

## 7th Week of the Legislative Session – Report for April 15-19, 2019

### General Information

This report contains pertinent information presented and discussed during the 7th week of the 2019 legislative session. Both the House and Senate held meetings in both chambers, which consisted of substantive and appropriations bills.

The House and Senate Education committees completed their final committee meetings for the session. The House and Senate Rules Committee will host their last committee meetings next.

This year the FRS rate bill was handled separately from the other appropriations bill. The bill has passed both the House and the Senate and was signed by the Governor on April 15, 2019. The bill is now law for the 2019-2020 fiscal year.

Attached is my report, the enrolled bill, and the last staff analysis. The impact can now be calculated and included in budget projections and other fiscal decisions.

### Side-by-Side Comparisons

Please find attached the side-by-side comparisons, which were updated to reflect the latest committee action.

The attached side-by-side bills (School Safety bills) and currently status are the following below:

- SB 7030 related to School Safety passed the full Senate Appropriations Committee this week
- HB 7093 related to School Safety was ***temporarily postponed on the second reading.***

The attached side-by-side bills (School Choice bills) and currently status are the following below:

- SB 7070 re to School Choice passed the Senate Appropriations (11 Yeas, 8 Nays)
  - The bill has now incorporates provisions from several House bills and it was also amended in the Appropriations Committee.
- HB 7075 re to School Choice has continued to be ***temporarily postponed on the second reading***
- HB 7095 re to School Choice has been placed on second reading.

### House

#### **House Appropriations Committee - Chair Representative Travis Cummings**

#### **HB 7123 by Ways and Means Committee related to Taxation**

The bill is considered to be the House tax package and includes provisions relating to charter schools. The bill would amend s. 1011.71(9), F.S. to clarify that the term “school operational purposes” includes charter schools sponsored by a school district, for the purpose of distributing taxes collected under the additional, voted operational millage. The funds levied by this voted millage would be shared proportionately with charter schools as provided under s. 1002.33(17), F.S., and must be used by the charter schools in a manner consistent with the purposes of the levy.

Additionally, the bill would amend s. 1002.33(17), F.S. to clarify that a “school district’s current operating discretionary levy” includes the voted levies authorized pursuant to section 1011.71, F.S., as part of the charter school funding calculations.

These new provisions would apply to collections after July 1, 2019.

The bill passed the House Appropriations Committee favorably and is now on the House Calendar

**House Education Committee - Chair Representative Jennifer Sullivan  
HB 1061 by Rep. Overdorf related to Funds for Operation of Schools**

The bill provides for school districts to receive additional funding through the FEFP for each student who receives an Advanced Placement Capstone Diploma in addition to a standard high school diploma.

The bill passed the Education Committee and is now on the House Calendar.

**HB 1197 by Rep. Fischer related to Charter Schools**

This bill authorizes state universities and Florida College System (FCS) institutions to sponsor charter schools upon approval by DOE. The bill also revises requirements for charter schools operated by a FCS institution with a teacher preparation program. The bill provides that the board of trustees of a sponsoring state university or FCS institution is a local educational agency for the purposes of receiving federal funds and accepting responsibility for all requirements in the role.

The bill requires DOE, in collaboration with charter school sponsors and operators, to develop a sponsor evaluation framework and report results in its annual charter school application report. In addition, the bill revises charter school application reporting requirements and submission dates for both sponsors and DOE. The bill establishes operational funding and capital outlay funding formulas for charter schools sponsored by a state university or FCS institution.

The bill was amended in the House Education Committee to provide that upon approval by DOE, a state university or FCS institution may sponsor a charter school.

The bill passed the full Education committee favorably as a committee substitute.

**HB 7055 by PreK-12 Innovation related to Education**

This bill:

- allows students with an industry certification to earn two mathematics credits for Algebra I
- allows a computer science credit to substitute for a mathematics or science credit and requires a biennial review of career education courses for alignment with high school graduation requirements;
- requires the Department of Education to provide assistance in increasing public awareness of apprenticeship and pre-apprenticeship opportunities
- requires academic advising for students whose GPA drops below a 2.0
- allows school districts to use motor vehicles other than school buses to transport students to career education programs
- establishes a certificate of completion for students who have earned an industry certification

The bill passed the House Education Committee as a committee substitute.

**House Health & Human Services Committee - Chair Representative Ray Wesley  
Rodrigues**

HB 587 by Rep. Duggan related to Medicaid School-based Services

The bill aligns current law with the federal Medicaid requirements by removing the requirement that Medicaid recipients receiving services through the Florida Medicaid Certified School Match Program qualify for Part B or H of the IDEA, or for exceptional student services, or have an IEP or IFSP.

The bill passed the House Health & Human Services Committee favorably and is now on the House Calendar.

**HB 1171 by Rep. Grall related to Parental Rights**

The bill prohibits the state, its political subdivision, any other governmental entity or any other institution from infringing upon the fundamental right of a parent to direct the upbringing, education, health care, and mental health of his or her minor child.

The bill passed the House Health & Human Services Committee favorably as a committee substitute and is now in the House Judiciary Committee.

**House State Affairs Committee – Chair Representative Blaise Ingoglia**

**HB 891 by Rep. Ponder related to Military-friendly Initiative**

The bill requires a school district to consider a child a resident when his or her parent provides official military orders to the school district in advance of the family's relocation.

The bill passed the State Affairs Committee favorably and is now on the Calendar.

**Senate**

**Senate Education Appropriations Subcommittee – Chair Senator Kelli Stargel**

**SB 522 by Sen. Diaz related to Apprenticeship Programs**

The bill establishes a new reporting requirement and funding source to expand apprenticeship and pre-apprenticeship opportunities:

- Requires the Department of Education (DOE) to report specified information to the Legislature and the State Apprentice Advisory Council regarding apprenticeship and pre-apprenticeship training in Florida.
- Requires the DOE to provide information on its website explaining how a Florida College System institution or a school district may assume the responsibilities of a local education agency for the purposes of administering an apprenticeship program.
- Creates the Florida Apprenticeship Grant (FLAG) Program, which provides eligibility for grant awards to registered apprenticeship program sponsors who do not require assistance from a career educational institution.
- Assigns to the DOE the responsibility for the administration and supervision of related and supplemental education and training of apprentices whose apprenticeship programs have received a FLAG Program award.

The bill passed the Senate Education Appropriations Subcommittee Committee favorably and is now on the Special Order Calendar.

**SB 1198 by Sen. Stargel related to School Board Fiscal Transparency**

The bill revises and clarifies current statutory language that is scheduled to take effect July 1, 2019 concerning:

- School district reporting of classroom, administrative, and total costs.

- Development of a fiscal transparency tool by the Department of Education (DOE) that compares academic achievement with the percentage of funds spent on classroom instruction.
- Website display of these costs and financial efficiency for each school and school district.
- Preserves the statutory purpose of financial transparency and efficiency through the reporting of cost and budget information for schools and school districts.
- Enables DOE and school districts to implement these provisions more efficiently at reduced cost by using current information systems and technical capabilities.
- Includes charter schools in the cost reporting and fiscal transparency requirements.
- Revises what board member travel expenses must receive prior district school board approval.

The bill passed the Senate Education Appropriations Subcommittee favorably as a committee substitute.

### **SB 1366 by Sen. Baxley related to Education**

The bill promotes options for education in computer science. The bill was amended to permit a parent to request an exemption for his or her child from any portion of the comprehensive health education course of study the parent finds objectionable.

The bill was also amended to remove from inclusion in comprehensive health education course of study concepts related to dating violence and abuse and adds concepts related to techniques to respond to child abuse and the warning signs of human trafficking. Finally, the bill was amended to allow a virtual instruction provider to use learning gains for students in other states as a way to demonstrate success and extends the conditional approval period from one year to two years.

The bill passed the Senate Education Appropriations Subcommittee favorably as a committee substitute.

### **Senate Education Appropriations Committee – Chair Senator Kelli Stargel**

#### **SB 934 by Sen. Diaz related to High-performing Charter Schools**

This bill was summarized in a previous report. The bill modifies high-performing charter school eligibility criteria and related provisions regarding student enrollment and replicating charter schools.

The bill passed the Senate Education Appropriations Subcommittee favorably.

#### **SB 1470 by Sen. Diaz related to Charter Schools**

The bill renames the Charter School Appeal Commission to the Charter School Commission (CSC) and authorizes the CSC to review applications from specified entities and maintain duties related to charter application appeals.

The bill:

- Adds the CSC to requirements relating to sponsor review of charter applications.
- Requires the CSC to submit recommendations for approval or denial of specified charter applications to the State Board of Education (state board) for approval.
- Establishes a sponsor and applicant appeals process for CSC recommendations to approve or deny an application, and requires state board action on an appeal.

The bill also establishes penalties for specified charter school personnel or entities if:

- A sponsor chooses not to renew or to terminate a charter, or a charter school closes mid-year or within one year of beginning operations, except for closures due to consolidation.
- Such personnel or entities are convicted of a crime, including, but not limited to, fraud or financial offenses related to the operation of a charter school.

The bill passed the Senate Education Appropriations Subcommittee favorably.

### **SB 190 by Sen. Stargel related to Education**

The bill modifies the requirements associated with the Florida Bright Futures Scholarship Program (Bright Futures program), and removes restrictions in current law regarding funding for the operation of schools and performance funding for industry certifications. Specifically:

- Regarding the Bright Futures program, the bill:
  - Removes the requirement that students enroll in a Florida postsecondary education institution within 2 years of graduation from high school.
  - Eliminates the 45-credit hour annual restriction in the award of a scholarship.
  - Specifies the eligibility of a student, who enrolls in the pilot program at the University of Florida, to receive an award during the fall term.
  - Codifies the existing State Board of Education rule that allows Florida private school graduates to meet the high school credential-specific eligibility criterion.
  - Extends the annual deadline, from August 31 to December 31, for when a student who graduates from high school midyear must apply for the scholarship.
  - Revises the examination score requirements for award eligibility to align the SAT and ACT examination scores with the SAT national percentile rank specified in law; and requires the Florida Department of Education (DOE) to publish ongoing updates to the examination scores.
- Regarding school funding in the Florida Education Finance Program, the bill:
  - Removes the requirement to prorate the federally connected supplement so that eligible districts may be provided the full amount.
  - Modifies the safe school allocation formula to require the remaining balance be calculated based on two-thirds allocated from each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment and one-third allocated based on the most recent official Florida Crime Index to align the funding with school district security needs.
  - Places the funding compression allocation in permanent law.
- Regarding industry certification performance funding, the bill removes the \$15 million annual cap for both Florida College System institutions and school district workforce education programs.

The bill passed the Senate Appropriations Committee favorably as a committee substitute.

### **SB 770 by Sen. Hutson related to Workforce Education**

The bill promotes career education and readiness opportunities for students in public schools.

The bill creates an alternative pathway, namely the career and technical education (CTE) graduation pathway option, for students to earn a standard high school diploma, and specifies related requirements. In addition, the bill provides responsibilities for district school boards and the Department of Education (DOE) regarding career education opportunities, specifies options for students to substitute computer science credit for certain credits required for high school graduation, and revises requirements related to adjunct educator certification.

The bill:

- Requires students to earn a 2.0 grade point average and successfully complete at least 18 credits in specified subject areas to receive a standard high school diploma under the CTE graduation pathway option.
- Modifies the 24-credit pathway for earning a standard high school diploma by revising computer science credit substitution for mathematics or science credits; and eliminates the financial literacy credit requirement, as part of economics under the specified social studies credits. However, the bill specifies that all school districts must offer a financial literacy course consisting of at least 0.5 credit as an elective, beginning with the 2019-2020 school year.
- Revises the requirements for a student to earn a “Scholar” designation by permitting the one credit in Algebra II to be substituted with one credit in another equally rigorous course.
- Specifies requirements for district school boards and the Commissioner of Education regarding career education opportunities; and establishes the “Strengthening Alignment between Industry and Learning (SAIL) to 60” Initiative to increase to 60 percent the percentage of working-age adults who hold a high-value postsecondary certificate, degree, or training experience by the year 2030.
- Requires that the statewide articulation agreement between the State Board of Education and the Board of Governors provide for a reverse transfer agreement for Florida College System associate in arts degree-seeking students who transfer to a state university before earning their associate in arts degree; and specifies related requirements for the state universities.
- Requires each career center and FCS institution with overlapping service areas to execute a regional career pathways agreement for each certificate program offered by the career center that is aligned with an associate degree offered by the FCS institution in the service area.
- Restores middle grades career education and planning course requirements that were eliminated in 2017, with some modifications.
- Requires district school boards to declare a “College and Career Decision Day” to recognize high school seniors and encourage them to prepare for college and pursue advanced career pathways.
- Requires the DOE to provide assistance to specified entities when notifying students, parents, and members of the community about apprenticeship and pre-apprenticeship opportunities; and creates the Florida Apprenticeship Grant (FLAG) Program to provide competitive grants to expand existing apprenticeship and pre-apprenticeship programs and establish new programs.
- Authorizes school districts to issue an adjunct teaching certificate for a full-time teaching position, but specifies that such certificates are valid for a period of three years and are not renewable. The bill also specifies reporting requirements for school districts

The bill passed the Senate Appropriations Committee favorably as a committee substitute.

### **SB 1444 by Sen. Diaz related to Education**

This bill provides safeguards to help protect students by requiring the creation of a state disqualification list to be maintained by the Department of Education (department or DOE), which must include the following information:

- The name of any individual who has been placed on the list by the Education Practices Commission (EPC) pursuant to law, or whose educator certificate has been permanently revoked by the EPC.
- The name of any private school owners or operators who have been permanently disqualified from participation in a state scholarship program by the DOE. In addition, the bill:
- Requires the DOE to provide authorized staff of school districts, charter schools, the Florida School for the Deaf and Blind, and private schools that accept state scholarship program students with electronic access to the DOE's disqualification list.
- Prohibits any individual on the disqualification list from earning an educator certificate or being employed in any position which requires direct contact with students in any public school, charter school, or private school that accepts state scholarship money.
- Provides the DOE and EPC with authority to place individuals on the disqualification list for certain purposes.
- Requires the DOE to immediately investigate, under certain circumstances, any legally sufficient complaint that involves the misconduct by an employee or contracted personnel in a public school, charter school or private school that receives state scholarship funds.

The bill passed the Senate Appropriations Committee favorably.

### **SB 1456 by Sen. Perry related to Office of Early Learning**

This bill establishes professional development standards and career pathways for early childhood teachers and school readiness program providers.

The bill requires the Office of Early Learning to:

- Identify early learning career pathways for early childhood teachers;
- Develop professional development training and course standards for school readiness program providers; and
- Integrate early learning professional development pathways into existing preservice and inservice training requirements. The bill has no additional impact on state funds, as OEL can carry out the requirements of the bill within their current appropriation.

The bill requires that OEL expand the existing career pathway framework to clearly identify both informal and formal pathways that include stackable credentials.

The bill passed the Senate Appropriations Committee favorably.

The 8<sup>th</sup> week of the 2019 legislative session will reconvene on Monday, April 22<sup>nd</sup>

I hope you find the information above helpful. If you have any questions or need additional information, please feel free to contact me at (407) 317-3200 ext. 2002966 or Eileen Fernandez, Associate General Counsel at (407) 317-3411 ext. 2002945.