated with a grade of “D” or “F” who has at least one student earning a qualifying score on the AP examination.⁹⁸ AP bonuses must not exceed \$2,000 given to a teacher in any given school year.⁹⁹ However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher’s course earn a qualifying score in a school designated with a grade of “A,” “B,” or “C”; or if at least 25 percent of the students enrolled in a teacher’s course earn a qualifying score in a school designated with a grade of “D” or “F.”¹⁰⁰

For CAPE Industry Certifications, a bonus in the amount of \$25 is awarded for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.1.¹⁰¹ A bonus in the amount of \$50 is awarded for each student taught by a teacher who provided instruction in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.2, 0.3, 0.5, and 1.0.¹⁰² CAPE industry certification bonuses must not exceed \$2,000 given to a teacher in any given school year.¹⁰³

Discretionary Millage Compression Supplement

A school district that levies the full 0.748 discretionary millage authorized under s. 1011.71(1), F.S., and prescribed in the GAA,¹⁰⁴ and generates an amount of funds per unweighted FTE student that is less than the state average amount per unweighted FTE student, receives a discretionary millage compression supplement that brings the district up to the state average.¹⁰⁵

Sparsity Supplement

The FEFP recognizes the relatively higher operating cost of smaller districts due to sparse student populations through a statutory formula in which the variable factor is a sparsity index.¹⁰⁶ This index is computed by dividing the FTE student membership of the qualified district by the number of permanent senior high school centers (not to exceed three).¹⁰⁷ A qualified district’s

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ Chapter 2014-51, L.O.F.

¹⁰⁵ Florida Department of Education, 2014-15 Funding for Florida School Districts, Statistical Report, available at <http://fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>.

¹⁰⁶ Section 1011.62(7)(a), F.S. Florida Department of Education, 2014-15 Funding for Florida School Districts, Statistical Report, available at <http://fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>.

¹⁰⁷ Section 1011.62(7)(b), F.S.

FTE shall equal or be less than that prescribed annually by the Legislature in the GAA.¹⁰⁸ The amount prescribed annually by the Legislature shall be no less than 17,000, but no more than 24,000 FTE.¹⁰⁹

Virtual Education Contribution

The virtual education contribution is calculated within the FEFP for the Florida Virtual School and its franchises, as well as other virtual instruction programs and options.¹¹⁰ The virtual education contribution is the difference between the amount per FTE established in the GAA for virtual education and the amount per FTE for each district and the Florida Virtual School, which is calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, and the instructional materials allocation, and then dividing by the total unweighted FTE.¹¹¹ In the 2014-2015 fiscal year, funding for virtual education was established at \$5,230 per FTE.¹¹²

Federally Connected Students

Title VIII of the Elementary and Secondary Education Act of 1965 authorizes certain school districts to receive federal Impact Aid funding to support the education of students whose parents are employed by the federal government, including active duty uniformed services, or who live or work on federally owned property, such as military installations, National Aeronautics and Space Administration property, and Indian lands.¹¹³

The Impact Aid funding for Florida school districts has decreased by 50 percent from \$13.9 million in the 1993-1994 fiscal year to \$6.9 million in the 2013-2014 fiscal year.¹¹⁴ Currently, 14 school districts in Florida qualify for federal Impact Aid funding.¹¹⁵

Local Capital Improvement Revenue for Computer Hardware and Enterprise Software

School districts are authorized to use local improvement revenue to purchase, lease-purchase, or lease:

- New and replacement equipment;
- Computer hardware; and

¹⁰⁸ *Id.* at (7)(a).

¹⁰⁹ *Id.*

¹¹⁰ Section 1011.62(11), F.S. Students are eligible to participate in: (a) school-district operated part-time and full-time kindergarten through grade 12 virtual instruction programs, if enrolled in the school district; (b) full-time virtual charter school instruction programs; or (c) virtual courses offered in the course code directory within the school district or other school districts throughout the state. Section 1002.455(3), F.S.

¹¹¹ Section 1011.62(11), F.S.

¹¹² Chapter 2014-51, L.O.F., *see* Specific Appropriations 9 and 96 of the 2014-2015 GAA.

¹¹³ 20 U.S.C. s. 7703.

¹¹⁴ Florida Department of Education, presentation to the Senate Appropriations Subcommittee on Education (January 22, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_2761.pdf.

¹¹⁵ *Id.*

- Enterprise resource software applications that are classified as capital assets, have a useful life of at least 5 years, and are used to support districtwide administration or state-mandated reporting requirements.

Florida Classroom Teacher Supply Program

Under the Florida Teachers Classroom Supply Assistance Program, each school district is provided an allocation based on the prorated total of each school district's share of the total K-12 unweighted FTE student enrollment. These funds are to be used only by classroom teachers for the purchase of classroom instructional materials and supplies for use in teaching students.¹¹⁶ Teachers are required to sign an acknowledgement stating they understand the appropriate use of these funds and that they will keep all receipts for expenditures of the funds for at least four years.¹¹⁷

Student Safety & Discipline

Each district school board is authorized to adopt policies requiring students to wear uniforms or policies imposing other dress-related requirements, if a district school board finds that the policies are necessary for the safety and welfare of the students or school personnel.¹¹⁸ However, students are permitted to wear sunglasses, hats, or other sun-protective wear while outdoors during school hours.¹¹⁹

A district school board must adopt rules and policies relating to the control, discipline, suspension, and expulsion of students.¹²⁰ The district school board must decide on the expulsion of a student based on the school superintendent's recommendation.¹²¹ In addition, a district school board must adopt a student code of conduct for elementary, middle, and high schools and distribute the code to teachers, school personnel, students, and parents at the beginning of the school year.¹²²

The student code of conduct must include a dress code policy prohibiting a student, while on the grounds of a public school during a regular school day, from wearing clothing that exposes underwear or body parts in an indecent or vulgar manner or that disrupts the orderly learning environment.¹²³ Any student who violates the dress code policy is subject to specified disciplinary actions determined by the number of violations committed by the student.¹²⁴ If a student wears clothing or an accessory that causes a substantial disruption to student learning, the district school board may discipline such student in a manner consistent with its policies for similar infractions.¹²⁵

¹¹⁶ 2014-15 Funding for Florida School Districts, Florida Department of Education.

<http://fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>

¹¹⁷ s. 1012.71 (5), F.S.

¹¹⁸ Section 1001.43(1)(b), F.S.

¹¹⁹ *Id.*

¹²⁰ Section 1006.07(1), F.S.

¹²¹ *Id.*

¹²² *Id.* at (2).

¹²³ *Id.* at (2)(d).

¹²⁴ *Id.*

¹²⁵ *Id.* at (2)(g).

Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program (Program) is a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible public or private postsecondary institutions in Florida after graduating from high school.¹²⁶ The DOE administers the Program in accordance with rules and procedures adopted by the State Board of Education.¹²⁷

The Bright Futures Scholarship Program consists of three types of awards:¹²⁸

- Florida Academic Scholarship (FAS),
- Florida Medallion Scholarship (FMS), and
- Florida Gold Seal Vocational Scholarship (FGSV).

To be eligible to receive a Program award, students must meet the general eligibility criteria¹²⁹ and specific academic and community service work requirements.¹³⁰ The community service work must be approved by the district school board, the administrators of a nonpublic school, or the DOE for home education program students.¹³¹

To fulfill the community service work requirement for FAS, students graduating in the 2011-2012 academic year and thereafter, must perform at least 100 hours of community service work, identify a social problem of interest, develop a plan for personal involvement in addressing the problem, and reflect on such experience through papers or presentations.¹³² The community service work requirement for the FMS and FGSV is the same as the requirement for FAS except for the number of community service work hours that FMS and FGSV students must volunteer. FMS students must perform a minimum of 75 hours of community service work¹³³ and FGSV students must perform at least 30 hours of community service work.¹³⁴

Florida National Merit Scholarship Incentive Program

The Florida National Merit Scholarship Incentive Program is a merit scholarship for 2013-14 and later Florida high school graduates who achieved the National Merit or National Achievement

¹²⁶ Section 1009.53(1), F.S. and 1009.531(2)(a-c), F.S., specify a student graduating from high school prior to the 2010-2011 academic year is eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 7 years following high school graduation. Students graduating in the 2010-2011 and 2011-2012 academic school years are eligible to accept an initial award for 3 years following high school graduation and to accept a renewal award for 5 years following high school graduation. In the 2012-2013 academic school year, and thereafter, a student graduating from high school is able to accept an initial award for 2 years following high school and to accept a renewal award for 5 years following high school graduation.

¹²⁷ Section 1009.53(3), F.S.

¹²⁸ Section 1009.53(2), F.S.

¹²⁹ Section 1009.531, F.S.

¹³⁰ Sections 1009.534(1), 1009.535(1), and 1009.536(1)(e), F.S.

¹³¹ Sections 1009.534(1), 1009.535(1), and 1009.536(1)(e), F.S.

¹³² Sections 1009.534(1), F.S.

¹³³ Section 1009.535(1), F.S.

¹³⁴ Section 1009.536(1)(e), F.S.

Finalist designation. The scholarship award is equal to the per term cost of institutional attendance minus the sum of Bright Futures and the award associated with the National Merit/Achievement process.

Postsecondary Textbooks

Florida College System (FCS) institutions and state universities must post on their websites, not less than 30 days prior to the first day of class for each term, a list of each textbook required for each course for the term.¹³⁵ The list must include the International Standard Book Number (ISBN) for each required textbook and specific information necessary to identify the specific textbook required for each course.¹³⁶

The State Board and the Board of Governors (BOG) must adopt policies, procedures, principles, and guidelines for implementation by FCS institutions and state universities that further efforts to minimize the costs of textbooks for students attending such institutions while maintaining the quality of education and academic freedom.¹³⁷ The policies, procedures, and guidelines must provide for the following:¹³⁸

- That textbook adoptions are made with sufficient lead time to bookstores so as to confirm availability of the requested materials and ensure maximum availability of used books.
- That, in the textbook adoption process, the intent to use all items ordered, is confirmed by the course instructor or academic department offering the course before the adoption is finalized.
- That a course instructor or the academic department offering the course, determines, before a textbook is adopted, the extent to which a new edition differs significantly and substantively from earlier versions and the value of changing to a new edition or the extent to which an open access textbook may exist and be used.
- That the establishment of policies shall address the availability of required textbooks to students who are otherwise unable to afford the cost, including consideration of the extent to which an open-access textbook may be used.
- The course instructors and academic departments are encouraged to participate in the development, adaptation, and review of open-access textbooks, especially open-access textbooks for high-demand general education courses.

Tuition and Fees

Under Florida law, “tuition” is defined as “the basic fee charged to a student for instruction provided by a public postsecondary educational institution in this state.”¹³⁹ A student who is classified as a “resident for tuition purposes” is a student who qualifies for the in-state tuition rate.¹⁴⁰ An “out-of-state fee” is “the additional fee for instruction provided by a public

¹³⁵ Section 1004.085(3), F.S.

¹³⁶ *Id.*

¹³⁷ Section 1004.085(3)-(4), F.S.

¹³⁸ Section 1004.085(3)-(4), F.S.

¹³⁹ Section 1009.01(1), F.S. Additionally, the definition of tuition states that “[a] charge for any other purpose shall not be included within this fee.” *Id.*

¹⁴⁰ Section 1009.21(1)(g), F.S.

postsecondary education institution in this state, which fee is charged to a student who does not qualify for the in-state tuition rate.”¹⁴¹

Workforce Education Postsecondary Fees

A student who enrolls in workforce education postsecondary programs is charged tuition and other fees, unless the student is eligible for an exemption or a waiver.¹⁴² The Legislature establishes the standard tuition and out-of-state fee per contact hour. Since July 1, 2014, for programs leading to a career certificate or an applied technology diploma, the standard tuition is \$2.33 per contact hour for residents and nonresidents. The out-of-state fee for such programs is \$6.99 per contact hour.¹⁴³ For adult general education programs, a block tuition of \$45 per half year or \$30 per term is assessed.¹⁴⁴

Each district school board and each FCS System institution board of trustees are authorized to adopt tuition and out-of-state fees that vary no more than 5 percent below of 5 percent above the combined total of the standard tuition and out-of-state fees.¹⁴⁵

Florida College System Institution Student Fees

A student who enrolls in a college credit course, a college preparatory course, or an educator preparation institute (EPI) program at a FCS institution is charged tuition and other fees, unless the student is eligible for an exemption or a waiver.¹⁴⁶ The Legislature establishes the standard tuition and out-of-state fee per credit hour. Since July 1, 2014, the standard tuition per credit hour for residents and non-residents enrolled in advanced and professional, postsecondary vocational, developmental education, and EPI programs is \$71.98. The out-of-state fees for such programs is \$215.94 per credit hour.¹⁴⁷ For baccalaureate programs, the tuition per credit hour for resident students is \$91.79 per credit hour.¹⁴⁸ The sum of tuition and out-of-state fee per credit hour for non-resident students must not be more than 85 percent of the sum of tuition and out-of-state fee at a state university nearest to the FCS institution.¹⁴⁹

Each FCS system institution board of trustees must establish tuition and out-of-state fees, which may vary no more than 10 percent below and 15 percent above the combined total of the standard tuition and fees.¹⁵⁰

State University Student Fees

A student who enrolls in a college credit course at a state university is charged tuition and other fees, unless the student is eligible for an exemption or a waiver.¹⁵¹ The amount of resident

¹⁴¹ Section 1009.01(2), F.S. Additionally, the definition of out-of-state fee states that “[a] charge for any other purpose shall not be included within this fee.” *Id.*

¹⁴² Sections 1009.22(1)-(2), 1009.25, and 1009.26, F.S.

¹⁴³ Section 1009.22(3)(c), F.S.

¹⁴⁴ *Id.*

¹⁴⁵ Section 1009.22(3)(d), F.S.

¹⁴⁶ Sections 1009.23(1)-(2)(a), 1009.25, and 1009.26, F.S.

¹⁴⁷ Section 1009.23(3)(a), F.S.

¹⁴⁸ Section 1009.23(3)(b)1., F.S.

¹⁴⁹ Section 1009.23(3)(b)2., F.S.

¹⁵⁰ Section 1009.23(4), F.S.

¹⁵¹ Sections 1009.24(1)-(2), 1009.25, and 1009.26, F.S.

undergraduate tuition per credit hour is established by the Legislature. Since July 1, 2014, the resident undergraduate tuition is \$105.07 per credit hour for lower-level and upper-level coursework at a state university.¹⁵²

The BOG is authorized to establish tuition for graduate and professional programs, and out-of-state fees for all programs.¹⁵³ The sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students.¹⁵⁴ However, adjustments to out-of-state fees or tuition for graduate programs and professional programs must not exceed 15 percent in a year.¹⁵⁵

Performance-Based Funding

Performance-based funding models include performance metrics that evaluate the achievement and improvement of public postsecondary educational institutions.¹⁵⁶

State University System

In the 2014-2015 GAA, proviso specifically required performance funding be allocated based on the BOG's model approved on January 16, 2014.¹⁵⁷ The BOG model contained 10 performance metrics, which included the following:¹⁵⁸

- Percent of bachelor's degree graduates employed and/or continuing their education;
- Average wages of employed baccalaureate graduates;
- Cost per undergraduate degree;
- Six-year graduation rate (full-time and part-time first time in college (FTIC));
- Academic Progress Rate (second year retention with a grade point average above 2.0);
- Bachelor's degrees awarded in areas of strategic emphasis (including Science, Technology, Engineering and Math (STEM) education);
- University access rate (percent of undergraduates with a Pell Grant);
- Graduate degrees awarded in areas of strategic emphasis (including STEM);
- Two additional metrics, one chosen by each of the following:
 - Board of Governors, and
 - University Board of Trustees

State University System (SUS) institutions will be evaluated for their performance based on benchmarks adopted by the BOG for achievement of excellence or improvement these specified metrics. The 2014-2015 GAA appropriated \$200 million for State University Performance Based Incentives in the 2014-2015 fiscal year, which included \$100 million in new funding and \$100

¹⁵² Section 1009.24(4)(a), F.S.

¹⁵³ Section 1009.24(4)(b), F.S.

¹⁵⁴ *Id.*

¹⁵⁵ *Id.*

¹⁵⁶ Chapters 2013-40 and 2014-51, L.O.F.

¹⁵⁷ Chapter. 2014-51, L.O.F.

¹⁵⁸ See Florida Board of Governors, Meeting Archives (January 15-16, 2014) available at http://www.flbog.edu/pressroom/meeting_items.php?id=185&agenda=765&type=Past (last visited March 23, 2015); see also Florida Board of Governors, Meeting Minutes (January 16, 2014) available at http://www.flbog.edu/documents_meetings/0187_0790_5874_10.2.2%20BOG%202014_01_16_Board_of_Governors_minutes.pdf.

million redistributed from the state university's base funds.¹⁵⁹ Institutions qualifying for new funding also have their base funding restored. Any institution which fails to meet the minimum threshold set by the BOG will have a portion of its base funding withheld and must submit an improvement plan to the BOG. The BOG must approve the improvement plan and conduct progress monitoring of the improvement plan's implementation. An institution will have its full base funding restored upon BOG approval of the improvement plan monitoring report. Any institution that fails to make satisfactory progress will not have its full base funding restored.

Florida College System

In the 2014-2015 GAA, proviso directed the Commissioner of Education to recommend a performance funding formula that may be used to allocate funds to Florida College System institutions.¹⁶⁰ The commissioner's recommendations were to include up to ten performance measures, appropriate performance benchmarks for each measure, and a detailed methodology for allocating performance funds to the colleges.¹⁶¹ At a minimum, the measures were to include job placement rates, cost per degree, and graduation / retention rates. In January 2015, these recommendations were finalized and included the required measures, as well as additional measures for:¹⁶²

- Pell Grant student graduation rate,
- Program completer entry level wages,
- Time to degree,
- Credit milestones, and a
- Local measure selected by each college's board of trustees.

Career and Workforce Education

The Legislature has established mechanisms to facilitate coordination between public and private postsecondary education institutions and employment agencies to assist students in completing degree programs to meet the state's workforce needs.

In 2012, the Legislature created the Complete Florida Plus Program¹⁶³ at the University of West Florida (UWF) for the purpose of:¹⁶⁴

- Facilitating degree completion for the state's adult learners through the Complete Florida Degree Initiative.
- Providing information relating to and access to distance learning courses and degree programs offered by public postsecondary education institutions.

¹⁵⁹ ch. 2014-51, L.O.F.

¹⁶⁰ *Id.*

¹⁶¹ Chapter 2014-51, L.O.F., *see* Florida Department of Education, Division of Colleges, *Florida College System Performance Funding Commissioner's Recommendations*, presentation to the Senate Appropriations Subcommittee on Education (February 11, 2015) available at http://www.floridahighereducation.org/doc_meetings/20150223/Senate-Education-Appropriations-Commissioners-FCS-Performance-Funding.pptx (last visited March 23, 2015).

¹⁶² Florida Department of Education, Division of Colleges, *Florida College System Performance Funding Commissioner's Recommendations*, presentation to the Senate Appropriations Subcommittee on Education (February 11, 2015) available at http://www.floridahighereducation.org/doc_meetings/20150223/Senate-Education-Appropriations-Commissioners-FCS-Performance-Funding.pptx (last visited March 23, 2015).

¹⁶³ The program was formerly established as the Degree Completion Pilot Project pursuant to s. 15, ch. 2012-34, L.O.F.

¹⁶⁴ Section 1006.735(1), F.S.

- Coordinating with the FCS and the SUS to identify and provide online academic support services and resources when the multi-institutional provision of such services and resources is more cost effective or operationally effective.
- Administering the Florida Academic Library Services Cooperative¹⁶⁵ (Cooperative) and consulting with the chancellors of the FCS and the SUS regarding the Cooperative.

The UWF must submit annual reports to the President of the Senate and the Speaker of the House of Representatives relating to the implementation and operation of the components of the Complete Florida Plus Program and the Cooperative.¹⁶⁶

Complete Florida Degree Initiative

In 2014, the Legislature established the Complete Florida Degree Initiative (“Initiative”) within the Complete Florida Plus Program for the purpose of recruiting, recovering, and retaining the state’s adult learners¹⁶⁷ and assisting them in completing an associate degree or a baccalaureate degree aligned to the state’s high-wage, high-skill workforce needs.¹⁶⁸ The Initiative coordinates with FCS institutions, state universities, and private postsecondary institutions and partners with public and private job recruitment and placement agencies to identify associate, applied baccalaureate, and baccalaureate degree programs that meet the state’s workforce needs.¹⁶⁹

Specifically, the Initiative must:¹⁷⁰

- Give priority to degree programs using labor market data and projections, including data and projections included in the Board of Governor’s gap analysis,¹⁷¹ to identify the specific workforce needs and targeted occupations of the state.
- Provide adult learners with a single point of access to information and links to innovative online and accelerated distance learning courses,¹⁷² student and library support services, and electronic resources¹⁷³ that will aid them in completing a postsecondary degree.
- Use existing or develop new competency-based instructional and evaluation tools to assess prior performance, experience, and education to award college credit and reduce the time required for adults to complete degrees.

¹⁶⁵ Section 1006.73, F.S. The cooperative provides a single library automation system and associated resources and services for public postsecondary institutions to use to support learning, teaching, and research needs. *Id.* at (1).

¹⁶⁶ Sections 1006.73(4) and 1006.735(5), F.S.

¹⁶⁷ Section 1006.735(2), F.S. Adult learners who are veterans or active duty members of the United States Armed Forces are given priority. *Id.* An “adult learner” is defined as “a student who has successfully completed college-level coursework in multiple semesters but has left an institution in good standing before completing his or her degree.” *Id.*

¹⁶⁸ Section 1006.735(2), F.S.; *see also*, s. 16, ch. 2014-56, L.O.F.

¹⁶⁹ Section 1006.735(2)(a), F.S.

¹⁷⁰ Section 1006.735(2), F.S.

¹⁷¹ Section 1001.706(5), F.S.

¹⁷² Section 1006.735(3), F.S. The Complete Florida Plus Program manages a statewide Internet-based catalog of distance learning courses, degree programs, and resources offered by public postsecondary education institutions to facilitate the institutions’ efforts in developing a statewide articulation system that allows students to rapidly proceed toward their educational objectives and transfer between institutions. *Id.*; *see also*, s. 1007.01, F.S.

¹⁷³ Section 1006.735(4), F.S. Statewide online services and support include a streamlined online admissions application process for undergraduate transient students and a K-20 statewide computer-assisted student advising system that supports K-12 career and education planning and the advisement, registration, and certification of postsecondary students for graduation. *Id.*

- Develop and implement an evaluation process to collect and analyze appropriate data to report the effectiveness of the Initiative to the chancellors of the FCS and the SUS, the participating postsecondary education institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor.
- Develop and implement a statewide student recruitment campaign targeted toward adult learners, particularly veterans and active duty members of the United States Armed Forces, for enrollment in degree programs offered through the Initiative.

Public Postsecondary Education Mission and Roles

The Legislature establishes education policies, enacts education laws, and appropriates and allocates education resources.¹⁷⁴ The Florida K-20 education system is established to provide high-quality education to students,¹⁷⁵ through publicly supported and controlled public K-12 schools, FCS institutions, state universities, technical centers¹⁷⁶ that are operated by district school boards or FCS institution boards of trustees, Florida Schools for the Deaf and the Blind, and the Florida Virtual School.¹⁷⁷

The mission of Florida’s K-20 education system is to provide to students opportunities to expand their knowledge and skills through rigorous and relevant learning opportunities in accordance with the mission statement and accountability requirements of the K-20 education performance accountability system.¹⁷⁸

In addition to the publicly supported colleges and universities, higher education in the state is also delivered by certain private postsecondary educational institutions that are authorized to operate in Florida by law.¹⁷⁹

Governance

The oversight responsibilities for the state universities rest with the BOG¹⁸⁰ and SBE is responsible for enforcing compliance with law by all school districts and public postsecondary educational institutions, except for the state universities.¹⁸¹

Board of Governors of the State University System of Florida

The BOG is a constitutionally created body to operate, regulate, control, be fully responsible for managing the whole university system.¹⁸² The BOG’s responsibilities must “include, but not be limited to, defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges, ensuring the well-planned coordination and

¹⁷⁴ Section 1000.03(2)(a), F.S.

¹⁷⁵ Section 1000.01(3), F.S.

¹⁷⁶ Technical centers mean career centers pursuant to s. 1001.44, F.S., and charter technical career centers pursuant to s. 1002.34, F.S.

¹⁷⁷ Section 1000.04, F.S.

¹⁷⁸ Section 1003.03(4), F.S.

¹⁷⁹ Chapter 1005, F.S.

¹⁸⁰ Art. IX, s. 7, Fla. Const.

¹⁸¹ Art. IX, s. 2, Fla. Const.; s. 1001.03(8), F.S.

¹⁸² Art. IX, s. 7(d), Fla. Const.

operation of the system, and avoiding wasteful duplication of facilities or programs.”¹⁸³ The BOG’s management is subject to the powers of the legislature to appropriate for the expenditure of funds, and BOG must account for such expenditures as provided by law.¹⁸⁴

State University System

The university system consists of 12 state universities.¹⁸⁵ The BOG is comprised of 17 members: the Commissioner of Education; the chair of the advisory council of faculty senates, or the equivalent; the president of the Florida student association, or the equivalent; and 14 citizen-appointments by the Governor.¹⁸⁶

Each institution in the state university system is governed locally by a board of trustees¹⁸⁷ comprised of 13 members – the chair of the faculty senate or the equivalent, the president of the student body of that institution, six citizen members appointed by the Governor, and five citizen members appointed by the BOG. The members appointed by the Governor and the BOG must be confirmed by the Florida Senate.¹⁸⁸ The local boards of trustees must govern their institutions in accordance with BOG rules and regulations.¹⁸⁹ Each local board’s responsibilities include strategic planning and adopting policies regarding admissions, programs, administration, personnel, contracts, and facilities.¹⁹⁰

Eleven of the 12 state universities are regionally accredited by the Southern Association of Colleges and Schools (SACS).¹⁹¹ Florida Polytechnic University, which was established in 2012, is expected to achieve accreditation from SACS by December 31, 2016.¹⁹²

State Board of Education

The SBE is the “chief implementing and coordinating body of public education in Florida, except for the State University System” and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education except for the state university system.¹⁹³ As such, the SBE has governing authority over the FCS institutions and districts school boards, and is authorized to delegate SBE’s general powers to the Commissioner of Education or the directors of the divisions of the Florida Department of Education.¹⁹⁴

¹⁸³ Art. IX, s. 7(d), Fla. Const.; s. 1001.705(2), F.S.

¹⁸⁴ *Id.*

¹⁸⁵ The State University System of Florida consists of 12 state universities: Florida Agricultural and Mechanical University, Florida Atlantic University, Florida Gulf Coast University, Florida International University, Florida Polytechnic University, Florida State University, New College of Florida, University of Central Florida, University of Florida, University of North Florida, University of South Florida, and University of West Florida. Florida Board of Governors, State University System of Florida, <http://www.flbog.edu/aboutsus/universities/> (March 21, 2015).

¹⁸⁶ Art. IX, s. 7(d), Fla. Const.

¹⁸⁷ Art. IX, s. 7(c), Fla. Const.; s. 1001.71(1), F.S.

¹⁸⁸ *Id.*

¹⁸⁹ Art. IX, s. 7(c), Fla. Const.; *see also* Florida Board of Governors Regulation 1.001.

¹⁹⁰ Florida Board of Governors Regulation 1.001(3)-(7).

¹⁹¹ Southern Association of Colleges and Schools, *Highest Degree Offered by an Institution*, <http://www.sacscoc.org/searchResults.asp> (last visited March 22, 2015).

¹⁹² Section 1, ch. 2012-129, L.O.F.

¹⁹³ Section 1001.02(1), F.S.

¹⁹⁴ Section 1001.02((1) and (4), F.S.

Florida College System

There are 28 FCS institutions and their regional service areas are specified in law.¹⁹⁵ Each FCS institution is governed by a local board of trustees.¹⁹⁶ Each FCS institution board of trustees must be comprised of 5 members if a FCS institution district is confined to one school board district; 7 members if a FCS institution district is confined to one school board district and the board of trustees so elects; and not more than 9 members if a FCS institution district contains two or more school board districts.¹⁹⁷ The FCS boards of trustees are appointed by the Governor and confirmed by the Senate.¹⁹⁸ Each FCS board of trustees is responsible for cost-effective policy decisions regarding the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the SBE, the measurement of performance, the reporting of information, and the provision of input on state policy, budgeting, and education standards.¹⁹⁹ FCS boards of trustees are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.²⁰⁰

All 28 FCS institutions are regionally accredited by SACS.²⁰¹

Technical Centers Operated by District School Boards

The state constitution provides that each county in Florida constitutes a school district and requires each district to be governed by a school board comprised of at least 5 members chosen by vote of the electors.²⁰² There are 67 district school boards. Each district school board must operate, control, and supervise all free public schools within the school district and determine the rate of school district taxes within the prescribed limits.²⁰³ Florida law specifies the powers and duties of the districts school board.²⁰⁴

District school boards are authorized to establish or acquire career centers, after first obtaining approval from the DOE.²⁰⁵ A career center is a part of the district school system and offers terminal courses of a technical nature, and courses for out-of-school youth and adults.²⁰⁶ A career

¹⁹⁵ The 28 Florida College System (FCS) institutions are Eastern Florida State College; Broward College; College of Central Florida; Chipola College; Daytona State College; Florida SouthWestern State College; Florida State College at Jacksonville; Florida Keys Community College; Gulf Coast State College; Hillsborough Community College; Indian River State College; Florida Gateway College; Lake-Sumter State College; State College of Florida, Manatee-Sarasota; Miami Dade College, North Florida Community College; Northwest Florida State College; Palm Beach State College; Pasco-Hernando State College; Pensacola State College; Polk State College; St. Johns River State College; St. Petersburg College; Santa Fe College; Seminole State College of Florida; South Florida State College; Tallahassee Community College; and Valencia College. Section 1000.21(3), F.S.

¹⁹⁶ Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S. FCS institutions are statutorily-designated as political subdivisions of the state. Section 1004.67, F.S.

¹⁹⁷ Section 1001.61(1), F.S. Florida State College at Jacksonville must have an odd number of trustees. *Id.*

¹⁹⁸ Section 1001.61(2), F.S.

¹⁹⁹ Section 1001.64(1), F.S.

²⁰⁰ Section 1001.64(4), F.S.

²⁰¹ Southern Association of Colleges and Schools, *Highest Degree Offered by an Institution*, <http://www.sacscoc.org/searchResults.asp> (last visited March 22, 2015).

²⁰² Art. IX, s. 4(a), Fla. Const.

²⁰³ Art. IX, s. 4(b), Fla. Const.

²⁰⁴ Part II, ch. 1001, F.S.

²⁰⁵ Section 1001.44(1)-(2), F.S.

²⁰⁶ Section 1001.44(3)(a), F.S.

center must be under the control of the district school board of the school district in which the center is located, and must be directed by a director “responsible through the district school superintendent to the district school board of the school district in which the center is located.”²⁰⁷ There are 47 career centers that are operated by district school boards in Florida.²⁰⁸

In addition, to career centers, the Legislature also authorized the creation of charter technical career centers that may be formed by creating a new school or converting an existing school district or FCS institution program to charter technical status.²⁰⁹ According to legislative findings, a charter technical career center “can assist in promoting advances and innovations in workforce preparation and economic development.”²¹⁰ Further, a charter technical career center “may provide a learning environment that better serves the needs of a specific population or a group of occupations, thus promoting diversity and choices within the public education and public postsecondary technical education community in this state.”²¹¹ There are 2 charter technical career centers that are operated by district school boards in Florida.²¹²

All 47 career centers and 2 charter technical career centers are accredited by the Council on Occupational Education (COE).²¹³

Mission

State University System

The purpose of the state university system is to “achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida’s citizens, their communities and economies.”²¹⁴

Florida College System

The primary mission and responsibility of FCS institutions is responding to community needs for postsecondary academic education and career degree education.²¹⁵ Florida law specifies the following as the primary mission of FCS institutions:²¹⁶

- Providing lower level undergraduate instruction and awarding associate degrees.

²⁰⁷ *Id.*

²⁰⁸ Florida Department of Education, *2013-14 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1314quickfacts.pdf> (last visited March 22, 2015).

²⁰⁹ Section 1002.34(1), F.S.

²¹⁰ *Id.*

²¹¹ Section 1002.34(1), F.S.

²¹² Florida Department of Education, *A Comparison of State of Florida Charter Technical Career Centers to District Non-Charter Career Centers, 2013-14*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/charterreview14.pdf>, at 2 of 25.

²¹³ Florida Department of Education, Presentation to the Florida House of Representatives Higher Education & Workforce Subcommittee (Jan. 7, 2015), available at <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2853&Session=2015&DocumentType=Meeting%20Packets&FileName=hews%201-7-15.pdf>, at 8 of 87; Florida Department of Education, *A Comparison of State of Florida Charter Technical Career Centers to District Non-Charter Career Centers, 2013-14*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/charterreview14.pdf>, at 3-4 of 25.

²¹⁴ Art. IX, s. 7(a), Fla. Const.

²¹⁵ Section 1004.65(5), F.S.

²¹⁶ *Id.*

- Preparing students directly for careers requiring less than baccalaureate degrees.
- Providing student development services to ensure student success.
- Promoting economic development for the state through special programs (e.g., Enterprise Florida-related programs and workforce literacy programs).
- Providing dual enrollment instruction.
- Providing upper level instruction and awarding baccalaureate degrees that are authorized by law.

Additionally, a secondary mission of FCS institutions includes offering programs in:²¹⁷

- Community services that are not directly related to academic or occupational advancement.
- Adult education services.
- Recreational and leisure services.

Florida College System Institution Baccalaureate Degree Programs

The Legislature created the site-determined baccalaureate degree access program in 1999 to authorize community colleges to offer baccalaureate degrees to meet the economic development and educational needs of place-bound, nontraditional students in areas of the state that are underserved by 4-year institutions.²¹⁸

In 2001, the Legislature redesignated St. Petersburg Junior College as St. Petersburg College and authorized community colleges to offer baccalaureate degrees in populous counties that are underserved by public baccalaureate degree granting institutions.²¹⁹ The legislative intent to provide access to baccalaureate degrees was to “address the state’s workforce needs, especially the need for teachers, nurses, and business managers in agencies and firms that require expertise in technology.”²²⁰ St. Petersburg College was the first college that the Legislature authorized to offer baccalaureate degrees.²²¹ The Legislature specified the purpose for authorizing St. Petersburg College to offer high quality undergraduate education at affordable prices is to “promote economic development by preparing people for occupations that require a bachelor’s degree and are in demand by existing or emerging public and private employers in this state.”²²²

The SBE is responsible for reviewing and approving proposals by FCS institutions to offer baccalaureate degree programs.²²³ The approval process requires the FCS institutions to submit a notice of intent to the Division of Florida Colleges (Division), DOE, regarding the proposed baccalaureate degree program 100 days before the submission of the program proposal.²²⁴ Within 10 days after receipt of the notice, the Division must forward the notice of intent to the Chancellor of the State University System, the President of Independent Colleges and Universities of Florida (ICUF), and the Executive Director of the Commission for Independent

²¹⁷ Section 1004.65(6), F.S.

²¹⁸ Section 1, ch. 99-290, L.O.F.

²¹⁹ Section 40, ch. 2001-170, L.O.F.

²²⁰ *Id.*

²²¹ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (March 10, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2894.pdf, at 48-49 of 97.

²²² Section 40, ch. 2001-170, L.O.F.

²²³ Section 1001.03(15), F.S.

²²⁴ Section 1007.33(5)(a), F.S.

Education.²²⁵ The state universities have 60 days, after receipt of the notice by the Chancellor of the State University system, to submit objections to the proposed program or submit an alternative proposal to offer the baccalaureate degree program. If the SBE does not receive a proposal from a state university within the 60-day period, the SBE is required to provide regionally accredited private colleges and universities 30 days to submit objections to the proposed program or submit an alternative proposal. Objections and alternative proposals must be submitted to the Division, and must be considered by the SBE in making its decision to approve or deny a FCS institution's baccalaureate degree program proposal.²²⁶ The alternative proposal must address specified information (e.g., the extent to which the workforce demand and unmet need described in the notice of intent will be met; and the level of financial commitment of the college or university to develop, implement, and maintain the specified degree program).²²⁷

Currently, 24 FCS institutions offer 175 baccalaureate degree programs.²²⁸ In 2014, the Legislature placed a one-year moratorium on the State Board of Education's approval of new baccalaureate degree program offerings by FCS institutions.²²⁹

Technical Centers Operated by District School Boards

Florida law does not provide a specific mission for the career centers.²³⁰ However, the law specifies that career centers, under the control of district school boards, must offer terminal courses of a technical nature and courses for out-of-school youth and adults.²³¹

The purpose of charter technical career centers is to:²³²

- Develop a competitive workforce to support local business and industry and economic development.
- Create a training and education model that is reflective of marketplace realities.
- Offer a continuum of career educational opportunities using school-to-work, tech-prep, technical academy, and magnet school model.
- Provide career pathways for lifelong learning and career mobility.
- Enhance career and technical training.

²²⁵ Section 1007.33(5)(b), F.S.

²²⁶ *Id.*

²²⁷ Section 1007.33(5)(c), F.S.

²²⁸ The 24 colleges that are authorized to offer baccalaureate degree programs include St. Petersburg College, Chipola College, Miami Dade College, Northwest Florida State College, Daytona State College, Florida SouthWestern State College, Florida State College at Jacksonville, Indian River State College, Broward College, Palm Beach State College, Polk State College, Santa Fe College, Seminole College, State College of Florida-Manatee, College of Central Florida, Gulf Coast State College, Pensacola College, St. Johns River State College, Valencia College, Florida Gateway College, South Florida State College, Lake-Sumter State College, Eastern Florida State College, and Pasco-Hernando State College. Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (March 10, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2894.pdf, at 49 of 97; Email, Office of Program Policy Analysis and Government Accountability (Feb. 13, 2015).

²²⁹ Sections 3 and 22, ch. 2014-56, LO.F.

²³⁰ Section 1001.44, F.S.

²³¹ Section 1001.44(3)(a), F.S.

²³² Section 1002.34(2), F.S.

Articulation

The SBE and the BOG must collaborate to establish and adopt articulation policies with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System, and recommend policies to the Legislature.²³³ The policies must relate to:²³⁴

- The alignment between exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.
- The identification of common courses, the level of courses, institutional participation in the statewide course numbering system, and the transferability of credits among such institutions.
- Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.
- Dual enrollment course equivalencies.
- Articulation agreements.

The SBE, in conjunction with the BOG, must establish an articulation accountability process, which must address specified issues such as:²³⁵

- The impact of articulation processes on educational continuity and the orderly and unobstructed transition of students between public secondary and postsecondary education systems and facilitating the transition of students between public and private sectors.
- The smooth transfer of FCS associate degree graduates to a state university.

Dual Enrollment

Each year, more than 50,000 students participate in Florida's dual enrollment program and participation is continuing to grow.²³⁶ Dual enrollment is an acceleration mechanism that allows a student, who is enrolled in grades 6 through 12 in a Florida public school or in a Florida private school²³⁷ or who is a home education²³⁸ student, to enroll in a postsecondary course that is

²³³ Section 1007.01(2), F.S.

²³⁴ *Id.*

²³⁵ Section 1008.38, F.S.

²³⁶ Florida Department of Education, *Dual Enrollment FAQs*, available at <http://www.fldoe.org/core/fileparse.php/5423/urlt/DualEnrollmentFAQ.pdf>, at 1 of 12.

²³⁷ A private school is “a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs conducted in accordance with s. 1002.41.” Section 1002.01(2), F.S. The Florida Department of Education (DOE) maintains a database of private schools that meet the specified requirements in law. Section 1002.42(2), F.S.

²³⁸ A home education program means “the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of ss. 1002.41, 1003.01(13), and 1003.21(1).” Section 1002.01(1), F.S. A parent must notify the district school superintendent of the county in which the parent resides of his or her intent to establish and maintain a home education program. The notice must be in writing, signed by the parent, and must include the names, addresses, and birthdates of all children who shall be enrolled as students in the home education program. The notice must be

creditable toward high school completion and a career certificate, an associate degree, or a baccalaureate degree.²³⁹ A student who is enrolled in postsecondary instruction that is not creditable toward a high school diploma must not be classified as a dual enrollment student.²⁴⁰ Eligible students are authorized to enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term.²⁴¹ If, however, a student is projected to graduate from high school before the scheduled completion date for a postsecondary course, the student must not register for that course through dual enrollment.²⁴²

Student Eligibility Requirements

To enroll in a postsecondary course through dual enrollment, a student must demonstrate readiness to perform college-level work.²⁴³ To demonstrate readiness for college-credit dual enrollment courses, students must attain a 3.0 unweighted high school grade point average (GPA) and the minimum required score on a common placement test²⁴⁴ adopted by the State Board of Education.²⁴⁵ To enroll in a career dual enrollment course, students must attain a 2.0 unweighted high school GPA.²⁴⁶ FCS institution boards of trustees may establish additional initial student eligibility requirements which must be specified in dual enrollment articulation agreements.²⁴⁷ However, such requirements must not “arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses.”²⁴⁸

Dual Enrollment Articulation Agreements

Dual enrollment articulation agreements (articulation agreement) are locally-developed agreements between a school district, a home education parent, or a private school and an eligible postsecondary education institution²⁴⁹ regarding participation in dual enrollment courses.²⁵⁰ The articulation agreement between each school district and public postsecondary institution are mandatory and must be submitted to the DOE annually by August 1.²⁵¹ However, articulation agreements between postsecondary education institutions and private secondary

filed in the district school superintendent’s office within 30 days of the establishment of the home education program.

Section 1002.41(1)(a), F.S.

²³⁹ Section 1007.271(1)-(2), F.S.

²⁴⁰ Section 1007.271(1), F.S.

²⁴¹ Section 1007.271(2), F.S.

²⁴² *Id.*

²⁴³ Section 1007.271(3), F.S.

²⁴⁴ A student may take the Florida Postsecondary Education Readiness Test (PERT), Accuplacer, SAT, or Enhanced ACT to demonstrate reading, writing, and mathematics proficiency, by meeting specified minimum test scores, to perform college-level work. Rule 61-10.0315, F.A.C.

²⁴⁵ Section 1007.271(3), F.S.

²⁴⁶ *Id.*

²⁴⁷ *Id.*

²⁴⁸ *Id.*

²⁴⁹ An eligible postsecondary education institution is a state university, a Florida College System (FCS) institution, or “an independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and confers degrees as defined in s. 1005.02” Sections 1007.271 and 1011.62(1)(i), F.S.

²⁵⁰ Section 1007.271, F.S.; Florida Department of Education, *Dual Enrollment FAQs*, available at <http://www.fldoe.org/core/fileparse.php/5423/urlt/DualEnrollmentFAQ.pdf>, at 3 of 12.

²⁵¹ Section 1007.271(21), F.S.

schools are optional and not submitted to the department.²⁵² In addition, articulation agreements between a home education parent and the partnering postsecondary education institution are not required to be submitted to the department.²⁵³ Consequently, DOE does not annually collect information on articulation agreements for private school and home education program students.

Currently, two of Florida's 12 state universities and all 28 FCS institutions participate in dual enrollment.²⁵⁴

Tuition, Fees, and Other Costs

A student who enrolls in a postsecondary course through dual enrollment is exempt from the payment of registration, tuition, and laboratory fees.²⁵⁵

Instructional materials assigned for dual enrollment courses must be provided to dual enrollment students from Florida public high schools free of charge.²⁵⁶ This requirement does not prohibit a FCS institution from providing instructional materials at no cost to a home education program or a private school student.²⁵⁷ Instructional materials purchased by a district school board or a FCS institution board of trustees on behalf of dual enrollment students must be the property of the board that purchased the instructional materials.²⁵⁸

Governing Nonprofit Organization

The Florida High School Athletic Association (FHSAA) is the designated governing nonprofit organization of athletics in Florida public schools in grades 6 through 12.²⁵⁹ If the FHSAA fails to meet its obligations and responsibilities, the Commissioner of Education is directed to designate a nonprofit organization to manage interscholastic athletics with the approval of the State Board of Education.²⁶⁰

Governing Structure

The FHSAA operates as a representative democracy in which the sovereign authority is within the member schools.²⁶¹ FHSAA member schools are divided along existing county lines into four administrative regions.

²⁵² Section 1007.271(24), F.S.

²⁵³ Section 1007.271(13), F.S.

²⁵⁴ Email, Florida Department of Education (March 13, 2015), on file with the Committee on Education Pre-K – 12 staff; Florida Department of Education, *2014-15 Dual Enrollment Agreements*, <http://www.fldoe.org/policy/articulation/1415dual-enrollment-agreements.shtml> (last visited March 13, 2015).

²⁵⁵ Section 1007.271(2), F.S.

²⁵⁶ Section 1007.271(17), F.S.

²⁵⁷ *Id.*

²⁵⁸ *Id.*

²⁵⁹ Section 1006.20, F.S.

²⁶⁰ Section 1006.20(1), F.S.

²⁶¹ Section 1006.20(1), F.S.

FHSAA's governance structure consists of a 16 member board of directors.²⁶² The members of the board of directors serve terms of 3 years and are eligible to succeed themselves only once.²⁶³ The board is responsible for levying dues and fees, formulating administrative policies, and acting as the final decision-maker in disputes regarding student eligibility, member sanctions, and other FHSAA bylaws and policies.²⁶⁴

Bylaws

The FHSAA must adopt bylaws specifying the process and standards for eligibility determinations. The bylaws must provide the following:²⁶⁵

- Ineligibility must be established by clear and convincing evidence;
- Student athletes, parents, and schools must have notice of the initiation of any investigation or other eligibility inquiry and may present information or evidence to the investigator and to the individual making the eligibility determination;
- Eligibility determinations must be made by the executive director or designee for an unbiased and objective determination of eligibility; and
- Determination of ineligibility must be made in writing, setting forth the findings of fact and specific violation upon which the decision is based.

The law provides specific direction to FHSAA on such eligibility matters as residency, transfer, recruiting, and medical evaluations.²⁶⁶ FHSAA has discretion to adopt bylaws on eligibility, provided they do not conflict with statutory requirements.²⁶⁷

The FHSAA must adopt bylaws that establish sanctions for coaches who have committed major violations of the FHSAA's bylaws and policies.²⁶⁸ Major violations include, but are not limited to:²⁶⁹

- Knowingly allowing an ineligible student to participate in a contest representing a member school in an interscholastic contest; or
- Committing a violation of the FHSAA's recruiting or sportsmanship policies.

Appeals

The FHSAA must establish a procedure of due process which ensures each student the opportunity to appeal an unfavorable ruling with regard to his or her eligibility to compete.²⁷⁰ The initial appeal is made to a committee on appeals in the administrative region where the

²⁶² The board is composed of four public member school representatives, four nonpublic member school representatives, three representatives appointed by the commissioner, two district school superintendents, two district school board members, the commissioner or designee. Section 1006.20(4)(a), F.S.

²⁶³ Members of the board of directors shall serve terms of 3 years and are eligible to succeed themselves only once. A member of the board of directors, other than the commissioner or his or her designee, may serve a maximum of 6 consecutive years. The FHSAA's bylaws shall establish a rotation of terms to ensure that a majority of the members' terms do not expire concurrently. Section 1006.20(4)(d), F.S.

²⁶⁴ Section 1006.20(4)(e), F.S.

²⁶⁵ Section 1006.20(2)(g), F.S.

²⁶⁶ Section 1006.20(2)(c), F.S.

²⁶⁷ Section 1006.20(1) and (2)(a)-(c), F.S.

²⁶⁸ Section 1006.20(2)(f), F.S.

²⁶⁹ *Id.*

²⁷⁰ Section 1006.20(7), F.S.

student lives.²⁷¹ The FHSAA bylaws establish the number, size, and composition of each committee on appeals. The bylaws specify the process and standards for eligibility determinations.²⁷²

Student Participation in Extracurricular Activities

Public Student Eligibility

To be eligible for participation in interscholastic extracurricular activities, a public high school student must:²⁷³

- Maintain either a 2.0 grade point average (GPA) or above on a 4.0 scale in the semester preceding participation; or a cumulative 2.0 GPA or above in the courses required for high school graduation.
- Execute and fulfill the requirements of an academic performance contract if the student's GPA falls below 2.0 in the courses required for graduation.
- Have a cumulative GPA of 2.0 or above in the courses required for graduation in his or her junior or senior year.
- Maintain satisfactory conduct to be eligible to participate in interscholastic extracurricular activities.

Home Education Student Eligibility

A home education student may participate in any sport at any public high school for which the student is zoned or could attend through district or interdistrict controlled open enrollment provisions.²⁷⁴ A home education student may also develop an agreement to participate at a private school.²⁷⁵ The student must demonstrate educational progress during the period of participation in all subjects taken in the home education program by a method of evaluation agreed upon by the parent and the school principal.²⁷⁶

Charter School Student Eligibility

A charter school student may participate in any sport that is not offered by the charter school, at any public high school for which the student is assigned according to district school board attendance policies or which the student could choose to attend through district or interdistrict controlled open enrollment provisions.²⁷⁷

Virtual School Student Eligibility

A student of the Florida Virtual School full-time program may participate in any interscholastic extracurricular activity at the public school in which the student would be assigned according to

²⁷¹ *Id.*

²⁷² Bylaw 10.4.1, FHSAA

²⁷³ Section 1006.15(3), F.S.

²⁷⁴ *Id.*

²⁷⁵ *Id.*

²⁷⁶ *Id.*

²⁷⁷ Section 1006.15(3)(d), F.S.

district policy or where the student could attend according to controlled open enrollment policies.²⁷⁸

Private School Student Eligibility

A student attending a private middle school or high school may participate in interscholastic or intrascholastic sports at a public school that is zoned for the physical address at which the student resides if the private school where the student is enrolled is not a member of the FHSAA and does not offer an interscholastic or intrascholastic athletic program.²⁷⁹

A private school student may only participate at the public school in which the student first registers or is a candidate for participation by engaging in a practice.²⁸⁰

Only students attending a FHSAA nonmember private school with enrollment of 125 or fewer students may participate in a public school athletic program.²⁸¹

The parents of a private school student who participates in athletics at a public school are responsible for transporting the student to and from the public school.²⁸² The student's private school, the public school where the student participates in athletics, the district school board, and the FHSAA are exempt from liability arising from any injury that occurs during such transportation.²⁸³

Student Ineligibility

A student may only be declared ineligible based upon violation of recruiting rules if the student or parent has:²⁸⁴

- Falsified any enrollment or eligibility document; or
- Accepted an impermissible benefit, i.e., any benefit or promise not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

The FHSAA is required to adopt bylaws to prohibit the recruitment of students for athletic purposes.²⁸⁵ The bylaws may not:²⁸⁶

- Limit the competition of student athletes for rule violations of their adult representatives, their school, or the school's coaches.
- Unfairly punish students for eligibility or recruiting violations perpetrated by a teammate, coach, or administrator.
- Forfeit contests for inadvertent eligibility violations due to the actions of a coach or a school administrator.

²⁷⁸ Section 1006.15(2), F.S.

²⁷⁹ Section 1006.15(8), F.S.

²⁸⁰ *Id.*

²⁸¹ *Id.*

²⁸² *Id.*

²⁸³ *Id.*

²⁸⁴ Section 1006.20(2), F.S.; bylaw 9.1.2.3, FHSAA.

²⁸⁵ Section 1006.20(2), F.S.

²⁸⁶ *Id.*

- Forfeit contests for other eligibility violations or recruiting violations in excess of the number of contests that the coaches and adult representatives responsible for the violations are prospectively suspended.

Location of Student Eligibility

A student may participate in interscholastic athletics at the school in which he or she first enrolls each school year or, at the school in which the student becomes a candidate for an athletic team by engaging in a practice prior to enrolling in the school.²⁸⁷

The FHSAA is required to adopt bylaws for transfer eligibility requirements, unless otherwise specifically provided by statute.²⁸⁸ The bylaws also allow the student to be eligible in the school where the student has transferred during the school year if the transfer is made by deadlines established by the FHSAA, which may not be prior to the date authorized for the beginning of practice for the sport.²⁸⁹ Transfers will be allowed pursuant to the district school board policies.²⁹⁰

Insurance

Any insurance provided by district school boards for participants in extracurricular activities will cover the participating home education student.²⁹¹ If there is an additional premium for such coverage, the participating home education student shall pay the premium.²⁹²

III. Effect of Proposed Changes:

The bill updates and establishes numerous K-12 and postsecondary education statutes relating to Florida digital classrooms, apprenticeships, public school funding and policy issues, preeminent state research university designation, postsecondary affordability, postsecondary performance-based incentive funding models, a Rapid Response Education and Training Program, educator liability insurance, and the Florida Best and Brightest Teacher Scholarship Program.

Florida Digital Classrooms

The bill provides a mechanism for assessing and comparing the status of digital readiness of school districts and public schools based on technology infrastructure standards and targets identified by the Agency for State Technology (AST or agency) or a professional organization that the agency contracts with (contracted organization). The digital readiness of school districts must be assessed using a digital readiness scorecard and uniform definitions of technology infrastructure components established by the Department of Education (DOE or department) in consultation with the agency.

²⁸⁷ Section 1006.20(2)(a), F.S.

²⁸⁸ Section 1006.20(2), F.S.

²⁸⁹ Section 1006.20(2), F.S.; bylaw 9.3, FHSAA.

²⁹⁰ Section 1006.20(2), F.S.

²⁹¹ Section 1006.15(7), F.S.

²⁹² *Id.*

Specifically, the bill requires the AST, or a contracted organization, to consult with the department to identify technology infrastructure standards for the successful implementation of digital classrooms. These standards must include, but are not limited to, device recommendations, security and connectivity requirements, and browser expectations. This provision will likely facilitate a collaboration between AST, the agency that establishes the standards for the most efficient use of state's information technology resources,²⁹³ and the DOE, the department that is familiar with public schools' instructional needs.

Requirements for the Agency for State Technology

The AST was established in 2014 by the Legislature to oversee the state's essential technology projects and is responsible for establishing standards and processes for information technology (IT).²⁹⁴ The agency is responsible for establishing technology architecture standards to provide the most efficient use of the state's IT resources which must include, but not be limited to, performance measurements and metrics that objectively reflect the status of an IT project based on a defined and documented scope, cost, and schedule.²⁹⁵

In addition to identifying the technology infrastructure standards and targets, the bill requires AST, or a contracted organization, to:

- Perform an annual assessment of the DOE's 5-year strategic plan for establishing Florida digital classrooms and the districts' and charter schools' digital classrooms plans for the 2015-2016 school year, and annually thereafter, to determine the status of technology infrastructure and digital readiness of school districts. The retrospective analyses will likely provide the state with an independent assessment of the districts' and schools' technology infrastructure and digital readiness status and needs. Currently, technology readiness data are self-reported by the school districts. In addition, the retrospective analyses will likely assist with identifying gaps in technology infrastructure relative to the identified standards and targets. The bill requires school districts to be assessed using a digital readiness scorecard to provide a mechanism for comparing the status of school districts' digital readiness.
- Provide prospective planning guidance and technical assistance to the department, school districts, and public schools regarding identified gaps in technology infrastructure and recommended improvements to meet the standards and targets identified by AST or a contracted organization. The guidance and technical assistance will likely help the DOE, school districts, and public schools to make strategic and purposeful investments in technology infrastructure.
- Submit a report by May 1, 2016, for the 2015-2016 school year, and annually by December 1 thereafter, to the Governor, President of the Senate, and Speaker of the House of Representatives, summarizing the status of technology infrastructure and recommending strategies for improving cost efficiencies and maximizing the state's and school districts'

²⁹³ Section 282.0051(2), F.S. The Agency for State Technology is responsible for developing and publishing "information technology policy for the management of the state's information technology resources." Section 282.0051(1), F.S.

²⁹⁴ Section 10, ch. 2014-221, L.O.F.; Agency for State Technology, *About Us*, <http://www.ast.myflorida.com/about.asp> (lasted visited March 9, 2015) Information technology means "equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form." Section 282.0041, F.S.

²⁹⁵ Section 282.0051(2)-(3), F.S.

investments in technology to establish digital classrooms. The annual report, which AST must provide to the Commissioner of Education (commissioner) by November 1 of each year, will likely help to inform the state about the school districts' and public schools' technology infrastructure status and progress toward meeting the technology infrastructure standards and targets that are identified by AST or a contracted organization in consultation with the DOE. Additionally, the recommendations regarding cost efficiencies may help inform strategic budgetary investments in technology infrastructure.

- Collaborate with the DOE and the Department of Management Services (DMS) to identify:
 - State term contract or other local procurement options available to school districts that provide information technology commodities, consultant services, or staff augmentation contractual services that support the information technology architecture standards applicable to digital classrooms.
 - Shared services available to school districts through the State Data Center to facilitate the implementation of school district digital classrooms plans.

Requirements for the Department of Education

The bill specifies requirements for the DOE regarding incorporating the identified technology infrastructure standards and targets in the department's 5-year strategic plan (state plan), establishing uniform definitions of technology infrastructure components, creating a digital readiness scorecard, and providing access to statewide procurement service agreements:

- The DOE must include the identified technology infrastructure standards and targets in the state plan for successful implementation of digital classrooms to improve student performance outcomes. In addition to the components that must be included in the state plan, which are specified in law,²⁹⁶ the bill clarifies that the state plan must also identify minimum technology infrastructure requirements in consultation with the AST. The minimum technology infrastructure requirements will likely help the school districts and public schools strategically plan for technology investments and allocate funds purposefully.
- The DOE must coordinate with the AST to facilitate school districts' access to statewide procurement service agreements. Access to competitively procured service agreements may result in cost savings and efficiencies for the school districts.
- The DOE must consult with the AST to establish uniform definitions of technology infrastructure components which must be incorporated into the state plan. The uniform definitions must also be used by charter schools that seek Florida digital classrooms allocation funds and by each district school board in the technology information submitted annually to the DOE. Uniform definitions will allow for comparability of technology infrastructure components across school districts to assess the status of districts' digital readiness.
- The DOE must consult with the AST to create a digital readiness scorecard to compare the digital readiness of school districts within the state. The scorecard must use the uniform definitions and identified technology infrastructure standards and targets identified by the department in consultation with the AST. At a minimum, the scorecard must include the student-to-device ratio, the percentage of schools within each district that meet bandwidth standards, the percentage of classrooms within each district that must meet wireless

²⁹⁶ Section 1001.20(4)(a)1., F.S.

standards, the refresh rate of devices, network capacity, information storage capacity, and information security services.

- The DOE if it determines the administration of online assessments after January 1, 2015, does not comply with the minimum assessment protocols and requirements it established must contract with an independent, auditing entity that has expertise in the area to evaluate the extent of the noncompliance and provide recommendations to remediate the noncompliance in future administrations of online assessments.

Requirements for School Districts

Beginning in the 2016-2017 school year, each school district must undergo an annual assessment and independent verification of its use of Florida digital classrooms allocation funds (digital classrooms funds) for the district to be eligible to receive digital classrooms funds. An independent assessment of the districts' use of digital classrooms funds will likely help inform the state about school districts' technology needs and investments to improve student performance outcomes. Access to such information will also likely assist the state with budgetary decisions concerning school districts' and public schools' preparedness to integrate technology into classroom teaching and learning and administer computer-based assessments.

Requirements for Submitting Digital Classrooms Plans

The bill also makes modifications to the format and deadline for submitting digital classrooms plans:

- The DOE must develop a streamlined format for charter schools to use for submitting their digital classrooms plan. This process may result in creating a precise accountability measurement tool matching the charter school's mission, program, goals, students served, methods of assessment and ways to measure success of charter schools.²⁹⁷
- The commissioner must implement an online, web-based portal for school districts and charter schools to submit their digital classrooms plan. The online submission system may result in a cost-effective method for the school districts to timely report their digital classrooms plan information to the department.
- District school boards must submit their digital classrooms plan annually to the DOE by August 1, instead of the March 1 deadline which is the current statutory deadline. The August 1 deadline will likely assist the districts with budgetary planning by taking into consideration allocation funds appropriated for the next school year.

Finally, the bill clarifies that the annual report the commissioner must provide to the Governor, President of the Senate, and Speaker of the House of Representatives, by October 1 of each year, include a summary of each district's:

- Student performance goals and outcomes; and
- Use of funds in support of such goals and outcomes.

The clarification emphasizes that improving student performance outcomes should be the goal that drives technology integration in classroom teaching and learning.

²⁹⁷ Florida Department of Education, *General Information* (March 9, 2015), available at <http://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml>.

Apprenticeships

The bill changes the term “journeyman” to “journeyworker.” Also, the bill clarifies the definition of the term “journeyworker” as a worker who has mastered the skills, abilities, and competencies required for an occupation through a formal apprenticeship or on-the-job experience or formal training. Such skills, abilities, and competencies may be evidenced through a formal apprenticeship, attainment of a nationally recognized industry certification, or through practical, on-the-job experience or formal training. The revised definition may benefit apprentices and apprenticeship programs by clarifying the criteria and enhancing the qualifications of “journeyworkers.”

The bill redefines “related instruction” by specifying that such instruction may be given in occupational or industrial courses taught in the classroom or by correspondence courses, including electronic media or other forms of self-study instruction approved by the DOE. The bill expands the definition to broaden the types of courses and options for receiving instruction on those courses, which may benefit people who would not otherwise have the opportunity to receive such instruction in a traditional setting.

The bill revises the criteria for an apprenticeable occupation as a skilled trade that is clearly defined and:

- May be associated with a nationally recognized industry certification.
- Involves skills and knowledge in accordance with the applicable industry standards.
- Includes a minimum number of hours of on-the-job training.
- Includes related instruction through occupational or industrial courses.

Also, the bill authorizes the Governor to appoint two public members to the State Apprenticeship Advisory Council who are independent of, rather than recommended by, joint or nonjoint organizations affiliated with apprenticeship sponsors.

The bill prohibits an apprenticeship program or agreement from invalidating special provisions for veterans, minority persons, or women.

Florida Apprenticeship Grant Program

The bill creates the Florida Apprenticeship Grant (FLAG) Program to provide competitive grants to career centers, charter technical career centers and Florida College System (FCS) institutions for the purpose of expanding existing programs and establishing new apprenticeship programs. Program applications must contain projected enrollment and cost data and funds may be used for instructional equipment, supplies, personnel, student services or other administrative costs. The Division of Career and Adult Education within the DOE shall administer the program and give priority to applications for programs in the critical need areas of information technology, health, and machining and manufacturing. Grant recipients must submit quarterly reports to the DOE.

State Requirements for Educational Facilities

The bill authorizes a district school board to adopt, by supermajority vote, a resolution to implement exceptions to the State Requirements for Educational Facilities (SREF). The bill

requires that the district school board adopt the resolution at a public meeting that begins no earlier than 5 p.m., and conduct a cost-benefit analysis using a professionally accepted methodology for each exception selected by the district school board.

The bill authorizes implementation of the following exceptions to the SREF relating to:

- Interior nonload-bearing walls, by approving the use of fire-rated wood stud walls in new construction or remodeling for interior nonload-bearing wall assemblies that will not be exposed to water or located in wet areas.
- Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.
- Standards for relocatables used as classroom space, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.
- Site lighting, by approving construction specifications regarding site lighting that:
 - Do not provide for lighting of gravel or grassed auxiliary or student parking areas.
 - Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.
 - Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 footcandle.²⁹⁸

Before voting on a resolution, the district school board must conduct a cost-benefit analysis using a professionally accepted methodology that describes how each proposed exception:

- Achieves cost savings;
- Improves the efficient use of school district resources; and
- Impacts the life-cycle costs and life span for each educational facility to be constructed.
- Preserves student safety or the quality of student instruction.

The bill requires that the district school board hold at least one public workshop, beginning no earlier than 5 p.m., to discuss and receive public comment on the proposed resolution and cost-benefit analysis, and authorizes the district school board to vote on the resolution at the same meeting. Otherwise, the vote on the resolution must be made during a public meeting beginning no earlier than 5 p.m.

FEFP Funding

Intensive Reading Instruction

The bill extends the requirement of providing an additional hour of intensive reading instruction daily to students enrolled in the 300 lowest-performing elementary schools through the 2017-

²⁹⁸ A “footcandle” is defined as a unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot. See Merriam-Webster: Dictionary and Thesaurus available at <http://www.merriam-webster.com/dictionary/foot-candle> (last visited March 26, 2015).

2018 academic year. The 300 lowest performing schools for 2014-2015 academic year will remain the 300 lowest performing schools for 2015-2016.

Additionally, the bill requires participating schools to:

- Provide 80 hours of additional instruction in a summer program with a focus on reading for students who have Level 1 or Level 2 reading assessment scores; and
- Continue to provide the additional hour of instruction and the 80 hour summer program to all students who have level 1 or 2 reading assessment scores in the subsequent year after the school is no longer classified as one of the 300 lowest performing.

Dual Enrollment Industry Certification Funding

The bill authorizes performance funding for a career and professional education (CAPE) industry certification earned through a dual enrollment course, which is not a fundable certification on the Postsecondary Industry Certification Funding List or is earned as a result of an agreement between a school district and a nonpublic postsecondary institution, to be funded in the same manner as a non-dual enrollment course industry certification. The bill authorizes a school district to provide for an agreement between a high school and a technical center, or the school district and the postsecondary institution may enter into an agreement for equitable distribution of the bonus funds.

CAPE Teacher Bonus Funding

The bill establishes two new tiers of bonuses available to CAPE industry certification teachers. A teacher providing instruction to a student in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.3 will earn a \$75 bonus, which is \$25 more than currently authorized. A teacher providing instruction to a student in a course that led to the attainment of a CAPE industry certification on the CAPE Industry Certification Funding List with a weight of 0.5 or 1.0 will earn a \$100 bonus, which is \$50 more than currently authorized. The maximum annual bonus for teachers providing instruction in courses leading to these CAPE industry certifications is increased from \$2,000 to \$4,000.

Discretionary Millage Compression Supplement

The bill increases the discretionary millage compression supplement for the school district 0.748 mill discretionary levy for operations from the state average to five percent above the state average funds per full-time equivalent (FTE) student membership.

Sparsity Supplement

The bill modifies the calculation for determining the sparsity supplement for larger eligible districts with between 20,000 and 24,000 FTE, by dividing the total number of FTE by the number of permanent senior high school centers in the district, not in excess of four rather than three.

Virtual Education Contribution

The bill modifies the virtual education contribution calculation within the FEFP by including the declining enrollment supplement and exceptional student education (ESE) guaranteed allocation.

Federally Connected Student Supplement

The bill creates the federally connected student supplement categorical within the FEFP. Fourteen school districts, which currently receive federal impact aid under Title VIII of the Elementary and Secondary Education Act of 1965, could be eligible for additional FEFP funding under this new categorical.

The supplement is based on two components: a student allocation and an exempt-property allocation. The student allocation is based on the number of students in the district reported for federal impact aid, including students with disabilities, who

- Reside with a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer;
- Reside on eligible federally-owned Indian lands; or
- Reside with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

The exempt-property allocation is based on the district's real property value of exempt federal property of federal impact aid lands reserved as military installations, NASA properties, or federally-owned Indian lands, multiplied by the millage authorized and levied under s. 1011.71 (2), F.S. The student allocation and the exempt-property allocation will be added together for each eligible district to produce the federally connected student supplement.

Local Capital Improvement Revenue for Computer Hardware and Enterprise Software

School districts are currently authorized to purchase enterprise resource software with their local capital improvement revenue, however, it is unclear as to whether annual license fees, maintenance fees, or lease agreements for enterprise resource software are authorized uses of these funds. The bill specifically authorizes school districts to use their local capital improvement revenue for enterprise resource software annual license fees, maintenance fees, or lease agreements.

Florida Classroom Teacher Supply Program

The bill requires classroom teachers to provide receipts for the expenditure of Florida Teachers Classroom Supply Assistance Program funds to the school district, in place of the currently required signed acknowledgement that the teacher understands the appropriate use of the funds and will keep all receipts for expenditures of the funds for at least four years. The bill also requires teachers to return any funds to the district school board for which there are undocumented expenditures. This change, while requiring additional effort from the school district, protects teachers from potential income tax audit issues arising from situations in which the teacher has not retained receipts, and has the funds counted as taxable income.

Student Safety & Discipline

The bill authorizes a district school board to adopt and implement a standard school attire policy that requires students to conform to wearing specific types and styles of clothing. Furthermore,

the bill grants a district school board immunity from civil liability for implementing a districtwide standard school attire policy in at least kindergarten through grade 8.

Educator Liability Insurance Program

The bill requires the DOE to administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel's professional capacity. The bill provides that liability coverage of at least \$2 million shall be provided to all full-time instructional personnel and may be provided to part time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program that choose to participate in the program.

Florida Bright Futures Scholarship Program

The bill modifies student community service requirements affecting student eligibility for the Florida Academic Scholarship (FAS), Florida Medallion Scholarship (FMS), and Florida Gold Seal Vocational Scholarship (FGSV) awards by clarifying that community service work means volunteer service work, expanding the permissible activities that students can participate in to meet the volunteer service work requirement, and placing parameters on such activities.

Specifically, the bill:

- Expands service work areas beyond social areas of interest to include a civic issue or a professional area of interest.
- Requires students to develop a plan for personal involvement in the social or civic issue or learning about the professional area, as well as to reflecting on such experience through papers or presentations.
- Provides accountability requirements for a student's service work.
- Prohibits a student from receiving compensation or academic credit for the volunteer service work.

Additionally, the bill specifies that volunteer service work may include, but is not limited to, the following activities:

- Internship with a business or government entity;
- Work for a nonprofit community service organization; or
- Activity on behalf of a candidate for public office.

The volunteer service hours must be documented in writing and signed by the student, the student's parent or guardian, and a representative of the organization where the student volunteered.

Florida National Merit Scholarship Incentive Program

The Florida National Merit Scholarship Incentive Program is renamed as the Benacquisto Scholarship Program, and a recipient of an award is identified as a Benacquisto Scholar. The bill also encourages all public and private postsecondary institutions to become, and requires eligible state universities to become, a college sponsor of the National Merit Scholarship Program.

Postsecondary Affordability

The bill includes provisions related to textbooks and tuition and fees, both of which serve to improve postsecondary affordability.

Textbook Affordability

The bill promotes public awareness about textbook and instructional material costs by requiring each FCS institution and state university to prominently post on the institution's website for course registration, a hyperlink to lists of required and recommended textbooks and instructional materials for at least 90 percent of the courses and course sections offered by the institution. The bill also changes the deadline for posting the textbook information online from at least 30 days before the first day of class to at least 14 days before the first day of student registration for each term. Such information will help students with financial planning for course registrations.

Additionally, the bill:

- Requires that the lists of required and recommended textbooks include new and used retail price and rental price, if applicable, for a required or recommended textbook or instructional materials for purchase at an institution's designated bookstore or other specified vendor. The lists must also include website or other contact information for the bookstore.
- Requires institutions that are unable to provide the specified information on textbooks within the specified timeframe (i.e., at least 14 days before the first day of student registration for each term) by the 2015 fall semester, to provide the required information to students at least 60 days before the first day of classes. The bill requires institutions to submit quarterly reports to the applicable board, the Board of Governors (BOG) or the State Board of Education (SBE), to document institutions' efforts to comply with the specified requirements by 2016 fall semester.
- Requires postsecondary institutions to consult with school districts regarding textbooks and instructional materials used for dual enrollment courses (e.g., the length of time that textbooks and instructional materials remain in use and the cost associated with digital materials).
- Requires regular cost-benefit analyses to help students receive the highest quality product at the lowest available price.
- Requires the policies, procedures, and guidelines that are adopted by the BOG and the SBE to include instructional materials in addition to textbooks; and requires state universities and FCS institutions to annually send to the BOG or the SBE, as applicable, electronic copies of the institutional policies regarding textbooks and instructional materials, which must be available on the boards' websites.
- Requires each FCS institution and state university to annually report specified textbook and instructional material information to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable (e.g., cost of undergraduate textbooks and instructional materials by course and course section, textbook and instructional material selection process for high-enrollment courses as determined by the chancellors, and specific initiatives to reduce the cost of textbooks and instructional materials). The chancellors must compile the information and report to the Governor, President of the Senate, and Speaker of the House of Representatives by December 31 of each year.

College Affordability Strategies

The bill promotes strategies to maintain college affordability for all Floridians by requiring the BOG and the SBE to identify strategies and initiatives that must include consideration of the following:

- The impact of tuition and fee increases at state colleges and universities, including graduate, professional, medical, and law schools.
- The total cost of fees, including orientation fees, to a student and family at a state university and a state college.
- The cost of textbooks and instructional materials for all students. To determine the best methods to reduce costs, the BOG and the SBE must consult with students, faculty, bookstores, and publishers, at a minimum, consider specified options (e.g., purchasing e-textbooks in bulk, expanding the use of open-access textbooks and instructional materials, rental options for textbook and instructional materials, and supporting efficient used book sales, buy-back sales, student-to-student sales, and the cost of instructional materials for dual enrollment students to school districts).

The BOG and the SBE must annually, by December 31, report on the boards' college affordability efforts to the Governor, President of the Senate, and Speaker of the House of Representatives.

Tuition and Fees

The bill caps tuition and out-of-state fees for workforce education at no more than 5 percent above the combined total of standard tuition and out-of-state fees. For FCS institutions, tuition must not exceed \$91.79 per credit hour and the tuition and out-of-state fees must not be more than 15 percent above the combined total of standard tuition and out-of-state fees. For state universities, the resident undergraduate tuition for lower-level and upper-level coursework must not exceed \$105.07 per credit hour. Establishing tuition caps rather than a set tuition amount per credit hour may allow postsecondary institutions to charge lower tuition than currently established. The bill prohibits adjustments to the resident tuition for graduate program and professional programs which is set on July 1, 2015.

The bill requires FCS institutions and state universities to notify students and the public about any institutional boards of trustees meeting regarding votes on proposed increases in tuition and fees. The notice must be posted on the institutions' website homepage 28 days before the scheduled meeting of the institutions' boards of trustees. Additionally, the notice must specify the date and time of the meeting, and clearly outline the tuition and fee details and the rationale for the proposed increase. The tuition and fee information may help students and their families plan for higher education at public postsecondary institutions within the state.

Performance-Based Funding

State University System

The bill statutorily establishes State University System (SUS) Performance Based Incentive, which is based on indicators of institutional attainment of performance metrics adopted by the BOG. These performance metrics include, but are not limited to, metrics that measure graduation

and retention rates; degree production; affordability; postgraduation employment, salaries, or further education; student loan default rates; access; and any other metrics approved by the BOG. SUS institutions will be evaluated for their performance based on benchmarks adopted by the BOG for achievement of excellence or improvement on specified metrics.

Each fiscal year, the amount of funds available for allocation to universities based upon the performance funding model consists of a state investment, plus an institutional investment consisting of funds redistributed from the base funding for the SUS, as determined in the General Appropriations Act (GAA). Institutions qualifying for the state's investment will also have their institutional investment restored. The institutional investment will be restored for all institutions that meet the board's minimum performance funding threshold under the performance funding model. Any institution that is in the bottom three or fails to meet the board's minimum performance funding threshold will not be eligible for the state's investment, will have a portion of its institutional investment withheld, and must submit an improvement plan to the board that specifies the activities and strategies for improving the institution's performance.

Florida College System

The bill establishes the Florida College System (FCS) Performance Based Incentive, which is based on indicators of institutional attainment of performance metrics adopted by the State Board of Education (state board). These performance metrics include, but are not limited to, metrics that measure retention; program completion and graduation rates; student loan default rates; job placement; and post-graduation employment, salaries, or further education. FCS institutions will be evaluated for their performance based on benchmarks adopted by the state board for achievement of excellence or improvement on specified metrics.

Each fiscal year, the amount of funds available for allocation to institutions based upon the performance funding model consists of a state investment, plus an institutional investment consisting of funds redistributed from the base funding for the Florida College System Program Fund, as determined in the GAA. Institutions qualifying for the state investment shall also have their institutional investment restored. Any institution which fails to meet the minimum threshold set by the state board will have a portion of its institutional investment withheld and must submit an improvement plan to the state board. The state board must approve the improvement plan and conduct progress monitoring of the improvement plan's implementation. An institution will have its full institutional investment restored upon state board approval of the improvement plan monitoring report. Any institution that fails to make satisfactory progress will not have its full institutional investment restored.

Rapid Response Education and Training Program

The bill creates the Rapid Response Education and Training Program (Program) within the Complete Florida Plus Program to work with Enterprise Florida, Inc., to recruit and retain employees through industry-specific education and training.

Specifically, the bill requires that the Program:

- Award matching grants to public and private education and training providers.
- Submit to the Legislature periodic reports generated by an independent forensic accounting or auditing entity.

- Keep administrative costs to a minimum through the use of existing organizational structures.
- Work with businesses to recruit individuals for education and training.
- Terminate an education and training program by giving 30-days' notice.
- Survey businesses regarding the effectiveness of the education and training programs.

Additionally, the bill requires that the Division of Career and Adult Education within the DOE analyze and assess the effectiveness of the education and training programs offered through the Program in meeting labor market and occupational trends and gaps.

Finally, the bill requires the DOE to develop career education program standards that reflect the quality components of a career and technical education program, and requires the State Board of Education to adopt rules.

Florida Best and Brightest Teacher Scholarship Program

The bill creates the Florida Best and Brightest Teacher Scholarship Program (Scholarship Program) to reward teachers who demonstrate a high level of academic achievement and, for teachers other than first-year teachers, who have been evaluated as highly effective. The bill requires that the Scholarship Program be administered by the DOE. Also, the bill authorizes funding for the Scholarship Program as provided in the GAA, beginning in the 2015-2016 school year, and establishes reporting and payment deadlines for school districts.

Public Postsecondary Education Mission and Roles

The bill realigns the mission and roles of Florida's public postsecondary education systems and institutions in meeting Florida's labor market demands and community and regional needs. Specifically, the bill:

- Clarifies the mission of state universities, Florida Community College System (FCCS) institutions, career centers, and charter technical career centers regarding state expectations.
- Strengthens Florida's "2+2" system of articulation and guaranteed transfer of credit hours earned through acceleration mechanisms (e.g., Advanced Placement, International Baccalaureate Program, Advanced International Certificate of Education Program, and dual enrollment), CAPE industry certifications, and courses at FCCS institutions.
- Strengthens expectations and state oversight of baccalaureate degree programs offered by FCCS institutions.
- Modifies the purpose and responsibilities of career education.
- Emphasizes access to the collegiate high school program by prohibiting the establishment of an enrollment cap in the collegiate high school program contract and requires school districts and colleges to report student enrollment information to the DOE.

Mission

The bill reinforces the state's expectation that institutions within Florida's K-20 education system must avoid wasteful duplication of programs offered by state universities, FCCS institutions, and technical centers that are operated by district school boards. Specifically, the bill:

- Reinforces the SBE’s authority to monitor compliance, initiate action, and report to the legislature instances of noncompliance.
- Reinforces the mission of the state university system is to promote excellence through teaching students, advancing research, and providing public service for the benefit of Florida’s citizens and their communities and economies, including offering undergraduate and graduate level instruction.

The bill renames the Florida College System (FCS) as the Florida Community College System (FCCS) and the Division of Florida Colleges as the Division of Florida Community Colleges, and directs the Division of Law Revision and Information to develop reviser’s bill for the 2016 legislative session to codify the name change.

The bill also revises the mission statements of public postsecondary institutions by:

- Specifying that the primary mission of a career center or a charter technical career center that is operated by a district school board is to promote advances and innovations in workforce preparation and economic development; except that a career center or a charter technical career center may not award college credit.
- Changing from a primary to a secondary mission of FCCS institutions, the award of upper level instruction and baccalaureate degree programs to serve community and regional needs.

The bill defines “college” to accurately reflect the primary mission of public postsecondary institutions serving community and regional needs:

- A community college institution that offers a substantially complete program that confers at least an associate degree requiring at least 15 semester hours or the equivalent of general education, or that furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit.
- Prohibits an FCCS institution or an institution licensed by the Commission for Independent Education from using the designation “college” without proper approval.
- Prohibits a career center or charter technical career center from including the term “college” in its name and from offering college credit courses, college credit certificates, associate degrees, or baccalaureate degrees.

Florida’s 2+2 System of Articulation

The bill reinforces a primary responsibility of the SBE and the BOG is to preserve Florida’s “2+2” system of articulation and to improve and facilitate articulation systemwide. Specifically, the bill requires articulation policies to address the application of credit hours earned through acceleration mechanisms (e.g., Advanced Placement, International Baccalaureate Program, Advanced International Certificate of Education Program, and dual enrollment), CAPE industry certifications, and courses at FCCS institutions to general education, associate degree, or bachelor degree.

Baccalaureate Degree Programs Offered by Community Colleges

The bill prohibits colleges from offering Bachelor of Arts degrees and reinforces the primary mission of colleges to offer lower level instruction by establishing a cap on upper level full-time

equivalent (FTE) enrollment at a college as a percentage of combined total lower level and upper level FTE enrollment at the college.

Additionally, the bill extends the timeline for approving baccalaureate degree programs proposed by FCCS institutions to provide sufficient time for objections by state universities or non-profit, SACS-accredited independent colleges and universities in the college's regional service area.

Specifically, the bill:

- Requires colleges to provide at least 120 days' notice before submitting a proposal to offer a bachelor degree to the Chancellor of the State University System, and the President of Independent Colleges and Universities of Florida (ICUF).
- Requires a college baccalaureate degree proposal to include a justification for the proposed program, including a data-driven analysis, verified by more than one third-party professional entity, of workforce demand and unmet need and to what extent the proposed program will meet the workforce demand and unmet need; requires the justification be forwarded to the Chancellor of the State University System, the President of ICUF, and Executive Director of the Commission for Independent Education.
- Eliminates the requirement that an alternative proposal be submitted by a state university or ICUF institution.

The bill also reinforces the state's expectation of college affordability by requiring the college's program enrollment projections and funding requirements to include the college's efforts to sustain the program at a cost of tuition and fees for Florida residents not to exceed \$10,000 for the entire degree program, including utilization of waivers authorized by law.

Finally, the bill strengthens state oversight responsibilities by requiring:

- The SBE to consult with the Chancellor of the State University System to consider objections raised by state universities before approving or denying a college's proposal.
- The SBE to annually review baccalaureate degree program performance and compliance indicators, and needs assessments.
- The SBE to direct a FCCS boards of trustees to terminate a baccalaureate degree program if the state's review indicates negative performance and compliance results and the college fails to demonstrate a need for the program.

Collegiate High School Program

The bill emphasizes access to the collegiate high school program by prohibiting establishment of an enrollment cap in the collegiate high school program contract. Additionally, the bill requires:

- Each school district to document and annually report to DOE the number of students accepted into or denied access to the collegiate high school program.
- Each Florida Community College System institution to document and annually report to DOE the percent of collegiate high school program students in its institution relative to the total lower level full-time equivalent enrollment at that institution.

Dual Enrollment

The bill modifies public and private dual enrollment articulation agreements to expand benefits for home education program and private school students and establishes August 1 as the annual deadline for submitting such agreements to the DOE. Specifically, the bill:

- Clarifies that the provision of instructional materials and transportation for home education program and private school students will be addressed in the articulation agreement with the postsecondary institution.²⁹⁹
- Specifies dual enrollment articulation agreement provisions and requirements for agreements with private school students, similar to current law for home education program students.³⁰⁰
- Adds technology fees to the existing fees that public and private school students and home education program students are exempt from paying for dual enrollment courses.

Dual Enrollment Articulation Agreements

The bill:

- Clarifies that public and private postsecondary institutions that are eligible to receive funding for participation in dual enrollment,³⁰¹ must enter into a home education articulation agreement with each home education program student seeking enrollment in dual enrollment courses.
 - Requires public and private postsecondary institutions that enter into articulation agreements with home education program students, to complete and submit the articulation agreements annually to the DOE by August 1. This provision will allow the department to compile information on locally-developed articulation agreements between home education program student and eligible postsecondary institutions.
 - Requires that the articulation agreement include a provision expressing whether the student or the postsecondary institution is responsible for providing instructional materials and transportation.
- Requires district school boards and FCS institutions that enter into articulation agreements with state universities or eligible private postsecondary education institutions, to complete and submit the articulation agreements annually to the DOE by August 1. This provision will allow the department to compile information on locally-developed school district and FCS institution articulation agreements with eligible postsecondary institutions.
- Requires each eligible postsecondary education institution to enter into an articulation agreement with each private school student seeking to participate in dual enrollment courses that are creditable toward a career certificate, an associate degree, or a baccalaureate degree, in effect, aligning this provision to the articulation agreement requirements for home education program students.
 - Specifies information that must be included in the articulation agreements with private school students similar to information that must be included in articulation agreements with home education program students (i.e., delineation of available courses and

²⁹⁹ Section 1007.271(17), F.S.

³⁰⁰ Section 1007.271(13), F.S.

³⁰¹ An eligible postsecondary education institution is a state university, a Florida College System (FCS) institution, or “an independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and confers degrees as defined in s. 1005.02” Sections 1007.271 and 1011.62(1)(i), F.S.

- programs, initial and continued student eligibility requirements which must not exceed the requirements for other dual enrollment students, whether the student or postsecondary institution is responsible for providing instructional materials and transportation, and a copy of transfer guarantees developed by the DOE to inform students and parents about transferability of credits earned through dual enrollment toward elective or general education requirement).
- Requires the postsecondary education institutions to complete and submit the articulation agreements annually to the DOE by August 1.
 - Requires the electronic submission system for submitting dual enrollment articulation agreements between public postsecondary education institutions and school districts to also be used for the submission of articulation agreements with home education program and private school students. This provision may streamline the process for submitting the articulation agreements with home education program and private school students which will assist with compiling relevant information.
 - Requires the DOE to review, for compliance, articulation agreements with home education program and private school students, in effect, aligning this provision with the department’s oversight responsibility for articulation agreements between public postsecondary education institutions and school districts.

Tuition, Fees, and Other Costs

The bill requires that, in addition to registration, tuition, and laboratory fees, all dual enrollment students will also be exempt from paying technology fees.

Governing Nonprofit Association

Governing Structure

The bill repeals statutory provisions requiring the FHSAA to have a board of directors, representative assembly, committee on appeals, a public liaison advisory committee, and bylaws.

The bill establishes a 16 member governing board comprised proportionately of representatives from:

- Traditional public schools;
- Public schools of choice;
- Private schools;
- Home education cooperatives;³⁰² and
- Parents of student athletes who are enrolled in such schools or programs.

The board’s membership must be equitably drawn from the various regions of the state where the association’s member schools are located. Each member of the governing board must attend nonprofit governance training, which must include:

- Government in the sunshine;
- Conflicts of interest;
- Ethics; and

³⁰² The bill creates and defines a “home education cooperative” as a parent-directed group of individual home education students which provides opportunities for interscholastic athletic competition to those students.

- Student athlete-centered decision making consistent with the guiding principles for participation in extracurricular activities.

Membership

The bill:

- Authorizes any high school in the state,³⁰³ to join the FHSAA as a full-time member or to participate on a per sport basis;
- Allows a school the option to join other organizations for some sports, while maintaining membership in FHSAA for others;
- Requires the FHSAA to adopt guidelines, provide resources, and develop sports ethics training courses by an established deadline; and
- Allows for home education cooperatives to join as member schools.

Accountability

The bill requires:

- Annual operational audit of each nonprofit association, and the Auditor General to conduct an operational audit at least every 3 years.
- Commissioner of Education to review the nonprofit association's performance of duties each year through an operational audit.
- Nonprofit association designated by the commissioner to be the state's governing body for the purposes of membership in the National Federation of State High School Associations and the commissioner, with the approval of the State Board of Education, to identify another nonprofit association to govern interscholastic athletic competition if the FHSAA fails to meet the provisions of law.
- Any special event fees, sanctioning fees, including third party sanctioning fees, or contest receipts collected annually, may not exceed the actual costs to perform the function or duty of the nonprofit association which is the subject or justification for the fees.
- The FHSAA to offer spectators at an event the option of purchasing a single-day pass or multiple-day pass.

Appeals

The bill repeals the current appeal process and creates a new process which allows for eligibility issues to be resolved through an informal conference procedure. The conference must be held within 10 days after receipt of the student's request, and if the dispute is not resolved, the FHSAA must provide for a neutral third party review within 30 days. All eligibility proceedings must be conducted in the county where the student resides. A student athlete may not be declared ineligible to participate until a final decision is issued by the neutral third party.

³⁰³ Any high school in the state may join FHSAA, including private schools, traditional public schools, charter schools, virtual schools, and home education cooperatives.

Student Participation in Extracurricular Activities

Student Eligibility

The bill requires the eligibility standards and requirements to apply on an equal basis for all students, including public school³⁰⁴ or certain private school students, and may not make participation less accessible to a student enrolled in a public school of choice, an unaffiliated private school,³⁰⁵ or a home education program.

The bill:

- Clarifies that a home education student is academically eligible to participate in extracurricular activities if he or she has a satisfactory evaluation conducted according to the home education requirements.
- Prohibits a district school board or private school from establishing policies regarding transfer student eligibility for extracurricular activities which are more stringent than the policies established by the governing nonprofit association.

Student Ineligibility

The bill limits the grounds for declaring a student ineligible to participate to:

- Failing to meet academic and conduct requirements;
- Falsifying enrollment or eligibility documents;
- Accepting of an impermissible benefit by the student or parent;
- Committing a flagrant act of unsportsmanlike conduct;
- Exhausting 4 years of athletic eligibility;
- Failing to pass a required medical exam;
- Forfeiting amateur status; or
- Failing to meet transfer requirements.

The bill imposes specific penalties on an adult representative of a school who commits a recruiting violation:

- An initial violation is punishable by a fine of \$5,000.
- A second violation is punishable by a 1-year restriction of the adult representative from teaching or coaching at the school.
- A third violation is punishable by a 5-year suspension of the representative's teaching license.

The FHSAA may not punish a student athlete for an eligibility or recruiting violation perpetrated by a teammate, coach, or administrator.

³⁰⁴ The bill defines "public school student" to mean a student who is attending a traditional public school, charter school, magnet school, alternative school, developmental research laboratory school, other public school of choice, or public virtual school.

³⁰⁵ The bill defines "unaffiliated private school" to mean a private school that has an enrollment of 125 or fewer students in grades 6-12 and that is not a member of the nonprofit association.

Location of Student Eligibility

The bill provides for a student who is eligible in the school in which he or she first enrolls each school year to make himself a candidate for an athletic team by engaging in a practice before enrolling in the school.

The bill allows a home education student to participate in an extracurricular activity that is not offered by the student's home education program. Participation may occur at any public school in the school district in which the student resides or a public school in another school district which the student could choose to attend pursuant to an interdistrict controlled open enrollment policy. A home education student may also develop an agreement to participate at a private school.

However, a student who is enrolled in an unaffiliated private school, home education program, a full-time public virtual school, or any public school that does not offer any interscholastic programs may only participate in interscholastic athletics at the public school in which the student is first registered.

The bill provides the following transfer requirements:

- A student who transfers from a home education program to a public or private school before or during the first semester of the school year is academically eligible to participate in extracurricular activities during the first semester if the student has a successful evaluation from the previous school year.
- A public school or private school student who transfers into a home education program after being declared ineligible for participation in extracurricular activities is ineligible to participate in such activities as a home education student until the student has successfully completed one semester in a home education program.
- A public school student who transfers to a private school or another public school, or a private school student who transfers to a public school or another private school, after being declared ineligible to participate in extracurricular activities for certain grounds is ineligible to participate in such activities until the student has successfully completed one semester at the school to which he or she transfers and meets additional requirements.

Insurance

The bill requires insurance provisions to be added by a district school board for unaffiliated private school students who participate in extracurricular activities at the district public school under the same terms and conditions that apply to students enrolled in a district public school.

The bill provides an effective date of July 1, 2015.

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:

CS/CS/SB 948 increases the bonus funding for teachers who provide instruction to a student in a course that led to the attainment of a 0.3, 0.5, or 1.0 weighted industry certification. These teachers are eligible for up to an additional \$2,000 annually in bonus funding.

Under this bill, dual enrollment students will be exempt from technology fees for dual enrollment courses. In 2014-2015, the average technology fee was \$5.23 per credit hour at state universities and \$3.90 per credit hour at Florida College System institutions.

The bill prohibits a governing nonprofit organization from collecting any special event fees, sanctioning fees, including third party sanctioning fees, or contest receipts in excess of the actual costs to perform the function or duty of the nonprofit association which is the subject of or justification for the fees.

C. Government Sector Impact:

The bill requires the Agency for State Technology (AST), or a contracted organization, to perform a digital classrooms implementation and compliance assessment, provide planning guidance to address identified gaps, and recommend cost efficiency improvements. The estimated cost of these requirements is \$10 million.

The bill modifies the calculation for the sparsity supplement to continue to include the Hernando County School District. The Hernando County School District would be eligible for an estimated \$2 million in sparsity supplement funds in the 2015-2016 fiscal year.

The bill modifies the virtual education contribution calculation in the Florida Education Finance Program (FEFP) by including the declining enrollment supplement and the exceptional student education (ESE) guaranteed allocation in the calculation to maintain funding for virtual education at 5,230 per full-time equivalent (FTE) student.

The bill extends the requirement of providing an additional hour of intensive reading instruction daily to students enrolled in the 300 lowest performing elementary schools through the 2017-2018 academic year, requires participating schools to also provide the required additional instruction through an equivalent number of hours in a summer program, and requires participating schools to continue to provide the additional hour of instruction to all students who have level 1 or 2 reading assessment scores in the subsequent year after the school is no longer classified as one of the 300 lowest performing. This additional hour of reading instruction is funded through the Supplemental Academic Instruction (SAI) and the Research-Based Reading Instruction Allocation categoricals in the FEFP. A total of \$90 million is provided for this instruction in SB 2500, the Senate's 2015-2016 fiscal year Fiscal Year General Appropriations Bill.

The bill increases the discretionary millage compression supplement for the school district 0.748 mill discretionary levy for operations from the state average to five percent above the state average funds per FTE student. This change will increase the discretionary millage supplement by approximately \$34 million.

The bill creates the federally connected student supplement categorical within the FEFP. The school districts eligible for funding through the categorical will receive their proportional share of the \$12,441,144, as proposed in SB 2500, allocated through the FEFP.

The bill statutorily establishes the State University Performance Based Incentive, which is funded at \$400 million in SB 2500. The state's investment consists of \$200 million and the institutional investment constitutes the remaining \$200 million. The funds received by an individual state university will be contingent upon the university's performance on the established metrics.

The bill establishes the Florida College System Performance Based Incentive, which is funded at \$60 million in SB 2500. The state's investment consists of \$30 million and the institutional investment constitutes the remaining \$30 million. The funds received by each institution will be contingent upon the institution's performance on the established metrics.

The bill establishes the Rapid Response Education and Training Program, which is funded at \$19.2 million in SB 2500.

The dual enrollment requirements outlined in the bill will likely result in a loss of revenue state universities and Florida College System institutions and increased administrative costs.

- According the Board of Governors (BOG), the requirement for state universities to enter into dual enrollment articulation agreements with private and home education program students, who are exempt from payment of tuition and fees, will result in a loss of revenue for the state universities. However, due to the uncertainty in the number of eligible students, the potential loss in revenues to the universities is indeterminable at this time. Universities may also need to increase administrative staff to implement the required dual enrollment policies, provide additional oversight

over the admission and retention of dual enrollment students, and maintain additional academic records.³⁰⁶

- Florida College System institutions should experience a similar, yet also indeterminate, loss of revenue and need to increase administrative staff to implement the required dual enrollment policies.
- The bill requires electronic submission of dual enrollment articulation agreements for home education program and private school students to the Department of Education and requires the department to review each agreement for compliance. According to the department, this will require modifications to the existing electronic submission system and additional staff to review each of these agreements at a cost of \$100,000.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends the following sections of the Florida Statutes: 282.0051, 282.00515, 402.56, 446.021, 446.032, 446.045, 446.052, 446.081, 446.091, 446.092, 1000.03, 1001.02, 1001.03, 1001.20, 1001.42, 1001.43, 1001.44, 1001.60, 1001.705, 1001.7065, 1002.20, 1002.33, 1002.34, 1003.42, 1004.015, 1004.085, 1004.65, 1004.92, 1006.15, 1006.16, 1006.19, 1006.20, 1006.735, 1007.01, 1007.23, 1007.271, 1007.273, 1007.33, 1008.38, 1009.22, 1009.23, 1009.24, 1009.534, 1009.535, 1009.536, 1009.893, 1011.62, 1011.71, 1012.34, 1012.39, 1012.71, 1012.75, 1013.40, and 1013.74.

The bill creates the following sections of the Florida Statute: 282.0052, 1001.815, 1001.92, 1004.084, 1011.802, 1012.731, and 1013.385.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

CS/CS by Appropriations on April 21, 2015:

The committee substitute:

- Renames the Florida National Merit Scholarship Incentive Program as the Benacquisto Scholarship Program.
- Clarifies that annual license fees, maintenance fees, and lease agreements for enterprise resource software are allowable uses of local capital improvement funds.
- Provides audit protection for teachers under the Florida Teacher Classroom Supply Assistance Program by requiring teachers to provide the school district with receipts

³⁰⁶Board of Governors, *2015 Legislative Bill Analysis for SB 874*, on file with Appropriations Subcommittee on Education staff.

for the expenditure of the funds and to return to the district school board any funds for which there are undocumented expenditures.

- Authorizes a district school board to adopt policies for standard student attire.
- Requires the Department of Education (DOE) to administer an educator liability insurance program.
- Requires public school instruction on the events surrounding the terrorist attacks occurring on September 11, 2001, and the impact of those events on the nation.
- Provides an exemption for the performance of students with excessive absences from counting against a teacher's performance evaluation.
- Requires the Agency for State Technology (AST), or contracted entity, to:
 - Consult with the DOE to identify information technology architectural standards for the successful implementation of digital classrooms.
 - Perform annual assessment of state and school district digital classrooms plans.
 - Provide prospective planning guidance and technical assistance to the DOE, school districts, and public schools.
 - Provide technology infrastructure implementation reports and recommendations to the Legislature, Governor; and the Commissioner of Education regarding the implementation of digital classrooms and status of technology infrastructure.
 - Establish information technology architecture standards for purposes of implementing digital classrooms, including but not limited to, device recommendations, security requirements, connectivity requirements, and browser expectations.
 - Collaborate with the DOE and the Department of Management Services (DMS) to identify state term contract procurement and shared services options for school districts.
 - Include, in the annual assessment of the DOE, the status of statewide implementation of digital classrooms and recommendations for improving cost efficiencies.
- Requires the DOE to:
 - Consult with the AST to incorporate the minimum information technology architecture standards into the state strategic plan.
 - Facilitate school district access to state term contract and shared service options and consult with the AST to establish uniform definitions and create digital readiness scorecard to facilitate implementation of digital classrooms.
 - Implement online, web-based portal for submission of digital classroom plans.
 - Highlight student performance goals and outcomes in its annual report.
 - Contract with independent auditing entity to make recommendations to remediate technology infrastructure issues associated with the administration of 2014-15 online assessments.
- Clarifies the responsibilities of the DOE regarding collaboration with the Department of Economic Opportunity (DEO) to identify, develop, and register apprenticeship and preapprenticeship programs.
- Clarifies that the annual accountability report must include regional information related to program usage, student demographics and performance outcomes, and program requirements for existing and new programs.

- Requires the DOE to collaborate with CareerSource Florida, Inc., in addition to the DEO, to prepare an operational report which must also include:
 - A summary of activities and coordination between the DOE and the DEO to identify, develop, register, and administer apprenticeship and preapprenticeship programs over the last 5 years.
 - Recommendations to maximize resources of the DOE and the DEO to gain efficiencies in program development, administration, and funding.
 - An evaluation of the feasibility of linking the DOE's information on apprenticeship and preapprenticeship programs with the DEO and CareerSource Florida, Inc. workforce information system.
- Establishes the Florida Apprenticeship Grant Program to provide competitive grants to career centers, charter technical career centers and Florida College System (FCS) institutions for the purpose of expanding existing programs and establishing new apprenticeship programs.
- Requires the Board of Governors of the State University System of Florida (BOG) and the State Board of Education (SBE) to identify strategies and initiatives to maintain college affordability for all Floridians and annually report on the boards' college affordability efforts to the Governor, President of the Senate, and Speaker of the House of Representatives.
- Modifies current law regarding a postsecondary educational institution's responsibility to post textbook information online by requiring each FCS institution and state university to prominently post on the institution's website for course registration, a hyperlink to lists of required and recommended textbooks and instructional materials for at least 90 percent of the courses and course sections offered by the institution. The bill also changes the deadline for posting the textbook information online from at least 30 days before the first day of class for each term to at least 14 days before the first day of student registration for each term.
- Specifies modifications to postsecondary educational institutions' policies and procedures for instructional materials.
- Specifies reporting requirements for FCS institutions; state universities; president of a college or university, or his or her designee; Chancellor of the Florida College System, and the Chancellor for the State University System regarding college affordability efforts, and textbooks and instructional materials costs and selection process.
- Establishes caps for tuition and out-of-state workforce education fees, FCS institution fees, and state university tuition per credit hour.
- Requires the FCS institutions and state universities to notify students and the public about any institutional boards of trustees meeting regarding votes on proposed increases in tuition and fees; and provides specifications and timelines for such notifications.
- Allows district school boards to implement exceptions to educational facilities construction requirements with a supermajority vote.
- Amends the composition of the Children and Youth Cabinet by adding a superintendent of schools, appointed by the Governor, and correcting the title of the director of the Office of Child Abuse Prevention to the director of the Office of Adoption and Child Protection.

- Clarifies provision of the additional hour of reading instruction and summer program requirements for the 300 lowest-performing elementary schools.
- Specifies that the lowest performing elementary schools for 2014-2015 will remain the lowest performing for 2015-2016.
- Requires the DOE to provide the list of the 300 lowest performing schools no later than July 1 beginning with the 2016-2017 school year.
- Expands eligible volunteer service work for qualifying for the Bright Futures Scholarship program to include business or government internships, work for a nonprofit community service organization, or work on behalf of a candidate for public office.
- Amends the governance structure and accountability requirements of the Florida High School Athletic Association (FHSAA), and substantially revises the student eligibility requirements.
- Authorizes SUS institutions to expend surplus reserves on academic instructional space or critical deferred maintenance in this area.
- Modifies dual enrollment requirements and policies especially those related to home education and private school students. These changes include:
 - Clarifying that the provision of instructional materials and transportation for home education program and private school students will be addressed in the articulation agreement with the postsecondary institution.
 - Specifying dual enrollment articulation agreement provisions and requirements for agreements with private school students, similar to current law for home education program students.
 - Adding technology fees to the existing fees that public and private school students and home education program students are exempt from paying for dual enrollment courses.
- Authorizes Florida Keys Community College to construct dormitories for up to 400 beds, rather than the current limit of 100 beds.
- Removes National Merit Scholar sponsorship from preeminence requirement and adds sponsorship language to Benacquisto Scholarship Program statute.
- Clarifies SUS performance funding to:
 - Specify eligibility for state investment and institutional investment funds.
 - Limit the provision of an institutional improvement plan to one fiscal year only, with automatic forfeiture of the institutional investment in any future fiscal years in which an improvement plan would be required.
- Clarifies the missions of public postsecondary institutions (technical career centers, community colleges, and state universities).
- Renames the Florida College System to Florida Community College System
- Clarifies bachelor degree programs as a secondary mission of community colleges, with total bachelor degree (upper level enrollment) annually capped as a percentage of total enrollment per institution, and amends baccalaureate degree approval process.
- Aligns the St. Petersburg College baccalaureate degree approval process with that of all other community colleges.
- Strengthens Florida's 2+2 system of articulation and guaranteed credit transfer.
- Adds the Chancellor of Career and Adult Education to the Higher Education Coordinating Council.

CS by Higher Education on March 23, 2015:

The committee substitute makes the following substantial changes to the bill:

Apprenticeships

Maintains the substance of the provisions of the bill relating to apprenticeships, except that a nationally recognized industry certification is added to the criteria indicating a journeyworker's or apprentice's skills, abilities, and competencies required for an occupation.

Florida Education Finance Program Funding

Includes FEFP funding provisions that:

- Expand the requirement that an additional hour of intensive reading instruction be provided for the 300 lowest-performing elementary schools.
- Authorize performance funding for a career and professional education (CAPE) industry certification earned through a dual enrollment course.
- Add tiers for and raise the cap on CAPE bonus funding that teachers may earn for instructing students who attain industry certifications.
- Increase the discretionary millage compression supplement.
- Modify the formula for calculating the K-12 sparsity supplement.
- Modify the formula for calculating the virtual education contribution.
- Create supplemental funding for students connected with federally owned military installations, National Aeronautics and Space Administration property, and Indian lands.

Preeminent State Research University Designation

Adds provisions requiring participation in the National Merit Scholarship Program for designation as a preeminent state research university or as a preeminent state research university institute for online learning.

Postsecondary Performance-Based Funding

Adds undesignated sections of law that establish State University System and Florida College System Performance-Based Incentive funding models based on metrics adopted by the Board of Governors and the State Board of Education ("State Board"), respectively, which include, but are not limited to, metrics that measure:

- Graduation and retention rates;
- Degree production;
- Affordability;
- Postgraduation employment, salaries, or continued education;
- Student loan default rates; and
- Access.

Florida Best and Brightest Teacher Scholarship Program

Adds a new section creating the Florida Best and Brightest Teacher Scholarship Program ("Scholarship Program") to award teachers who demonstrate a high level of academic achievement; authorizing funding for the Scholarship Program; and requiring the State

Board to adopt rules relating to reports, eligibility criteria for scholarship recipients, and distribution of scholarship funds.

B. Amendments:

None.

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