

## **2nd Week of the Legislative Session – Report for March 11-15, 2019**

### **General Information**

This report contains pertinent information presented and discussed during the second week of the regular 2019 legislative session. Both the House and Senate held meetings in both chambers, which consisted of legislative bills and member projects.

The House released its voucher bill (HB 7075) this week. Similar to the Senate bill (SB 7070), the vouchers would be funded through the FEFP. However, the House bill is a much greater expansion of vouchers than the Senate Bill. The Senate bill mainly addresses the waitlist for the Tax Credit Scholarship. The House bill goes beyond the waitlist.

Also this week, President Trump released his proposed 2020 budget. In terms of education, his proposal would cut 12% or \$8.5B from the Department of Education compared to FY 2019, eliminating the Supporting Effective Instruction State Grants, 21st Century Community Learning Centers, and Federal Supplemental Educational Opportunity. Please see attached document.

The links to the official overview and summary, school safety proposal, as well as the official press release are below:

- [President Trump's 2020 Budget Fact Sheet \(Overview\)](#)
- [President Trump's 2020 Budget Fact Sheet \(School Safety\)](#)

Finally, the attached report created by Jim Hamilton provides a very brief review of the revenue and spending forecasts from the Long Range Financial Outlook that establishes the parameters for the budget process for the 2019 regular session.

### **Senate**

#### **Senate Education Committee – Chair, Senator Manny Diaz**

#### **SB 62 by Sen. Book related to Students with Disabilities in Public Schools**

The bill revises the use of restraint techniques on students with disabilities in public schools, prohibits the use of specified physical restraint techniques and placing students in seclusion, and specifies responsibilities for school districts, schools, the Department of Education (DOE), and the Commissioner of Education (commissioner).

Specifically, the bill:

- Defines exclusionary and non-exclusionary time; establishes conditions under which a student may be placed in exclusionary or non-exclusionary time; and specifies related documentation, reporting and monitoring of such incidents.
- Requires each school district to:
  - Develop policies and procedures regarding physical safety and security of all students and school personnel.
  - Report procedures for training related to restraint and specifies the components of such training.
  - Publicly post its policies on all emergency procedures, including the district's policies on the use of restraint.
- Requires a school to conduct a review of incidents of restraint, and related interventions and school personnel training.
- Requires the DOE to maintain data on exclusionary and non-exclusionary time incidents, and requires that redacted copies of documentation on the use of restraint and

exclusionary and non-exclusionary time be updated monthly and made available to the public through the DOE's website by October 1, 2019.

- Requires the commissioner to develop recommendations to incorporate instruction regarding emotional or behavioral disabilities into continuing education or in-service training requirements for instructional personnel.

The bill passed the Senate Education Committee favorably.

### **SB 226 by Sen. Brandes related to Mastery-based Education**

The bill renames the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program (mastery-based pilot) and:

- Expands participation in the mastery-based pilot to all school districts and developmental research schools.
- Authorizes district school boards and developmental research schools participating in the mastery-based pilot to:
  - Determine and award credit based on student's mastery of core content and skills, but requires such school districts and developmental research schools to amend its student progression plans accordingly.
  - Use an alternative interpretation of letter grades to measure student success in grades
  - 6-12, but requires such school districts and schools to continue to use a 4-point scale for calculating a student's grade point average (GPA).
- Requires the statewide articulation agreement to ensure fair and equitable access for students who have earned high school credit earned through a mastery-based education program and graduate with a standard high school diploma.
- The bill expands participation in the pilot program to include all public school districts and developmental research schools established in law
- The bill authorizes that, beginning in the 2019-2020 school year, participating school districts and developmental research schools may amend their applications to include alternatives for:
  - Awarding credit, which must include a verification of the student's mastery of the applicable course content using rigorous scoring rubrics to evaluate the student's work. The bill requires that a participating school district and developmental research school must update its student progression plan accordingly.
  - The interpretation of middle school and high school letter grades, which may substitute the applicable language from the school district's rigorous scoring rubric. The bill requires that participating school districts and developmental research school must continue to use the 4-point scale established in law for calculating a student's GPA.
- The bill requires that an application that is amended to include such provisions must be approved by the district school board or developmental research school governing authority, as applicable.

The bill passed the Senate Education Committee favorably.

### **SB 442 by Sen. Lee related to Postsecondary Education for Certain Military Personnel**

The bill promotes uniformity in the application of military experience, training, and education toward academic college credits by public postsecondary educational institutions; and establishes a fee waiver for active duty members and honorably discharged veterans of the United States Armed Forces. Specifically, the bill:

- Requires the Board of Governors of the State University System of Florida (BOG) and the State Board of Education (SBE), in consultation with the Chancellor of the State University System (SUS) and the Chancellor of the Florida College System (FCS), to adopt regulations and rules, respectively, which create a uniform system that enables eligible service-members or veterans of the United States Armed Forces to earn academic college credit for experience, college-level training, and education acquired in the military. The bill specifies the requirements that the BOG regulations and SBE rules must address at a minimum, and requires each public postsecondary educational institution to participate in the uniform system.
- Requires a state university, an FCS institution, and a technical center to waive the transcript fee for an active duty member and an honorably discharged veteran of the United States Armed Forces; and specifies related reporting and rulemaking requirements.

The bill passed the Senate Education Committee favorably.

### **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.

Specifically, the bill:

- 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 Committee favorably.

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

The bill clarifies the language relating to fiscal transparency so that districts and the Department of Education may implement the requirements passed in HB 1279 last year in a more efficient and cost effective manner.

The bill:

- ***amends s. 1010, F.S.*** relating to cost reporting and requires that each district report to DOE on a school-by-school and district-aggregate basis expenditures: For each program costs (basic programs, i.e., K-3, 4-8, 9-12; ESE programs; secondary career education programs; and ESOL); Total costs for classroom instruction as provided in existing “School District Program Cost Reports.” Then,

DOE must categorize all public school and districts into specified groups and calculate the total costs for classroom instruction to the total operating costs.

DOE must develop a web-based fiscal transparency tool that combines and compares academic achievement and the percentage of funds spent on classroom instruction for all schools and districts. The results must be displayed in an easy to use format that enables the user to compare performance among public schools and districts.

- ***amends s. 1011.035, F.S.***, relating to school district budget transparency and requires that the financial efficiency information calculated above be posted on the district's website. In addition, a link to the web-based fiscal transparency tool developed by DOE must be provided. The requirement that the information be graphically represented is deleted due to the potential fiscal impact on districts.
- ***amends s. 1011.051, F.S.***, and deletes languages from HB 1279 which would have required the reduction in a district's administration expenditures under certain circumstances.
- ***amends s. 1002.33, F.S.***, relating to charter schools and requires charter schools to the reporting and budget transparency requirements.

The bill passed the Senate Education Committee favorably.

### House

**House Higher Education & Career Readiness Subcommittee – Chair, Representative Cord Byrd**

**PCB HEC 19-02 by the Higher Education & Career Readiness Subcommittee related to Postsecondary Workforce Education**

The bill promotes apprenticeships, enhances talent development, and increases career opportunities for Floridians by:

- Creating the “Strengthening Alignment between Industry and Learning (SAIL) to 60” Initiative and establishing a statewide attainment goal to increase the percentage of working-age adults who hold a high-value postsecondary certificate, degree, or training experience to 60 percent by the year 2030.
- Reconstituting the Higher Education Coordinating Council (HECC) as the Florida Talent Development Council, revising its membership, and requiring the council to develop a strategic plan for talent development in Florida.
- Creating the Florida Apprenticeship Grant (FLAG) Program, subject to an appropriation in the General Appropriation Act (GAA), to provide competitive grants to career centers, charter technical career centers, Florida College System (FCS) institutions, and other entities authorized to sponsor apprenticeship programs for the purpose of expanding existing programs and establishing new apprenticeship programs. Authorizing the SBE to adopt rules to implement the program.

- Requiring the Department of Education (DOE) to publish information regarding apprenticeship and pre-apprenticeship programs, including technical assistance, outcomes, and funding information.
- Revising the statutory characteristics of an apprenticeable occupation and modifying the requirements for the two public members appointed to the State Apprenticeship Council by the Governor to be independent of any joint or non-joint organizations.
- Redefining “journeymen” as “journeyworkers” and protecting special provisions for veterans, minorities, and women in apprenticeship programs.
- Requiring the statewide articulation agreement to provide for a reverse transfer agreement for FCS associate in arts degree-seeking students who transfer to a state university prior to earning their associate in arts degree.
- Requiring that each career center and FCS institution with overlapping service areas to execute and annually submit to DOE a career pathways agreement for each certificate program offered by the career center.
- Requiring each school district and FCS institution receiving state appropriations for workforce education programs to maintain adequate and accurate records and revising the calculation methodology for determining state funding for workforce education programs.

The bill passed the House Higher Education & Career Readiness Subcommittee favorably.

**House Education Committee – Chair, Representative Jennifer Sullivan  
EDCI by House Education Committee related to School Choice**

The bill establishes the Family Empowerment Scholarship Program to provide parents of kindergarten and public school students a scholarship to attend an eligible private school. The income limitations for the program are three hundred percent of the federal poverty level (FPL) for the 2019-2020 school year, three hundred twenty-five percent of the FPL for the 2020-2021 school year, three hundred fifty percent of the FPL for the 2021-2022 school year, and three hundred seventy-five percent of the FPL beginning with the 2022-2023 school year and thereafter.

The bill establishes a scholarship amount for the FESP which is ninety-seven percent of the district average based upon the grade level of the student. The scholarship amounts for the HSP and the FTC programs are revised to reflect this new amount.

The bill revises the FTC Program to limit eligibility to students who were not awarded a state scholarship and who meet income limitations, removes the limitation that the transportation scholarship for public school students can only be used for transportation to a public school or lab school outside of the school district, and eliminates the tiered scholarship amounts for students whose household income exceeds one hundred eighty-five percent of the FPL, but less than two hundred sixty percent of the FPL. The bill also requires the annual report on the academic performance of students participating in FTC to also include students participating in HSP and FESP.

The bill maintains the priority use of sales tax credits for FTC scholarships by removing the priority for Gardiner scholarships that would have been effective next fiscal year. The bill also allows contributions by purchasers of motor vehicles to be used for FTC scholarships in addition to Hope scholarships.

The bill passed the House Education Committee favorably and has been assigned a bill number (HB 7075).

The 3<sup>rd</sup> week of the 2019 regular legislative session reconvenes on Monday, March 18th.

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.