Tab 1	CS/SB 62 by HE, Osgood (CO-INTRODUCERS) Book; (Identical to CS/H 00767) Resident Status for Tuition Purposes
Tab 2	SB 1652 by Burgess; (Similar to CS/H 01429) District and School Advisory Councils
Tab 3	<b>SB 1396</b> by <b>Gruters (CO-INTRODUCERS) Yarborough</b> ; (Identical to H 01109) Security for Jewish Day Schools and Preschools

### The Florida Senate

**COMMITTEE MEETING EXPANDED AGENDA** 

### APPROPRIATIONS COMMITTEE ON EDUCATION Senator Perry, Chair Senator Jones, Vice Chair

	MEETING DATE: TIME: PLACE:	8:30 a.m.—	Tuesday, February 13, 2024 8:30 a.m.—12:30 p.m. <i>Pat Thomas Committee Room,</i> 412 Knott Building				
	MEMBERS:	Senator Per Hutson, and	ry, Chair; Senator Jones, Vice Chair; Senators Calatayud Simon	, Collins, Davis, Harrell,			
TAB	BILL NO. and INTR	ODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION			
1	<b>CS/SB 62</b> Education Postsecond Osgood (Identical CS/H 767)	ary /	<ul> <li>Resident Status for Tuition Purposes; Providing that a person may not lose his or her resident status for tuition purposes due to incarceration, etc.</li> <li>HE 02/06/2024 Fav/CS</li> <li>AED 02/13/2024 Favorable</li> <li>FP</li> </ul>	Favorable Yeas 6 Nays 0			
2	<b>SB 1652</b> Burgess (Similar CS/H 1429)		District and School Advisory Councils; Renaming district advisory councils and school advisory councils as "district community advisory boards" and "community advisory boards," respectively; requiring community advisory boards to publicize specified information, etc. ED 02/06/2024 Favorable AED 02/13/2024 Favorable RC	Favorable Yeas 6 Nays 0			
3	<b>SB 1396</b> Gruters (Identical H 1109)		Security for Jewish Day Schools and Preschools; Subject to and consistent with funds appropriated from the General Appropriations Act, requiring the Department of Education to establish a program to provide funds to full-time Jewish day schools and preschools for specified security purposes, etc. ED 02/06/2024 Favorable AED 02/13/2024 Favorable FP	Favorable Yeas 6 Nays 0			

Other Related Meeting Documents

(			IS AND FIS	rida Senate SCAL IMPAC ned in the legislation a		
	Prepared By	: The Profes	sional Staff of th	e Committee on Co	ommittee Code	Not Found
BILL: CS/SB 62						
INTRODUCER: Education 1		Postsecon	dary Committe	ee and Senator O	sgood and oth	ners
SUBJECT:	Resident S	tatus for T	uition Purpose	es		
DATE: February		2, 2024	REVISED:			
ANAL	YST	STAF	- DIRECTOR	REFERENCE		ACTION
l. Jahnke		Bouck		HE	Fav/CS	
2. Gray		Elwell		AED	Favorable	
3.				FP		

# Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

## I. Summary:

CS/SB 62 provides that an individual may not lose his or her resident status for tuition purposes due to incarceration in a state or federal correctional facility in this state.

This bill does not have appear to have a fiscal impact. See Section V., Fiscal Impact Statement.

The bill is effective July 1, 2024.

## II. Present Situation:

## **Residency Status for Tuition Purposes**

Students must be classified as residents or nonresidents for the purpose of assessing tuition in postsecondary educational programs offered by charter technical career centers, career centers operated by school districts, Florida College System (FCS) institutions, and state universities. Students pay differing tuition rates based on their status as a resident or nonresident of Florida.<sup>1</sup>

Specifically, to qualify as a resident for tuition purposes:

• A person or, if that person is a dependent child, his or her parent or parents must have established legal residence in Florida and must have maintained legal residence for at least 12

<sup>&</sup>lt;sup>1</sup> Section 1009.21. F.S.

consecutive months immediately prior to his or her initial enrollment in an institution of higher education.

• Every applicant for admission to an institution of higher education must make a statement as to his or her length of residence and establish that his or her presence or, if the applicant is a dependent child, the presence of his or her parent or parents in Florida currently is, and during the requisite 12-month qualifying period was, for the purpose of maintaining a bona fide domicile.<sup>2</sup>

A person must show certain proof that he or she should be classified as a resident for tuition purposes and may not receive the in-state tuition rate until clear and convincing evidence related to legal residence and its duration has been provided. Each institution of higher education must make a residency determination that is documented by the submission of written or electronic verification that includes two or more specified documents that:

- Must include at least one of the following ("Tier 1"):
  - A Florida voter's registration card.
  - A Florida driver license.
  - A State of Florida identification card.
  - A Florida vehicle registration.
  - Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual's parent if the individual is a dependent child.
  - Proof of a homestead exemption in Florida.
  - Transcripts from a Florida high school for multiple years if the Florida high school diploma or high school equivalency diploma was earned within the last 12 months.
  - Proof of permanent full-time employment in Florida for at least 30 hours per week for a 12-month period.
- May include one or more of the following ("Tier 2"):
  - A declaration of domicile in Florida.
  - A Florida professional or occupational license.
  - Florida incorporation.
  - A document evidencing family ties in Florida.
  - Proof of membership in a Florida-based charitable or professional organization.
  - Any other documentation that supports the student's request for resident status, including, but not limited to, utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.<sup>3</sup>

## **Guidelines for Residency for Tuition Purposes**

The Articulation Coordinating Committee (ACC) Statewide Residency Committee reviews statutes and rules relating to residency for tuition purposes and drafts and revises statewide residency guidelines that provide further clarification of statutes and rules.<sup>4</sup> The ACC statewide residency guidelines provide that prison inmates are not precluded from establishing residency

<sup>&</sup>lt;sup>2</sup> Section 1009.21(2)(a), F.S.

<sup>&</sup>lt;sup>3</sup> Section 1009.21(3), F.S.

<sup>&</sup>lt;sup>4</sup> Florida Department of Education, Articulation Coordinating Committee – Statewide Residency Committee, *Purpose*, <u>https://www.fldoe.org/policy/articulation/committees/articulation-coordinating-committee-st.stml</u> (last visited Feb. 7, 2024).

for tuition purposes in Florida. However, they may not establish residency for tuition purposes by virtue of their incarceration in Florida and evidence must be provided for the 12-month period prior to incarceration.<sup>5</sup>

Each institution of higher education must make a residency determination and can establish policies regarding incarcerated individuals. For example, Tallahassee Community College and St. Petersburg College both require an incarcerated individual to provide documentation that he or she lived in Florida for 12 months before incarceration and requires Tier 1 and Tier 2 documentation to prove his or her physical presence in Florida for 12 months before being incarcerated. If the individual has been released for a year or longer, he or she must provide documentation for the most recent 12 months.<sup>6</sup>

Florida law does not specifically authorize or prohibit time incarcerated in a Florida prison to count toward the 12-month legal residency requirements.

## **Tuition and Out-of-State Fees**

Florida law defines "tuition" as the basic fee charged to a student for instruction provided by a public postsecondary educational institution in the state. A student who is classified as a "resident for tuition purposes" qualifies for the in-state tuition rate. An "out-of-state fee" is the additional fee for instruction provided by a public postsecondary education institution in the state, and is charged to a student who does not qualify for the in-state tuition rate.<sup>7</sup>

Residents for tuition purposes are charged in-state rates for tuition while non-residents pay outof-state fees in addition to tuition, unless these costs are exempted or waived.<sup>8</sup> The resident undergraduate tuition rate for the State University System (SUS) is currently set in statute at \$105.07 per credit hour.<sup>9</sup> The SUS average cost of resident and nonresident tuition and fees per credit hour is shown below:<sup>10</sup>

State University System Tuition & Fees						
Undergraduate Baccalaureate	Standard Tuition (Per Credit Hour)	Average Tuition & Fees (Per Credit Hour)	Standard Tuition (Per 30 Credit Hours)	Average Tuition & Fees (Per 30 Credit Hours)		
Resident	\$105.07	\$199.72	\$3,152.10	\$5,991.79		
Non-Resident	\$105.07	\$690.63	\$3,152.10	\$20,719.07		
Difference	-	\$490.91	=	\$14,727.28		

<sup>&</sup>lt;sup>5</sup> Articulation Coordinating Committee, *Guidelines on Florida Residency for Tuition Purposes*, at A-1 (Oct. 28, 2015), available at, <u>https://www.fldoe.org/core/fileparse.php/7671/urlt/RTPMACC.pdf</u>. (last visited Feb. 7, 2024).

<sup>&</sup>lt;sup>6</sup> Tallahassee Community College, *Residency FAQs*, <u>https://www.tcc.fl.edu/media/divisions/admissions-and-</u> recruiting/forms/Residency-FAQs.pdf and St. Petersburg College, *Residency FAQs*, <u>https://www.spcollege.edu/future-</u> students/admissions/residency/residency-faqs (last visited Feb. 7, 2024).

<sup>&</sup>lt;sup>7</sup> Section. 1009.01, F.S. Adding that "[a] charge for any other purpose shall not be included within this fee."

<sup>&</sup>lt;sup>8</sup> Section. 1009.24(2), F.S.

<sup>&</sup>lt;sup>9</sup> Section. 1009.24(4)(a), F.S.

<sup>&</sup>lt;sup>10</sup> Florida Board of Governors, *State University System of Florida, Tuition and Required Fees, 2023-2024, available at*, <u>https://www.flbog.edu/wp-content/uploads/2023/07/2023-2024-SUS-Tuition-and-Fees-Report-PDF-1.pdf</u>. (last visited Feb. 7, 2024)

Within the Florida College System (FCS), for college credit courses in advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs, the standard tuition is \$71.98 per credit hour for residents and nonresidents, and the out-of-state fee is \$215.94 per credit hour. Baccalaureate degree program tuition is \$91.79 per credit hour for students who are residents for tuition purposes. The sum of the tuition and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes can be no more than 85 percent of the sum of the tuition and the out-of-state fee at the state university nearest the FCS institution.<sup>11</sup>

## III. Effect of Proposed Changes:

This bill modifies s. 1009.21, F.S., by providing that an individual who has met the requirements to be classified as a resident for tuition purposes may not lose his or her resident status for tuition purposes solely because of incarceration in a state or federal correctional facility in Florida.

The bill is effective July 1, 2024.

## IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

## V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

<sup>&</sup>lt;sup>11</sup> Section 1009.23(3), F.S.

## B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not appear to have a fiscal impact.

## VI. Technical Deficiencies:

None.

## VII. Related Issues:

None.

## VIII. Statutes Affected:

This bill substantially amends section 1009.21 of the Florida Statutes.

## IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes: (Summarizing differences between the Committee Substitute and the prior version of the bill.)

### CS by Education Postsecondary on February 6, 2023:

The committee substitute retains the bill provision that an individual may not lose his or her resident status for tuition purposes due to incarceration in a state or federal correctional facility in this state and makes the following modifications:

- Removes the provision allowing an individual who is currently incarcerated or who has been released within the 12 months preceding their residency determination to provide expired documentation to support his or her request for resident status.
- Removes the provision allowing a non-resident to earn residency for tuition purposes by virtue of being incarcerated in Florida for at least 18 months of a sentence of three years or longer and by evidencing ties to Florida.
- B. Amendments:

None.

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

### Florida Senate - 2024

#### CS for SB 62

 $\mathbf{B}\mathbf{y}$  the Committee on Education Postsecondary; and Senators Osgood and Book

	589-03002-24 202462c1						
1	A bill to be entitled						
2	An act relating to resident status for tuition						
3	purposes; amending s. 1009.21, F.S.; providing that a						
4	person may not lose his or her resident status for						
5	tuition purposes due to incarceration; providing an						
6	effective date.						
7							
8	Be It Enacted by the Legislature of the State of Florida:						
9							
10	Section 1. Present subsections (4) through (13) of section						
11	1009.21, Florida Statutes, are redesignated as subsections (5)						
12	through (14), respectively, and a new subsection (4) is added to						
13	that section, to read:						
14	1009.21 Determination of resident status for tuition						
15	purposes.—Students shall be classified as residents or						
16	nonresidents for the purpose of assessing tuition in						
17	postsecondary educational programs offered by charter technical						
18	career centers or career centers operated by school districts,						
19	in Florida College System institutions, and in state						
20	universities.						
21	(4) An individual may not lose his or her resident status						
22	for tuition purposes solely by reason of incarceration in a						
23	state or federal correctional facility in this state.						
24	Section 2. This act shall take effect July 1, 2024.						
	Page 1 of 1						
	CODING: Words stricken are deletions; words underlined are additions.						



The Florida Senate

# **Committee Agenda Request**

To:	Senator Keith Perry, Chair
	Appropriations Committee on Education

Subject: Committee Agenda Request

Date: February 7, 2024

I respectfully request that **Senate Bill #62**, relating to Resident Status for Tuition Purposes, be placed on the:

committee agenda at your earliest possible convenience.



next committee agenda.

Roalwe Ongood

Senator Rosalind Osgood Florida Senate, District 32

412K 02/13/2024 830 Meeting Date App. on Ed	The Florida Senate <b>APPEARANCE RECORD</b> Deliver both copies of this form to Senate professional staff conducting the meeting	62 Resident Bill Number or Topic
Name Kaven Mazzol	Phone 40	Amendment Barcode (if applicable)
Address 1747 Orlandu ( Street	entral PKWY Email VP. 32809	education@flordapta.org
City State	<i>Zip</i> Information <b>OR</b> Waive Speaking:	In Support 🔲 Against
	PLEASE CHECK ONE OF THE FOLLOWING:	
I am appearing without compensation or sponsorship.	l am a registered lobbyist, representing:	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 JointRules.pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

	RIDA SENATE		
APPEARAN			
2 13 Wh 2024 Meeting Date (Deliver BOTH copies of this form to the Senator	or Senate Professional Sta	aff conducting the	meeting) Bill Number (if applicable)
Topic <u>SB</u> 62		-	Amendment Barcode (if applicable)
Name Jarah Massey			
Job Title Policy Director			
Address 136 S Bronough		Phone	
Tallahasse FL City State	32301 Zip	Email	
Speaking: For Against Information	Waive Sp (The Chai		In Support Against information into the record.)
Representing Florida Chamber of	Commerce		
0 Appearing at request of Chair: Yes No	Lobbyist registe	ered with Le	egislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

		The Florida	Senate			
February 13, 2024		APPEARANCE RECORD 62				
Meeting Date ation Appropriations	Senat	-		Bill Number or Topic		
Committee			0.50	Amendment Barcode (if applicable)		
Gus Corbella			Phone	-222-6891		
	Ave		Email Corb	ella@gtlaw.com		
Tallahassee	FL	)1				
Sangaranan basarangan			Waive Speaking:	In Support Against		
		I am a registered lobb representing:	oyist,	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:		
	Meeting Date cation Appropriations Committee Gus Corbella 101 East College Street Tallahassee City	Meeting Date ation Appropriations Sena Committee Gus Corbella 101 East College Ave Street Tallahassee FL City State Speaking: For Against Info PLEAS n appearing without npensation or sponsorship.	APPEARANC   Meeting Date   ation Appropriations   Committee   Gus Corbella   101 East College Ave   Street   Tallahassee   FL   3230   City   Speaking:   For   Against   Information   PLEASE CHECK ONE OF	Meeting Date   cation Appropriations   Committee   Gus Corbella   101 East College Ave   Street   Tallahassee   FL   32301   City   Speaking:   For   Against   Information   OR   Waive Speaking:   PLEASE CHECK ONE OF THE FOLLOWING:		

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (fisenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

Prepared By: The Professional Staff of the Appropriations Committee on Education         BILL:       SB 1652         INTRODUCER:       Senator Burgess         SUBJECT:       District and School Advisory Councils         DATE:       February 12, 2024         REVISED:	(		-	S AND FIS	rida Senate SCAL IMPAC ned in the legislation a	-	
INTRODUCER: Senator Burgess   SUBJECT: District and School Advisory Councils   DATE: February 12, 2024		Prepared By:	The Profe	ssional Staff of	the Appropriations	Committee on Edu	cation
SUBJECT:       District and School Advisory Councils         DATE:       February 12, 2024         REVISED:	BILL:	SB 1652					
DATE: February 12, 2024 REVISED:	INTRODUCER:	Senator Burg	gess				
	SUBJECT:	District and School Advisory Councils					
	DATE: February 1		2024	REVISED:			
ANALISI STAFF DIRECTOR REFERENCE ACTION	ANAL	YST	STAFF	DIRECTOR	REFERENCE		ACTION
I. Jahnke Bouck ED Favorable	l. Jahnke		Bouck		ED	Favorable	
2. Gray Elwell AED Favorable	2. Gray		Elwell		AED	Favorable	
3. RC	3.				RC		

## I. Summary:

SB 1652 renames district advisory councils and school advisory councils as "district community advisory boards," respectively. Additionally, the bill:

- Requires community advisory boards to publicize open positions on the board, information regarding board elections and appointments, and information about becoming a board member.
- Establishes terms for executive board members.
- Requires the district school board to administer training for members of a community advisory board.

This bill does not appear to have a fiscal impact. See Section V, Fiscal Impact Statement.

The bill is effective July 1, 2024.

## II. Present Situation:

## **District and School Advisory Councils**

Each district school board must establish an advisory council for each school in the district and develop procedures for the election and appointment of advisory council members. The school advisory council is the sole body responsible for final decision-making at the school relating to the implementation of school improvement and education accountability.<sup>1</sup>

The advisory councils must consist of the principal and an appropriately balanced number of teachers, education support employees,<sup>2</sup> students, parents, and other business and community

<sup>&</sup>lt;sup>1</sup> Section 1001.452(1), F.S.

<sup>&</sup>lt;sup>2</sup> Section 1001.452(1)(a), F.S. (flush left provision at the end of the paragraph).

citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils must include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents must be elected by their respective peer groups at the school in a fair and equitable manner.<sup>3</sup>

The district school board must review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board must appoint additional members to achieve proper representation. The Commissioner of Education must determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.<sup>4</sup>

School districts with a student population of 10,000 or less are excepted from the requirement that each school have a school advisory council. In such districts, the district school board is only required to establish a district advisory council that includes at least one duly elected teacher from each school in the district.<sup>5</sup>

The district school board may establish a district advisory council representative of the district that is composed of teachers, students, parents, and other citizens or a district advisory council that may be comprised of representatives of each school advisory council.<sup>6</sup> Similarly, the district school board may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district for those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.<sup>7</sup>

Each school advisory council must adopt bylaws establishing procedures for:

- Requiring a quorum, or a majority of the membership, to be present before a vote may be taken by the school advisory council.
- Requiring at least three days' advance notice in writing to all members of the advisory council of any matter that is scheduled to come before the council for a vote.
- Scheduling meetings when parents, students, teachers, businesspersons, and members of the community can attend.
- Replacing any member who has two unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws.
- Recording minutes of meetings.<sup>8</sup>

The district school board may review all proposed bylaws of a school advisory council and must maintain a record of minutes of council meetings.<sup>9</sup>

<sup>&</sup>lt;sup>3</sup> 1001.452(1)(a), F.S.

<sup>&</sup>lt;sup>4</sup> *Id.* (flush left provision at the end of the paragraph).

<sup>&</sup>lt;sup>5</sup> Id.

<sup>&</sup>lt;sup>6</sup> Section 1001.452(1)(b), F.S.

<sup>&</sup>lt;sup>7</sup> Section 1001.452(1)(c), F.S.

<sup>&</sup>lt;sup>8</sup> Section 1001.452(1)(d), F.S.

 $<sup>^9</sup>$  Id.. (flush left provision at the end of the paragraph).

Each advisory council must perform functions established by regulations of the district school board; however, no advisory council can have any of the powers and duties reserved by law to the district school board. Each school advisory council must assist in the preparation and evaluation of the school improvement plan. Additionally, with technical assistance from the Department of Education, each school advisory council must assist in the preparation of the school's annual budget.<sup>10</sup>

Currently, members serving on a school advisory council do not have term limits.

# III. Effect of Proposed Changes:

This bill modifies s. 1001.452, F.S., by renaming district advisory councils and school advisory councils as "district community advisory boards" and "community advisory boards," respectively. The bill requires community advisory boards to publicize open positions on the board, information regarding board elections and appointments, and information about becoming a board member. The bill also requires the community advisory board to work with each school to ensure the board's efforts to publicize such information are effective.

The bill specifies that executive board members of a community advisory board, consisting of the president, vice president, secretary, and treasurer, are limited to two-year terms. The bill requires district school boards to administer training, and each member of a community advisory board must complete such training at least once.

Additionally, the bill requires the community advisory board to review, approve, and update its bylaws as scheduled by the district school board.

The bill also includes a number of conforming cross-references relating to the renaming of the councils.

The bill is effective July 1, 2024.

# IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

<sup>&</sup>lt;sup>10</sup> Section 1001.452(2), F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

## V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not appear to have a fiscal impact on state revenues or expenditures.

## VI. Technical Deficiencies:

None.

## VII. Related Issues:

None.

## VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.452, 24.121, 1001.42, 1001.43, 1002.23, 1002.32, 1002.33, 1003.02, 1003.4203, 1006.07, 1008.345, 1008.36, 1012.71, and 1012.98.

## IX. Additional Information:

### A. Committee Substitute – Statement of Changes: (Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

20241652

By Senator Burgess

23-01587A-24 20241652 23-01587A-24 1 A bill to be entitled 30 board council shall include in its name the words "community 2 An act relating to district and school advisory 31 school advisory board council." The community school advisory councils; amending s. 1001.452, F.S.; renaming 32 board council shall be the sole body responsible for final 3 district advisory councils and school advisory 33 decisionmaking at the school relating to implementation of ss. councils as "district community advisory boards" and 34 1001.42(18) and 1008.345. A majority of the members of each "community advisory boards," respectively; requiring 35 community school advisory board council must be persons who are community advisory boards to publicize specified 36 not employed by the school district. Each community advisory information; establishing terms for executive board 37 board council shall be composed of the principal and an ç members; requiring district school boards to establish 38 appropriately balanced number of teachers, education support 10 training for community advisory board members; 39 employees, students, parents, and other business and community 11 requiring members of such boards to complete such 40 citizens who are representative of the ethnic, racial, and 12 training; revising the requirements for community 41 economic community served by the school. Career center and high 13 advisory board bylaws; amending ss. 24.121, 1001.42, school community advisory boards councils shall include 42 14 1001.43, 1002.23, 1002.32, 1002.33, 1003.02, 43 students, and middle and junior high school community advisory 15 1003.4203, 1006.07, 1008.345, 1008.36, 1012.71, and boards <del>councils</del> may include students. Community <del>school</del> advisory 44 16 1012.98, F.S.; conforming provisions to changes made boards councils of career centers and adult education centers 45 17 by the act; providing an effective date. are not required to include parents as members. Board Council 46 18 47 members representing teachers, education support employees, 19 Be It Enacted by the Legislature of the State of Florida: 48 students, and parents shall be elected by their respective peer 20 49 groups at the school in a fair and equitable manner as follows: 21 Section 1. Section 1001.452, Florida Statutes, is amended 1. Teachers shall be elected by teachers. 50 22 to read: 2. Education support employees shall be elected by 51 23 1001.452 District and community school advisory boards 52 education support employees. 24 councils.-53 3. Students shall be elected by students. 25 (1) ESTABLISHMENT.-54 4. Parents shall be elected by parents. 26 (a) The district school board shall establish a community 55 27 an advisory board council for each school in the district and 56 The district school board shall establish procedures to be used 2.8 shall develop procedures for the election and appointment of 57 by schools in selecting business and community members that 29 advisory board <del>council</del> members. Each community <del>school</del> advisory include means of ensuring wide notice of vacancies and of taking 58 Page 1 of 24 Page 2 of 24 CODING: Words stricken are deletions; words underlined are additions. CODING: Words stricken are deletions; words underlined are additions.

20241652 23-01587A-24 20241652 88 councils, the term "teacher" includes classroom teachers, 89 certified student services personnel, and media specialists. For 90 purposes of this paragraph, "education support employee" means 91 any person employed by a school who is not defined as 92 instructional or administrative personnel pursuant to s. 1012.01 93 and whose duties require 20 or more hours in each normal working 94 week. 95 (b) The district school board may establish a district 96 community advisory board council representative of the district 97 and composed of teachers, students, parents, and other citizens 98 or a district community advisory board council that may be 99 comprised of representatives of each community school advisory board <del>council</del>. Recognized schoolwide support groups that meet 100 101 all criteria established by law or rule may function as 102 community school advisory boards councils. 103 (c) For those schools operating for the purpose of 104 providing educational services to youth in Department of Juvenile Justice programs, district school boards may establish 105 106 a district community advisory board council with appropriate 107 representatives for the purpose of developing and monitoring a 108 district school improvement plan that encompasses all such 109 schools in the district, pursuant to s. 1001.42(18)(a). 110 (d) Each community school advisory board council shall 111 adopt bylaws establishing procedures for: 112 1. Requiring the community advisory board to review, 113 approve, and update its bylaws as scheduled by the district 114 school board. 115 2.1. Requiring a quorum to be present before a vote may be 116 taken by the community school advisory board council. A majority Page 4 of 24 CODING: Words stricken are deletions; words underlined are additions.

23-01587A-24 59 input on possible members from local business, chambers of 60 commerce, community and civic organizations and groups, and the 61 public at large. The district school board shall review the 62 membership composition of each community advisory board council. 63 If the district school board determines that the membership elected by the school is not representative of the ethnic, 64 65 racial, and economic community served by the school, the 66 district school board shall appoint additional members to 67 achieve proper representation. The commissioner shall determine 68 if schools have maximized their efforts to include on their 69 community advisory boards councils minority persons and persons 70 of lower socioeconomic status. A community advisory board must 71 publicize open positions on the community advisory board, 72 information regarding board elections and appointments, and 73 information about becoming a member of the community advisory 74 board. The community advisory board must work with each school 75 to ensure the board's efforts to publicize such information are 76 effective. The executive board members of a community advisory 77 board, consisting of the president, vice president, secretary, 78 and treasurer, shall serve 2-year terms. The district school 79 board shall administer training, and each member of a community 80 advisory board must complete such training at least once. 81 Although schools are strongly encouraged to establish community 82 school advisory boards councils, the district school board of 83 any school district that has a student population of 10,000 or 84 fewer may establish a district community advisory board council 85 which includes at least one duly elected teacher from each 86 school in the district. For the purposes of community school advisory boards councils and district community advisory boards 87

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23-01587A-24 20241652 23-01587A-24 20241652 117 of the membership of the board council constitutes a quorum. 146 Section 2. Paragraphs (c) and (d) of subsection (5) of 118 3.2. Requiring at least 3 days' advance notice in writing 147 section 24.121, Florida Statutes, are amended to read: 119 to all members of the community advisory board <del>council</del> of any 148 24.121 Allocation of revenues and expenditure of funds for 120 matter that is scheduled to come before the board <del>council</del> for a 149 public education .-121 vote. 150 (5) 122 4.3. Scheduling meetings when parents, students, teachers, 151 (c) A portion of such net revenues, as determined annually 123 businesspersons, and members of the community can attend. 152 by the Legislature, shall be distributed to each school district 124 5.4. Replacing any member who has two unexcused consecutive 153 and shall be made available to each public school in the 125 absences from a community school advisory board council meeting 154 district for enhancing school performance through development 126 that is noticed according to the procedures in the bylaws. 155 and implementation of a school improvement plan pursuant to s. 127 6.5. Recording minutes of meetings. 156 1001.42(18). A portion of these moneys, as determined annually 128 157 in the General Appropriations Act, must be allocated to each 129 The district school board shall may review all proposed bylaws school in an equal amount for each student enrolled. These 158 130 of a community school advisory board council and shall maintain 159 moneys may be expended only on programs or projects selected by 131 a record of minutes of board council meetings. 160 the community school advisory board council or by a parent 132 (2) DUTIES.-Each community advisory board council shall 161 advisory committee created pursuant to this paragraph. If a 133 perform functions prescribed by regulations of the district school does not have a community school advisory board council, 162 134 school board; however, no community advisory board council shall the district community advisory board council must appoint a 163 135 have any of the powers and duties now reserved by law to the 164 parent advisory committee composed of parents of students 136 district school board. Each community school advisory board 165 enrolled in that school, which is representative of the ethnic, 137 council shall assist in the preparation and evaluation of the racial, and economic community served by the school, to advise 166 138 school improvement plan required pursuant to s. 1001.42(18). the school's principal on the programs or projects to be funded. 167 139 With technical assistance from the Department of Education, each 168 Neither school district staff nor principals may override the 140 community school advisory board council shall assist in the 169 recommendations of the community school advisory board council 141 preparation of the school's annual budget and plan as required 170 or the parent advisory committee. These moneys may not be used 142 by s. 1008.385(1). A portion of funds provided in the annual 171 for capital improvements or for any project or program that has 143 General Appropriations Act for use by community school advisory 172 a duration of more than 1 year; however, a community school 144 boards councils must be used for implementing the school 173 advisory board council or parent advisory committee may 145 independently determine that a program or project formerly improvement plan. 174 Page 5 of 24 Page 6 of 24 CODING: Words stricken are deletions; words underlined are additions. CODING: Words stricken are deletions; words underlined are additions. 20241652 23-01587A-24 20241652 204 Section 4. Subsection (5) of section 1001.43, Florida 205 Statutes, is amended to read: 206 1001.43 Supplemental powers and duties of district school 207 board.-The district school board may exercise the following supplemental powers and duties as authorized by this code or 208 209 State Board of Education rule. 210 (5) SCHOOL COMMUNITY RELATIONS.-The district school board 211 may adopt policies governing public gifts and donations to 212 schools; input from the community concerning instruction 213 resources; advertising in schools; participation in community 214 affairs, including coordination with local governments and 215 planning authorities; protocols for interagency agreements; business community partnerships; community use of school 216 217 facilities; public solicitations in schools, including the 218 distribution and posting of promotional materials and 219 literature; visitors to the school campus; community school advisory boards councils; and parent volunteers and chaperones. 220 221 Section 5. Paragraph (c) of subsection (2) and paragraph 222 (d) of subsection (4) of section 1002.23, Florida Statutes, are 223 amended to read: 224 1002.23 Family and School Partnership for Student Achievement Act.-225 226 (2) To facilitate meaningful parent and family involvement, 227 the Department of Education shall develop guidelines for a 228 parent guide to successful student achievement which describes 229 what parents need to know about their child's educational 230 progress and how they can help their child to succeed in school. 231 The guidelines shall include, but need not be limited to: 232 (c) Opportunities for parental participation, such as Page 8 of 24

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175 funded under this paragraph should receive funds in a subsequent 176 year.

177 (d) No funds shall be released for any purpose from the 178 Educational Enhancement Trust Fund to any school district in 179 which one or more schools do not have an approved school 180 improvement plan pursuant to s. 1001.42(18) or do not comply 181 with community school advisory board council membership 182 composition requirements pursuant to s. 1001.452(1). The 183 Commissioner of Education shall withhold disbursements from the 184 trust fund to any school district that fails to adopt the 185 performance-based salary schedule required by s. 1012.22(1). 186 Section 3. Paragraphs (a) and (c) of subsection (19) of section 1001.42, Florida Statutes, are amended to read: 187 188 1001.42 Powers and duties of district school board.-The 189 district school board, acting as a board, shall exercise all 190 powers and perform all duties listed below: 191 (19) LOCAL-LEVEL DECISIONMAKING.-192 (a) Adopt policies that clearly encourage and enhance

(a) Adopt policies that clearly encourage and enhancemaximum decisionmaking appropriate to the school site. Such

194 policies must include guidelines for schools in the adoption and 195 purchase of district and school site instructional materials and 196 technology, the implementation of student health and fitness 197 standards, staff training, <u>community school</u> advisory <u>board</u>

198 council member training, student support services, budgeting, 199 and the allocation of staff resources.

200 (c) Develop policies for periodically monitoring the 201 membership composition of <u>community</u> school advisory <u>boards</u> 202 <del>councils</del> to ensure compliance with requirements established in 203 s. 1001.452.

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23-01587A-24 20241652 23-01587A-24 20241652 233 parenting classes, adult education, community school advisory 262 implementation of the school improvement plan pursuant to s. 234 boards councils, and school volunteer programs; 263 1003.02(3). Lab schools shall comply with the provisions of s. 235 (4) Each district school board shall adopt rules that 264 1001.452 in one of two ways: 236 strengthen family involvement and family empowerment. The rules 265 (a) Each lab school may establish two advisory bodies as 237 shall be developed in collaboration with parents, school 266 follows: 238 administrators, teachers, and community partners, and shall 267 1. An advisory body pursuant to the provisions and 239 address: 268 requirements of s. 1001.452 to be responsible for the 240 (d) Opportunities for parents to participate on community 269 development and implementation of the school improvement plan, 241 school advisory boards councils and in school volunteer programs pursuant to s. 1003.02(3). 270 242 and other activities. 271 2. An advisory board to provide general oversight and 243 Section 6. Subsections (6) and (8) of section 1002.32, 272 guidance. The dean of the affiliated college of education shall 273 244 Florida Statutes, are amended to read: be a standing member of the board, and the president of the 245 university shall appoint four faculty members from the related 1002.32 Developmental research (laboratory) schools .-274 246 (6) SUPPLEMENTAL-SUPPORT ORGANIZATIONS.-Each lab school may 275 university, at least two of whom are from the college of 247 accrue supplemental revenue from supplemental-support 276 education, one layperson who resides in the county in which the 248 organizations, which include, but are not limited to, alumni school is located, two parents of students who attend the lab 277 249 associations, foundations, parent-teacher associations, and 278 school, and one lab school student appointed by the principal to 250 279 booster associations. The governing body of each supplementalserve on the advisory board. The term of each member shall be 251 support organization shall recommend the expenditure of moneys 280 for 2 years, and any vacancy shall be filled with a person of 252 collected by the organization for the benefit of the school. 281 the same classification as his or her predecessor for the 253 balance of the unexpired term. The president shall stagger the Such expenditures shall be contingent upon the recommendations 282 254 of the community school advisory board council and review of the 283 terms of the initial appointees in a manner that results in the 255 director. The director may override any proposed expenditure of 284 expiration of terms of no more than two members in any year. The 256 the organization that would violate Florida Statutes or breach 285 president shall call the organizational meeting of the board. 2.57 sound educational management. 286 The board shall annually elect a chair and a vice chair. There 258 (8) ADVISORY BOARDS.-Each public school in the state shall 287 shall be no limitation on successive appointments to the board 259 establish a community school advisory board council that is 288 or successive terms that may be served by a chair or vice chair. 260 reflective of the population served by the school, pursuant to 289 The board shall adopt internal organizational procedures or 261 bylaws necessary for efficient operation as provided in chapter s. 1001.452, and is responsible for the development and 290 Page 9 of 24 Page 10 of 24 CODING: Words stricken are deletions; words underlined are additions. CODING: Words stricken are deletions; words underlined are additions.

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23-01587A-24 20241652 23-01587A-24 20241652 and facilities. Their responsibilities include staff 378 Section 9. Paragraph (b) of subsection (2) of section development, public K-12 school student education including 379 1003.4203, Florida Statutes, is amended to read: education for exceptional students and students in juvenile 380 1003.4203 Digital materials, CAPE Digital Tool justice programs, special programs, adult education programs, 381 certificates, and technical assistance.and career education programs. Additionally, district school 382 (2) CAPE DIGITAL TOOL CERTIFICATES.-The department shall boards must: identify, in the CAPE Industry Certification Funding List under 383 (1) Provide for the proper accounting for all students of 384 ss. 1003.492 and 1008.44, CAPE Digital Tool certificates that school age, for the attendance and control of students at 385 indicate a student's digital skills. The department shall notify school, and for proper attention to health, safety, and other 386 each school district when the certificates are available. The matters relating to the welfare of students in the following 387 certificates shall be made available to all public elementary areas: 388 and middle grades students. (d) Courses of study and instructional materials .-389 (b) The school district shall notify each middle school 1. Provide adequate instructional materials for all community advisory board council of the methods of delivery of 390 students as follows and in accordance with the requirements of 391 the open-access content and assessments for the certificates. If chapter 1006, in the core courses of mathematics, language arts, 392 there is no middle school community advisory board council, social studies, science, reading, and literature, except for 393 notification must be provided to the district community advisory instruction for which the community school advisory board 394 board council. 395 Section 10. Subsection (2) of section 1006.07, Florida council approves the use of a program that does not include a textbook as a major tool of instruction. 396 Statutes, is amended to read: 2. Adopt courses of study for use in the schools of the 397 1006.07 District school board duties relating to student district. discipline and school safety.-The district school board shall 398 3. Provide for proper requisitioning, distribution, 399 provide for the proper accounting for all students, for the accounting, storage, care, and use of all instructional 400 attendance and control of students at school, and for proper materials as may be needed, and ensure that instructional 401 attention to health, safety, and other matters relating to the materials used in the district are consistent with the district 402 welfare of students, including: goals and objectives and the course descriptions approved by the 403 (2) CODE OF STUDENT CONDUCT.-Adopt a code of student State Board of Education, as well as with the state and school 404 conduct for elementary schools and a code of student conduct for district performance standards required by law and state board 405 middle and high schools and distribute the appropriate code to rule. 406 all teachers, school personnel, students, and parents, at the Page 13 of 24 Page 14 of 24 CODING: Words stricken are deletions; words underlined are additions. CODING: Words stricken are deletions; words underlined are additions. 407

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beginning of every school year. Each code shall be organized and	436 student, while on the grounds of a public school during the
written in language that is understandable to students and	437 regular school day, from wearing clothing that exposes underwear
parents and shall be discussed at the beginning of every school	438 or body parts in an indecent or vulgar manner or that disrupts
year in student classes, <u>community</u> <del>school</del> advisory <u>board</u> <del>council</del>	439 the orderly learning environment.
meetings, and parent and teacher association or organization	440 2. Any student who violates the dress policy described in
meetings. Each code shall be based on the rules governing	441 subparagraph 1. is subject to the following disciplinary
student conduct and discipline adopted by the district school	442 actions:
board and shall be made available in the student handbook or	443 a. For a first offense, a student shall be given a verbal
similar publication. Each code shall include, but is not limited	444 warning and the school principal shall call the student's parent
to:	445 or guardian.
(a) Consistent policies and specific grounds for	446 b. For a second offense, the student is ineligible to
disciplinary action, including in-school suspension, out-of-	447 participate in any extracurricular activity for a period of time
school suspension, expulsion, and any disciplinary action that	448 not to exceed 5 days and the school principal shall meet with
may be imposed for the possession or use of alcohol on school	449 the student's parent or guardian.
property or while attending a school function or for the illegal	450 c. For a third or subsequent offense, a student shall
use, sale, or possession of controlled substances as defined in	451 receive an in-school suspension pursuant to s. 1003.01(13) for a
chapter 893.	452 period not to exceed 3 days, the student is ineligible to
(b) Procedures to be followed for acts requiring	453 participate in any extracurricular activity for a period not to
discipline, including corporal punishment.	454 exceed 30 days, and the school principal shall call the
(c) An explanation of the responsibilities and rights of	455 student's parent or guardian and send the parent or guardian a
students with regard to attendance, respect for persons and	456 written letter regarding the student's in-school suspension and
property, knowledge and observation of rules of conduct, the	457 ineligibility to participate in extracurricular activities.
right to learn, free speech and student publications, assembly,	458 (e) Notice that illegal use, possession, or sale of
privacy, and participation in school programs and activities.	459 controlled substances, as defined in chapter 893, by any student
(d)1. An explanation of the responsibilities of each	460 while the student is upon school property or in attendance at a
student with regard to appropriate dress, respect for self and	461 school function is grounds for disciplinary action by the school
others, and the role that appropriate dress and respect for self	462 and may also result in criminal penalties being imposed.
and others has on an orderly learning environment. Each district	463 (f) Notice that use of a wireless communications device
school board shall adopt a dress code policy that prohibits a	464 includes the possibility of the imposition of disciplinary
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23-01587A-24 20241652 465 action by the school or criminal penalties if the device is used 466 in a criminal act. A student may possess a wireless 467 communications device while the student is on school property or 468 in attendance at a school function; however, a student may not 469 use a wireless communications device during instructional time, 470 except when expressly directed by a teacher solely for 471 educational purposes. A teacher shall designate an area for 472 wireless communications devices during instructional time. Each 473 district school board shall adopt rules governing the use of a 474 wireless communications device by a student while the student is 475 on school property or in attendance at a school function. 476 (g) Notice that the possession of a firearm or weapon as 477 defined in chapter 790 by any student while the student is on 478 school property or in attendance at a school function is grounds 479 for disciplinary action and may also result in criminal 480 prosecution. Simulating a firearm or weapon while playing or 481 wearing clothing or accessories that depict a firearm or weapon 482 or express an opinion regarding a right guaranteed by the Second 483 Amendment to the United States Constitution is not grounds for 484 disciplinary action or referral to the criminal justice or 485 juvenile justice system under this section or s. 1006.13. 486 Simulating a firearm or weapon while playing includes, but is 487 not limited to: 488 1. Brandishing a partially consumed pastry or other food 489 item to simulate a firearm or weapon. 490 2. Possessing a toy firearm or weapon that is 2 inches or 491 less in overall length. 492 3. Possessing a toy firearm or weapon made of plastic snap-493 together building blocks.

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23-01587A-24 20241652 494 4. Using a finger or hand to simulate a firearm or weapon. 495 5. Vocalizing an imaginary firearm or weapon. 496 6. Drawing a picture, or possessing an image, of a firearm 497 or weapon. 498 7. Using a pencil, pen, or other writing or drawing utensil 499 to simulate a firearm or weapon. 500 501 However, a student may be subject to disciplinary action if 502 simulating a firearm or weapon while playing substantially 503 disrupts student learning, causes bodily harm to another person, 504 or places another person in reasonable fear of bodily harm. The 505 severity of consequences imposed upon a student, including referral to the criminal justice or juvenile justice system, 506 507 must be proportionate to the severity of the infraction and 508 consistent with district school board policies for similar 509 infractions. If a student is disciplined for such conduct, the school principal or his or her designee must call the student's 510 parent. Disciplinary action resulting from a student's clothing 511 512 or accessories shall be determined pursuant to paragraph (d) 513 unless the wearing of the clothing or accessory causes a 514 substantial disruption to student learning, in which case the 515 infraction may be addressed in a manner that is consistent with 516 district school board policies for similar infractions. This 517 paragraph does not prohibit a public school from adopting a 518 school uniform policy. 519 (h) Notice that violence against any district school board 520 personnel by a student is grounds for in-school suspension, out-521 of-school suspension, expulsion, or imposition of other disciplinary action by the school and may also result in 522

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20241652 23-01587A-24 20241652 552 basis and request the district school board to modify the 553 requirement by assigning the student to a disciplinary program 554 or second chance school if the request for modification is in 555 writing and it is determined to be in the best interest of the 556 student and the school system. 557 (m) Notice that any student who is determined to have made 558 a threat or false report, as defined by ss. 790.162 and 790.163, 559 respectively, involving school or school personnel's property, 560 school transportation, or a school-sponsored activity will be 561 expelled, with or without continuing educational services, from 562 the student's regular school for a period of not less than 1 563 full year and referred for criminal prosecution and mental health services identified by the school district pursuant to s. 564 565 1012.584(4) for evaluation or treatment, when appropriate. 566 District school boards may assign the student to a disciplinary 567 program or second chance school for the purpose of continuing educational services during the period of expulsion. District 568 school superintendents may consider the 1-year expulsion 569 570 requirement on a case-by-case basis and request the district 571 school board to modify the requirement by assigning the student 572 to a disciplinary program or second chance school if it is 573 determined to be in the best interest of the student and the 574 school system. 575 (n) Criteria for recommending to law enforcement that a 576 student who commits a criminal offense be allowed to participate 577 in a civil citation or similar prearrest diversion program as an 578 alternative to expulsion or arrest. All civil citation or 579 similar prearrest diversion programs must comply with s. 985.12. 580 (o) Criteria for assigning a student who commits a petty Page 20 of 24 CODING: Words stricken are deletions; words underlined are additions.

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523 criminal penalties being imposed.

(i) Notice that violation of district school board
transportation policies, including disruptive behavior on a
school bus or at a school bus stop, by a student is grounds for
suspension of the student's privilege of riding on a school bus
and may be grounds for disciplinary action by the school and may
also result in criminal penalties being imposed.

(j) Notice that violation of the district school board's
sexual harassment policy by a student is grounds for in-school
suspension, out-of-school suspension, expulsion, or imposition
of other disciplinary action by the school and may also result
in criminal penalties being imposed.

(k) Policies to be followed for the assignment of violent
or disruptive students to an alternative educational program or
referral of such students to mental health services identified
by the school district pursuant to s. 1012.584(4).

539 (1) Notice that any student who is determined to have 540 brought a firearm or weapon, as defined in chapter 790, to 541 school, to any school function, or onto any school-sponsored 542 transportation, or to have possessed a firearm at school, will 543 be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 544 545 1 full year and referred to mental health services identified by 546 the school district pursuant to s. 1012.584(4) and the criminal 547 justice or juvenile justice system. District school boards may 548 assign the student to a disciplinary program or second chance 549 school for the purpose of continuing educational services during 550 the period of expulsion. District school superintendents may

551 consider the 1-year expulsion requirement on a case-by-case

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act of misconduct, as defined by the district school board	610 school year of planning and development, or does not comply with
pursuant to s. 1006.13(2)(c), to a school-based intervention	611 community school advisory board council membership composition
program. If a student's assignment is based on a noncriminal	612 requirements pursuant to s. 1001.452. The department shall send
offense, the student's participation in a school-based	613 a technical assistance team to each school without an approved
intervention program may not be entered into the Juvenile	614 plan to develop such school improvement plan or to each school
Justice Information System Prevention Web.	615 without appropriate community school advisory board council
Section 11. Paragraphs (b) and (c) of subsection (6) and	616 membership composition to develop a strategy for corrective
paragraph (c) of subsection (7) of section 1008.345, Florida	617 action. The department shall release the funds upon approval of
Statutes, are amended to read:	618 the plan or upon establishment of a plan of corrective action.
1008.345 Implementation of state system of school	619 Notice shall be given to the public of the department's
improvement and education accountability	620 intervention and shall identify each school without a plan or
(6)	621 without appropriate community school advisory board council
(b) Upon request, the department shall provide technical	622 membership composition.
assistance and training to any school, including any school	623 (7) As a part of the system of educational accountability,
operating for the purpose of providing educational services to	624 the Department of Education shall:
youth in Department of Juvenile Justice programs, community	625 (c) Review the <u>community</u> school advisory <u>boards</u> councils of
school advisory board council, district, or district school	626 each district as required by s. 1001.452.
board for conducting needs assessments, developing and	627 Section 12. Subsection (4) of section 1008.36, Florida
implementing school improvement plans, or implementing other	628 Statutes, is amended to read:
components of school improvement and accountability. Priority	629 1008.36 Florida School Recognition Program
for these services shall be given to schools designated with a	630 (4) All selected schools shall receive financial awards
grade of "D" or "F" and school districts in rural and sparsely	631 depending on the availability of funds appropriated and the
populated areas of the state.	632 number and size of schools selected to receive an award. Funds
(c) Pursuant to s. 24.121(5)(d), the department shall not	633 must be distributed to the school's fiscal agent and placed in
release funds from the Educational Enhancement Trust Fund to any	634 the school's account and must be used for purposes listed in
district in which a school, including schools operating for the	635 subsection (5) as determined jointly by the school's staff and
purpose of providing educational services to youth in Department	636 <u>community</u> school advisory <u>board</u> council. If school staff and the
of Juvenile Justice programs, does not have an approved school	637 <u>community</u> school advisory <u>board</u> council cannot reach agreement
improvement plan, pursuant to s. 1001.42(18), after 1 full	638 by February 1, the awards must be equally distributed to all
Page 21 of 24	Page 22 of 24
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568 students.

Section 15. This act shall take effect July 1, 2024.

1	23-01587A-24 20241652
639	classroom teachers currently teaching in the school. If a school
640	selected to receive a school recognition award is no longer in
641	existence at the time the award is paid, the district school
642	superintendent shall distribute the funds to teachers who taught
643	at the school in the previous year in the form of a bonus.
644	
645	Notwithstanding statutory provisions to the contrary, incentive
646	awards are not subject to collective bargaining.
647	Section 13. Subsection (5) of section 1012.71, Florida
648	Statutes, is amended to read:
649	1012.71 The Florida Teachers Classroom Supply Assistance
650	Program
651	(5) Each classroom teacher must keep receipts for no less
652	than 4 years to show that funds expended meet the requirements
653	of this section. Any unused funds shall be deposited into the
654	community school advisory board council account of the school at
655	which the classroom teacher was employed when the funds were
656	made available to the classroom teacher. If the school does not
657	have a community school advisory board council, the funds shall
658	be expended for classroom materials and supplies as determined
659	by the school principal.
660	Section 14. Subsection (2) of section 1012.98, Florida
661	Statutes, is amended to read:
662	1012.98 School Community Professional Learning Act
663	(2) The school community includes students and parents,
664	administrative personnel, managers, instructional personnel,
665	support personnel, members of district school boards, members of
666	community school advisory boards councils, business partners,
667	and personnel that provide health and social services to
	Page 23 of 24
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Page 24 of 24 CODING: Words stricken are deletions; words <u>underlined</u> are additions.

$\frac{\frac{02}{13}}{\frac{2024}{30}}$ Meeting Date App on Ed	The Florida Senate APPEARANCE RECORD Deliver both copies of this form to Senate professional staff conducting the meeting	1652 Adrisong Can, Bill Number or Topic			
Name <u>Committee</u> Muzzola	Phone <u>40</u>	Amendment Barcode (if applicable) 7-855-7064			
Address 1747 Ovlando Cen	tral PEWY Email Vp. C	educationa florida pta. ung			
Orlando FL City State					
<b>Speaking:</b> For Against	Information <b>OR</b> Waive Speaking:	Tin Support 🗌 Against			
PLEASE CHECK ONE OF THE FOLLOWING:					
I am appearing without compensation or sponsorship.	I am a registered lobbyist, representing:	Tam not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Flovida PTA			

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules. pdf (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

#### 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 Appropriations Committee on Education SB 1396 BILL: Senators Gruters and Yarborough INTRODUCER: Security for Jewish Day Schools and Preschools SUBJECT: February 12, 2024 DATE: **REVISED:** ANALYST STAFF DIRECTOR REFERENCE ACTION 1. Bouck ED Favorable Bouck 2. Gray Elwell AED Favorable 3. FP

## I. Summary:

SB 1396 establishes a program under the Department of Education to provide recurring funds for school hardening of facilities at Jewish day schools and preschools. The bill specifies that, based on a risk assessment, funds may be used for:

- Security cameras, lighting, fencing, and shatter-resistant glass.
- Licensed security personnel.
- Transportation expenses that minimize security exposure.
- Nonhardening security measures such as detection, prevention, and security services.

The funding is as determined in the General Appropriations Act. See Section V, Fiscal Impact Statement.

The bill takes effect on July 1, 2024.

## II. Present Situation:

## **Funding for School Safety**

## Safe School Allocation

A safe schools allocation was created in 2017<sup>1</sup> to provide funding to assist school districts in their compliance with laws relating to student discipline and school safety,<sup>2</sup> with priority given to establishing a school resource officer program.

Under the safe schools allocation each school district receives a minimum amount provided in the General Appropriations Act (GAA), with the balance allocated to school districts based on

<sup>&</sup>lt;sup>1</sup> Chapter 2017-116, s. 4, Laws of Fla.

<sup>&</sup>lt;sup>2</sup> Sections 1006.07-1006.148, F.S. (2017)

the most recent official Florida Crime Index and two-thirds based on each school district's proportionate share of the state's total unweighted full-time equivalent (FTE) student enrollment.<sup>3</sup> In every year of the allocation each school districts has received a minimum of \$250,000.

Fiscal Year	Safe Schools Allocation
2023-2024	\$250 million <sup>4</sup>
2022-2023	\$210 million <sup>5</sup>
2021-2022	\$180 million <sup>6</sup>
2020-2021	\$180 million <sup>7</sup>
2019-2020	\$180 million <sup>8</sup>
2018-2019	\$161,956,019 <sup>9</sup>

## School Hardening Grant Program

The School Hardening Grant Program (grant) provides awards to schools for fixed capital outlay costs to improve the physical security for school buildings based on the security risk assessment under the Florida Safe Schools Assessment Tool (FSSAT).<sup>10</sup> School districts and charter schools receiving the grant must report to the Department of Education the total estimated costs of their unmet school campus hardening needs as identified by the FSSAT. Funds are awarded based on district application, and are allocated initially based on each district's capital outlay FTE student membership and charter school FTE. Each school district allocation is no less than \$42,000.

Fiscal Year	School Hardening Grant
2022-2023	\$20 million <sup>11</sup>
2021-2022	\$42 million <sup>12</sup>
2020-2021	\$42 million <sup>13</sup>
2019-2020	\$50 million <sup>14</sup>
2018-2019	\$98,962,286 <sup>15</sup>

<sup>&</sup>lt;sup>3</sup> Section 1011.62(12), F.S. Distribution of funds is also contingent upon the school district's compliance with reporting requirements related to bullying and harassment. Section 1006.147(7), F.S.

<sup>&</sup>lt;sup>4</sup> Specific Appropriation 80, ch. 2023-239, Laws of Fla.

<sup>&</sup>lt;sup>5</sup> Specific Appropriation 86, ch. 2022-156, Laws of Fla.

<sup>&</sup>lt;sup>6</sup> Specific Appropriation 90, ch. 2021-36, Laws of Fla.

<sup>&</sup>lt;sup>7</sup> Specific Appropriation 92, ch. 2020-111, Laws of Fla.

<sup>&</sup>lt;sup>8</sup> Specific Appropriation 93, ch. 2019-115, Laws of Fla.

<sup>&</sup>lt;sup>9</sup> Specific Appropriation 92, ch. 2018-9, Laws of Fla. Chapter 2018-3, s. 42, Laws of Fla.

<sup>&</sup>lt;sup>10</sup> See e.g. Specific Appropriation 108, ch. 2022-156, Laws of Fla. Florida Department of Education, *Florida Safe Schools Assessment Tool (FSSAT)*, <u>https://www.fldoe.org/safe-schools/fssat-tool.stml</u> (last visited Feb. 4, 2024). The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise, pursuant to the public school security risk assessment required in law. Section 1006.1493, F.S.

<sup>&</sup>lt;sup>11</sup> Specific Appropriation 108, ch. 2022-156, Laws of Fla.

<sup>&</sup>lt;sup>12</sup> Specific Appropriation 113A, ch. 2021-36, Laws of Fla.

<sup>&</sup>lt;sup>13</sup> Specific Appropriation 117A, ch. 2020-111, Laws of Fla.

<sup>&</sup>lt;sup>14</sup> Specific Appropriation 116A, ch. 2019-115, Laws of Fla.

<sup>&</sup>lt;sup>15</sup> Chapter 2018-3, s. 44, Laws of Fla.

## Nonprofit Security Grant Program

During the 2023 regular session, the Legislature directed the Division of Emergency Management (DEM) to establish a state Nonprofit Security Grant Program (NSGP) similar to the federal NSGP.<sup>16</sup> The state NSGP made funds available to houses of worship, schools, museums, and community centers that are at high risk for violent attacks or hate crimes. The grants ranged from \$10,000 to \$150,000 and could be used to increase security and safety, including, but not limited to:

- The purchase and installation of security infrastructure, perimeter lighting, materials for door hardening, security camera systems, perimeter fencing, barriers and bollards, and blast-resistant film and shatter-resistant glass for windows.
- Hiring security personnel.
- Training for security personnel and staff on threat awareness, emergency procedures, and first aid.

DEM rules to administer the grant program must include prioritizing applicants that are houses of worship or whose facilities are frequented by children or students on a daily basis.

The state NSGP did not receive an appropriation during the 2023 regular legislative session. However, in the 2023C special session the state NSGP was appropriated \$20 million for the 2023-2024 fiscal year.<sup>17</sup>

## Security Funding for Jewish Day Schools

Generally, security funding for Jewish day schools has been appropriated each year as projects in the GAA, as follows:

Fiscal Year	Amount
2023-2024	\$5 million <sup>18</sup>
2022-2023	\$4 million <sup>19</sup>
2021-2022	\$4 million <sup>20</sup>
2020-2021	\$2.5 million <sup>21</sup>
2019-2020	\$2.5 million <sup>22</sup>
2018-2019	\$2 million <sup>23</sup>
2017-2018	\$654,491 <sup>24</sup>

<sup>&</sup>lt;sup>16</sup> Chapter 2023-180, Laws of Fla.; codified as s. 252.3712, F.S.

<sup>&</sup>lt;sup>17</sup> Chapter 2023-352, s. 3, Laws of Fla.

<sup>&</sup>lt;sup>18</sup> Specific Appropriations 100 and 105, ch. 2023-239, Laws of Fla.

<sup>&</sup>lt;sup>19</sup> Specific Appropriations 104 and 109, ch. 2022-156, Laws of Fla.

<sup>&</sup>lt;sup>20</sup> Specific Appropriations 110 and 114, ch. 2021-36, Laws of Fla.

<sup>&</sup>lt;sup>21</sup> Specific Appropriation 118, ch. 2020-111, Laws of Fla.

<sup>&</sup>lt;sup>22</sup> Specific Appropriation 117, ch. 2019-115, Laws of Fla.

<sup>&</sup>lt;sup>23</sup> Specific Appropriation 116, ch. 2018-9, Laws of Fla.

<sup>&</sup>lt;sup>24</sup> Specific Appropriation 114, ch. 2017-70, Laws of Fla.

Additionally, in the 2023 special session for the 2023-2024 fiscal year, the Legislature appropriated the following nonrecurring funds:

- Fixed capital outlay of \$15,000,000 to provide grants to full-time Jewish day schools and Jewish preschools for hardening security measures, including the purchase and installation of security infrastructure, perimeter lighting, materials for door hardening, security camera systems, perimeter fencing, barriers and bollards, and blast-resistant film and shatter-resistant glass for windows.<sup>25</sup>
- Grants totaling \$10,000,000 to full-time Jewish day schools and Jewish preschools for nonhardening security measures, including hiring security personnel and training for security personnel and staff on threat awareness, emergency procedures, and first aid.<sup>26</sup>

## III. Effect of Proposed Changes:

This bill creates s. 1001.2921, F.S., to establish a program under the Department of Education (DOE) to provide recurring funds to enhance the security of full-time Jewish day schools and preschools with professional security hardening for school facilities.

The bill specifies that based on a risk assessment by a law enforcement agency or a private security company, recurring funds must be used for any of the following:

- The purchase and installation of security cameras, perimeter lighting, perimeter fencing, and shatter-resistant glass for windows.
- Hiring or contracting with security personnel who are licensed and regulated by the state and insured.
- Expenses relating to transportation to minimize security exposure of staff, parents, and students.
- Other nonhardening security measures, including, but not limited to, providing professional detection, prevention, and security services to such schools and preschools.

The bill authorizes the State Board of Education to adopt rules to implement the program.

The bill takes effect on July 1, 2024.

## IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

<sup>&</sup>lt;sup>25</sup> Chapter 2023-352, s. 4, Laws of Fla.

<sup>&</sup>lt;sup>26</sup> Chapter 2023-352, s. 5, Laws of Fla.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

## V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill specifies funding will be as determined in the General Appropriations Act.

## VI. Technical Deficiencies:

None.

## VII. Related Issues:

None.

## VIII. Statutes Affected:

This bill creates section 1001.2921 of the Florida Statutes.

## IX. Additional Information:

A. Committee Substitute – Statement of Changes: (Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

By Senator Gruters 20241396 22-01116A-24 22-01116A-24 20241396 1 A bill to be entitled 30 (b) Hiring or contracting with security personnel who are 2 An act relating to security for Jewish day schools and 31 licensed and regulated by the state and insured. preschools; creating s. 1001.2921, F.S.; subject to 32 (c) Expenses relating to transportation to minimize and consistent with funds appropriated from the 33 security exposure of staff, parents, and students. General Appropriations Act, requiring the Department 34 (d) Other nonhardening security measures, including, but not limited to, providing professional detection, prevention, of Education to establish a program to provide funds 35 to full-time Jewish day schools and preschools for 36 and security services to such schools and preschools. specified security purposes; providing authorized uses 37 (2) The State Board of Education may adopt rules to С for specified funds; authorizing the State Board of 38 administer this section. 10 Education to adopt rules; providing an effective date. 39 Section 2. This act shall take effect July 1, 2024. 11 12 Be It Enacted by the Legislature of the State of Florida: 13 14 Section 1. Section 1001.2921, Florida Statutes, is created 15 to read: 16 1001.2921 Security funding for Jewish day schools and 17 preschools.-18 (1) As authorized by and consistent with funds appropriated 19 in the General Appropriations Act, the Department of Education 20 shall establish a program to provide funds to make full-time 21 Jewish day schools and preschools in this state secure with 22 professional security hardening, as needed, to better secure 23 facilities of such schools and preschools and to protect their 24 students. Based on a risk assessment by a law enforcement agency 25 or a private security company, recurring funds must be used for any of the following: 26 27 (a) The purchase and installation of security cameras, 28 perimeter lighting, perimeter fencing, and shatter-resistant 29 glass for windows. Page 1 of 2 Page 2 of 2 CODING: Words stricken are deletions; words underlined are additions. CODING: Words stricken are deletions; words underlined are additions.



The Florida Senate

# **Committee Agenda Request**

То:	Senator Keith Perry, Chair
	Committee on Appropriations for Education

Subject: Committee Agenda Request

Date: February 7, 2024

I respectfully request that **Senate Bill # 1396**, relating to Security for Jewish Day Schools and Preschools, be placed on the:

Committee agenda at your earliest possible convenience.



Next committee agenda.

Joe Jenters

Senator Joe Gruters Florida Senate, District 22

412K 02/13/2024 9.30 Meeting Date App on ED Committee Name Address 1747 01/40/40 Street 01/40/40	FL 82809	D 1396 Secury Bill Number or Topic Amendment Barcode (if applicable) 407-855-7664 Deducation Haridapta.org
City Speaking: For Aga	State Zip inst Information <b>OR Waive Speak</b>	<b>ing:</b> In Support 🗌 Against
	PLEASE CHECK ONE OF THE FOLLOWIN	IG:
I am appearing without compensation or sponsorship.	I am a registered lobbyist, representing:	I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by: Florida PTA

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022 Joint Rules.pdf (flsenate.gov)

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S-001 (08/10/2021)

# **CourtSmart Tag Report**

Room: KB 412 Case No.: -Caption: Senate Appropriations Committee on Education Type: Judge:

Started: 2/13/2024 8:30:16 AM Ends: 2/13/2024 8:38:33 AM Length: 00:08:18 8:30:18 AM Recording Paused 8:30:32 AM **Recording Resumed** 8:30:34 AM Sen. Perry (Chair) 8:31:05 AM S 1652 Sen. Burgess 8:31:09 AM Sen. Perry 8:31:47 AM 8:31:53 AM Karen Mazzola, Florida Parent Teacher Association (waive in support) Sen. Burgess 8:31:58 AM Sen. Perry 8:32:00 AM 8:32:21 AM S 62 Sen. Osgood 8:32:27 AM Sen. Perry 8:33:24 AM Karen Mazzola, Florida Parent Teacher Association (waive in support) 8:33:31 AM 8:33:34 AM Sarah Massey, Lobbyist, Florida Chamber of Commerce (waive in support) 8:33:37 AM Gus Corbella, Lobbyist, Florida Rights Restoration Coalition (waive in support) 8:33:44 AM Sen. Osgood 8:33:46 AM Sen. Perry 8:34:05 AM S 1396 Sen. Gruters 8:34:13 AM 8:35:01 AM Sen. Perry Karen Mazzola, Florida Parent Teacher Association 8:35:20 AM 8:37:07 AM Sen. Perry Sen. Jones 8:37:13 AM 8:37:41 AM Sen. Perry 8:37:43 AM Sen. Gruters 8:37:45 AM Sen. Perry 8:38:16 AM Sen. Jones 8:38:21 AM Sen. Perry



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:** Community Affairs, *Chair* Appropriations Committee on Education Education Pre-K -12 Fiscal Policy Health Policy

SELECT COMMITTEE: Select Committee on Resiliency

SENATOR ALEXIS CALATAYUD 38th District

February 13, 2024

The Honorable Senator Keith Perry

Appropriations Committee on Education

**REF: EXCUSAL LETTER** 

Honorable Senator Perry,

Please excuse my absence from your committee as I was presenting a bill in another committee.

Sincerely,

Alexy Calatayud

Alexis M. Calatayud

Senator

District 38

REPLY TO: ☐ Kendall Campus, 11011 SW 104th Street, Suite 5101, Miami, Florida 33176 (305) 596-3002 ☑ 302 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5038

Senate's Website: www.flsenate.gov



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES: Transportation, Vice Chair Appropriations Appropriations Committee on Education Appropriations Committee on Health and Human Services Governmental Oversight and Accountability Health Policy

SELECT COMMITTEE: Select Committee on Resiliency

JOINT COMMITTEE: Joint Legislative Auditing Committee

SENATOR TRACIE DAVIS 5th District

February 13, 2024

The Honorable Keith Perry Appropriations Committee on Education, Chair 201 The Capitol 404 South Monroe Street Tallahassee, FL 32399-1100

Dear Chair Perry,

I respectfully request an excused absence from the February 13, 2024, Appropriations Committee on Education meeting.

Thank you for your consideration.

Sincerely,

Tracie Davis State Senator District 05

2933 North Myrtle Avenue, Suite 201, Jacksonville, Florida 32209 (904) 359-2575
 224 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5005