

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K - 12

CS/HB 189 — Teacher Certification

by K-12 Subcommittee; and Rep. Diaz, M., and others (CS/SB 432 by Education Pre-K – 12 Committee and Senator Hutson)

The bill creates an expedited pathway for an individual holding a Florida temporary educator certificate to earn a Florida professional educator certificate for grades 6 through 12.

Specifically, the bill allows an individual to earn a professional certificate if the individual:

- Meets the general certification requirements;
- Holds a master’s or higher degree in the area of science, technology, engineering, or mathematics;
- Teaches a high school course in the subject of the advanced degree;
- Is rated highly effective as determined by the teacher’s performance evaluation system, based in part on student performance as measured by a statewide, standardized assessment, or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination; and
- Passes the Florida professional education competency examination required by State Board of Education rule.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 38-1; House 100-11

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CS/HB 229 — Bullying and Harassment Policies in Schools

by K-12 Subcommittee; and Rep. Geller and others (CS/SB 268 by Fiscal Policy; and Senators Ring and Sachs)

The bill requires a school district’s policy on prohibiting bullying and harassment to be implemented by each school principal and reviewed at least every 3 years. The bill also requires such policy to include a procedure for receiving reports of alleged acts of bullying or harassment and a list of bullying prevention and intervention programs authorized by the school district.

Furthermore, the bill provides that chapter 2010-217, L.O.F., codified as s. 1006.148, F.S., relating to school district policies on dating violence and abuse, may be cited as “Taylor’s Law for Teen Dating Violence Awareness and Prevention.”

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 37-0; House 107-3

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CS/CS/CS/HB 287 — Principal Autonomy Pilot Program Initiative

by Education Committee; Education Appropriations Subcommittee; K-12 Subcommittee; and Reps., Diaz, M., Sprowls, and others (CS/CS/SB 434 by Appropriations Committee; Education Pre-K – 12 Committee; and Senators Garcia and Gaetz)

The bill establishes the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education (DOE) to provide a highly effective principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in student achievement and school management. The State Board of Education (SBE) may enter into a performance contract with up to seven district school boards for participation in the pilot program. Participation is voluntary, but limited to the school district boards of Broward, Duval, Jefferson, Madison, Palm Beach, Pinellas and Seminole Counties. Schools selected for participation in PAPPI are exempt from chapters 1000-1013, F.S., of the K-20 Education Code and related SBE rules, with exceptions.

Specifically, the bill:

- Requires school districts seeking to participate in PAPPI to submit to the SBE for approval a principal autonomy proposal that:
 - Identifies three schools that received at least two school grades of “D” or “F” during the previous three school years;
 - Identifies three highly effective rated principals;
 - Describes the areas in which increased autonomy is to be granted; and
 - States measurable goals regarding student achievement and operational efficiency.
- Requires specified personnel from each participating school and district to enroll in and complete a nationally recognized school turnaround program upon acceptance into the pilot program.
- Requires the Legislature to provide an appropriation to the DOE for the costs of the pilot program in the amount of \$100,000 per participating school district, and a \$10,000 annual salary supplement for each of the three school principals from each of the participating school districts.
- Appropriates the sums of \$700,000 in nonrecurring funds and \$210,000 in recurring funds from the General Revenue Fund to the DOE for implementation during the 2016-2017 fiscal year.
- Requires the following reporting process:
 - Each participating district school board must submit an annual report to the SBE;
 - SBE must submit an annual report on the implementation of the pilot program; and
 - Upon completion of the pilot program, the Commissioner of Education must submit a report to the President of the Senate and the Speaker of the House of Representatives which provides a full evaluation of the effectiveness of the pilot program.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 36-4; House 97-17

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HB 585 — Instruction for Homebound and Hospitalized Students

by Rep. Burgess and others (SB 806 by Senator Legg)

The bill obligates school districts to provide instruction to homebound or hospitalized students, as part of its program of special instruction, for exceptional students receiving treatment in a children's specialty hospital.

More specifically, the bill requires each school district with a children's specialty hospital located within the district, to:

- Enter into an agreement with the hospital no later than August 15, 2016, to establish a process by which the hospital will notify the district of students who may be eligible for educational instruction, and to establish timelines for determining student eligibility and providing educational instruction.
- Provide educational instruction to eligible students receiving treatment in the hospital, until the district is able to enter into an agreement with the school district where the student resides.
- At least every three years, submit to the Department of Education its proposed procedures for the provision of special instruction and service for exceptional students.

The State Board of Education is required to establish rules regarding criteria and procedures for determining student eligibility, appropriate methods and requirements for providing instruction for eligible students, and a standard agreement for schools districts to use when students receiving services from a children's specialty hospital transition between school districts.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 39-0; House 119-0

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SB 672 — Educational Options

by Senators Gaetz and Hukill

The bill (Chapter 2016-2, L.O.F.) codifies, renames, and expands the Gardiner Scholarship Program (formerly called the Florida Personal Learning Scholarship Accounts Program – PLSA), establishes Florida postsecondary education options, codifies standard student attire policies, and revises Florida Tax Credit Scholarship Program (FTC) accountability provisions.

Gardiner Scholarship Program

The bill clarifies and streamlines implementation, and tightens accountability, of the Gardiner Scholarship Program. Specifically the bill:

- Clarifies program implementation:
 - Renames the “Florida Personal Learning Scholarship Accounts Program” as the “Gardiner Scholarship Program,” and expands the definition of disability to include autism spectrum disorder, muscular dystrophy, and specified 3- and 4-year olds.
 - Expands and clarifies authorized uses, length of time to earn, and reversion of funds.
 - Expands the Department of Education’s (DOE) investigative authority and clarifies the Commissioner of Education’s authority regarding participation and fund recovery.
- Streamlines program implementation:
 - Requires funds to be prorated, allows earlier receipt of funds, and limits wait list time.
 - Requires the Florida Prepaid College Board to implement specified provisions regarding use of program funds for Florida’s prepaid plans.
- Tightens program accountability requirements:
 - Clarifies a scholarship funding organization’s (SFO) duty to review and prioritize applications. Requires SFOs to notify participants of ability to request a new or revised matrix of services and document each student’s eligibility before granting a program scholarship. Revises requirements for SFO payment transfer systems.
 - Authorizes a SFO administrative fee of 3% of the amount of each award, subject to conditions. Prohibits a SFO from charging an application fee. Prohibits administrative expenses and fees from being deducted from a student’s scholarship award.
 - Simplifies parent compliance statement and removes duplicate auditing requirements.

Florida Postsecondary Education Options

The bill establishes mechanisms for the statewide coordination of information about programs for students with disabilities, and for the approval of unique postsecondary education programs tailored to the needs of students with intellectual disabilities. Specifically the bill:

- Establishes a Florida Center for Students with Unique Abilities (center) at the University of Central Florida for statewide coordination of information regarding programs and services for students with disabilities and their parents.

- Requires rule adoption by the Board of Governors and the State Board of Education in consultation with the center.
- Establishes a process through which postsecondary institutions in Florida can voluntarily seek approval to offer a Florida Postsecondary Comprehensive Transition Program (FPCTP or program) for students with intellectual disabilities.
 - Creates a scholarship to provide financial aid to students who meet the student eligibility requirements and are enrolled in a program.
 - Outlines processes and application requirements for program approval and renewal.
 - Requires annual reporting of student and program performance measures and statutory and budget recommendations for improving program implementation.
 - Defines key terms including, but not limited to, FPCTP, eligible institution, eligible student, and the center.

Standard Student Attire Program

The bill awards incentive payments (\$10 per student) to school districts and charter schools that implement districtwide or schoolwide, standard student attire policies applicable to students in kindergarten through grade 8. Policies must:

- Prohibit certain types or styles of clothing, while requiring solid-colored clothing and fabrics and short- or long-sleeved shirts with collars; and
- Allow reasonable accommodations based on a student's religion, disability, or medical condition.

Furthermore, the bill requires each district school superintendent or charter school governing board to annually certify to the Commissioner of Education its implementation of a qualifying standard student attire policy, and provides immunity from civil liability to a district school board or a charter school governing board that implements such policy.

Florida Tax Credit Scholarship Program (FTC)

The bill provides for increased accountability and use for scholarship funds by Scholarship Funding Organizations (SFO). Specifically, the bill:

- Clarifies audit requirements for SFOs to be able to receive an administrative fee.
- Prohibits SFOs from charging application fees.
- Requires scholarship contributions that are not allowed to be carried forward to transfer to other SFOs. Requires funds held by a SFO that is closing to be transferred to another eligible SFO to provide scholarships.
- Clarifies ability make a claim against a surety bond, and limits recovery to another SFO for use as student scholarships.

The bill appropriates \$95,336,000 as follows: (1) \$71.2 million for scholarships, and \$2,136,000 for expenses, under the Gardiner Scholarship Program; (2) \$14 million for incentive payments under the Standard Student Attire Incentive Program; and (3) \$8 million in support of postsecondary education options.

These provisions were approved by the Governor and take effect July 1, 2016.

Vote: Senate 39-0; House 109-1

THE FLORIDA SENATE
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CS/HB 701 — Art in the Capitol Competition

by K-12 Subcommittee; and Rep. Lee and others (CS/SB 1160 by Education Pre-K – 12 Committee and Senator Detert)

The bill creates the Art in the Capitol Competition, a statewide visual arts competition for all public, private, and home education students in grades 6 through 8.

Specifically, the bill requires each school district to annually hold an Art in the Capitol Competition with the submissions to be judged by a selection committee consisting of art teachers whose students have not submitted artwork. The winning artwork is to be submitted to the office of the legislator of the legislative district in which the student resides no later than 60 days prior to the start of the regular legislative session. The legislator must submit the artwork to the Department of Management Services (DMS) to be displayed in the Capitol Building during the regular legislative session.

The bill directs the DMS and the Department of Education to administer the Art in the Capitol Competition.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 38-0; House 116-2

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CS/CS/HB 719 — Education Personnel

by Education Appropriations Subcommittee; K-12 Subcommittee; and Rep. Spano and others (CS/CS/SB 894 by Appropriations Committee; Education Pre-K -12 Committee; and Senator Detert)

The bill (Chapter 2016-58, L.O.F.) modifies and expands several statutory provisions relating to education personnel.

Specifically, the bill:

- Adds Department of Education (DOE) employees and agents, who investigate or prosecute educator misconduct, to the list of individuals authorized to access records relating to child abuse, abandonment, or neglect.
- Authorizes the DOE to use information from the Central Abuse Hotline for educator certification discipline and review.
- Authorizes the Commissioner of Education to issue a letter of guidance to an educator in lieu of finding probable cause to prosecute misconduct.
- Modifies the membership of the Education Practices Commission.
- Makes permanent the educator liability insurance program.
- Prohibits postsecondary education institutions and school districts from requiring students participating in a clinical field experience to purchase liability insurance.
- Authorizes DOE to sponsor an educator job fair.
- Requires DOE to coordinate a best practices community to assist school districts with teacher recruitment and other human resource functions.
- Removes State Board of Education rulemaking authority regarding school district assignment of newly hired instructional personnel.
- Establishes in law state approval of school leader preparation programs.

These provisions were approved by the Governor and take effect July 1, 2016.

Vote: Senate 37-1; House 91-22

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CS/HB 837 — Education Programs for Individuals with Disabilities

by Education Committee; and Reps. Bileca, Cortes, B., and others (CS/SB 1088 by Education Pre-K – 12 Committee; and Senators Stargel and Garcia)

The bill modifies educational programs for individuals with disabilities and expands options for home education and dual enrollment students, including students with disabilities.

Regarding the John M. McKay Scholarship for Students with Disabilities Program (McKay), the bill exempts foster children from the prior school year attendance requirement for determining student eligibility, authorizes a private school to establish a transition-to-work program for McKay students, and enables McKay students to take virtual courses without reducing the scholarship amount.

The bill expands services provided to home education program students, including students with disabilities:

- Requires the Department of Education (department) to make testing and evaluation diagnostic services available to home education program students at diagnostic and resource centers.
- Authorizes school districts to provide exceptional student education-related services to home education program students with disabilities eligible for the services who enroll in a public school solely for the purpose of receiving such services, and requires the districts to report such students for full-time equivalent funding.

The bill modifies dual enrollment articulation agreement provisions:

- Establishes August 1 as the annual deadline by which dual enrollment articulation agreements with home education program students, private schools, and state universities or eligible private colleges and universities must be submitted to the department.
- Specifies responsibilities for private school students similar to home education program students, and provisions that must be included in the private school dual enrollment articulation agreements.
- Requires eligible postsecondary institutions to include in their dual enrollment articulation agreements, services and resources available to students with disabilities, and provide such information to the Florida Center for Students with Unique Abilities (center); requires the department to provide the center a link to dual enrollment articulation agreements that apply to students with disabilities; and requires the center to disseminate dual enrollment information to students with disabilities and their parents.

Additionally, the bill saves from repeal the Adults with Disabilities Workforce Education Pilot Program, and renames the program as the “Adults with Disabilities Workforce Education Program.”

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 39-0; House 114-0

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CS/HB 1147 — Character-development Instruction

by K-12 Subcommittee; and Reps. Latvala, Fitzenhagen, and others (CS/CS/SB 1462 by Appropriations Committee; Education Pre-K – 12 Committee; and Senator Latvala)

The bill expands the requirements for high school character-development programs to include instruction on developing life and career-related skills.

Specifically, the bill requires instruction on:

- Developing leadership skills, interpersonal skills, organization skills, and research skills;
- Creating a resume;
- Developing and practicing the skills necessary for employment interviews;
- Conflict resolution, workplace ethics, and workplace law;
- Managing stress and expectations; and
- Developing skills that enable students to become more resilient and self-motivated.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 39-0; House 111-2

THE FLORIDA SENATE
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CS/HB 1305 — Emergency Allergy Treatment in Schools

by Education Committee; and Rep. Eagle and others (CS/SB 1196 by Education Pre-K – 12 Committee; and Senators Bean and Hutson)

The bill modifies the definition of an authorized entity for the purposes of emergency allergy treatment and authorizes public and private schools to enter into arrangements with wholesale distributors or manufacturers to obtain epinephrine auto-injectors. Specifically, the bill:

- Expands the definition of an authorized entity to include private schools and their employees, agents, and the physician who provides the standing protocol for school epinephrine auto-injectors; changes the purposes for which public and private schools and their employees, agents, and physician are considered an authorized entity; and extends immunity from liability to such schools and their employees, agents, and physician.
- Clarifies that public and private schools may obtain a supply of epinephrine auto-injectors from a wholesale distributor or enter into an arrangement with a wholesale distributor or manufacturer for the epinephrine auto-injectors.

The bill eliminates the requirement that the supply of epinephrine auto-injectors obtained by public and private schools must be kept locked on the school premises but continues to maintain current law requiring the schools to maintain the epinephrine auto-injectors in a secure location on the school premises.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 39-0; House 114-0

THE FLORIDA SENATE
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CS/CS/HB 1365 — Competency-Based Education Pilot Program

by Education Appropriations Subcommittee; Choice and Innovation Subcommittee; and Reps. Rodriguez, R., Sprowls, and others (CS/CS/SB 1714 by Appropriations Committee; Education Pre-K – 12 Committee; and Senators Brandes and Sachs)

The bill promotes competency-based student learning opportunities by establishing a competency-based innovation pilot program (pilot program) within the Department of Education (department) for a period of five years. The bill specifies a purpose for the pilot program, which is to provide an educational environment that allows students to advance to higher levels of learning after demonstrating a mastery of concepts and skills.

Specifically, the bill:

- Authorizes the P.K. Yonge Developmental Research School and the Lake, Palm Beach, Pinellas, and Seminole County school districts to apply to the department to participate in the pilot program.
- Specifies pilot program-related application requirements such as the timelines for districtwide implementation of the pilot program; a list of participating schools; annual goals and performance outcomes for participating schools including, but not limited to, student performance, promotion and retention rates, graduation rates, and indicators of college and career readiness; a communication plan for parents and other stakeholders; the scope and timelines for professional development for certain school personnel; and a plan for student progression based on the mastery of content.
- Requires students participating in the pilot program at participating schools to be reported for funding in accordance with current law.
- Authorizes the State Board of Education (state board) to permit the commissioner to grant waivers from state board rules relating to student progression and the awarding of credits.
- Requires the state board to adopt rules to administer the pilot program provisions.

The bill requires the department to:

- Compile student and staff schedules of participating schools before and after implementation of the pilot program.
- Provide participating schools with access to the statewide, standardized comprehensive and end-of-course assessments.
- Provide a report annually, by June 1, summarizing the activities and accomplishments of the pilot programs and recommendations for statutory revisions for statewide implementation to the Governor, President of the Senate, and the Speaker of the House of Representatives.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 31-6; House 100-13

THE FLORIDA SENATE
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CS/HB 7053 — Early Childhood Development

by Appropriations Committee; Education Committee; and Rep. O'Toole and others (CS/SB 7058 by Appropriations Committee and Education Pre-K – 12 Committee)

The bill revises the Early Steps program within the Department of Health (DOH) and revises provisions of the School Readiness program to align to federal requirements in the 2014 reauthorization of the Child Care and Development Block Grant.

The Early Steps program provides screening and early intervention services to parents with infants and toddlers who have or may have a developmental delay. Specifically, the bill:

- Expands the duties of the DOH clearinghouse for information on early intervention services for parents and providers of early intervention services.
- Provides goals for the Early Steps program, defines terms, and assigns duties to the DOH, as well as the local Early Steps offices.
- Establishes eligibility criteria for the program.
- Requires a statewide plan, performance standards, and an accountability report each year.
- Designates the Florida Interagency Coordinating Council for Infants and Toddlers as the state interagency coordination council as required under federal law.
- Provides procedures for the successful transition of children from the Early Steps program to the local school districts.
- Repeals outdated sections of the Florida Statutes relating to the Early Steps program.

The School Readiness program provides subsidies for child care services and early childhood education for children of low-income families; children in protective services who are at risk of abuse, neglect, or abandonment; and children with disabilities. Specifically, the bill revises current statutory provisions relating to the School Readiness program by:

- Increasing health and safety standards;
- Expanding requirements for employment history checks and child care personnel background screenings;
- Expanding availability of child care information, including inspection and monitoring reports;
- Expanding School Readiness provider standards to include preservice and inservice training requirements and appropriate group size and staff-to-child ratios; and
- Aligning child eligibility criteria to the federal requirements.

If approved by the Governor, these provisions take effect July 1, 2016.

Vote: Senate 40-0; House 114-0